

*Janeese Lewis George*

Councilmember Janeese Lewis George

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Foreclosure Moratorium Extension Temporary Amendment Act of 2022 to remove the 60-day deadline for submitting a homeowner assistance fund application, to protect homeowners from foreclosure actions if they submit an application for homeowner assistance before September 30, 2022, and to require housing and financing entities a homeowner is indebted to to provide notice of the District's Homeowner Assistance Fund prior to initiating a foreclosure.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Foreclosure Moratorium Extension Revision and Homeowner Assistance Fund Promotion Temporary Amendment Act of 2022".

Sec. 2. Section 2(a) of the Foreclosure Moratorium Extension Temporary Amendment Act of 2022, effective April 8, 2022 (D.C. Law 24-112; D.C. Official Code § 42-851.01) is amended as follows:

(a) Subparagraph (2)(B) is amended to read as follows:

"(B) The financial assistance application is under review, pending approval, pending payment, or under appeal; and".

37 (b) Subparagraph (2)(C) is amended to read as follows:

38 “(C) Proof of the financial assistance application status described  
39 in subparagraph (B) of this paragraph is presented, as a paper copy or through an electronic  
40 medium, including through electronic communications facilitated by the online Homeowner  
41 Assistance Fund program application portal, to the mortgage lender, condominium association,  
42 homeowners association, or tax sale purchaser, or to an agent acting as a representative for any  
43 housing or financing entity to which a homeowner is indebted.”.

44 (c) Subparagraph (2)(D) is repealed.

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

46 “(2A)(A)(i) After July 1, 2022, all notices to homeowners that initiate,  
47 continue, or warn of intention to initiate or continue foreclosure actions sent by a mortgage  
48 lender, condominium association, homeowners association, or tax sale purchaser, or an agent  
49 acting as a representative for any housing or financing entity to which a homeowner is indebted,  
50 shall inform the homeowner of the DC Homeowner Assistance Fund and the September 30,  
51 2022 deadline to apply, if they are eligible, pursuant to paragraph (2) of this subsection to delay  
52 or prevent further foreclosure action.

53 “(ii) Foreclosure notices prescribed in sub-subparagraph (i)  
54 shall not be sent to a homeowner who has taken actions to cure their debts pursuant to  
55 paragraph (2) of this subsection.

56 “(B) The notice provided to a homeowner shall inform the  
57 homeowner of the existence of the DC Homeowner Assistance Fund and the program’s  
58 potential ability to cure eligible housing debts, including the specific type of debt or debts owed  
59 to the entity sending the notice.

60 “(C) No later than July 15, 2022, the Mayor shall produce an  
61 editable sample foreclosure warning notice to homeowners for use by housing or financing  
62 entities to which a homeowner may be indebted. The notice shall be published on the DC  
63 Homeowner Assistance Fund website and include:  
64 “(i) information about the foreclosure moratorium;  
65 “(ii) the availability of homeowner assistance funds and  
66 eligibility criteria;  
67 “(iii) contact information for housing counseling  
68 organizations who are helping administer the homeowner assistance program; and  
69 “(iv) the September 30, 2022 deadline to complete an  
70 application for assistance in order to prevent or delay possible forthcoming foreclosure actions.”.

71 (e) A new paragraph (2B) to read as follows:

72 “(2B)(A) The Mayor shall make every effort to make payments by  
73 September 30, 2022 to qualified homeowners, their representatives, or housing or financing  
74 entities to which a homeowner is indebted to cure any debts or defaults eligible for assistance  
75 through Homeowner Assistance Fund.

76 “(B) If a homeowner submitted a financial assistance application  
77 prior to September 30, 2022 and provided proof of the application status pursuant to subparagraph  
78 (2)(C) of this subsection, and the application remains under review, pending approval, pending  
79 payment, or under appeal as of September 30, 2022, the homeowner shall not be subject to:

80 “(i) A residential foreclosure initiated or conducted  
81 under section 539 or section 95;

82 “(ii) A sale initiated or conducted under section 313(c) of  
83 the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code §  
84 42-1903.13(c)); or

85 “(iii) A judgment foreclosing the right of redemption  
86 under D.C. Official Code § 47-1378.”.

87 Sec. 3. Fiscal impact statement.

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

91 Sec. 4. Effective date.

92 (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
93 the Mayor, action by the Council to override the veto), a 30-day period of congressional review  
94 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
95 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
96 Columbia Register.

97 (b) This act shall expire after 225 days of its having taken effect.