

FEDERAL FORECLOSURE AND EVICTION MORATORIUMS DURING COVID-19 CRISIS: WHO IS PROTECTED, AND WHO IS LEFT OUT?

On March 18, 2020, the Department of Housing and Urban Development (HUD) [announced](#) the Federal Housing Administration (FHA) would institute an immediate foreclosure and eviction moratorium for single-family homeowners with FHA-insured mortgages. President Donald Trump's [reference](#) to HUD's temporary suspension of "all foreclosures and evictions" was a reference to HUD's March 18 announcement.

Who is Protected?

The moratorium applies to [homeowners with FHA-insured Title II Single Family forward and Home Equity Conversion \(reverse\) mortgages](#). During the moratorium, mortgage servicers must halt the initiation of all new foreclosure actions, suspend all foreclosure actions currently in process, and stop all evictions of persons living in properties with FHA-insured single-family mortgages. The moratorium will expire sixty (60) days after the March 18 announcement.

[Fannie Mae and Freddie Mac](#) have also suspended foreclosures and evictions for sixty (60) days for Enterprise-backed mortgages. "Enterprise-backed" means owned or guaranteed by Fannie Mae or Freddie Mac, as indicated [here](#) for Fannie Mae or [here](#) for Freddie Mac.

Additionally, as a condition of [forbearance for multifamily Enterprise-backed mortgages](#), housing providers must suspend all evictions for renters unable to pay rent due to the impact of the coronavirus. The eviction suspension must be in place for the entire duration of the forbearance period. The forbearance is available to all multifamily properties with an Enterprise-backed performing multifamily mortgage negatively affected by the coronavirus national emergency.

The United States Department of Agriculture Rural Development (RD) has also implemented a foreclosure and eviction moratoriums for [USDA Single-Family Housing Guaranteed Loan Program \(SFHGLP\)](#) mortgages and [single-family direct home mortgages](#). During the moratorium, mortgage servicers must halt the initiation of all new foreclosure actions, suspend all foreclosure actions currently in process, and stop all evictions of persons living in properties with SFHGLP and direct mortgages. The moratorium will expire sixty (60) days after their announcements.

Who is Not Protected?

These moratoriums **do not** protect homeowners with other types of mortgages, including other federally-insured mortgages and privately owned mortgages not backed or insured by the FHA, Fannie Mae, or Freddie Mac.

These moratoriums also *do not* protect tenants who live in properties with those other types of mortgages or in units assisted by HUD or RD rental programs or Low-Income Housing Tax Credits. Almost all federal housing tenants are still left unprotected.

As of March 20, 2020, the federal government has not announced any other foreclosure or eviction moratoriums or restrictions, although future federal action may be forthcoming. Both HUD and RD have encouraged federally-subsidized rental housing providers to exercise practices that would avoid evictions. However, both agencies should fully exercise their [current authority](#) to protect assisted-families from evictions during the COVID-19 crisis.

What About State and Local Moratoriums?

Some states and local governments have announced foreclosure and eviction moratoriums for their jurisdictions.

Please visit [NHLP.org](https://www.nhlp.org) for more information about housing policy responses to the COVID-19 crisis.