

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the COVID-19 Response Supplemental Emergency Amendment Act of 2020 to include mortgage lenders as covered entities, require notice of approved deferral applications, and to clarify the amount a landlord may require a tenant to repay following the deferral period.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Mortgage Relief Emergency Amendment Act of 2020”.

Sec. 2. Section 202 of the COVID-19 Response Supplemental Emergency Amendment Act of 2020, effective April 10, 2020 (D.C. Act 23-286; 66 DCR ___), is amended is amended as follows:

(a) Except as provided in subsection (k)(3), strike the term “mortgage servicer” everywhere it appears and insert the term “mortgage lender or mortgage servicer” in its place.

(b) Subsection (a)(1) is amended to read as follows:

“(1) Grants at least a 90-day interest-free deferment of the monthly payment of principal and interest on a mortgage for borrowers, minus any amounts deposited in an escrow account to pay the borrower’s property taxes and insurance premiums;”.

(c) Subsection (d) is amended by adding a new paragraph (3) to read as follows:

33 “(3) A mortgage lender or mortgage servicer who approves an application for deferment
34 pursuant to this section shall, within 5 days of the approval, provide notice of the approval to the
35 Commissioner. The Commissioner shall maintain a publicly available list of approved
36 commercial mortgage loan deferral applications”.

37 (d) Subsection (g) is amended as follows:

38 (1) The lead-in language is amended by striking the phrase “tenant:” and inserting
39 the phrase and inserting the phrase “tenant shall provide notice of the deferral to all tenants,
40 and:” in its place.

41 (2) Paragraph (2) is amended by striking the phrase “amount of any reduced rent”
42 and inserting the phrase “total amount of any rent reduction” in its place.

43 (e) Subsection (j) is amended as follows:

44 (1) The existing text is designated as paragraph (1).

45 (2) A new paragraph (2) is added to read as follows:

46 “(2)(A) The Commissioner shall, within 10 days of the effective date of this act,
47 make information publicly available about deferral opportunities pursuant to this section,
48 including plan requirements, as described in subsection (a) of this section and how to file a
49 complaint pursuant to subsection (f) of this section.

50 “(B) The requirements of this paragraph may be satisfied by conspicuous
51 posting to the Department of Insurance, Securities, and Banking website.”

52 Sec. 3. Fiscal impact statement.

53 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
54 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
55 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

56 Sec. 4. Effective date.

57 This act shall take effect following approval by the Mayor (or in the event of veto by the
58 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
59 90 days, as provided for emergency acts of the Council of the District of Columbia in section
60 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
61 D.C. Official Code § 1-204.12(a)).

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