



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

Date: August 28, 2020

Dear Lender Letter 2020-10

To: All Tribes
All Tribally Designated Housing Entities
All Section 184 Approved Lenders and Servicers
All Section 184A Approved Lenders and Servicers

Subject Section 184 Indian Home Loan Guarantee program (Section 184) and Section 184A Native Hawaiian Housing Loan Guarantee program (Section 184A) extension of foreclosure and eviction moratorium and loan processing flexibilities in connection with the Presidentially-Declared COVID-19 National Emergency.

Purpose The purpose of this Dear Lender Letter (DLL) is to inform lenders and servicers of an extension to the foreclosure and eviction moratorium originally issued in DLL 2020-04, extended in DLL 2020-06, and further extended in DLL 2020-08 for borrowers with Section 184 or Section 184A guaranteed loans covered under the Coronavirus Aid, Relief, and Economic Security (CARES) Act for an additional period through December 31, 2020.

This DLL also announces an extension of the loan processing flexibilities originally issued in DLL 2020-05, extended in DLL 2020-06, and further extended in DLL 2020-08, for an additional period through October 31, 2020. This extension will allow industry partners additional opportunity to utilize flexible guidance related to re-verification of employment and appraisal protocols for the Section 184 and 184A programs affected by COVID-19.

Effective Date The extension of the moratorium announced in this DLL is effective immediately upon the expiration of the moratorium announced in DLL 2020-08 for all Section 184 and 184A guaranteed loans, except for Section 184 and 184A guaranteed loans secured by vacant or abandoned properties; and for all for appraisal inspections completed on or before October 31, 2020, as well as for all re-verification of employment cases closed on or before October 31, 2020.

Affected Programs

This guidance applies to all Section 184 and 184A guaranteed loans, except for Section 184 and 184A guaranteed loans secured by vacant or abandoned properties.

Background

On March 13, 2020, President Trump declared a National Emergency concerning the Coronavirus (COVID-19) Outbreak and initiated actions to stem the threat to public health and the American economy.

On March 20, 2020, HUD published DLL 2020-04, through which the Secretary of HUD authorized a 60-day moratorium on foreclosures of Section 184 or 184A guaranteed loans and evictions of persons from such properties, to ensure that individuals and families were not displaced during this period given the current COVID-19 National Emergency.

On April 9, 2020, HUD published DLL 2020-05 authorizing the temporary modification of requirements for re-verification of employment, appraisals, and IRS tax transcripts.

On May 19, 2020, HUD published DLL 2020-06 to extend the foreclosure and related evictions moratoriums and the loan processing flexibilities that expired on May 20, 2020 through June 30, 2020.

On June 29, 2020 HUD issued DLL 2020-08 to extend the foreclosure and related evictions moratorium and the loan processing flexibilities through August 31, 2020.

On August 8, 2020, the President issued an Executive Order to minimize, to the greatest extent possible, residential evictions and foreclosures during the ongoing COVID-19 National Emergency, and for HUD to take action to promote the ability of renters and homeowners to avoid eviction or foreclosure resulting from financial hardships caused by COVID-19.

Due to the continued national emergency resulting from the COVID-19 pandemic, HUD is issuing this DLL to extend the foreclosure and related evictions moratorium last issued in DLL 2020-08 through December 31, 2020 for all Section 184 and 184A guaranteed loans, except those secured by vacant or abandoned properties. HUD is also extending the loan processing flexibilities issued in DLL 2020-05, 2020-06, and 2020-08, through October 31, 2020.

Moratorium on Foreclosures and Evictions and Extension

All Section 184 and 184A guaranteed loans, excluding vacant or abandoned properties, are subject to an extension to the moratorium on foreclosure through December 31, 2020. The moratorium applies to the initiation of

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foreclosures and to foreclosures in process.

Separate from any eviction moratorium applicable to lessors provided under the CARES Act, evictions of persons from properties with Section 184 and 184A guaranteed loans, excluding actions to evict occupants of legally vacant or abandoned properties, are also suspended through December 31, 2020.

Deadlines for the first legal action and reasonable diligence timelines are extended by 90 days from the date of expiration of this moratorium for all Section 184 and 184A guaranteed loans, except for Section 184 and 184A guaranteed loans secured by vacant or abandoned properties.

Extension of the flexibilities for the verification of employment, appraisal reviews and IRS tax transcripts

This action extends the effective date of the guidance contained in DLL 2020-05 and extended in DLL 2020-06 and DLL 2020-08, which provides flexible alternatives for re-verifying a borrower's employment, conducting appraisal reviews and obtaining IRS tax transcripts while physically-distancing during the Presidentially-Declared COVID-19 National Emergency. The flexibilities in DLL 2020-05 are extended to October 31, 2020.

Questions

Any questions regarding this DLL may be directed to Krisa.M.Johnson@hud.gov

Signature

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