

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, with respect to congressional review, with respect to the need to continue foreclosure protections for homeowners who applied for funding from the DC Homeowner Assistance Fund program before September 30, 2022 and whose application remains under review, pending approval, pending payment, or under appeal, and to require notices continue to be sent to homeowners informing them of the DC HAF program prior to a foreclosure action.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Foreclosure Moratorium and Homeowner Assistance Fund Coordination Congressional Review Emergency Declaration Resolution of 2023.”

Sec. 2. (a) There exists an immediate need to continue pandemic-related foreclosure moratorium for certain homeowners who applied for funding from the DC Homeowner Assistance Fund (“DC HAF”) program before September 30, 2022, and whose application remains under review, pending approval, pending payment, or under appeal, and to require regular application status updates be provided to those homeowners until their applications are resolved.

(b) The District received \$50 million in federal assistance through the American Rescue Plan Act to assist low- and moderate-income homeowners who experienced new or exacerbated

37 financial hardships as a result of the pandemic and, in June, the Department of Housing and
38 Community Development (“DHCD”) opened applications for DC’s Homeowner Assistance
39 Fund program.

40 (c) In June 2022, the Council extended the pandemic-related foreclosure moratorium to
41 align with the opening of the DC HAF program and required homeowners to submit an
42 application for DC HAF assistance to cure housing debts by September 30, 2022 in order to
43 remain eligible for foreclosure protections beyond that initial deadline; as of September 30,
44 2022, DHCD had approximately 1,000 applications under review and awaiting potential payment
45 necessitating the Council to extend the foreclosure moratorium protections previously guaranteed
46 to those homeowners who met the September 30, 2022 deadline for their DC HAF applications.

47 (d) The Foreclosure Moratorium and Homeowner Assistance Fund Coordination
48 Emergency Amendment Act of 2022 was passed November 1, 2022 and is set to expire February
49 20, 2023.

50 (e) The Foreclosure Moratorium and Homeowner Assistance Fund Coordination
51 Temporary Amendment Act of 2022, passed November 15, 2022, is not projected to become law
52 until March 8 due to delays in congressional transmittals at the change of sessions.

53 (f) A congressional review emergency is necessary to prevent a gap in the law and protect
54 homeowners from foreclosures as they continue to await approvals and payments from DHCD.

55 Sec. 3. The Council of the District of Columbia determines that the circumstances
56 enumerated in section 2 constitute emergency circumstances making it necessary that the
57 Foreclosure Moratorium and Homeowner Assistance Fund Coordination Emergency
58 Amendment Act of 2022 should be adopted after a single reading.

59 Sec. 4. This resolution shall take effect immediately.