

# STATE MORTGAGE LENDING POLICY CHANGES DUE TO CORONAVIRUS

## Enacted Policy Changes

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Action	Type	Notes	Status
Alabama Bureau of Loans <a href="#">Statement</a>	Reporting Requirements	The bureau is extending the due date for annual reports required under the Mortgage Broker Act to 07/15.	03/25 – issued
Alaska <a href="#">SB 241 / Chapter 10</a> <a href="#">SLA 20</a>	Foreclosure Restrictions	The bill establishes a moratorium on foreclosures for consumers that experience financial hardship as a result of the COVID-19 pandemic until June 30 or until the public health emergency ends, whichever comes first.	04/10 – signed by governor, effective immediately
Alaska Division of Banking and Securities <a href="#">Emergency Guidance</a> <b>Expired</b>	Reporting Requirements	The division is extending the due dates for all required reporting to the division by 60 days.	03/15 – issued
Arizona Department of Financial Institutions <a href="#">Statement</a>	Fees / Foreclosure / Payment Deferrals	The department is requesting that licensees waive ATM fees, overdraft fees, late fees, early withdrawal fees, increase credit card limits, offer payment accommodations such as deferments and extensions, and suspend foreclosures and evictions.	04/24 – issued
Arizona Governor's <a href="#">Agreement</a> with State Banks <b>Expired</b>	Foreclosure Restrictions	The governor reached a cooperative agreement with state banks to, among other provisions, suspend evictions and foreclosures for at least 60 days (until 05/29).	03/30 – issued, effective until 05/29

Action	Type	Notes	Status
Arizona Attorney General <a href="#">Request to Lenders</a>	Credit Reporting / Fees / Foreclosure Restrictions / Payment Deferrals	The attorney general is requesting that lending companies defer payments without lump sum or balloon payments after deferment, cease foreclosures, waive late fees and default interest for late payments, and cease negative reporting to credit bureaus for 90 days.	03/19 – issued
Arkansas Securities Department <a href="#">Guidance</a>	Reporting Requirements	The department is providing a 60-day extension to file financial statements, a 30-day extension to submit call reports and the MCR standard financial condition report, and a 180-day extension for testing enrollment for mortgage servicers	04/01 - issued
California – Los Angeles City Council <a href="#">Motion 20-0418</a>	Collections	The motion calls on the Mayor to restrict debt collection for the duration of the mayor’s “safer at home” order.	04/29 – passed
California <a href="#">Executive Order N-57-20</a>	Collections / Wage Garnishment	The order exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.  This order retroactively applies to any garnishment activities that have already taken place.	04/23 – issued
California Rules of the Court <a href="#">Emergency Rules</a>	Foreclosure Restrictions	The court is placing a stay on all judicial foreclosure actions.	04/06 – issued
California <a href="#">Executive Order N-28-20</a>  Expired	Foreclosure Restrictions	The governor is requesting that financial institutions implement an immediate moratorium on foreclosures and related evictions if such an action arises out of a substantial decrease in income or increase in medical expenses caused by the COVID-19 pandemic.	03/16 – issued, effective until 05/31
Colorado <a href="#">Executive Order D 2020-012</a> and Department of Regulatory Agencies <a href="#">Guidance</a>  Expired	Foreclosure Restrictions / Payment Deferrals	The governor is directing the Department of Regulatory Agencies (DORA) to encourage financial institutions to limit residential and commercial foreclosures.  The governor is also directing DORA to encourage financial institutions to provide a 90-day deferment for all consumer loans.	03/20 – issued, valid until 04/19

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Colorado Attorney General <a href="#">Request to Lenders</a>	Collections	The attorney general is requesting that student loan servicers, creditors, and debt collectors refrain from mandatory debt collection efforts from those who are unable to pay because of their financial circumstance.	03/18 – issued
Delaware <a href="#">Sixth Modification to the Declaration of a State of Emergency</a>	Foreclosure Restrictions	The governor is prohibiting residential foreclosures until the end of the state of emergency	03/24 – issued, effective until end of state of emergency
District of Columbia <a href="#">B23-0750 / Act A12-0317</a>	Credit Reporting	<p>Among other provisions, the bill would require consumer reporting agencies to include a “COVID-19 alert” in a consumer’s file if the consumer shows evidence of financial hardship because of the COVID-19 emergency</p> <p>It would prohibit the user of a consumer report to consider any adverse information in a consumer’s credit report that is filed under the COVID-19 alert during the state of emergency and 60 days after it ends.</p>	05/13 – signed by Mayor, effective until 08/11
District of Columbia <a href="#">B23-0735 / Act A23-299</a>	Payment Deferrals / Collections	<p>This bill would amend the COVID-19 Response Supplemental Emergency Amendment Act of 2020, <a href="#">B23-0733 / Act A23-0286</a>.</p> <p>It would require mortgage lenders to provide the Commissioner of the Department of Insurance, Securities, and Banking a list of all approved applications every 15 days.</p> <p>For all creditors, the bill would also explicitly exclude the mailing of monthly statements related to an existing payment plan or payment receipts related to an existing payment plan from the law’s restrictions on communications with a debtor and explicitly allow creditors to receive and deposit payments a debtor chooses to make during a public health emergency</p>	05/04 – signed by mayor, effective immediately. Expires on 08/02.

Action	Type	Notes	Status
District of Columbia <a href="#">B23-0733 / Act A23-0286</a>	Collections / Credit Reporting / Fees / Payment Deferrals / Repossessions / Wage Garnishment	<p>The act, among other provisions, requires residential and commercial mortgage lenders to create a deferment program for borrowers in which lenders defer mortgage payments for 90 days without lump sum or balloon payments, waive any late fees or processing fees, cease negative reporting to credit bureaus.</p> <p>Mortgage lenders are required to approve applications for borrowers that demonstrate direct or indirect financial hardship due to the public health emergency.</p> <p>For other lenders, the act prohibits debt collection lawsuits, wage garnishment, vehicle repossessions, and in person debt collection, or any threats to perform any of those actions, for the duration of the public health emergency and 60 days after its conclusion.</p> <p>Voluntary vehicle surrender is permitted.</p> <p>It also places restrictions on debt collection communications with borrowers; "original creditors" are exempt from the restriction, but neither the bill nor existing statute define the term "original creditor."</p>	<p>04/10 – signed by mayor, effective immediately. Expires on 07/09.</p> <p>Bill text states provisions effective as of 03/11</p>
District of Columbia Superior Court <a href="#">Order</a> and <a href="#">Amended Order</a> <b>Expired</b>	Foreclosure Restrictions	The court is issuing a stay of evictions, including those involving foreclosures, until May 1, extended to May 15.	03/15 – issued, effective until 05/15.
Florida Executive Orders <a href="#">20-94</a> and <a href="#">20-121</a>	Foreclosure Restrictions	The governor is suspending foreclosures and evictions.	04/02 – issued, effective until 05/17 (extended to 06/02)
Idaho Department of Finance <a href="#">Guidance</a>	Reporting Requirements	The department is providing a 60-day extension to file financial statements, a 30-day extension to submit call reports and the MCR standard financial condition report, and a 180-day extension for testing enrollment.	03/26 – issued

<b>Action</b>	<b>Type</b>	<b>Notes</b>	<b>Status</b>
Illinois Division of Financial Institutions <a href="#">Guidance</a>	Collections / Credit Reporting / Fees / Payment Deferrals	<p>The division is expecting that consumer credit licensees will "work proactively with consumers during this crisis" and "be flexible with repayment of debt."</p> <p>The Guidance includes recommended "best practices" for licensees, including increasing communications with consumers, proactively reaching out to consumers to offer payment plans or deferrals and waiving late and nonsufficient charges, use available disaster codes for credit reporting, and potentially suspending debt collection for consumers negatively impacted by COVID-19.</p>	04/14 – issued
Illinois <a href="#">Executive Order 2020-25</a>	Collections / Wage Garnishment	The governor is prohibiting wage garnishment during the state of emergency.	04/14 – issued

Action	Type	Notes	Status
Illinois Division of Financial Institutions <a href="#">Guidance</a>	Credit Reporting / Forbearance / Foreclosure Restrictions / Fees	<p>The division is urging all mortgage servicers to:</p> <ul style="list-style-type: none"> <li>a) Forbear mortgage payments for at least 90 days without incurring additional interest or fees;</li> <li>b) Refrain from reporting late payments to credit rating agencies, and when payments are deferred or modified, coding those payments as deferred with the applicable disaster code;</li> <li>c) Offer borrowers an additional 90-day grace period to complete trial loan modifications, and ensuring that late payments during the COVID-19 pandemic do not affect their ability to obtain permanent loan modifications;</li> <li>d) Offer other loss mitigation options to mortgage borrowers, including those that help borrowers stay in their homes at affordable payments;</li> <li>e) Waive late payment fees and online payment fees for at least 90 days and, for mortgage borrowers in a forbearance plan, during the period of forbearance;</li> <li>f) Postpone foreclosures and evictions for at least 90 days; and</li> <li>g) Contact mortgage borrowers on automatic payment plans to see if they need to temporarily suspend those payments and, if so, grant any such requests without delay and place the mortgage borrower in a forbearance program as discussed above.</li> </ul>	03/30 – issued
Indiana Supreme Court <a href="#">Order</a>	Collections / Wage Garnishment	<p>The court will not be issuing new orders placing a hold on, attaching, or garnishing funds in a judgment-debtor’s account in a depository institution.</p> <p>For any existing court orders, debtors are entitled to a hearing to determine what funds in an account are from CARES Act stimulus payments, which will be exempt from garnishment.</p>	04/20 – issued, effective until end of state of emergency
Indiana <a href="#">Executive Order 20-06</a>	Foreclosure Restrictions	The governor ordered that foreclosure actions or proceedings may not be initiated during the state of emergency.	03/19 – issued, valid until the state of emergency is lifted

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Iowa <a href="#">Proclamation of Emergency</a>	Foreclosure Restrictions	The governor is suspending all new and ongoing foreclosures during the state of emergency.	03/22 – issued
Kansas <a href="#">Executive Order 20-28</a>	Foreclosure Restrictions	Extended <a href="#">Executive Order 20-10</a> . The governor ordered all financial institutions to suspend foreclosures.	03/17 – issued, effective until 05/31 or until the state of disaster expires, whichever is earlier.
Kentucky Department of Financial Institutions <a href="#">Guidance</a>	Fees / Loan Terms	The department is suggesting that licensees implement policies and procedures to work constructively with customers, including restructuring existing loans, extending loan repayment terms, easing terms for new loans, and waiving fees.	03/24 - issued
Louisiana Office of Financial Institutions (OFI) Non-Depository Licensee <a href="#">Guidance</a>	Credit Reporting / Fees / Forbearance / Foreclosures Payment Deferrals	The OFI is encouraging mortgage lenders to extend the federal CARES Act provisions restricting credit bureau reporting for accommodations made to borrowers, instituting a moratorium on foreclosures, and giving a right to request forbearance for all non-federally backed mortgage loans.	04/14 – issued
Maine Supreme Court <a href="#">PMO-SJC-1</a> and <a href="#">Reopening Plan</a>	Foreclosure Restrictions	The court is not scheduling or hearing foreclosure proceedings. Foreclosures will not resume until Phase 4 of the reopening plan, tentatively scheduled for 08/03	03/30 -issued, 04/14 – revised, 05/27 – reopening plan issued
Maryland <a href="#">Executive Order 20-04-29-03</a>	Collections / Wage Garnishment	The order exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/29 – issued, effective until end of State of Emergency
Maryland <a href="#">Executive Order 20-04-03-01</a>	Foreclosure Restrictions	The order suspends all residential foreclosures and prohibits residential and commercial evictions.	04/03 - issued
Maryland Court of Appeals <a href="#">Administrative Order</a>	Foreclosure Restrictions	The court is halting all foreclosures on residential property.	03/18 – issued

Action	Type	Notes	Status
Maryland Commissioner of Financial Regulation <a href="#">Guidance to Mortgage Servicers</a>	Credit Reporting / Fees / Forbearance / Loan Modification	The commissioner is urging mortgage servicers to: a) Waive late fees and online/telephone payment processing fees; b) Forgo negative reporting to credit reporting agencies; c) Offer forbearance or other options; and a) Extend trial modification periods.	03/24 – issued
Maryland Commissioner of Financial Regulation <a href="#">Guidance to Licensees</a>	Credit Reporting / Fees / Forbearance / Loan Modification	The commissioner is urging all licensees: a) Waive late fees and online/telephone payment processing fees; b) Forgo negative reporting to credit reporting agencies; and c) Offer modification, forbearance, or other options to borrowers	03/27 - issued
Massachusetts <a href="#">HB 4647 / Chap. 65</a>	Foreclosure Restrictions	This law sets a moratorium on evictions and foreclosures.  The governor would be authorized to extend the moratorium but cannot extend it longer than 45 days after the emergency declaration is lifted.	04/20 – signed by governor, effective immediately.  Expires on 08/18 or 45 days after the state of emergency is lifted and can be extended.
Massachusetts Attorney General <a href="#">Guidance</a>	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/13 – issued

Action	Type	Notes	Status
Massachusetts <a href="#">Emergency Regulations</a>	Collections / Wage Garnishment	<p>The regulations would make it an unfair and deceptive act to:</p> <ul style="list-style-type: none"> <li>a) Initiate, file, or threaten to file any new collection lawsuit;</li> <li>b) Initiate, threaten to initiate, or act upon any legal or equitable remedy for the garnishment, seizure, attachment, or withholding of wages, earnings, property or funds for the payment of a debt to a creditor;</li> <li>c) Apply for, cause to be served, enforce, or threaten to apply for, cause to be served or enforce any <i>capias</i> warrant;</li> <li>d) Visit or threaten to visit the household of a debtor at any time;</li> <li>e) Visit or threaten to visit the place of employment of a debtor at any time; and</li> <li>f) Confront or communicate in person with a debtor regarding the collection of a debt in any public place at any time</li> </ul> <p>It would also make it an unfair or deceptive act or practice to contact a debtor via telephone.</p> <p>On 05/07, the Federal District Court for Massachusetts granted a <a href="#">motion</a> for a temporary restraining order and preliminary injunction in its lawsuit challenging Mass AG Maura Healey’s emergency regulations</p>	03/27 – issued. Effective until 06/25 or the end of the State of Emergency, whichever is earlier.

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Massachusetts Division of Banks <a href="#">Guidance</a>	Fees / Forbearance/ Foreclosure Restrictions	<p>The division expects that mortgage lenders and servicers provide relief to those adversely impacted borrowers, including:</p> <ul style="list-style-type: none"> <li>a) Postponing foreclosures for 60 days;</li> <li>b) Forbearing mortgage payments for 60 or more days from their due dates;</li> <li>c) Waiving late payment fees and any online payment fees for a period of 60 days;</li> <li>d) Refraining from reporting late payments to credit rating agencies for 60 days;</li> <li>e) Offering borrowers an additional 60-day grace period to complete trial loan modifications, and ensuring that late payments during the COVID-19 pandemic do not affect their ability to obtain permanent loan modifications;</li> <li>f) Ensuring that borrowers do not experience a disruption of service if the mortgage servicer closes its office, including making available other avenues for borrowers to continue to manage their accounts and to make inquiries; and</li> </ul> <p>Proactively reaching out to borrowers to explain the above-listed assistance being offered</p>	03/25 – issued
Michigan Department of Insurance and Financial Services (DIFS) <a href="#">Survey</a>  <b>Expired</b>	Reporting Requirements	DIFS is requiring licensees to submit survey responses with a summary of all actions in direct response to the coronavirus outbreak by March 20 at 5:00 p.m.	03/18 – issued
Minnesota <a href="#">Executive Order 20-50</a>	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	05/04 – issued
Minnesota <a href="#">Executive Order 20-14</a>	Foreclosure Restrictions	The governor is requesting that financial institutions holding home mortgages implement an immediate moratorium on all pending and future foreclosures.	03/23 – issued, effective until end of State of Emergency

Action	Type	Notes	Status
Montana <a href="#">Directive</a> Implementing Executive Orders 2-2020 and 3-2020 and <a href="#">Extension</a>  Expired	Foreclosure Restrictions / Credit Reporting	The governor is requesting the courts stay on all foreclosure actions.  The governor is also prohibiting negative credit reporting for a mortgage borrower for nonpayment.	03/30 – issued, effective until 04/24
Nebraska Attorney General <a href="#">Guidance</a>	Collections / Wage Garnishment	Nebraska Attorney General Doug Peterson alerted creditors, debt collectors, and financial institutions that Nebraska law may exempt CARES Act stimulus checks from attachment, garnishment or execution for certain low-income consumers.  According to the AG, any attempt or threat by a creditor or a debt collector to garnish or attach funds provided through the CARES Act, if that property would have otherwise been exempt under Nebraska law, will be considered an unfair trade practice in violation of Nebraska’s Consumer Protection Act, Neb. Rev. Stat. § 59-1602.  CARES Act stimulus payments may be garnished in cases where people are behind on child support statements	04/15 -issued
Nevada <a href="#">Emergency Directive 017</a>	Collections / Wage Garnishment	This order places a stay on all wage garnishment orders until the end of the state of emergency.	04/30 - issued
Nevada <a href="#">Directive 008</a>	Foreclosure Restrictions	The governor is ordering a stay on all foreclosure actions during the state of emergency.	03/29 – issued
Nevada Financial Institutions Division (NFID) <a href="#">Letter</a> to Licensees	Fee Waivers / Interest Rates / Collections / Repossession / Payment Deferrals	NFID sent a letter requesting that every licensee have a plan in place that outlines the licensee’s efforts to manage the outbreak, including, but not limited to: waiving certain fees, such as late fees; lowering interest rates; halting collection efforts, including vehicle repossession; offering payment accommodations, such as deferring or skipping payments or extending the payment due date.	03/17 – issued

Action	Type	Notes	Status
Nevada – Las Vegas Justice Court <a href="#">Administrative Ruling</a>  Expired	Collections	The court suspended issuing orders for the examination of a judgment debtor and suspended the issuance of any Writ of Execution.  Any property garnished or attached after March 17, 2020, must be released back to the judgment debtor.	03/16 – issued
New Hampshire <a href="#">Emergency Order #4</a>	Foreclosure Restrictions	The state is halting judicial and non-judicial foreclosures while the state of emergency related to the coronavirus outbreak is active.	03/17 – issued, effective until end of state of emergency
New Jersey <a href="#">Executive Order 106</a>	Foreclosure Restrictions	The governor ordered that no resident shall be removed from a residential property as the result of an eviction or foreclosure proceeding.  Foreclosure or foreclosure proceedings may be initiated or continued during the order. Only enforcements will be halted.  Supersedes foreclosure moratoriums by the <a href="#">Essex</a> and <a href="#">Passaic</a> County Sheriff Actions	03/19 – issued in effect until two months following the end of the state of emergency or public health emergency, whichever ends later
New York Attorney General <a href="#">Guidance re: CARES Act Payments</a>	Collections / Wage Garnishment	The AG is prohibiting creditors or debt collectors from garnishing federal CARES Act stimulus payments from a creditor.	04/21 – issued
New York <a href="#">Executive Order 202.9</a> and DFS <a href="#">Emergency Rules</a>	Forbearance / Fees	The governor issued an order giving the DFS emergency rulemaking authority.  The DFS issued emergency rules that would create a COVID-19 relief program, which would require mortgage lenders to grant a 90-day forbearance on payments.  The rules also require credit card companies to eliminate ATM, overdraft, and late payment fees, among other provisions.  The rules also encourage regulated institutions to provide other assistance to affected consumers.	03/19 – announced, 03/24 – issued

Action	Type	Notes	Status
New York Department of Financial Services (DFS) <a href="#">Guidance</a> and <a href="#">Extension</a>  <b>Expired</b>	Reporting Requirements	The DFS is requiring that regulated institutions submit a plan describing how the institution will manage potential financial risk from the coronavirus outbreak within thirty days of the guidance.  The report was originally due on 04/09 but the DFS extended it to 05/25	03/10 – issued, 03/24 – updated
New York DFS <a href="#">Guidance</a> and <a href="#">Extension</a>  <b>Expired</b>	Reporting Requirements	The DFS is requiring that regulated institutions submit a plan describing how the institution will manage potential operational risk from the coronavirus outbreak within thirty days of the guidance.  The report was originally due on 04/09 but the DFS extended it to 05/25	03/10 – issued, 03/24 – updated
New York Office of the Court <a href="#">Administrator's Order 78</a>	Foreclosure Restrictions	The court system is directing clerks to no accept filings in non-essential cases “until further order.” Foreclosure cases are deemed non-essential cases.	03/22 – issued
New York Executive Orders <a href="#">202.8</a> and <a href="#">202.28</a>	Foreclosure Restrictions	The governor is suspending the enforcement of all residential and commercial foreclosures for 90 days.	03/20 – issued, effective until 06/18 (extended to 08/19)
North Carolina Office of the Courts <a href="#">Memo</a>  <b>Expired</b>	Foreclosure Restrictions	The state court system is implementing a 30-day halt (until April 14) on eviction and foreclosure proceedings.	03/15 – issued, effective until 04/14
North Carolina Department of Insurance <a href="#">Guidance</a>	Payment Deferrals	The department is ordering all collection agencies to follow the provisions set in <a href="#">NC Gen. Stat. § 58-2-46</a> , which require them to defer payments for 30 days from the last day the premium.	03/27 – issued, effective until 05/26.
Ohio Attorney General <a href="#">Guidance</a>	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/13 – issued
Ohio <a href="#">Executive Order 2020-08D</a>	Foreclosure Restrictions	The governor is ordering a suspension of rent payments, a moratorium on evictions, the forbearance of mortgage loans to small businesses for 90 days.  The order does not define “small business”	04/01 – issued, effective until 06/03-

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Oregon <a href="#">Executive Order 20-18</a>	Collections / Wage Garnishment	The order exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/17 – issued
Pennsylvania Attorney General PA CARE Package <a href="#">Initiative</a>	Credit Reporting /Fees / Foreclosure Restrictions / Payment Deferrals / Repossessions	The attorney general is launching a voluntary program for financial institutions. Participating institutions must commit to: <ul style="list-style-type: none"> <li>a) A 90-day grace period for mortgages;</li> <li>b) A 90-day grace period for other consumer loans such as auto loans;</li> <li>c) A 90-day window for relief from fees and charges such as late, overdraft fees;</li> <li>d) A foreclosure and moratorium for 60 days; and</li> <li>e) A suspension of adverse credit reporting for accessing relief on consumer loans</li> </ul>	03/30 - launched
Rhode Island Attorney General <a href="#">Guidance AG 2020-03</a>	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/28 – issued
South Carolina Supreme Court <a href="#">Order re: Statewide Evictions and Foreclosures</a>	Foreclosure Restrictions	The court is ordering a statewide moratorium on foreclosure hearings, foreclosure sales, writs of ejection, all matters relating to foreclosures until further order of Chief Justice.	03/18 - issued
Vermont <a href="#">SB 333 / Act 101</a>	Foreclosure Restrictions	This bill would establish a moratorium on foreclosures during a state or local state of emergency due to COVID-19 and 30 days after it ends.	05/14 – signed by governor, effective immediately
Vermont Attorney General <a href="#">Directive</a>	Collections / Wage Garnishment	The AG is advising debt collectors, creditors, and other financial institutions that CARES Act stimulus payments are exempt from wage garnishment or collection.	04/21 – issued
Virginia Supreme Court <a href="#">Guidance</a>	Collections / Wage Garnishment	The court is suspending new garnishment orders. For garnishments issued before or after March 16, 2020, where a garnishment exemption is requested, that hearing should be	04/23 – issued, effective until end of judicial emergency

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<p>Washington <a href="#">Proclamation 20-49</a> <b>Expired</b></p>	<p>Collections / Wage Garnishment</p>	<p>considered an emergency hearing and should be heard either by electronic audio-visual or telephonic communication or by telephone.</p> <p>The governor is prohibiting wage garnishment.</p>	<p>04/14 – issued, effective until 05/14</p>
<p>Washington Department of Financial Institutions <a href="#">Guidance</a></p>	<p>Fees / Forbearance / Foreclosure Restrictions</p>	<p>The department is requesting that mortgage loan servicers:</p> <ul style="list-style-type: none"> <li>a) Forbear mortgage payments for 90 days from their due dates;</li> <li>b) Refrain from reporting late payments to credit rating agencies for 90 days;</li> <li>c) Offer mortgagors an additional 90-day grace period to complete a trial loan and ensure late payments do not affect their ability to obtain permanent loan modifications;</li> <li>d) Waive late payment and online payment fees for 90 days; and</li> <li>e) Ensure mortgagors do not experience disruption of service if the mortgage servicer closes its office.</li> </ul>	<p>03/20 – issued</p>
<p>Wisconsin Department of Financial Institutions <a href="#">Emergency Guidance</a></p>	<p>Collections</p>	<p>The department is warning debt collectors from repeatedly contacting consumers, without drawing precise boundaries boundary between permitted or prohibited communications with debtors, stating each communication must “be considered in context.”</p> <p>The department stated that: "Solicited follow-up communications are different than unsolicited threats to sue, and calls made in a good faith effort to compromise a debt are different than efforts to be the ‘squeakiest wheel’ among a debtor’s creditors."</p> <p>The Guidance also includes an interpretive letter from the Department's Chief Legal Counsel regarding certain servicing acts that are prohibited under the Wisconsin Consumer Act.</p>	<p>04/13 – issued</p>

<b>Action</b>	<b>Type</b>	<b>Notes</b>	<b>Status</b>
Wisconsin <a href="#">Emergency Order 15</a>	Foreclosure Restrictions	<p>The governor is prohibiting mortgagees from commencing civil actions to foreclose upon real estate, and from requesting or scheduling a sheriff's sale of the mortgaged premises for 60 days</p> <p>The governor is also ordering sheriffs to not act on any order of foreclosure or execute any writ of assistance related to foreclosure.</p>	03/22 – issued
Wisconsin Department of Financial Institutions <a href="#">Emergency Guidance</a>	Interest Rates	The DFI will deem it an essential failure of character and fitness for a licensed lender to increase interest rates, fees, or any costs of borrowing during the coronavirus crisis.	03/18 – issued

## Proposed Policy Changes

Action	Type	Notes	Status
21 State and DC Attorneys General <a href="#">Letter</a> to Experian Information Solutions, Inc.; Equifax Information Services, LLC; and TransUnion LCC	Credit Reporting	In the letter, the AGs warned the nation’s three consumer reporting agencies that they will not hesitate to enforce safeguards set in place to ensure consumers’ credit is properly protected and accurately reported. The AGs reinforced their commitment to enforcing the consumer credit protections outlined in the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), as well as in the Fair Credit Reporting Act (FCRA), despite the federal government’s failure to commit to enforcing the FCRA’s 30 to 45-day deadline to investigate consumer disputes.	05/01 – sent
34 State Attorneys General Letters to <a href="#">U.S. Department of Housing and Urban Development</a> (HUD) and <a href="#">Federal Housing Finance Administration</a> (FHFA)	Fees / Forbearance / Foreclosure Restrictions	<p>The attorneys general urged HUD and the FHFA to provide additional relief to borrowers with federally-backed mortgage loans, including moving forbore or missed payments to the back of the loan term, allowing immediate relief for homeowners and reduce borrower confusion and concern while simultaneously limiting the strain on the mortgage servicing industry.</p> <p>They also request that HUD and the FHFA to expand their disaster-related modification programs and clarify that the moratorium on foreclosures and evictions applies to all aspects of the foreclosure or eviction process.</p>	04/23 – sent
25 State Attorneys General <a href="#">Letter</a> to U.S. Treasury Department	Collections / Wage Garnishment	The attorneys general are requesting the department take immediate action to protect CARES act stimulus payments from seizure by debt collectors.	04/14 - sent
23 State Attorneys General <a href="#">Letter</a> to CFPB	Credit Reporting	The attorneys general are requesting that the CFPB enforce the federal CARES Act’s amendment to the Fair Credit Reporting Act that requires lenders to report as current any loans that are subject to a COVID-19-related forbearance or other accommodation.	04/13 – sent

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<b>Action</b>	<b>Type</b>	<b>Notes</b>	<b>Status</b>
California <a href="#">AB 2501</a>	Forbearance / Foreclosure Restrictions	<p>This bill would impose significant new requirements on creditors. Among other provisions, it would require providers of vehicle-secured credit or mortgages to provide 90 days of forbearance if a consumer experiencing financial hardship requests it.</p> <p>This forbearance period can be extended for an additional 90 days if the consumer continues to experience hardship.</p> <p>After the forbearance period, the creditor may not require balloon payments, assess any late fees or other penalties, or accrue additional interest.</p> <p>It would further mandate a foreclosure moratorium during the COVID-19 state of emergency and for a 180-day period after the state of emergency is lifted with no specific end point.</p>	05/19 – hearing in Assembly Banking Committee
California <a href="#">AB 828</a>	Foreclosure Restrictions	This bill would establish a moratorium on foreclosures during a state or local state of emergency due to COVID-19 and 15 days after it ends.	05/18 – amended and re-referred to Senate Rules Committee

Action	Type	Notes	Status
District of Columbia <a href="#">B23-0757</a> / <a href="#">B23-0758</a> / <a href="#">B23-0759</a>	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	<p>The bills would make certain corrections and amendments to the requirements enacted by previous emergency relief bills, which included restrictions on debt collection, wage garnishment, repossession and foreclosure.</p> <p>As with the previous legislation, the restrictions on creditors would be in place during any declared public health emergency and sixty days after its conclusion.</p> <p>Prior legislation also prohibited users of consumer reports from considering adverse information from the covered time period if the consumer report included a COVID-19 alert. Importantly, the bill would remove this restriction on consumer report users. However, consumer reporting agencies would still be required to include a “COVID-19 alert” and a personal statement in a consumer’s file if the consumer shows evidence of financial hardship because of the COVID-19 emergency.</p> <p>B23-0757 is an emergency bill; if signed by the mayor, it would take effect immediately and would be retroactive to March 11. It would be in effect for 90 days.. It would be in effect for 90 days. Similar temporary bill passed first reading on May 19. B23-0758 would become effective after a congressional review period and be effective for 225 days. Another similar bill B23-0759 was sent to Mayor Bowser on May 26. It is a congressional review emergency bill; it would become effective immediately after signed by the mayor and would be effective until permanent legislation is passed.</p>	B23-0758: 05/26 – sent to mayor B23-0758: 05/19 – passed first reading B23-0759: 05/26 – sent to Mayor
District of Columbia B <a href="#">23-0751</a>	Credit Reporting	<p>This is the companion to <a href="#">B23-0750 / Act A12-0317</a></p> <p>It is a temporary bill, so it would be effective after mayor’s signature and congressional review and remain for 225 days.</p>	05/04 – passed first reading

Action	Type	Notes	Status
District of Columbia <a href="#">B23-0743</a>	Foreclosure Restrictions	This bill would enact a foreclosure moratorium during a public state of emergency and 60 days after it ends.	05/13 – sent to Mayor
District of Columbia <a href="#">B23-0744</a>	Foreclosure Restrictions	This bill would enact a foreclosure moratorium during the COVID-19 state of emergency and 60 days after it ends.	05/05 – passed first reading
District of Columbia <a href="#">B23-0734</a>	Collections / Credit Reporting / Fees / Payment Deferrals / Repossessions	This is the companion to <a href="#">B23-0733 / Act A 23-0286</a> .  It is a temporary bill, so it would be effective after mayor’s signature and congressional review and remain for 225 days.	04/07 – passed Council
Louisiana <a href="#">SB 450</a>	Collections / Wage Garnishment	This bill would exempt payments a debtor receives from federal COVID-19 relief laws, excluding unemployment compensation, from seizure.  The amendments would extend the provisions to exempt any state or federal payments, grants, or loans in response to any “extraordinary emergency event” from seizure.  It would define an “extraordinary emergency event” as an act of war or terrorism, a riot or insurrection against the government, a declared national disaster or state of emergency, or a pandemic or other declared public health emergency.	05/28 – Senate concurred with the House amendments and passed the bill

Action	Type	Notes	Status
Massachusetts <a href="#">HD 5014</a>	Collections / Credit Reporting / Fees / Forbearance	<p>This bill would prohibit a creditor from demanding payment of any debt.</p> <p>Creditors would be required to grant forbearance if an affected consumer request it.</p> <p>It would also prohibit creditors from assessing any monetary charge or penalty of any kind – including interest and late fees – on any debt during the bill's effective period, and any charges on the debt after the bill expires.</p> <p>Creditors would be required to return any property garnished after 03/10.</p> <p>It would also prohibit creditors from reporting any negative information to a credit bureau and prohibit credit reporting agencies from lowering a consumer's credit score for the duration of the bill's effective period.</p> <p>For debt collectors, the bill would prohibit all communication with a debtor, other than written communication.</p> <p>The bill would be effective until 90 days after the COVID-19 state of emergency ends.</p>	04/21 - passed House Rules Committee and referred the House Consumer Protection and Professional Licensure Committee
Massachusetts <a href="#">HD 5012</a>	Credit Reporting	This bill would prohibit consumer reporting agencies from reporting any late payments on all installment loans, including mortgages, vehicle loans, personal loans, and student loans, during the COVID-19 state of emergency and 30 days after it ends.	04/15 – referred to House Rules Committee

Action	Type	Notes	Status
Massachusetts <a href="#">HD 5005</a>	Fees / Forbearance	<p>This bill would require grant mortgagors the right to a 180-day forbearance period, with payments added to the end of the loan term, during the COVID-19 state of emergency and 180 days after it ends.</p> <p>Lenders would be prohibited from reporting forbearance as late payments to credit reporting agencies and instituting any additional fees for loan modification.</p> <p>It would also prohibit foreclosures during the COVID-19 state of emergency and 90 days after it ends.</p>	04/15 – passed House Rules Committee & referred to House Financial Services Committee
Massachusetts <a href="#">SD 2889</a>	Credit Reporting / Forbearance / Foreclosure Restrictions	<p>This bill would give residents demonstrating financial hardship the right to forbear payments for 180 days.</p> <p>Mortgagors would be prohibited to report forbearance as late payments to credit bureaus.</p> <p>Within 90 days of the termination of the forbearance, mortgagors must maintain pre-forbearance monthly payments or enact loan modifications reducing such monthly payments.</p> <p>It would also prohibit mortgagors from initiative foreclosures during the governor’s state of emergency and for 90 days after it ends.</p>	04/06 – referred to Joint Rules Committee
Massachusetts <a href="#">SB 2631</a>	Foreclosure Restrictions	This bill would set a moratorium on evictions and foreclosures for 120 days,	04/09 – passed Senate Ways and Means Committee
Massachusetts <a href="#">SB 2621</a>	Foreclosure Restrictions	This bill would set a moratorium on evictions and foreclosures as long as the governor’s emergency declaration for the coronavirus outbreak is active and for 90 days after it ends	04/06 – passed Senate Ways and Means Committee
Massachusetts <a href="#">HB 4624</a>	Foreclosure Restrictions	This bill would set a moratorium on evictions and foreclosures as long as the governor’s emergency declaration for the coronavirus outbreak is active and for 30 days after it ends	04/06 – Senate concurred with House version

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<b>Action</b>	<b>Type</b>	<b>Notes</b>	<b>Status</b>
Massachusetts <a href="#">HB 4615</a>	Foreclosure Restrictions	This bill would set a moratorium on evictions and foreclosures as long as the governor's emergency declaration for the coronavirus outbreak is active.	04/15 – substituted by HB 4647
Minnesota <a href="#">HF 4541</a>	Foreclosure Restrictions	The bill would prohibit foreclosures for 90 days after a public health emergency.	05/04 – passed House Ways and Means Committee
Minnesota <a href="#">HF 3532/SF 4194</a>	Credit Reporting / Fees	The bills would require the Commissioner of Commerce to negotiate with credit reporting bureaus to waive negative reports, and to negotiate a federal waiver for federally guaranteed student loans.	<p>HF 3532: 02/19 – referred to House Health and Human Services Policy Committee</p> <p>SF 4149: 03/09 – referred to Senate Health and Human Services Finance and Policy Committee</p>
New Jersey <a href="#">SB 2340</a>	Forbearance	The bill would authorize the governor to permit mortgage forbearance, not exceeding three months, during a public health emergency or state of emergency.	04/13 – passed Senate & referred to Assembly Housing Committee
New Jersey <a href="#">SR 63</a>	Forbearance	This resolution urges financial institutions to provide forbearance for mortgage borrowers during COVID-19 pandemic.	04/09 – introduced

Action	Type	Notes	Status
New Jersey <a href="#">AB 3908/SB 2330</a>	Collections / Credit Reporting / Wage Garnishment	<p>The amendments removed provisions that placed significant new restrictions on debt collection.</p> <p>As amended, the bills would require credit reporting agencies to place an alert in the credit file of a consumer if they notify the credit reporting agency that they have faced financial hardship as a result of COVID-19.</p> <p>They would also prohibit credit report users from considering adverse information that is a result of the COVID-19 pandemic and also prohibit any person from creating a credit scoring model that would treat as a negative factor any adverse information resulting from the pandemic.</p> <p>They would also exempt any state or federal financial assistance related to the emergency from seizure by a debtor.</p> <p>They would be effective for the entirety of the duration of the public health emergency and 90 days after its conclusion or until December 1, 2020, whichever is sooner.</p>	<p>AB 3908: 05/07 –passed Assembly Commerce and Economic Development Committee with amendments</p> <p>SB 2330: 05/07 – passed Senate Budget and Appropriations Committee with amendments</p>
New Jersey <a href="#">AB 3949</a>	Credit Reporting	<p>This bill would also prevent creditors from considering any negative information due to the COVID-19 pandemic.</p> <p>Credit reporting agencies would be required to delete negative information if requested by a consumer experiencing financial hardship.</p> <p>It would be retroactive to March 9 and be effective for the entirety of the duration of the public health emergency and 120 days after its conclusion.</p>	04/13 – introduced & referred to Assembly Financial Institutions and Insurance Committee

Action	Type	Notes	Status
New Jersey <a href="#">AB 3948</a>	Credit Reporting / Forbearance	<p>This bill would require the forbearance of commercial loans, student loans, residential and commercial mortgage loans, and “other consumer loans” for the duration of the state of emergency and six months after. The total forbearance period would be not more than 180 days.</p> <p>This bill would also prevent creditors from considering any negative information due to the COVID-19 pandemic.</p> <p>Credit reporting agencies would be required delete negative information if a consumer experiencing financial hardship request.</p> <p>The credit reporting provisions of the bill would be in place for the duration of the state of emergency and 90 days after.</p> <p>The bill would be retroactive to March 9.</p>	04/13 – introduced & referred to Assembly Financial Institutions and Insurance Committee
New York <a href="#">SB 8243</a>	Forbearance	<p>The bill would require New York regulated banking organizations to make applications for forbearance for residential mortgages available to qualified mortgagors during the period in which the NY on PAUSE order is in effect in the county wherein the qualified mortgagor is located and to grant such applications for a period of 180 days.</p>	05/27 – passed Assembly
New York <a href="#">AB 10499</a>	Forbearance	<p>The bill would require New York regulated banking organizations to make applications for forbearance of up to one year for residential mortgages available for borrowers who demonstrate financial hardship as a result of the COVID-19 pandemic.</p> <p>It would also extend the term of the loan for the period of forbearance, provide foreclosure protection and allow any interest on a mortgage which was granted forbearance under this section in the last year of such mortgage to not be taxable for the banking institution.</p>	05/22 – referred to Assembly Banks Committee

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Action	Type	Notes	Status
New York <a href="#">SB 8402</a>	Collections	<p>This bill would suspend collection of all debts, money judgements, and levies against a personal and commercial bank account during a disaster emergency and for ninety days after its conclusion.</p> <p>The bill would apply to hardship faced since March 7.</p>	05/21 – referred to Senate Consumer Protection Committee
New York <a href="#">SB 8118-B</a>	Credit Reporting	<p>The bill would prohibit consumer reporting agencies from reporting adverse information on a consumer’s report if the consumer faces financial hardship due to the coronavirus pandemic.</p> <p>The bill would apply to hardship faced since March 7 and be in effect until ninety days after the conclusion of the state of emergency.</p>	05/18 – referred to Senate Consumer Protection Committee
New York <a href="#">AB 10325</a>	Payment Deferrals	<p>This bill would suspend all mortgage payments for individuals who are unemployed because their place of employment was closed due to government-ordered restrictions for 90 days if their mortgage is \$350,000 or less.</p> <p>It would also prohibit creditors from charging late fees and reporting adverse information due to the payment suspension.</p>	04/22 – referred to Assembly Judiciary Committee
New York <a href="#">AB 10261</a>	Payment Deferrals / Credit Reporting	This bill would suspend all student loan, mortgage, vehicle loan, and credit card payments for 90 days and suspend negative reporting to credit bureaus.	04/08 - referred to Assembly Consumer Affairs and Protection Committee
North Carolina <a href="#">HB 1134</a> / <a href="#">SB 827</a>	Mortgage Assistance	<p>This bills would create a mortgage assistance program for North Carolina residents who are unable to make mortgage payments as a result of the COVID-19 pandemic, are receiving unemployment benefits, and who have a household income under 350% of the federal poverty level.</p> <p>Participants would be eligible receive up to \$40,000 in mortgage relief.</p>	<p>HB 1134: referred to House Finance, Appropriations, and Rules Committees</p> <p>SB 827: 05/21 – referred to Senate Appropriations Committee</p>

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Action	Type	Notes	Status
Ohio <a href="#">HB 596</a>	Collections / Fees / Forbearance / Wage Garnishment	<p>The bill would impose sweeping restrictions on debt collectors. It would prevent any debt collector from any of the following.</p> <ul style="list-style-type: none"> <li>a) Capitalizing unpaid interest;</li> <li>b) Applying a higher interest rate triggered by the nonpayment of the debt to the debt balance;</li> <li>c) Charging a fee triggered by the nonpayment of the debt,</li> <li>d) Suing or threatening to sue for nonpayment of a debt,</li> <li>e) Continuing litigation to collect a debt initiated prior to the effective date of the legislation,</li> <li>f) Enforcing a security interest through repossession, limitation of use or foreclosure,</li> <li>g) Commencing or continuing any action to cause collection of a debt, including pursuant to a previously issued court order, from wages, state benefits, or other amounts due a consumer or small business, by way of garnishment, deduction offset or other seizure;</li> <li>h) Causing the collection of a debt by levying funds from a bank account or seizing other assets of a consumer or small business;</li> <li>i) Commencing or continuing an action to evict a consumer or small business from real or personal property.</li> </ul> <p>The bill broadly defines “debt collector” include creditors, lessors and providers of utility services, but would exclude collectors of federally-related mortgage loans.</p>	05/04 – referred to House Civil Justice Committee

Action	Type	Notes	Status
Ohio <a href="#">SB 297</a>	Foreclosure Restrictions	<p>The bill would prohibit foreclosure activity &amp; the eviction of residential and commercial tenants during the COVID-19 emergency.</p> <p>After the state of emergency, the bill would prohibit any forcible entry and detainer or foreclosure proceedings initiated due to default on a mortgage or non-payment of rent for a residential property 60 days thereafter shall be stayed and referred to mediation.</p>	05/06 – referred to Senate General Government and Agency Review Committee
Ohio <a href="#">HB 562</a>	Foreclosure Restrictions	This bill would require all courts to refuse to commence new foreclosure actions, put a stay on all pending foreclosure actions and foreclosure sales, refuse to accept all motions or other pleadings seeking writs of execution on judgements in foreclosure actions during the state of emergency declared due to the coronavirus outbreak.	05/04 – referred to House Civil Justice Committee
Pennsylvania <a href="#">HB 2554</a>	Credit Reporting	<p>It would prohibit a consumer reporting agency from including any adverse information in the credit report of an affected consumer that has suffered financial hardship as a result of the COVID-19 disaster emergency.</p> <p>It would also prohibit a creditor from considering any adverse information in an affected consumer’s credit report.</p> <p>Both provisions would be effective during the emergency and for ninety days after it ends.</p>	05/26 – referred to House Commerce Committee
Puerto Rico <a href="#">HB 2562</a>	Payment Deferrals	This bill would establish a moratorium for the payment of mortgage loans, personal loans, credit cards, and vehicle loans.	03/28 – Filed, referred to Committee on Consumer Affairs, Banking and Insurance

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