



Summary of Federal, State, and Local Governmental Developments
Pertaining to Loan Forbearance and Lease Enforcement
in Response to the COVID-19 Pandemic

Updated June 30, 2020

This federal and state-by-state survey is intended to provide a commercial real audience with a quick-reference summary of guidance, enacted or proposed legislation, promulgated regulations, Executive Orders (EOs), and federal and state actions taken in order to provide mortgage relief measures in response to the COVID-19 pandemic. It must be noted, however, that this information is changing on a rapid, seemingly minute-by-minute, basis. The survey focuses primarily on mortgage relief, in the form of forbearance and otherwise (e.g., court closures or moratoriums in regards to evictions and foreclosures). Therefore, where an action only applies to residential mortgages we have attempted to so indicate. Finally, it is important to note that, among those states that have promulgated relevant EOs or the like, the enacted emergency measures are in flux and will likely be revised over time.

Jurisdictions which currently have a policy addressing loan forbearance relief for either residential or commercial borrowers are highlighted in grey. Any additional changes made from the June 22, 2020 version that was circulated is highlighted in yellow.

Disclaimers

These materials have been prepared by Seyfarth Shaw LLP for informational purposes only and do not constitute legal advice.

Please note that, while this survey is a good faith attempt to provide a *relatively current snapshot* as of the date noted near the top left of Page 2 hereof, the pace at which these emergency rules, regulations, advisories, other forms of guidance, and the like has been moving is such that there may already have been changes or additions to the information provided herein. That said, we hope that this provides a good starting point and is useful in such regard. We would certainly, and in all events, recommend that you confirm with legal counsel before acting on any such information provided.

Seyfarth Shaw LLP

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Summary of Federal Governmental Developments Pertaining to Loan Forbearance and Lease Enforcement in Response to COVID-19

Updated June 30, 2020

Agency or Entity	Type of Action	General Overview and Scope of Applicability to Commercial and Residential Borrowers	Expiration Date	Special Notes
U.S. Department of Housing and Urban Development (HUD) / Federal Housing Admin. (FHA)	<p>Multifamily Housing:</p> <ul style="list-style-type: none"> Guidance for Multifamily Housing Stakeholders issued 5/21/20 HUD No. 20-054 issued 4/13/20 ML 2020-09 issued 4/10/20 <p>Single-family Housing:</p> <ul style="list-style-type: none"> ML 2020-19 issued 6/17/20 HUD No. Press Release 20-081 issued 6/17/20 HUD No. Press Release 20-048 issued 4/1/20 ML 2020-06 	<p>I. Commercial:</p> <p>On April, 13, 2020, HUD published Mortgagee Letter 2020-09, which offered multifamily borrowers loss mitigation options in accordance with the Coronavirus Aid, Relief, and Economic Security (CARES) Act for borrowers experiencing a financial hardship negatively impacting their ability to make mortgage payments due to COVID-19. The loss mitigation options include mortgage payment forbearance for an initial 30 days for affected borrowers without HUD approval and 2 additional 30-day periods, upon borrower's request for a total of 90 days. During this time, a multifamily borrower that receives forbearance, may not, for the duration of the forbearance: (a) evict/ initiate the eviction of a tenant or (b) charge late fees, penalties, or other charges to a tenant for late payment of rent. Servicers can grant this forbearance without HUD approval if the multifamily borrower has experienced a financial hardship due to COVID-19 and said multifamily borrower was current on mortgage payments as of February 1, 2020.</p> <p>II. Residential:</p> <p>On March 18, 2020, President Trump directed HUD to suspend foreclosures and evictions through April 2020 amid the COVID-19 pandemic. On the same day, HUD authorized Federal Housing Administration (FHA), a HUD agency that provides affordable mortgage loans, to implement a foreclosure and eviction moratorium for single-family borrowers with FHA insured mortgages for 60 days. In response to the President's directive, HUD published Mortgagee Letter 2020-04 that provides single-family borrowers holding FHA-insured mortgages the following relief: (a) suspension of evictions of persons occupying these properties for 60 days; (b) halting the initiation of new foreclosures and suspending completion of foreclosures currently in progress for 60 days; and (c) extending deadlines of the first legal action and reasonable diligence timelines by 60 days. Specifically, Mortgagee Letter 2020-04 only applies to the following: (1) all FHA Title II single-family borrowers; (2) HECMs; and (3) tenants occupying single-family residential properties with FHA insured mortgages. Properties secured by</p>	<p>Multifamily borrowers with FHA insured mortgages are provided loss mitigations options, including mortgage payment forbearance and deferral for affected borrowers for a total period of 90 days.</p> <p>FHA insured single-family mortgages are subject to an extension to moratoriums on eviction and foreclosure through August 31, 2020. The moratorium applies to the initiation of foreclosures and to foreclosures in process.</p>	<p>Since the issuance of HUD's directive, both Fannie Mae and Freddie Mac, issued guidance on FHFA's foreclosure and eviction moratorium, and forbearance. On March 23, 2020, the Fed. Housing. Finance Agency (FHFA) instructed for Fannie Mae and Freddie Mac to temporarily halt new foreclosure actions and to suspend all foreclosure actions that are currently in process, and to suspend evictions of persons occupying properties with FHA insured mortgages. The eviction suspensions are in place for the entire duration of time that a property owner remains in</p>

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	<p>issued 4/1/20</p> <ul style="list-style-type: none"> ▪ HUD No. Press Release 20-042 issued 3/18/20 ▪ ML 2020-04 issued 3/18/20 	<p>FHA-insured single-family mortgages are subject to moratoriums on foreclosure and evictions for a period of 60 days, until May 17, 2020. The moratorium applies to the initiation of foreclosures and to the completion of foreclosures in process</p> <p>Further on April 1, 2020, HUD published Mortgagee Letter 2020-06, which offered single-family borrowers loss mitigation options in accordance with the CARES Act for borrowers experiencing a financial hardship negatively impacting their ability to make mortgage payments due to COVID-19. The loss mitigation options include: (a) mortgage payment forbearance for an initial 6 months for affected borrowers and an additional 6-month period, upon borrower's request for a total of 12 months; (b) new "COVID-19 National Emergency Partial Claim" for eligible borrowers, an option to be used by servicers when the COVID-19 forbearance period ends; and (c) extension of certain due and payable, foreclosure, and claim timeframes for home equity conversion mortgages (HECM) affected by COVID-19. This guidance applies to all FHA Title II single-family mortgages.</p> <p>On May 14, 2020, the FHA issued Mortgagee Letter 2020-13, which extends the foreclosure and eviction moratorium in connection with the COVID-19 pandemic and issues new reporting requirements related to FHA single family's CARES Act loss mitigation options. The foreclosure moratorium is now again extended to June 30, 2020, and applies to FHA-insured single-family mortgages, except vacant or abandoned properties. The moratorium on evictions of persons from properties securing FHA-insured single-family mortgages, excluding actions to evict occupants of legally vacant or abandoned properties, is also extended for the same period. The bulletin also provides guidance on how mortgagees must report the Default/Delinquency Reason Codes that apply to the borrower at the end of each reporting cycle. The mortgagee must update the code as the borrower's circumstances change.</p> <p>On June 17, 2020, HUD and FHA announced extensions on foreclosure and eviction moratoriums previously announced by Fannie Mae, Freddie Mac, and the FHA to assist borrowers impacted financially by the COVID-19 pandemic.</p>	<p>Single-family borrowers with FHA insured mortgages are provided loss mitigations options, including mortgage payment forbearance and deferral for affected borrowers for a total period of 12 months.</p>	<p>forbearance. While, forbearance suspension is available to the following multifamily borrowers of properties with either a qualifying enterprise-backed multifamily mortgage, who are negatively affected by the COVID-19 national emergency.</p>

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		Specifically, HUD published Mortgagee Letter 2020-19 , extending their existing foreclosure and eviction moratoriums for single-family mortgage loans through August 31, 2020. HUD's foreclosure and eviction moratoriums extension does not apply to vacant or abandoned properties, but continues to extend both the first legal action and reasonable diligence timelines applicable to foreclosure by 90 days from the expiration date of the moratorium.		
HUD's Public and Indian Housing (PIH) / Office of Native American Programs (ONAP)	Public and Indian Housing: <ul style="list-style-type: none"> ▪ HUD ONAP- Tribes & TDHEs COVID-19 FAQs issued 6/1/20 ▪ FAQs for Public Housing Agencies (PHAs) issued 5/29/20 ▪ Dear Tribal Leader Letter—IHGB CARES Formula Allocation issued 4/3/20 ▪ Dear Lender Letter (DLL) 2020-04 	<p>On March 20, 2020, HUD's ONAP issued Lender Letter DLL 2020-04, that provides the following for 60 days: (1) moratorium on foreclosures and evictions for residential properties secured by Sections 184 or 184A loans; and (2) extension of deadlines of the first legal action.</p> <p>On March 27, 2020, the CARES Act provided additional funding to respond to the national impact of COVID-19. On April 3, 2020, HUD announced the CARES Act provides \$200 million in Indian Housing Block Grants (IHBG) to American Indian Tribes and Tribally Designated Housing Entities (TDHEs). Each Tribe will receive approximately 30.5% of the FY 2020 IHBG formula allocation, which is equal to the amount appropriated in the CARES Act divided by the total amount allocated in FY 2020 under the IHBG formula before repayments.</p> <p>On May 29, 2020, HUD released its updated "FAQs for Public Housing Agencies (PHAs)", which includes Public and Indian Housing (PIH) and the Office of Native American Programs (ONAP). In terms of applicability, the eviction and foreclosure moratoriums applies to units if one of the following eligibility criteria is met: (1) a Tribe or Tribally Designated Housing Entity (TDHE) is the mortgage borrower under the Section 184 Indian Home Loan Guarantee Program, (2) units subject to a mortgage loan guaranteed under the Section 184A Native Hawaiian Home Loan Guarantee program, or (3) units currently assisted under the Title VI Indian Loan Guarantee Program. In such cases, Section 4024 of the CARES Act applies, and the Indian Tribe or TDHE may not charge fees for nonpayment of rent, and are prohibited from initiating a legal action to evict or take possession of the unit for nonpayment of rent. Units assisted under the Indian Housing Block</p>	The foreclosure and eviction moratorium for Section 184 loans expires on August 31, 2020, unless otherwise extended.	Note that Section 184 loans are limited to single-family housing and fixed-rate loans.

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	issued 3/20/20	Grant (IHBG) Program and the Indian Community Development Block Grant (ICDBG) Program are not covered under the eviction moratorium under Section 4024. However, some Indian tribes may have issued similar eviction moratoriums under their respective programs, or pursuant to Tribal law. Tenants subject to a possible eviction should contact their respective Tribal government or TDHE for more information.		
Federal Housing Finance Agency (FHFA)	<ul style="list-style-type: none"> FHFA and CFPB Announce Borrower Protection Program issued 4/15/20 <p>Multifamily Housing:</p> <ul style="list-style-type: none"> FHFA Moves to Provide Eviction Suspension Relief for Renters in Multifamily Properties issued 3/23/20 	<p>On April 15, 2020, the FHFA and Consumer Financial Protection Bureau (CFPB) announced in a press release a joint initiative—Borrower Protection Program—which enables the agencies to share servicing information to protect borrowers during COVID-19. Under this program, the CFPB will make complaint information and analytical tools available to FHFA via a secure electronic interface, and FHFA will make information available about forbearances, modifications, and other loss mitigation initiatives undertaken by Fannie Mae and Freddie Mac.</p> <p>I. Commercial:</p> <p>On March 23, 2020, the FHFA announced in a press release that Fannie Mae and Freddie Mac will be providing multifamily borrowers with enterprise-backed performing multifamily mortgages relief amid COVID-19. Specifically, FHFA will provide multifamily borrowers forbearance of their mortgage payments with the condition that they agree to the suspension of all evictions for tenants unable to pay rent due to COVID-19. The FHFA stated that the “eviction suspensions are in place for the entire duration of time that a property owner remains in forbearance,” and will only be available to multifamily properties with enterprise-backed multifamily mortgages. The FHFA did not specify the duration of the forbearance period for multifamily borrower, but further guidelines were issued after this press release was by the enterprises, as detailed in below sections, after this guidance was provided.</p>	<p>The FHFA announced that Fannie Mae and Freddie Mac will provide the following relief to its borrowers:</p> <p>(1) suspension of single-family foreclosures and evictions until August 31, 2020;</p> <p>(2) mortgage payment forbearance</p>	<p>Since the issuance of the FHFA guidance, both Fannie Mae and Freddie Mac, issued guidance on FHFA’s foreclosure and eviction moratorium, and forbearance. This guidance includes options such as requiring servicers to work with its borrowers on a permanent plan to</p>

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	Single-family Housing: <ul style="list-style-type: none"> ▪ ML 2020-19 issued 6/17/20 ▪ FHFA Press-Moratoriums Extension issued 6/17/20 ▪ FHFA Press-Payment Deferral As Repayment Option issued 5/14/20 ▪ FHFA Press-Enterprises will Purchase Loans in Forbearance issued 4/22/20 ▪ FHFA Press-4-Month Advance Obligation Limit issued 4/21/20 ▪ FHFA Press-Suspends Foreclosures 	<p>II. Residential:</p> <p>On March 18, 2020, the FHFA, in coordination with HUD, announced in a press release directing the enterprises to suspend foreclosures and evictions for at least 60 days and provide payment forbearance to single-family residential borrowers. The FHFA provided residential mortgage borrowers up to 12-month forbearance of payments due to hardship caused by COVID-19 and may suspend borrower late charges and penalties. The foreclosure and eviction suspension apply to homeowners with a Fannie Mae or Freddie Mac backed single-family residential mortgage.</p> <p>On April 21, 2020, the FHFA announced in a press release the alignment of Fannie Mae's and Freddie Mac's policies regarding servicer obligations to advance 4 months of principal and interest payments for single-family mortgage loan when a borrower fails to. Make scheduled payments due on a mortgage loan that underlies a mortgage-backed securities (MBS). This announcement also clarified that mortgage loans with COVID-19 payment forbearance should be regarded as a natural disaster event and as such will remain in the MBS pool for at least the duration of the forbearance program, as opposed to being purchased out of MBS pools. While this is not a liquidity facility measure, this change does provide a cap on servicer advancing obligations.</p> <p>On April 22, 2020, the FHFA announced in a press release that it has approved the purchase of certain single-family mortgages in forbearance that meet lifted the eligibility criteria by Fannie Mae and Freddie Mac. Fannie Mae and Freddie Mac have temporarily lifted the long-standing restriction that mortgages that are delinquent or in forbearance are usually ineligible for delivery.</p> <p>On May 14, 2020, the FHFA announced in a press release that Fannie Mae and Freddie Mac will make available payment deferral plans as new repayment option for homeowners in forbearance due to the COVID-19 pandemic. The payment deferral option allows borrowers, who are able to return to making their normal</p>	<p>for single-family borrowers for up to 12 months due to COVID-19; and</p> <p>(3) mortgage payments forbearance for multifamily borrowers so long as the borrower does not evict its tenants (FHFA did not specify duration).</p>	<p>either maintain or reduce monthly payments as necessary, including loan modifications.</p>

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	Evictions on Mortgages issued 3/18/20	<p>monthly mortgage payment, the ability to repay their missed payments at the time the home is sold, refinanced, or at maturity. The borrower's monthly mortgage payment will not change. Mortgages that exercise the payment deferral option will remain in Government Sponsored Entities (GSE) mortgage-backed securities (MBS), subject to the terms of the trust agreements. Mortgage servicers will begin offering the payment deferral repayment option starting July 1, 2020.</p> <p>On June 17, 2020, FHA announced that Fannie Mae and Freddie Mac are once again extending each respective foreclosure and eviction moratoriums through August 31, 2020. The extension of foreclosure and eviction moratoriums only applies to government sponsored entities backed, single-family mortgages.</p>		
Federal Home Loan Mortgage Corporation (Freddie Mac)	Multifamily Housing: <ul style="list-style-type: none"> Freddie Mac Multifamily Revises COVID-19 Forbearance Program to Further Align with the CARES Act issued 4/15/20 Freddie Mac Announces Nationwide COVID-19 Relief Plan issued 3/24/20 	<p>I. Commercial:</p> <p>On March 24, 2020, Freddie Mac announced it is assisting multifamily borrowers impacted by COVID-19, by providing a deferment of mortgage loan payments for 90 days. The multifamily borrower must show hardship that the borrower and its tenants face and by gaining lender approval. Monthly installments of interest, principal, impounds, reserves, late charges, and default interest may be waived. However, the multifamily borrower must release any claims against the lender for any adverse effects on the borrower arising out of the eviction restriction and agree that during the forbearance period, they will not evict tenants solely based on non-payment of rent due to COVID-19.</p> <p>On April 15, 2020, Freddie Mac announced its revised COVID-19 forbearance program to further align with the CARES Act. Although its original program announced on March 24, 2020 was largely consistent with the CARES Act, Freddie Mac has revised its current program in 3 of the following ways to better align with the CARES Act: (1) updated evictions prohibition during forbearance period. If a borrower enters forbearance, Freddie Mac now restricts a borrower from evicting, giving notice of, or starting an eviction of a tenant for nonpayment during forbearance period. This change means there is no longer a requirement</p>	<p>Multifamily borrowers are provided a 90-day forbearance on all mortgage payments. Borrowers will be required to repay the deferred amounts over a 12-month period. During the forbearance period, multi-family borrowers can not evict tenants solely based on non-payment of rent due to COVID-19.</p>	<p>Currently, Freddie Mac reports there are over 20% of multifamily loans are financed by Freddie Mac and more than 4.2 million tenants nationwide who live in properties financed with a Freddie Mac loan.</p>

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	<p>Single-family Housing:</p> <ul style="list-style-type: none"> ▪ ML 2020-19 issued 6/17/20 ▪ Single-Family Seller Servicer Guide updated 6/10/20 ▪ Bulletin 2020-21 issued 6/10/20 ▪ Bulletin 2020-16 issued 5/14/20 ▪ Bulletin 2020-15 issued 5/13/20 ▪ Bulletin 2020-12 issued 4/22/20 ▪ Bulletin 2020-10 	<p>that tenants demonstrate that their nonpayment is due to COVID-19 related hardship; (2) explicit prohibition on charging any tenant late fees, penalties, or other charges for nonpayment; and (3) extension of program to end of emergency period.</p> <p>II. Residential:</p> <p>On March 18, 2020, Freddie Mac announced it is assisting single-family residential borrowers with FHA insured mortgages, impacted by COVID-19. The following options are available: (1) forbearance of mortgage loan payments for up to 12 months; (2) waiver of penalties or late fees against borrowers; (3) halt all foreclosure sales and evictions of residential borrowers living at the property; (4) suspension of reporting of delinquency related to forbearance, repayment or trial plans to credit bureaus; and (5) consideration of additional loss mitigation options, including loan modification, that are typically only enacted to address natural disasters. Freddie Mac has confirmed forbearance is available for residential regardless of whether the property is owner occupied, a second home or an investment property, until indicated otherwise by Freddie Mac.</p> <p>On April 22, 2020, Freddie Mac announced it is aligning their loan removal policy with Fannie Mae's current practice for loans subject to temporary payment forbearance plans, including those plans implemented due to COVID-19, in accordance with FHFA's directive. This bulletin addressed temporary changes to its selling requirements intended to alleviate issues presented by COVID-19 and is "temporarily updating mortgage eligibility requirements to allow sellers to deliver certain mortgages in forbearance that would not otherwise be eligible for sale under the guide." This applies to certain loans that have been placed into forbearance after loan closing, but prior to loan sale.</p> <p>As discussed above, on June 17, 2020, the FHFA and HUD announced extensions of foreclosure and eviction moratoriums that were previously enacted by Freddie Mac to assist borrowers impacted by COVID-19. Specifically, both the</p>	<p>Single-family residential borrowers are provided forbearance of payments up to 12 months due to hardship caused by COVID-19. Suspension of foreclosure sales and evictions applies until August 31, 2020, and if necessary, may be extended.</p>	



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	<ul style="list-style-type: none">issued 4/8/20▪ Bulletin 2020-6 issued 3/25/20▪ Bulletin 2020-4 issued 3/18/20	<p>announcement from FHFA and HUD's Mortgagee Letter 2020-19 extend their existing foreclosure and eviction moratoriums for single-family mortgage loans through August 31, 2020. As with past extensions, HUD's extension does not apply to vacant or abandoned properties, but continues to extend both the first legal action and reasonable diligence timelines applicable to foreclosure by 90 days from the expiration date of the moratorium.</p> <p>On June 10, 2020, Freddie Mac released Bulletin 2020-21, Temporary Servicing Guidance Related to COVID-19, clarifying and modifying the following: (1) forbearance plan requirements; (2) announcing a servicer incentive for their previously announced COVID-19 payment deferral; (3) providing guidance on Home Affordable Modification Program (HAMP) good standing for a COVID-19 impacted borrower and late notices or payment reminder letters.</p> <p>In terms of the forbearance plan requirements, Freddie Mac reminded servicers of the requirements released in its previous Bulletin 2020-10 and Bulletin 2020-15 as they relate to approving a forbearance plan for a borrower with a COVID-19 related hardship. The requirements for approving a forbearance plan for a borrower with a COVID-19 related hardship include, but are not limited to the following: (1) permitting a forbearance plan regardless of delinquency, including one that would establish or extend a delinquency beyond a cumulative 12 months; (2) affirming that the servicer must send a forbearance plan agreement to the borrower, (3) clarifying that the servicer must provide the term requested by the borrower (if the servicer and borrower cannot agree on the length of the forbearance plan, then the servicer must offer the forbearance plan term length requested by the borrower, not to exceed 180 days); and (4) re-affirming that Freddie Mac's temporary forbearance plan requirements require servicers to approve or extend forbearance plans based on limited quality right party contact (QRPC) with the borrower and/or an attestation from the borrower that they continue to be impacted by a COVID-19 related hardship.</p>		



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		<p>In terms of the new incentive structure announced in Bulletin 2020-21 guidance, the structure is effective July 1, 2020. For the COVID-19 payment deferral and standard payment deferral, the servicer incentive is \$500. The incentive for a repayment plan is also \$500. For a Flex Modification the servicer incentive is \$1,000. Servicer total incentives per mortgage loan will be capped at \$1,000. However, workout options in process before the effective date of the new incentives will not be subject to the cumulative incentive cap. Freddie Mac provided an updated version of the COVID-19 payment deferral agreement available in the Bulletin 2020-21. In this guidance, Freddie Mac advised that servicers are authorized not to send a payment reminder notice to the borrower during an active forbearance plan term, and that this authorization applies to active forbearance plans without regard to whether the borrower's monthly payment is reduced or suspended during the forbearance plan term. This guidance also specifically refers to late notices. Also, the guidance noted that Freddie Mac is updating its Workout Prospector® in response to the CARES Act in order to modify how it calculates delinquent interest for the processing of the payment deferral and the Flex Modification in the automated fields. While Freddie Mac is in the process of updating Workout Prospector to reflect the edits, it reminds servicers to in the meantime adjust the automated fields to adhere to applicable law.</p> <p>Further, Freddie Mac clarified the conditions of HAMP good standing guidance in Bulletin 2020-16. Freddie Mac confirmed that if a borrower with a COVID-19 related hardship was not on a forbearance plan, but is fewer than 90 days delinquent and has not lost good standing upon entering into a COVID-19 payment deferral, the borrower will retain good standing.</p>		
Federal National Mortgage Association (Fannie Mae)	Multifamily Housing: <ul style="list-style-type: none"> Supplement 20-05 	<p>I. Commercial:</p> <p>On March 18, 2020, Fannie Mae announced it is assisting multifamily borrowers impacted by COVID-19, if they demonstrate a negative impact due to COVID-19 and that relief is necessary. As discussed in Seyfarth Shaw LLP's prior client alert,</p>	Multifamily borrowers are provided a 90-day	N/A

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	<p>Incorporating CARES Act issued 4/2/20</p> <ul style="list-style-type: none"> ▪ Multifamily Servicing Guide updated 4/13/20 <p>Single-family Housing:</p> <ul style="list-style-type: none"> ▪ ML 2020-19 issued 6/17/20 ▪ Lender Letter 2020-06 updated 6/11/20 ▪ Lender Letter 2020-02 updated 6/10/20 ▪ Lender Letter 2020-07 updated 6/10/20 	<p>dated March 25, 2020, Fannie Mae is providing forbearance of mortgage loan payments for a period up to 90 days, beginning on the first missed monthly payment, provided that the missed payment did not occur before April 1, 2020. The loan must be brought current by the earlier of (a) 12 months after the end of the forbearance period, or (b) receipt by borrower of business interruption insurance proceeds or other assistance or relief program proceeds. Additionally, the borrower must agree suspend all evictions of those financially impacted by COVID-19 until the later of (a) 90 days after the expiration date of the forbearance agreement, or (b) the mortgage loan is brought current. Affected tenants must be permitted to repay missed payments over a period of no more than 12 months, without late charges (in addition to the tenant’s regular monthly rent).</p> <p>II. Residential:</p> <p>On March 18, 2020, Fannie Mae announced it is providing single-family residential borrowers impacted by COVID-19 the following relief: (1) suspension of foreclosure sales and evictions for 60 days; (2) forbearance plan to reduce or suspend mortgage payments for up to 12 months; (3) suspension of credit reporting of past due payments ; (4) waiver of late fees; and (5) after forbearance, working out a permanent plan to maintain or reduce payment amounts as necessary, including loan modifications.</p> <p>On April 22, 2020, Fannie Mae announced it is providing for “liquidity options for certain loans that have been placed into forbearance after loan closing but prior to loan sale,” in accordance with FHFA’s directive. Fannie Mae is also temporarily purchasing or securitizing loans that are in forbearance that would otherwise be ineligible according to current Fannie Mae policies. Notably, Fannie Mae also has advised that a “general inquiry from a borrower about forbearance without a request for forbearance does not automatically define the loan as in forbearance.” Furthermore, a loan may be in forbearance without regard to whether a borrower made their first payment (for example, a borrower requests forbearance but continues to make their payments). The Bulletin also warns lenders that they</p>	<p>forbearance, and Fannie Mae will have to approve any forbearance exceeding 90 days.</p> <p>Single-family residential borrowers are provided forbearance of payments up to 12 months due to hardship caused by COVID-19. Suspension of foreclosure sales and evictions applies until August 31, 2020, and if necessary, may be extended.</p>	



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	<ul style="list-style-type: none">▪ Lender Letter 2020-09 issued 6/10/20▪ Fannie Mae Single-Family Servicing Guide updated 6/10/20▪ Fannie Mae Press Release- COVID-19 Payment Deferral issued 3/22/20	<p>should not in any way “discourage borrowers from contacting them or encourage borrowers to delay notifying them either before or after the note date if they are experiencing a COVID-19 related financial hardship.”</p> <p>On May 13, 2020, at the direction of the FHFA, Fannie Mae announced a COVID-19 payment deferral plan in its released Lender Letter 2020-07. This COVID-19 payment deferral is limited to single-family servicers, introducing a new workout option specifically designed to help borrowers impacted by a hardship related to COVID-19 return their mortgage to a current status after up to 12 months of missed payments. While this COVID-19 payment deferral is similar to Fannie Mae’s previous payment deferral, this new guidance has made several enhancements to assist borrowers who have a COVID-19 related hardship and will be available on July 1, 2020. Key differences between this new guidance and previously issued ones include the following: (1) borrower has experienced a financial hardship resulting from COVID-19 that impacted their ability to make monthly mortgage loan payments, which has been resolved; (2) mortgage loan must have been current or less than 31 days delinquent as of March 1, 2020, the effective date of the nationally declared disaster related to COVID-19; (3) mortgage loan must be 31 or more days delinquent but less than or equal to 360 days delinquent as of the date of evaluation; (4) certain eligibility criteria are not applicable, such as time from mortgage loan origination and rolling delinquency parameters; and (5) servicer must defer the delinquent principal and interest payments together with any allowable servicing advances paid to third parties as a result of the delinquency into the non-interest-bearing principal balance.</p> <p>On May 27, 2020, Fannie Mae updated its Lender Letter 2020-07, announcing a revised payment deferral agreement that it updated in reference to the CARES Act’s provisions., The guidance confirmed that Fannie Mae would reimburse the servicer for allowable out-of-pocket expenses in accordance with its Servicing Guide for COVID-19 Payment Deferrals, but noted that the servicer must request reimbursement of such expenses from Fannie Mae within 60 days of the completion of the COVID-19 Payment Deferral.</p>		



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		<p>As discussed above, on June 17, 2020, the FHFA and HUD announced extensions of foreclosure and eviction moratoriums that were previously enacted by Freddie Mac to assist borrowers impacted by COVID-19. Specifically, both the announcement from FHFA and HUD's Mortgagee Letter 2020-19 extend their existing foreclosure and eviction moratoriums for single-family mortgage loans through August 31, 2020. As with past extensions, HUD's extension does not apply to vacant or abandoned properties, but continues to extend both the first legal action and reasonable diligence timelines applicable to foreclosure by 90 days from the expiration date of the moratorium.</p> <p>On June 10, 2020, Fannie Mae released Lender Letter 2020-09, announcing servicer incentive for their previously announced COVID-19 payment deferral. Fannie Mae addressed the following: (1) HAMP good standing for a COVID-19 impacted borrower, and (2) late notices/payment reminder letters in updates to Lender Letter 2020-02 and Lender Letter 2020-07. In terms of Fannie Mae's new incentive structure, it is identical to Freddie Mac's structure as described in detail in the above Freddie Mac section. In terms of HAMP, Fannie Mae advised that if the mortgage loan was previously modified pursuant to a HAMP modification under which the borrower remains in "good standing," then the mortgage loan will not lose good standing and the borrower will not lose any "pay for performance" incentives in the following circumstances: (1) borrower was on a COVID-19 related forbearance plan immediately preceding the COVID-19 payment deferral; or (2) borrower has a COVID-19 related hardship and the mortgage loan is fewer than 90 days delinquent.</p>		
CFPB, FDIC, FRB, NCUA, OCC, CSBS	<ul style="list-style-type: none">▪ Press Release on Interagency Statement issued 3/22/20▪ Agencies provides information to	On March 22, 2020, the CFPB, the Federal Deposit Insurance Corporation (FDIC), the Federal Reserve Board (FRB), the National Credit Union Administration (NCUA), the Office of the Comptroller of the Currency (OCC), and the Conference of State Bank Supervisors (CSBS) issued an Interagency Statement on loan modifications and reporting for financial institutions working with those who are most impacted by the COVID-19 pandemic. These agencies encouraged financial institutions to work prudently with borrowers who are unable to make	N/A	N/A

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	encourage financial institutions to work with borrowers issued 3/22/20	payments due to the effects of COVID-19. Notably, these agencies confirm that mortgages that have been restructured due to COVID-19 will still be eligible as “collateral at the FRB’s discount window based on the usual criteria.” The interagency statement confirmed (1) loan modifications for mortgages will not be considered restructured/ modified for purposes of risk-based capital rules, when loans are underwritten, not past due, or carried in nonaccrual status; and (2) short-term modifications made in good-faith will not be deemed troubled debt restructurings (TRDs). These Federal bank regulators have issued this guidance encouraging institutions to work with borrowers and relaxing some standards that may previously have limited a servicer’s flexibility to offer relief.		
U.S. Dpt. of Agriculture (USDA) Rural Development	Multifamily Housing: <ul style="list-style-type: none"> HB-3-3560 Handbook Multifamily Handbook Single-family Housing: <ul style="list-style-type: none"> Stakeholder Announcement USDA Extends Foreclosure & Eviction Relief issued 6/19/20 	<p>I. Commercial:</p> <p>On March 25, 2020 the USDA announced section 515 multifamily borrowers are provided the following relief: (1) tenant certifications due March 31, April 30 and May 31 for multifamily properties are now due June 30; (2) waiver of late fees on section 515 loans; and (3) annual financial statements due March 31 are now due April 31, 2020. USDA also encouraged multifamily borrowers to work with impacted residents and families to adjust rent payments, enter into forbearance agreements, and lessen the impact on affected residents.</p> <p>II. Residential:</p> <p>On March 19, 2020, the USDA announced in a stakeholder announcement a moratorium on foreclosure for a period of 60-day for all USDA single-family housing guaranteed and direct loans. The moratorium applies to the initiation of foreclosures and to the completion of foreclosures in process. Evictions are also suspended for a period of 60 days. Guaranteed loan borrowers who are in default or facing imminent default due to a documented hardship can have payments reduced or suspended by their lender for a period not to exceed 12 months delinquency. In terms of direct loan borrowers, moratorium assistance for up to 180 days is available for borrowers experiencing financial hardship due, directly</p>	Suspension of foreclosure sales and evictions applies until August 31, 2020, and if necessary, may be extended.	N/A

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	<ul style="list-style-type: none"> HB-1-3555 Loan Program Technical Handbook Single-Family Handbook <p>Other Source(s):</p> <ul style="list-style-type: none"> USDA Implements Measures to Help Rural Residents, Businesses, & Communities Affected by COVID-19 issued 3/25/20 	<p>or indirectly, to the COVID-19 emergency. Borrowers have the option to cancel the moratorium at any time or request the moratorium be extended up to an additional 180 days. In terms of guaranteed loan borrowers, lenders upon receiving a request for a forbearance from a borrower who attests to financial hardship directly or indirectly caused by COVID-19, should provide immediate forbearance of the borrower's guaranteed loan payment for a period of up to 180 days. In addition, the initial forbearance period may be extended up to an additional 180 days at the borrower's request. During the forbearance options outlined above, no accrual of fees, penalties or interest may be charged to the borrower beyond the amounts calculated as if the borrower had made all timely contractual payments. Lenders may approve the initial 180-day COVID-19 Forbearance no later than October 30, 2020.</p> <p>On June 19, 2020, the U.S. Dpt. Of Agriculture announced that it will be extending the foreclosure and eviction moratoriums for all single-family Housing Guaranteed Loan Program (SFHGLP) loans through August 31, 2020. The moratorium applies to the following: (1) the initiation of foreclosures or completion of foreclosures in process, excluding vacant and abandoned properties; and (2) evictions of persons from properties secured by USDA guaranteed loans. Loan servicers seeking to assist SFHGLP borrowers may pursue any of the relief options referenced in Chapter 18 of the HB 1-3555 Loan Program Technical Handbook.</p>		
U.S. Dpt. of Veterans Affairs (VA)	<ul style="list-style-type: none"> Circular 26-20-23 issued 6/17/20 Circular 26-20-22 issued 6/17/20 	<p>On March 16, 2020, the VA also issued Circular 26-20-7, which provides, in relevant part, that servicers may employ the following relief to veterans impacted by COVID-19: (1) forbearance, (2) late charge waivers on affected loans, and (3) suspension of credit bureau reporting on affected loans.</p> <p>On March 18, 2020, the VA issued Circular 26-20-8 "strongly encourage[ing]" loan holders and servicers to establish a 60-day moratorium. In VA Circular 26-20-8, the VA acknowledges that lenders are ultimately responsible for determining when to initiate a foreclosure action or to complete a foreclosure sale, but should</p>	Suspension of foreclosure sales and evictions applies until August 31, 2020, and if necessary, may be extended.	N/A



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	<ul style="list-style-type: none">▪ Circular 26-20-10 issued 3/27/20▪ Circular 26-20-8 issued 3/18/20▪ Circular 26-20-7 issued 3/16/20▪ Lenders Handbook - VA Pamphlet 26-7	<p>consider the impact of an eviction action, and requests that loan holders should not expose Veterans needlessly to additional risk of an eviction action.</p> <p>On June 17, 2020, the VA issued Circular 26-20-23, which extended the eviction moratorium for borrowers affected by COVID-19. In light of the ongoing COVID-19 nationally declared emergency, and its impact on Veteran borrowers, properties secured by VA-guaranteed loans, including those loans currently in VA's Real Estate Owned (REO) portfolio are subject to a moratorium on evictions through August 31, 2020. This Circular is aligned with the CARES Act, which prohibits any filing with the court of jurisdiction to initiate a legal action to recover possession of the dwelling for a 120-day period beginning March 18, 2020. The Circular will be rescinded on July 1, 2021.</p> <p>On June 17, 2020, the VA issued Circular 26-20-22, which extended the foreclosure moratorium for borrowers affected by COVID-19. In light of the ongoing COVID-19 nationally declared emergency and its impact on Veteran borrowers, properties secured by VA-guaranteed loans are subject to a moratorium on foreclosure through August 31, 2020. This Circular is aligned with the CARES Act, which prohibits loan servicers from initiating any judicial or non-judicial foreclosure process for the 60-day period beginning March 18, 2020. The Circular will be rescinded on July 1, 2021.</p> <p>On June 17, 2020, the VA issued Circular 26-20-22, which extended the foreclosure moratorium for borrowers affected by COVID-19. In light of the ongoing COVID-19 nationally declared emergency and its impact on Veteran borrowers, properties secured by VA-guaranteed loans are subject to a moratorium on foreclosure through August 31, 2020. The moratorium applies to the initiation of foreclosures, and to the completion of foreclosures in process. This Circular is aligned with the CARES Act, which prohibits loan servicers from initiating any judicial or non-judicial foreclosure process for the 60-day period beginning March 18, 2020. The Circular will be rescinded on July 1, 2021.</p>		

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Coronavirus Aid, Relief, & Economic Security Act (CARES Act)— H.R.748	<ul style="list-style-type: none"> ▪ CARES Act—H.R.748 enacted 3/27/20 	<p>This below is a summary of the CARES Act as applied to federal governmental developmental actions.</p> <ul style="list-style-type: none"> ▪ Sec. 4022 creates a nationwide federal foreclosure moratorium and the consumer’s right to request a forbearance. It also applies only to “[f]ederally-backed mortgages,” which are loans insured or guaranteed by FHA, Fannie Mae and Freddie Mac, insured by HUD, VA, or USDA, or loans that are owned by Fannie Mae or Freddie Mac. Sec. 4022 prohibits foreclosures on all federally-backed mortgage loans for a 60-day period beginning on March 18, 2020. Sec. 4022 provides up to 180 days, which could be extended for another 180 days upon borrower’s request, of forbearance for borrowers of a federally-backed mortgage loan who have experienced a financial hardship due to COVID-19. Sec. 4022 provided that this section expires on the earlier of either the end of the COVID-19 pandemic or December 31, 2020. ▪ Sec. 4023 covers a nationwide federal forbearance for multifamily borrowers with a federally backed multifamily mortgage loans that are insured by Fannie Mae, Freddie Mac, or HUD, who have experienced a financial hardship. Sec. 4023 also provided for up to 90 days of forbearance for multifamily borrowers with enterprise-backed performing multifamily mortgages who are experiencing a financial hardship due to COVID–19. A borrower requesting forbearance under Sec. 4023 must be current on payments as of February 1. Multifamily borrowers with enterprise-backed performing multifamily mortgages receiving forbearance may not evict or charge late fees to tenants for the duration of this mentioned forbearance period. Sec. 4023 provided this section expires on the earlier of the end of the COVID-19 pandemic or December 31, 2020. ▪ Sec. 4024 covers a nationwide federal eviction moratorium where the mortgage on that property is insured by HUD, Fannie Mae, Freddie Mac, or the Violence Against Women Act of 1994. Prohibits landlords from requiring a tenant to vacate or from initiating legal action to recover possession of a rental unit or to charge fees, penalties, or other charges to a tenant related to such nonpayment 	N/A	N/A



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		of rent. This nationwide federal eviction moratorium will last for a period of 120 days. After expiration of 120-day period, a notice to evict may be permitted, but the landlord must give tenants at least 30 days to vacate.		
Internal Revenue Service (IRS)	<ul style="list-style-type: none">▪ Revenue Procedure 2020-26 issued 4/13/20	On April 13, 2020, the IRS issued Revenue Procedure 2020-26 , providing safe harbors for payment forbearances and related modifications arising from COVID-19 on mortgage loans held by investment trusts and real estate mortgage investment conduits (REMICs). The safe harbors outlined applies to single-family and multifamily mortgages, and if these borrowers request mortgage relief, they will not result in qualification issues for REMICs and investment trusts.	N/A	N/A

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Alabama	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> Tenth Supplemental State of Emergency Order issued 5/31/20 Ninth Supplemental State of Emergency Order issued 5/8/20 State of Alabama Proclamation by the Governor issued 4/3/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> Administrative Order No. 5 Covid-19 issued 5/14/20 Extending Administrative Order issued 4/2/20 	<p>I. Lease Enforcement:</p> <p>On March 17, 2020, the Alabama Supreme Court issued an order suspending, "[a]ll in-person proceedings in all state and local courts." Electronic filings are still being accepted. Although Alabama's order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.</p> <p>On April 2, 2020, the Alabama Supreme Court issued an order extending its initial order issuing the state of emergency for Alabama's Unified Judicial System through April 30, 2020. On April 30, 2020, the Alabama Supreme Court issued an order suspending, "[a]ll in-person proceedings in all state and local courts," until at least May 15, 2020, unless otherwise extended.</p> <p>On April 3, 2020, Governor Kay Ivey issued a proclamation suspending the enforcement of all eviction orders regarding residential tenants only. However, the proclamation specifically states, "[n]othing in this section shall be construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under a rental agreement or mortgage. The Governor's Proclamation suspends enforcement of new and old orders of eviction and remains in full force and effect for the duration of the public health emergency, unless rescinded or extended.</p> <p>On May 8, 2020, Governor Ivey issued a Ninth Supplemental State of Emergency Order, which extended the prior order issued by the governor limited to evictions for nonpayment.</p> <p>On May 14, 2020, the Alabama Supreme Court issued Administrative Order No. 5 Covid-19 in response to COVID-19 and the continuation of emergency measures. Courts are permitted to recommence the adjudication of eviction matters after May 15, 2020.</p>	<p>The Governor issued the Tenth Supplemental State of Emergency Order, which terminated the moratoriums that prohibited and suspended enforcement of evictions and foreclosures.</p> <p>The Alabama Supreme Court's Order permitted in-person proceedings to recommence statewide on May 15, 2020. The Alabama Supreme Court did not issue an updated order. As such, in-court proceedings were permitted to commence after May 15, 2020.</p>	<p><i>As of June 30, 2020, in-person proceedings are permitted per the Court's order, with no limitations imposed such as remote hearings, which have in effect allowed for evictions and foreclosures to resume in-person. Additionally, due to the Governor's lifting of the eviction and foreclosure moratoriums, there is nothing preventing these proceedings to be heard in-person.</i></p>



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	<ul style="list-style-type: none">Administrative Order No. 3 COVID-19 Pandemic Response issued 3/17/20	<p>On May 31, 2020, Governor Ivey issued a Tenth Supplemental State of Emergency Order, which terminated the eviction moratorium. While Governor Ivey previously issued a proclamation extending the prohibition on residential evictions and foreclosures during the duration of the state's public health emergency, she lifted that prohibition to be expired on June 1, 2020.</p> <p>II. Mortgage Loan Forbearance:</p> <p>All residential foreclosures due to nonpayment were suspended through June 1, 2020. However, foreclosures recommenced on June 2, 2020.</p> <p>Governor Ivey's proclamation specifies that it does not impact any obligation to pay rent or make mortgage payments. At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>The Alabama Legislature adopted SR49, and if enacted, would provide additional funding for rental assistance to low income families living in USDA Rural Development Housing 5 units who are adversely affected by income disruption from COVID-19.</p> <p>IV. Reopening Plan:</p> <p>Governor Ivey has issued an amended Safer at Home Order effective on May 22, 2020 until July 3, 2020. Alabama is presently in the second phase of a multiphase reopening plan. As of May 22, 2020, select businesses will reopen subject to specific social distancing and sanitation rules and limitations, including the following: entertainment venues (such as arcades, theaters, bowling alleys) subject to 50% occupancy; athletic activities (competition allowed on June 15, 2020); educational institutions (open on June 1, 2020); child day care facilities; and summer camp. On May 1, 2020, the following businesses were permitted to</p>		

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		reopen: employers; retail stores subject to 50% occupancy rate; non-work gatherings (no longer limited to 10 individuals); restaurants and bars for on-site customers with limited seating; athletic facilities; and close contact service providers. Beaches have reopened, but people must maintain six-foot physical distancing. On June 30, 2020, Governor Ivey issued an amended Suspending Certain Public Gatherings Due to Risk of Infection by COVID-19 Safer At Home Order , effective on July 3, 2020.		
Alaska	<p>Enacted Law(s):</p> <ul style="list-style-type: none"> SB 241 enacted 4/10/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> Third Presiding Judges' Statewide COVID-19 Pandemic Administrative Order issued 5/29/20 Updated Statewide Administrative Order issued 4/3/20 Statewide Administrative Order Governing Relaxation and 	<p>I. Lease Enforcement:</p> <p>On March 19, 2020, Alaska Supreme Court Chief Justice issued a Special Order of the Chief Justice No. 8131 suspending all non-essential superior and district court hearings. This order suspended all district court proceedings except for listed priority hearings.</p> <p>On March 20, 2020, Governor Mike Dunleavy released the Alaska COVID-19 Economic Stabilization Plan. In announcing the plan, the Governor stated that no evictions are to be carried out against impacted individuals for at least 60 days.</p> <p>On March 23, 2020, the presiding judges in the trial courts of Alaska also issued a statewide administrative order governing relaxation and suspension of various court rules based on the COVID-19 pandemic. This order provided guidance on suspension of district court proceedings; clarifies that eviction cases will not be heard; and that trial courts can stay outstanding orders. In sum, the order suspended all non-priority hearings, including evictions.</p> <p>On April 3, 2020, the presiding judges in the trial courts of Alaska issued an updated administrative order that placed a moratorium on all non-emergency hearings including civil cases, which explicitly applies to foreclosures and evictions, which will not be heard during any suspension. This order permits trial court judges may find good cause to stay an outstanding eviction order, including</p>	<p>The moratoriums on evictions and foreclosures (residential only) established in SR 241 are in effect until Governor Dunleavy determines that COVID-19 is no longer a public health disaster emergency or until June 30, 2020, whichever is earlier.</p> <p>The presiding judges in the trial courts of Alaska Administrative Order is set to expire in compliance with the legislative bill, SR 241.</p>	<p><i>As of June 30, 2020, in-person proceedings are permitted per the Court's order, which have in effect allowed for evictions and foreclosures to resume in-person. The Court's current order continues to recognize judges' discretion to stay issued eviction orders due to sickness, quarantine, or self-quarantine. Despite the expiration of the state-wide moratoriums, SR 241 legislature's prohibition on</i></p>

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	<p>Suspension of Various Court Rules issued 3/23/20</p> <ul style="list-style-type: none"> ▪ Special Order of the Chief Justice No. 8131 issued 3/19/20 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ COVID-19 Economic Stabilization Plan issued 3/20/20 	<p>a finding that the tenant was subject to a quarantine order or is self-quarantined pursuant to COVID-19, then the eviction should be stayed. Also, the Supreme Court of Alaska Supreme Court's order does not specify if it applies to residential or commercial properties, but it appears to apply to both as written.</p> <p>On April 10, 2020, SR 241 was signed into law in Alaska and relevant provisions of relief for residential tenants and landlords, and provided for the following: (1) extended the Governor Mike Dunleavy's declaration of a public health disaster emergency to November 15, 2020; (2) established a moratorium on evictions for nonpayment of rent; (3) established a moratorium on foreclosures; and (4) established a moratorium on forbearance of state loans, which does not include loans made by the Alaska Housing Finance Corporation that is not a single-family residential mortgage loan or public housing assistance. Both the eviction and foreclosure moratoriums suspend the statutory causes of action for individuals experiencing a financial hardship related to COVID-19. A residential tenant seeking protection under SR 241 must provide the landlord a signed statement under penalty of perjury that the tenant is experiencing financial hardship due to COVID-19. The SR 241 does not prevent evictions for: misconduct; violating the law; and violating the lease for reasons other than nonpayment of rent. SR 241 also does not relieve the tenant's obligation to pay the rent owed.</p> <p>On May 29, 2020, the presiding judges in the trial courts of Alaska issued another administrative order declaring that non-jury court hearings/trials may proceed as of May 31, 2020, but eviction actions must comply with the legislative moratoriums.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 20, 2020, Governor Dunleavy released the Alaska COVID-19 Economic Stabilization Plan. In announcing the plan, the Governor stated that no evictions are to be carried out against impacted individuals for at least 60 days. Likewise, the Governor directed the Alaska Housing Finance Corporation to</p>		<p><i>evictions resulting from COVID-19 financial hardship remains in effect.</i></p>



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		<p>suspend foreclosures and evictions immediately. Additionally, lenders are authorized to grant forbearance to residential borrowers suffering financial hardship due to this shutdown. The Governor’s announcement specifies that it does not impact any obligation to pay rent or make mortgage payments.</p> <p>III. Legislative Action(s):</p> <p>The Alaska Legislature is considering HB310, and if enacted, would provide that during period of declared state of emergency borrowers may request 30-day moratorium on foreclosure if they submit sworn affidavit to servicer that they are experiencing a financial hardship.</p> <p>On April 10, 2020, SR 241 was signed into law in Alaska and relevant provisions of relief for residential tenants and landlords, and additional information is detailed above.</p> <p>IV. Reopening Plan:</p> <p>As of May 22, 2020, Alaska is in the third of four phases of reopening the state. The start date of the fourth phase is to be determined. All businesses, houses of worship, libraries, museums, and recreational and sports activities have been allowed to resume. Proposed large public gatherings are subject to public health approval before they can take place. Certain health care restrictions have been lifted, allowing providers to offer some routine low-risk medical and dental care, as well as elective procedures. Specific business and entity guidance can be accessed here.</p>		
Arizona	<p>Governor’s Executive Action(s):</p> <ul style="list-style-type: none"> EO 2020-21 issued 4/6/20 	<p>I. Lease Enforcement:</p> <p>On March 24, 2020, Governor Doug Ducey issued EO 2020-14, which has delayed evictions of residential tenants for 120 days. This EO applies to those tenants who cannot afford rent due to the COVID-19 pandemic and related issues, including</p>	The Governor’s EO suspending evictions of commercial tenants is	<i>As of June 30, 2020, in-person proceedings are</i>

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	<ul style="list-style-type: none"> Governor's Office, Press Release issued 3/30/20 Cooperative Agmt. Between Gov. Ducey and Arizona Bankers Association issued 3/27/20 EO 2020-14, Postponement of Eviction Actions issued 3/24/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> Guidance for Processing Evictions issued 5/21/20 Administrative Order 2020-79 issued 5/20/20 Administrative Order 2020-75 issued 5/8/20 Administrative Order 2020-70 issued 4/24/20 	<p>been quarantined due to COVID-19. The tenant must notify the landlord in writing with supporting documentation of their temporary financial hardship or evidence of quarantine.</p> <p>On April 6, 2020, Governor Ducey issued EO 2020-21, which temporarily suspends evictions of commercial tenants, which is defined as businesses with fewer than 500 employees, who are unable to pay rent due to financial hardship caused by COVID-19, unless a court determines on motion of one of the parties that it is contrary to the interest of justice. Commercial eviction action includes locking out a tenant, serving a notice to vacate, and any other attempt to inhibit the operations of a business. Additionally, the EO states that any commercial tenant receiving financial assistance from public programs designed to assist businesses suffering financial hardship from COVID-19, should apply a portion of that assistance to past or current due rents. However, landlords may not require that commercial tenants apply specific percentages or amounts of financial assistance to commercial rent.</p> <p>On May 20, 2020, the Supreme Court of Arizona issued Administrative Order No. 2020-79 in regards to limiting court operations during COVID-19 and the transition to resumption of certain operations. Administrative Order No. 2020-79 replaced previously issued Administrative Order 2020-75. This order stated that beginning on June 1, 2020, courts will enter phased re-opening to in-person proceedings. Also, the time from March 18, 2020 through August 1, 2020, will not be included in time computations for eviction proceedings.</p> <p>II. Mortgage Loan Forbearance:</p> <p>The Arizona Department of Housing announced its implementation of Save Our Home AZ (SOHAZ) Program, which offers principal reduction assistance; monthly mortgage subsidy assistance for under and unemployed Arizonans; and second lien elimination assistance to qualified Arizona homeowners. The program's goal is to aid Arizona's homeowners in avoiding foreclosure by</p>	<p>in effect until May 31, 2020. This EO was not extended or updated.</p> <p>The Governor's EO that suspends evictions of residential tenants is in effect for 120 days, expiring on July 22, 2020, unless extended.</p> <p>The Supreme Court of Arizona's Administrative Order suspended in-person court proceedings throughout the state until June 1, 2020, unless extended or terminated otherwise. The Supreme Court did not issue an updated order. As such, in-court proceedings were permitted to commence after June 1, 2020.</p>	<p><i>permitted per the Court's order, which have in effect allowed for evictions and foreclosures to resume in-person. However, the Governor has issued a stay on the execution of residential evictions statewide for tenants that can meet some eligibility criteria. In sum, eviction actions can not be executed, they can be filed and managed in Court.</i></p>

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	<ul style="list-style-type: none"> Administrative Order 2020-60 issued 4/6/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> Office of the Attorney General, State of Arizona, Letter to All Financial and Lending Institutions Serving issued 3/19/20 	<p>assisting with mortgage affordability (a payment that does not exceed 31% of gross income) inclusive of property taxes and Homeowner’s Association (HOA) fees. However, a lender's agreement to participate may be required, since mortgage assistance is provided directly to lenders on the homeowner’s behalf.</p> <p>The Arizona Bankers Association, consisting of Arizona banks and mortgage servicers, have agreed to provide payment forbearance for up to 12 months to borrowers facing financial hardships due to COVID-19.</p> <p>On March 19, 2020, the Arizona Attorney General sent a letter to all financial and lending institutions servicing Arizonans. Specifically, the Attorney General called for “all mortgage servicers, mortgage lending institutions, and finance companies to waive payments for 90 days and agree to place those payments on the back of the loan in 3 additional payments (no lump sum payments or balloon).</p> <p>On March 30, 2020, Governor Ducey announced a cooperative agreement with the state’s banks to protect small businesses and families from eviction and foreclosure. Under this agreement, banks have suspended evictions and foreclosures for at least 60 days, and all banks have been encouraged, with many adopting, a payment deferral program for business loans under guidance from banking regulatory agencies typically up to 90 days.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On May 12, 2020, Governor Ducey issued EO 2020-36 implementing a “Stay Healthy, Return Smarter, Return Stronger” policy, which permitted businesses to</p>		



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		gradually reopen in accordance with federal guidelines subject to specific social distancing and sanitation rules and limitations. The order establishing this policy is evaluated every two weeks, and remains in effect until modified or rescinded. Retail stores, barbershops, and salons have been allowed to reopen while following physical distancing rules. Restaurants have also been permitted to reopen for on-site customers, subject to strict limitations. Gyms and public swimming pools can reopen if they follow recommendations from health officials. Professional sports activities can take place without fans. Movie theaters and bars remain closed. The Arizona Department of Education released guidance in early June 2020 regarding the reopening of schools in the 2020-2021 school year, specifying that in-person instruction will resume, but schools should function on intermittent schedules and reduce class sizes. On June 29, 2020, Governor Ducey issued EO 2020-43 pausing Arizona's reopening in order to slow the spread of the COVID-19 pandemic.		
Arkansas	Court Order(s): <ul style="list-style-type: none"> Response to COVID-19 Pandemic issued 5/8/20 Response to COVID-19 Pandemic: Eviction Filings issued 4/28/20 Chief Justice of Supreme Court of Arkansas issued 4/3/20 	I. Lease Enforcement: <p>On March 20, 2020, the Supreme Court of Arkansas in response to the COVID-19 pandemic announced an order postponing court proceedings, with the exceptions noted in the order that do not include evictions. Evictions are not considered emergency matters. Although Arkansas' order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless. However, the Supreme Court of Arkansas has urged judges to conduct matters that they can remotely.</p> <p>On April 28, 2020, the Supreme Court of Arkansas issued an order announcing additional requirements for all new residential eviction filings. The order requires that any new eviction complaint filed on that date through July 25, 2020 must affirmatively plead that the property subject to the eviction dispute is not a covered dwelling under the federal CARES Act.</p> <p>On May 8, 2020, the Supreme Court of Arkansas issued an order announcing that beginning on May 18, 2020, Arkansas courts in all divisions are ordered to resume</p>	<p>The Arkansas Supreme Court suspended all in-person court proceedings until May 18, 2020, unless otherwise extended. The Supreme Court did not issue an updated order. As such, in-court proceedings were permitted to commence after May 18, 2020.</p>	<p><i>As of June 30, 2020, in-person proceedings are permitted per the Court's order, with no limitations imposed, which have in effect allowed for evictions and foreclosures to resume in-person. However, assigned judges have the discretion to allow a court matter to</i></p>

State	Type of Action / Source of Law	General Overview and Scope of Applicability—Commercial / Residential	Expiration Date	Special Notes
	<ul style="list-style-type: none"> ▪ Response to COVID-19 Pandemic issued 3/20/20 ▪ Response to COVID-19 Pandemic issued 3/17/20 	<p>conducting hearings with certain measures to combat the spread of the disease to the public.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>Governor Hutchinson announced that Arkansas will officially move into Phase 2 of three planned phases of reopening on June 15, 2020. Generally, businesses such as retail stores that were allowed to function at 33% capacity under Phase 1 are now allowed to increase their capacity to 66%. For example, restaurants and casinos can increase their operations to 66% capacity, and must follow social distancing and other social distancing and sanitation rules and limitations. Similarly, large event venues like theaters, museums, concert halls, and arenas can reopen at 66% capacity (up to 100 people for indoor facilities) if public health officials approve their reopening plans. Gyms and fitness centers can operate pursuant to restrictions that require 12 feet of physical distancing, among other things. Establishments such as hair salons and barbershops can operate at 66% capacity if they are larger facilities; smaller facilities must maintain six feet of social distancing between stations. On June 25, 2020, Governor Asa Hutchinson announced there is a pause on reopening Arkansas' reopening in order to slow the spread of the COVID-19 pandemic.</p>		<i>proceed in-person or remotely.</i>

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California	<p>Court Order(s):</p> <ul style="list-style-type: none"> Judicial Council of California issued 4/9/20 Report to the Judicial Council No.: 20-141 issued 4/4/20 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> EO N-66-20 issued 5/29/20 EO N-37-20 issued 3/27/20 Press Release on Major Financial Relief Package issued 3/25/20 EO N-28-20 issued 3/16/20 EO N-25-20 issued 3/12/20 	<p>I. Lease Enforcement:</p> <p>On March 16, 2020, Governor Gavin Newsom issued EO N-28-20 specifically authorizing local governments to halt commercial and residential evictions on tenants affected by COVID-19. As a result, many counties and cities in California enacted various executive orders. Governor's EO requested that lenders pause commercial and residential foreclosures and evictions related to COVID-19, but did not explicitly require such action.</p> <p>On March 27, 2020, Governor Newsom issued EO N-37-20 suspending enforcement of eviction orders for residential tenants affected by COVID-19 through May 31, 2020. The EO prohibits landlords from evicting tenants for solely nonpayment of rent or from enforcement of evictions. However, this EO requires for tenants to provide a statement in writing, no more than 7 days after the rent comes due, that he or she cannot pay their rent due to COVID-19. The tenant should retain documentation related to these claims, but is not required to submit such documentation to the landlord in advance. It is important to note, that according to the EO "the tenant would still remain obligated to repay full rent and could still face eviction after the moratorium is lifted."</p> <p>On May 29, 2020, Governor Newsom issued EO N-66-20, which extends previously issued EO N-28-20 for an additional 60 days from May 29, 2020 to July 28, 2020. This EO deals with extending the authorization for local governments to halt evictions for homeowners and renters impacted by the COVID-19.</p> <p>On April 4, 2020, the Judicial Council of California adopted emergency regulations suspending the issuance of summons, entry of default judgments on unlawful detainer complaints, and judicial foreclosure actions.</p>	<p>The Governor's EO (residential and commercial) suspension of enforcement of eviction orders is in effect until July 28, 2020, unless otherwise extended.</p> <p>The Judicial Council of California's regulations (commercial and residential) will remain in effect until 90 days after the governor declares that the state of emergency related to COVID-19 is lifted, or until amended or repealed by the Judicial Council.</p>	<p><i>As of June 30, 2020, in-person proceedings are not permitted, and the Governor's EO suspended the enforcement or execution of evictions and foreclosures. The Governor's EO still allows for local governments to pass stricter eviction and foreclosure bans.</i></p>



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State	Type of Action / Source of Law	General Overview and Scope of Applicability— Commercial / Residential	Expiration Date	Special Notes
		<p>Major Counties that Issued Emergency Moratorium for Commercial Tenants:</p> <p>Many California cities and counties have either issued a ban on evicting commercial tenants facing economic hardships due to the novel COVID-19 outbreak or are considering doing so, including Anaheim, Ordinance No. 6482; Berkeley, BMC Chapter 13.110; Beverly Hills, Ordinance No. 20-0-2805; Burbank, Ordinance No. 20-3,934; Chula Vista, Ordinance 20-0118; Davis, Urgency Ordinance; Emeryville, Ordinance No. 20-002; City of Fresno, Bill No. 10; Glendale, Resolution No. 20-33; Goleta, Resolution No. 20-18; City of Los Angeles, Public Order (residential), Public Order (commercial); Marin County, Resolution; City of Monterey, Ordinance No. 3614; Moorpark, EO No. 20-01; Pasadena, Uncodified Resolution; San Diego County, Uncodified Ordinance; San Leandro, Press Release CMO2020-03-24-20; City of Sacramento, Ordinance No. 2020; San Luis Obispo County, Local Emergency Order & Regulation 13; Santa Ana, EO; Santa Barbara County, Press Release; Santa Clara County, No. NS-9.287; Santa Cruz County, Press Release; Simi Valley, Des Order No. 1; South Pasadena, Uncodified Resolution; Union City, Ordinance No. 877-20; Watsonville, Ordinance No. 1402-20; and West Sacramento, Press Release.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 25, 2020, Governor Newsom announced that several large, national banks and close to 200-state chartered banks, credit unions, and servicers have signed on to the State’s proposal to provide financial relief to California consumers. In this announcement, the Governor provided for the following relief: (1) forbearances of up to 90 days for residential borrowers; and (2) moratorium on initiation of foreclosure sales or evictions, consistent with applicable guidelines, for up to 60 days. Despite the Governor’s announcement to assist borrowers in the form of loan forbearance, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers at this time.</p>		



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		<p>III. Legislative Action(s):</p> <p>The proposed Senate Bill SB 939, amended most recently on May 13, 2020, if enacted would provide: (1) the tenant the ability to renegotiate its lease terms if certain eligibility criteria are met; and (2) prohibit landlords from evicting tenants of commercial real property, including businesses and non-profit organizations, during the state of emergency proclaimed by the Governor on March 4, 2020 because of COVID-19. The current status of the bill is that on May 22, 2020 the bill passed out of committee and is re-referred to the Committee on Appropriations.</p> <p>IV. Reopening Plan:</p> <p>Governor Newsom issued a shelter in place order effective from March 19, 2020 until further notice. However, as of May 8, 2020, public health jurisdictions were allowed to begin moving into Stage 2 of a 4-stage reopening plan, and as of June 12, 2020, some areas were deemed ready to begin moving into Stage 3. The pace at which each California county reopens depends on whether it meets certain public health criteria determined by the state; local jurisdictions can also move more slowly than state authority allows if deemed appropriate by local public health officials. In-person shopping at retail stores and malls were allowed to begin in May in counties meeting state guidelines, provided social distancing rules were followed. Hair salons and barbershops have reopened in most counties, subject to social distancing and sanitization rules. Restaurants are allowed to serve on-site customers outdoors, and have begun to serve on-site customers indoors as well in counties that meet state requirements, but with strict limitations. Bars and gyms could reopen in counties that meet state standards on June 12, 2020. Beaches in many areas are open, and campgrounds could also reopen as soon as June 12. Residents are advised to maintain social distancing protocols at all times to limit the spread of COVID-19.</p>		

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Colorado	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO 2020-101 issued 6/13/20 ▪ EO 2020-099 issued 6/13/20 ▪ EO 2020-088 issued 5/29/20 ▪ EO 2020-031 issued 4/6/20 ▪ EO 2020-051 issued 4/13/20 ▪ EO 2020-012 issued 3/20/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Colorado Judicial Branch Announcements issued 6/15/20 ▪ Supreme Court of Colorado, Office of the Chief Justice issued 3/16/20 	<p>I. Lease Enforcement:</p> <p>On March 16, 2020, the Supreme Court of Colorado has issued an order suspending non-essential court functions, which permits lower court judges to maintain their discretion to determine whether matters not specifically mentioned in the EO should be heard. Evictions are not specifically mentioned in the court's order. At this time, although Colorado's order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless. Also, the Supreme Court of Colorado's order does not specify if it applies to residential or commercial properties, but it appears to apply as written. On March 20, 2020 the Supreme Court of Colorado issued an order clarifying that the March 16, 2020 is in effect indefinitely until further notice.</p> <p>On April 6, 2020, Governor Jared Polis issued EO D2020.031, extending the initial EO 2020-012. This EO prevents evictions and foreclosures of residential and commercial tenants. This EO directed the Division of Banking and the Division of Financial Services, part of the DORA, to identify practices and policies to limit residential and commercial evictions and foreclosures.</p> <p>Governor Polis did not extend his previous EO that dealt with eviction and foreclosure moratoriums. Instead on June 13, 2020, Governor Polis issued EO 2020-101, which requires landlords to provide tenants with 30 days-notice of any default for non-payment before an eviction action can be initiated or filed and clarifies that tenants should be afforded the opportunity to cure any default for nonpayment during this period of time (time period statutorily mandated by law is 10 days in which landlords must provide tenants with notice). The current EO also prohibits landlords and lenders "from charging any late fees or penalties for any breach of the terms of a lease or rental agreement due to non-payment" if the fees were incurred between May 1, 2020 and June 13, 2020.</p> <p>EO 2020-101 provided the following four applicable directives to various agencies and landlords, specifically: (1) directs the Department of Local Affairs (DOLA) to</p>	The Governor's EO (residential and commercial) is in effect until June 13, 2020, unless otherwise extended.	<p><i>As of June 30, 2020, several counties have issued orders continuing most civil matters or ordering them to be done via teleconference, which have in effect allowed for evictions and foreclosures to resume in-person. Additionally, due to the Governor's lifting of the eviction and foreclosure moratoriums, there is nothing preventing these proceedings to be heard in-person or remotely.</i></p>



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	Other Source(s): <ul style="list-style-type: none">Letter from Colorado Dpt. of Regulatory Agencies issued 3/25/20	<p>work with COVID-impacted tenants and landlords to create reasonable payment plans that allow tenants to remain in their residence while people return to work in Colorado; (2) directs DOLA to work with landlords to implement a model rent repayment agreement; (3) temporarily suspends certain statutory provisions that require landlords to provide tenants 10 days' notice for nonpayment of rent. Instead, landlords must now provide 30 days' notice of a default for nonpayment of rent and an opportunity to cure before beginning an eviction action; and (4) prohibits landlords from charging any late fees or penalties due to nonpayment's that were incurred from May 1, 2020 to June 13, 2020. The court order allows each judicial district in the state to decide whether it intends to allow evictions to proceed.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 25, 2020, the Department of Regulatory Agencies (DORA) issued a letter to all Colorado state-chartered financial institutions indicating that each division will work with institutions to offer payment accommodations, such as allowing borrowers to defer payments, or extending the payment due dates caused by any COVID-19-related disruptions.</p> <p>Despite the Department of Regulatory Agency's letter issued to state-chartered financial institutions to assist borrowers in the form of loan forbearance, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers at this time. In fact, the Governor's EO specifically states that there is nothing in the order relieves a tenant's obligation to pay the rent owed.</p> <p>III. Legislative Action(s):</p> <p>Governor Polis signed House Bill 20-1009 into law, which was drafted and enacted for the purpose of sealing eviction court records where the tenant prevails. Where the tenant does not prevail in the action, the sealing of records only occurs where all the parties agree.</p>		

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		<p>IV. Reopening Plan:</p> <p>On June 1, 2020, Governor Polis issued an EO 2020-091 “Safer at Home and in the Vast, Great Outdoors”, which will remain in effect for 30 days from that date, and directed the Colorado Department of Public Health & Environment to issue an amended public health order accordingly.</p> <p>All places of public accommodation that offer food or beverages may continue to operate using delivery, driver-through, walk-up, and curbside services subject to public health rules. Starting May 27, 2020, restaurants were allowed to offer dine-in services at 50% occupancy or with a 50-person limit, whichever is less, and in accordance with social distancing guidelines. Non-critical retail establishments can offer curbside, delivery, walk-up, window, or other similar service in keeping with social distancing rules. Non-critical office-based businesses can allow up to 50% of their workforce to perform in-person work subject to strict public health requirements. Playgrounds and outdoor sports facilities may open to no more than 25 people at a time, and must be frequently disinfected. Gyms and fitness centers can reopen at 25% capacity, with a limit of 50 people, and must adhere to social distancing and sanitization rules. Private campgrounds may also open, but must follow public health guidance.</p>		
Connecticut	<p>Governor’s Executive Action(s):</p> <ul style="list-style-type: none"> Executive Order No. 7X issued 4/10/20 Governor Lamont Announces Mortgage 	<p>I. Lease Enforcement:</p> <p>On March 19, 2020, the Chief Court Administrator issued a statement that all foreclosure sales previously scheduled to occur in March, April, and May 2020 will be rescheduled to June 6, 2020. On March 20, 2020, the Connecticut Chief Administrative Judge for Civil Matters issued an order to immediately stay the executions of evictions. Also, the orders do not specify if it applies to residential or commercial properties, but it appears to apply to both as written. On April 23, 2020, the Superior Court of the State of Connecticut issued an order immediately serving the service of all issued executions on evictions and ejections through June 1, 2020.</p>	<p>The Governor’s EO (residential only) is in effect until July 1, 2020, unless otherwise extended.</p> <p>The Court’s EO (commercial and residential)</p>	<p><i>As of June 30, 2020, in-person proceedings are not permitted, and the Governor’s EO suspended the enforcement or execution of evictions and foreclosures.</i></p>

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	<p>Payment Relief During COVID issued 3/31/20</p> <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Strict Foreclosure Order issued 6/9/20 ▪ Foreclosure Sales issued 6/9/20 ▪ Eviction/Ejectments Execution Stay Order issued 6/9/20 ▪ Connecticut Superior Court Order issued 6/9/20 ▪ Connecticut Superior Court Order issued 4/23/20 ▪ Chief Administrative Judge- Eviction Stay 	<p>On April 10, 2020, Governor Ned Lamont issued EO No. 7X, which prohibits residential landlords from delivering a notice to quit or serve a summary process action. The stated purpose of the EO is to minimize evictions during this public health period, which the Governor deems is critical to controlling and reducing the spread of COVID-19, allowing residents to comply with prior health orders to remain in their homes or residences. Per the Governor's order, eviction notices may not be issued to any tenant until July 1, 2020 and tenants have a 60-day grace period to pay April rent, and may request an additional 60-day grace period for May rent if they are facing financial hardship due to COVID-19. There is also a provision that allows tenants to request landlords put a portion of their security deposit towards April or May rent.</p> <p>On June 9, 2020, Chief Administrative Judge for Civil Matters of the Superior Court of Connecticut issued three separate orders. First, an order was issued directing an immediate stay of the service of all issued executions on evictions and ejectments through August 1, 2020. Second, an order was issued directing that all foreclosure sales scheduled prior to August 22, 2020 were cancelled in order to prevent a potential gathering of individuals at the auction site. Accordingly, the Court opened the judgment in these matters sua sponte solely for the purposes of setting a new sale date of August 22, 2020. Third, an order was issued that all judgments of strict foreclosure entered in matters with law days prior to August 4, 2020 are opened by the Court for the sole purpose of extending the Law Day in those matters to August 4, 2020 for the owner of equity of redemption and thereafter for subsequent encumbrancers in the inverse order of their priorities.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 31, Governor Ned Lamont announced that his administration has reached an agreement with over 50 credit unions and banks in Connecticut to offer mortgage relief to the state's residents and businesses who continue to face financial hardship by COVID-19. Participating financial institutions have offered mortgage payment forbearance of up to 90 days, which will allow borrowers to</p>	<p>immediate stay of all evictions and ejectments will remain in effect until August 1, 2020.</p>	

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	<p>issued 3/20/20</p> <ul style="list-style-type: none"> Update on Housing Matters Evictions and Foreclosures issued 3/19/20 	<p>reduce and delay monthly mortgage payments. Additionally, financial institutions will not start any foreclosure sales or evictions for 60 days. The participating financial institutions can be accessed here.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On May 20, 2020, Connecticut began Phase 1 of its reopening plan, and Phase 2 began on June 17, 2020. If specified criteria were met, the state allowed nonessential retail, outdoor-only restaurants, outdoor museums, outdoor zoos, and some offices and university research programs to reopen on May 20, 2020 subject to restrictions related to social distancing and sanitation to prevent the spread of COVID-19. Hair salons and barbershops were allowed to reopen on June 1, 2020. During Phase 2, businesses including amusement parks, hotels, indoor museums and zoos, libraries, gyms, nail salons, and indoor dining establishments may reopen, subject to social distancing and other public health rules, such as operating at only 50% capacity. On June 29, 2020, Governor Lamont indicated that the Phase 3 reopening could be influenced by COVID-19 spikes in other states, which was anticipated to reopen in mid-to-end of July.</p>		
Delaware	<p>Court Order(s):</p> <ul style="list-style-type: none"> Standing Order No. 4 issued 6/3/20 Administrative Order No. 6 	<p>I. Lease Enforcement:</p> <p>On March 15, 2020, the Justice of the Peace Court for the state of Delaware issued a standing order concerning COVID-19 precautionary measures. Specifically, the order stayed immediately all landlord/tenant and eviction actions which were originally scheduled in the court between March 17, 2020 and April 16, 2020. The order provides that these matters are to be rescheduled for a date no earlier than</p>	The Justice of the Peace Court ordered that the commercial moratorium expired on June 3, 2020 but	N/A

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	<p>Extension of Judicial Emergency issued 5/14/20</p> <ul style="list-style-type: none"> ▪ Administrative Order No. 4 Extension of Judicial Emergency issued 4/14/20 ▪ Administrative Order No. 3 Statewide Judiciary Restricted Operations issued 3/22/20 ▪ Delaware Justice of the Peace Court issued 3/13/20 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO 14th Modification of Emergency issued 3/24/20 	<p>May 1, 2020, with limited exceptions that may be ordered at the discretion of the Court.</p> <p>On March 24, 2020, Governor John Carney issued an EO, the 6th modification of the declaration of a state emergency for the state of Delaware due to a public health threat. Specifically, this EO states that no eviction action may be brought with respect to any residential rental unit in the state and prevents execution of issued judgments. It also prevents new foreclosure actions, tolls deadlines in ongoing foreclosure cases, and prevents sheriff sales and the execution of writs of possession until 31 days after the emergency ends. With respect to any rent past due balance, no late fees or interest may be charged or accrued during the state of emergency. In terms of foreclosures, no such action is to be commenced with respect to any owner occupied 1 to 4 family primary residential property subject to a mortgage.</p> <p>On April 14, 2020, the Supreme Court of Delaware issued an administrative order extending the judicial emergency in Delaware. On April 23, 2020, the Justice of the Peace Court for the state of Delaware issued a Standing Order No. 3 concerning COVID-19 precautionary measures, which postponed most landlord-tenant proceedings and evictions. The order provides that these matters are to be rescheduled for a date no earlier than June 3, 2020, with limited exceptions that may be ordered at the discretion of the Court.</p> <p>On June 3, 2020, the Justice of the Peace Court for the state of Delaware issued Standing Order No. 4 concerning COVID-19 precautionary measures, which extends Standing Order #3. This order clarifies that all restrictions related to landlord/tenant matters are in reference to residential landlord and tenant matters and do not apply to commercial leases. The Justice of the Peace Court's response to filings will be dictated by staff and judicial availability in accordance with the Judicial Branch and Justice of the Peace Court reopening plans. A comprehensive standing order related to residential landlord/tenant filings will be issued once those matters are permitted to be filed.</p>	<p>the residential moratorium is in place until further order by the court.</p> <p>The Governor's EO (residential only) is in effect until May 15, 2020, or until the state of emergency is terminated.</p>	



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	<ul style="list-style-type: none"> EO 6th Modification of Emergency issued 3/24/20 	<p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On June 15, 2020, Phase 2 of Delaware’s economic reopening plan began. Under Phase 1, restaurants, retail stores, and other businesses were permitted to open at 30% capacity, and under Phase 2, they can increase to 60% capacity, but they remain subject to social distancing and sanitization requirements. Businesses that may now open include indoor dining establishments, retail stores, and malls. Child care facilities can also reopen for all Delaware families during Phase 2 as long as they operate with limited group sizes and follow public health guidelines. Gyms and fitness centers can also reopen, but only at 30% capacity. Similarly, personal care businesses such as massage studios and tattoo parlors were permitted to reopen on June 8 2020, but only at 30% capacity. Restrictions on Delaware beaches were lifted in advance of Memorial Day weekend. On June 25, 2020, Governor Carney announced a delay in Phase 3 of Delaware’s economic reopening.</p>		
District of Columbia	<p>Court Order(s):</p> <ul style="list-style-type: none"> COVID-19 Supplemental Corrections Emergency 	<p>I. Lease Enforcement:</p> <p>On March 15, 2020, the Chief Judge of the District of Columbia Superior Court issued its order adjusting operations to address concerns regarding COVID-19.</p>	The District of Columbia Court stayed evictions of	N/A

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	<p>Amendment Act 2020 issued 4/21/20</p> <ul style="list-style-type: none"> Superior Court of the District of Columbia Order issued 3/15/20 <p>Governor’s Executive Action(s):</p> <ul style="list-style-type: none"> Order 2020-067, Phase One of Reopening issued 5/27/20 <p>Enacted Law(s):</p> <ul style="list-style-type: none"> Act A23-0286 enacted 4/10/20 Act D.C. 23-247 issued 3/17/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> FAQs & Guidance: Residential & Commercial Mortgage Deferment Program issued 5/26/20 	<p>On March 17, 2020, the D.C. Council passed emergency the COVID-19 Response Emergency Amendment Act of 2020 (Act 23-247) to protect both DC-based employees—those who work in D.C. and D.C. employers—those businesses/offices located in D.C. On the same day, Mayor Muriel Bowser signed Act D.C. 23-247, which expires on June 15, 2020. The act provides for a prohibition on evictions from both residential and commercial properties throughout the public health emergency period, and the Mayor can extend the duration period.</p> <p>On April 7, 2020, the D.C. Council passed a second bill, the COVID-19 Response Supplemental Emergency Amendment Act of 2020 (Act A23-0286) which was signed by the Mayor Bowser on April 10, 2020. This legislation provided additional authority to provide relief to residents, workers, and businesses amid COVID-19.</p> <p>On May 27, 2020, Mayor Bowser issued Order 2020-067, Phase One of Washington, D.C. Reopening. This order lifts the D.C. stay-at-home order and extends the citywide public health emergency until July 24, 2020. In conjunction with D.C. Code 3505.01(k)(3), which bars evictions during a mayoral public health emergency, this order effectively places a moratorium on evictions until July 24, 2020.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On April 21, 2020, the D.C. Council passed additional amendments and resolutions named “COVID-19 Supplemental Corrections Emergency Amendments Act of 2020.” At this time, this legislation was transmitted to Mayor Bowser on April 22, 2020, with a response due by May 6, 2020. This legislation amends and clarifies previous mortgage deferrals and rent collection by landlords receiving mortgage relief. Additionally, these amendments extended the rent increase freeze to commercial tenants, which were originally only offered to residential tenants. If enacted, Section 202 of the act provides mortgage relief to</p>	tenants during the declared emergency, and 60 days thereafter.	



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		<p>residential or commercial mortgage borrowers, and directs mortgage lenders to do the following: (1) develop a payment deferment program; (2) grant at least a 90-day interest free mortgage loan payment deferment (including principal and interest); (3) waive fees accrued during COVID-19; (4) not allow the reporting to credit agencies any derogatory information. Notably, Section 202 provides a definition for the term “deferment program,” which includes the period of time for which the Mayor declared a public health emergency and 60 days thereafter. If enacted, Section 203 of the act provides additional tenant protections by amending the DC Rental Housing Act to provide that residential rent increases that would have taken effect during COVID-19 are void.</p> <p>On May 26, 2020, The Department of Insurance, Securities, and Banking issued its FAQs and Guidance: Residential Mortgage and Commercial Mortgage Deferment Program. This applies to any entity that services a residential or commercial mortgage loan for real property located in the District of Columbia (with a few exceptions: Federal Home Loan Mortgage Corporation, Federal National Mortgage Association, or Government National Mortgage Association). The covered entities must establish a mortgage deferment program that, at a minimum, (a) grants a 90-day deferment period for borrowers, (b) waives all late fees, processing fees, or other fees accrued during the pendency of the public health emergency, and (c) does not report to a credit bureau any delinquencies resulting from the deferral.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p>		

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		<p>IV. Reopening Plan:</p> <p>The District of Columbia’s stay at home order was lifted on May 29, 2020, which also marked the beginning of Phase One of the District’s reopening plan. Mayor Bowser issued an order implementing Phase One, which will remain in effect until the end of the state of emergency, until the date provided by the City Council on July 24, 2020, or until modified or rescinded. During Phase One, nonessential retail establishments can reopen for curbside pickup or delivery, but indoor pickup and shopping remain prohibited. Hair salons and barbershops may operate by appointment only, and subject to social distancing rules. Nonessential businesses that remain limited to minimum basic operations, delivery, curbside pickup or delivery, or home-based services include fitness centers, indoor recreation centers, theaters, and personal service establishments like tattoo shops. Licensed food establishments may offer outdoor dining subject to local government agency approval, and social distancing rules. Parks, dog parks, and tennis courts can reopen. Gatherings of more than 10 people are still prohibited.</p>		
Florida	<p>Governor’s Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO No. 20-137 issued 6/1/20 ▪ EO No. 20-121 issued 5/14/20 ▪ EO No. 20-94 issued 4/2/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Administrative Order No. AOSC20-23 	<p>I. Lease Enforcement:</p> <p>On March 24, 2020, the Supreme Court of Florida issued Administrative Order No. AOSC20-17, which ordered the immediate suspension of “writs of possession” through April 17, 2020. Specifically stating, “[g]iven the exigencies of the public health emergency, the requirement in Florida Rule of Civil Procedure 1.580(a) for the clerk to issue a writ of possession “forthwith” is suspended...” This court order is in effect until May 29, 2020. On May 14, 2020, the Supreme Court of Florida issued an Administrative Order No. AOSC20-23 extending its original Administrative Order No. AOSC20-17.</p> <p>On May 21, 2020, the Supreme Court of Florida issued Administrative Order No. AOSC20-23, which extended the date of suspension of civil jury trials to July 2, 2020. Essential and critical trial court proceedings to continue remotely, and if necessary, in person. Eviction proceedings are not among those non-</p>	<p>The Governor’s EO (residential only) staying evictions is in effect until July 1, 2020, unless otherwise extended.</p> <p>The Florida Supreme Court (commercial and residential) has ordered the suspension of the requirement for the</p>	<p>Despite the Florida Office of Financial Regulation’s letter issued to financial institutions to assist borrowers in the form of loan forbearance, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers at this time.</p>

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	<p>issued 6/8/20</p> <ul style="list-style-type: none"> Administrative Order No. AOSC20-23 issued 5/21/20 Administrative Order No. AOSC20-17 issued 5/14/20 Administrative Order No. AOSC20-17 issued 3/24/20 Supreme Court of Florida No. AOSC20-15, COVID-19 Emergency Measures issued 3/17/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> Florida Office of Financial Regulation issued 3/17/20 	<p>emergency/non-critical proceedings listed as "amenable" to being conducted remotely. Requirement for writs of possession to be issued "forthwith" continues to be suspended. On June 8, 2020, the Supreme Court of Florida issued Administrative Order No. AOSC20-23, which orders that the requirement in Florida Rule of Civil Procedure 1.580(a) for the clerk to issue a writ of possession "forthwith" remains suspended through June 30, 2020.</p> <p>On April 2, 2020, Governor DeSantis issued EO No. 20-94, suspending Florida statutes which provide for a cause of action for residential eviction or foreclosure for nonpayment due to a COVID-19 emergency for an initial 45 days to expire on May 17, 2020. On May 14, 2020 Governor DeSantis issued EO No. 20-121, which extended EO No. 20-94.</p> <p>On June 1, 2020, Governor DeSantis issued EO No. 20-137, which further extended EO No. 20-94 until July 1, 2020. This order suspends residential evictions under state law for a tenant's nonpayment of rent due to a COVID-19 emergency. However, there is nothing in the order relieves the tenant's obligation to pay the rent owed.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 17, 2020, the Florida Office of Financial Regulation (OFR) released an industry update letter to financial institutions, and providing an update on COVID-19. The OFR strongly encouraged financial institutions to work with borrowers affected by COVID-19. As per OFR's industry update letter, "[r]easonable efforts to make new loans and modify the terms on existing loans of affected customers will not be subject to examiner criticism."</p>	clerk to issue writs of possession "forthwith" until July 2, 2020.	



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		<p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>Governor Ron DeSantis will allow restaurants and stores to operate at 25% capacity starting May 4, 2020. The reopening excludes Miami-Dade, Broward and Palm Beach counties, the state's most populous, which have seen a majority of COVID-19 cases. Effective May 18, 2020, Florida moved into Phase 1 of reopening. Restaurants were permitted to serve patrons at indoor seating at 50% of seating capacity and with social distancing and other restrictions. In-store retail are permitted to operate at 50% capacity and abide by safety guidelines. Gyms/fitness centers are permitted to operate at 50% capacity.</p> <p>Phase 2 took effect on June 5, 2020 for all counties except for Miami-Dade, Broward, and Palm Beach, pending requests for approval from local officials in those areas to move into Phase 2. Under Phase 2, restaurants can offer outdoor seating as well as indoor seating at 50% capacity. Retail stores can operate at full capacity if they follow social distancing and sanitization rules. Personal care service establishments like barbershops, hair salons, and tattoo parlors can reopen in accordance with guidance from state public health officials. Movie theaters, bowling alleys, concert halls, and other entertainment establishments can operate at 50% capacity. Museums and libraries can function at full capacity if permitted to do so by local governments. Elective surgeries and other routine medical care can resume. Schools are continuing to utilize distance learning, but day cares that are presently open can stay open, and summer camps may operate. Florida residents are urged to avoid gathering in groups of more than 50 for community events.</p>		

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Georgia	Court Order(s): <ul style="list-style-type: none"> Third Order Extending Declaration of Statewide Judicial Emergency issued 6/12/20 Second Order Extending Declaration of Statewide Judicial Emergency issued 5/11/20 Supreme Court of Georgia Extending Declaration of State of Judicial Emergency issued 4/6/20 Supreme Court of Georgia Order Declaring Judiciary Emergency issued 3/14/20 	<p>I. Lease Enforcement:</p> <p>On March 14, 2020, the Supreme Court of Georgia issued an order declaring a statewide judiciary emergency, which states in relevant part “[t]o the extent feasible, courts should remain open to address essential functions, and in particular courts should give priority to matters necessary to protect health, safety, and liberty of individuals.” Circuit courts and magistrate courts has a slightly different version of this court order enacted and date range for adopting this ruling. At this time, although Georgia’s order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless. Each circuit and municipal court have adopted slightly different versions of the Supreme Court’s order.</p> <p>On April 6, 2020, the Supreme Court of Georgia issued an order extending its initial order in declaring a statewide judicial emergency through May 13, 2020. The Supreme Court issued guidance that courts should prioritize essential functions and cases and conduct remote video proceedings if possible. On May 11, 2020, the Supreme Court of Georgia extended its initial order which suspended all nonessential matters, include eviction proceedings.</p> <p>On June 12, 2020, the Supreme Court of Georgia issued an order, which extended the statewide judicial emergency through July 12, 2020. Local courts have the discretion to hold in-person proceedings on non-jury matters, though remote proceedings are still encouraged.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p>	The Georgia Supreme Court’s judicial emergency terminates on July 12, 2020, unless otherwise extended. Each jurisdiction has jurisdiction for adopting the ruling on whether to proceed with video proceedings whenever possib.e	N/A

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		<p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On June 11, 2020, Governor Brian Kemp signed Executive Order “Empowering a Healthy Georgia” that is effective from June 16, 2020 until June 30, 2020. Under the new executive order, gatherings of more than 50 people may occur if six feet of physical distance can be maintained between participants who do not live together. Restaurants are no longer subject to maximums in terms of the number of people allowed to sit together, and the total number of patrons allowed in bars has been increased to 50 (from 25), or 35% capacity, whichever is greater. Overnight summer camps may take place, but campers and staff must have tested negative for the coronavirus within the past 12 days before attending. Effective July 1, 2020 conventions can be held, but are subject to a specific list of requirements. Live performance venues may also operate as of July 1, 2020. Walk-ins are now permitted at barbershops, salons, and other personal service establishments. Individuals who are 65 or older are no longer required to shelter in place unless they reside in a nursing home or other assisted living facility, or have other medical risk factors that make them more vulnerable to complications of COVID-19. On June 29, Governor Brian Kemp extended COVID-19 executive orders.</p>		
Hawaii	<p>Governor’s Executive Action(s):</p> <ul style="list-style-type: none"> EO—Tenth Supplementary Proclamation Related to the 	<p>I. Lease Enforcement:</p> <p>On March 16, 2020, the Hawaii Supreme Court issued an order suspending all civil hearings, including landlord and tenant matters until April 30, 2020, however permitting local courts to exercise their discretion in holding any hearing by remote capabilities. On May 28, 2020, the Hawaii Supreme Court issued an SCMF-20-</p>	The Governor’s EO (residential only) is in effect until July 31,	N/A

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	<p>COVID-19 Emergency issued 6/10/20</p> <ul style="list-style-type: none"> ▪ EO—Seventh Supplementary Proclamation Related to the COVID-19 Emergency issued 5/5/20 ▪ Governor’s Fifth Supplementary Proclamation issued 4/17/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Supreme Court of the State of Hawaii, SCMF-20-0000152 Order issued 5/28/20 ▪ Supreme Court of the State of Hawaii, Judiciary’s Response to COVID-19 issued 4/17/20 	<p>0000152 Order, which extends previous orders until June 30, 2020, but allows chief judges of the circuits to allow for in-person proceedings by order.</p> <p>On March 17, 2020, the Hawaii Department of Public Safety Sheriff Division announced it is suspending all eviction proceedings and their execution as part of the Department’s COVID-19 response efforts.</p> <p>On April 17, 2020, Governor David Ige issued an EO—the Fifth Supplementary Proclamation. This EO suspends the laws related to the following: (1) termination of any tenancy for a residential dwelling unit for a breach of a material term of a rental lease resulting from a failure to pay all or any portion of rent, maintenance fees, utilities, and taxes; (2) landlord’s remedies for failure by tenant to pay rent; (3) termination of tenancy; landlord’s remedies for holdover tenants; (4) commencement or prosecution of an action to terminate of any tenancy for a residential unit for failure to pay all or any portion of rent, maintenance fees, utilities, and taxes. On May 5, 2020, Governor Ige issued the Seventh Supplementary Proclamation Related to the COVID-19 Emergency, which extends its previous executive orders until May 31, 2020. On June 10, 2020, Governor Ige issued the Tenth Supplementary Proclamation Related to the COVID-19 Emergency, which extends its previous executive orders until July 31, 2020.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On April 1, 2020, the Department of Commerce and Consumer Affairs issued guidance for landlords and tenants regarding evictions, foreclosures, and loan forbearance. However, the provided guidance on forbearance applies to properties that have a mortgage issued or guaranteed loan by federal agencies. At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p>	<p>2020, unless otherwise extended.</p> <p>The Hawaii Supreme Court stayed evictions of tenants until June 30, 2020, or until the termination of the state of emergency, unless otherwise extended.</p>	

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	Other Source(s): <ul style="list-style-type: none"> Department of Commerce and Consumer Affairs issued 4/1/20 	III. Legislative Action(s): At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords. IV. Reopening Plan: Governor Ige issued “ Act With Care ” orders on May 18 and June 10, 2020, and the latter order declared that Hawaii’s state of disaster emergency would continue through July 31, 2020. The “Act With Care” Phase represents the third of five impact levels as the state progresses toward full recovery from the coronavirus pandemic. The date upon which Hawaii will move into the next impact level is to be determined, though there is a minimum 14-day observation period between decision points. Gatherings of up to 50 people indoors or 100 people outdoors are permitted if participants can maintain appropriate social distancing. Restaurants, retail establishments, gyms, bars, museums, and personal service businesses are allowed to open, but subject to social distancing and sanitization rules that are specified at the state and county levels. Childcare facilities may operate in accordance with public health guidelines, and must limit group sizes to nine children and one staff person.		
Idaho	Court Order(s): <ul style="list-style-type: none"> Supreme Court of the State of Idaho Order, RE: Eviction Moratorium Under CARES issued 5/5/20 	I. Lease Enforcement: On March 23, 2020, the Supreme Court of the State of Idaho issued a statewide order declaring that with the exception of emergency matters, adoption proceedings, and hearings statutorily or by Court Rule required to be held—small claims, eviction, juvenile, probate, contested infraction, and guardianship cases are continued for the time being due to the COVID-19 pandemic. At this time, although Idaho’s order does not specifically address foreclosure proceedings, it is likely to delay them regardless.	The Supreme Court of the State of Idaho’s Order (commercial and residential) suspended hearings on evictions in-person until a further court order. However, on	At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.

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	<ul style="list-style-type: none"> ▪ Supreme Court of the State of Idaho Order, Extension of Emergency Reduction issued 4/22/20 ▪ Emergency Reduction in Court Services issued 4/14/20 ▪ Supreme Court of the State of Idaho Order in Response to COVID-19 Emergency issued 3/23/20 	<p>On April 14, 2020, the Supreme Court of the State of Idaho issued an extension order of its statewide order for an additional week, through April 22, 2020. On April 22, 2020, the Supreme Court of the State of Idaho issued an order resuming hearings on evictions remotely effective on May 1, 2020.</p> <p>On May 5, 2020, the Supreme Court of the State of Idaho issued an order regarding the eviction moratorium. This order requires certification that the property is not covered under the CARES Act for evictions filed until July 25, 2020. This form was adopted statewide.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>Governor Brad Little outlined a 4-stage plan for reopening of Idaho beginning on May 1, 2020. On June 11 2020, Governor Little issued a proclamation rescinding prior emergency declarations, but maintaining that a state of emergency continues to exist. The state entered its fourth and final stage of reopening on June 13, 2020 and it is expected to last until June 26, 2020. Groups of more than 50 people are allowed to gather indoors and outdoors as long as they maintain social distancing and follow other public health rules to prevent the spread of the coronavirus. Bars, wineries, breweries, nightclubs, and similar establishments must limit occupancy as necessary to facilitate social distancing and implement other sanitization</p>	May 1, 2020 remote hearings are permitted to begin, but jury trials are still postponed until October 5, 2020.	



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		measures. Restaurants can offer indoor and outdoor dining with similar protocols, and are subject to oversight by local public health authorities. Gyms and recreational facilities were allowed to open in May if they complied with physical distancing rules and allowed for adequate ventilation of indoor spaces, among other things. Indoor movie theaters can operate if they follow social distancing and other public health guidelines. Most employers can resume unrestricted staffing at in-person worksites while following physical distancing and sanitization rules, but are encouraged to allow teleworking when possible. On June 25, 2020, Governor Little announced that Idaho is extending Idaho's Stage 4 status.		
Illinois	Governor's Executive Action(s): <ul style="list-style-type: none"> EO No. 39 issued 5/29/20 EO No. 30 issued 4/23/20 EO No. 16 Response to COVID-19 issued 4/1/20 EO No. 8 in Response to COVID-19 issued 3/20/20 Court Order(s): <ul style="list-style-type: none"> Supreme Court of Illinois M.R. 30370 Order 	I. Lease Enforcement: <p>On March 20, 2020, Governor Jay Robert Pritzker issued EO No. 8, declaring a suspension of evictions. Pursuant to the Illinois Emergency Management Act, the Governor instructed all state, county and local law enforcement officers to immediately cease enforcement of orders of eviction for residential premises for the duration of the executive order. On April 1, 2020, Governor Pritzker issued EO No. 16, continuing and extending prior EOs, including EO. No. 8. Evictions are suspended for the duration of the Governor's disaster proclamations, which currently extends through April 30, 2020.</p> <p>On April 23, 2020, Governor Pritzker issued EO No. 28, states that "all state, county, and local law enforcement officers in the State of Illinois are instructed to cease enforcement of orders of eviction for non-residential premises, unless the tenant has been found to pose a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation."</p> <p>On May 22, 2020, the Supreme Court of Illinois issued M.R. 30370 Order. This order provides that any eviction action for a residential tenant brought after March 27, 2020 must include or be amended to include in the complaint or an attached affidavit an affirmative statement that the premises is not covered by the CARES</p>	The Governor's EO (residential and commercial) is in effect for the duration of the Gubernatorial Disaster Proclamation until July 31, 2020, unless otherwise extended.	N/A

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	<p>issued 5/22/20</p> <p>Proposed Law(s):</p> <ul style="list-style-type: none"> HB5574 assigned 3/12/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> Illinois Department of Financial & Professional Regulation's Guidance issued 3/30/20 	<p>Act. Alternatively, a plaintiff may provide testimony under oath in open court that the property is not covered by the CARES Act. If an eviction action involves a property covered by the CARES Act, it should be dismissed and the record sealed.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 30, 2020, the Department of Financial and Professional Regulation, Division of Financial Institutions issued guidance to Illinois licensed mortgage servicers and exempt mortgage servicers urging support for borrowers impacted by COVID-19, including a 90-day forbearance. The Department urged all servicers of nonconforming and private mortgages to implement policies at least as helpful to borrowers as those offered to federally-backed loans, including the following relevant portions: (1) forbearance of mortgage payments for at least 90 days without incurring additional interest of fees; and (2) offering mortgage borrowers an additional 90-day grace period to complete trial loan modifications, and ensuring that late payments during the COVID-19 pandemic do not affect their ability to obtain permanent loan modifications.</p> <p>Additionally, the Governor's EO explicitly states that no provision contained in the EO should be construed "as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage."</p> <p>III. Legislative Action(s):</p> <p>The Illinois General Assembly adopted HB5574 on March 12, 2020 and if enacted, would provide for the following relief. HB5574 cancels rent for those with financial hardship due to COVID-19 and prohibits fines and treatment of nonpayment as debt. It establishes a housing relief fund for tenants, landlords, and mortgagees. HB5574 imposes foreclosure moratorium and requires development of mortgage forbearance programs; and also imposes eviction moratorium for residential premises and small businesses. The bill allowed evictions after</p>		



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		<p>moratorium ends if no payment or agreement on payment plan within 30 days; but landlords must communicate with tenants and can't evict them for accrued rent during the moratorium period. Specifies procedures and requirements for notice, payment plans, and hearings. Evictions during the emergency and recovery period will be sealed. For the 12 months following the expiration of the moratorium, the landlord must follow certain conditions in order to increase rent.</p> <p>The Illinois General Assembly adopted SB 3066 on March 12, 2020 and if enacted, would provide for the following relief. It will impose eviction moratorium for 60 days after enactment for residential premises and small businesses. Landlords can't evict tenants for accrued rent during the moratorium period. Establishes a housing relief fund for tenants, landlords, and mortgagees. Evictions during the emergency and recovery period will be sealed.</p> <p>IV. Reopening Plan:</p> <p>On May 29, 2020, Governor Pritzker issued two executive orders. One of them outlined a “Restoring Illinois” plan, providing guidance as to how various sectors of the economy could reopen, and the second extended several provisions of previous executive orders through June 27, 2020. All four of Illinois’ health regions are currently in Phase 3 of the state’s five-phase reopening plan, and the earliest any area may move into Phase 4 is June 26, 2020. During Phase 3, gatherings are still limited to 10 people except for those who live together. Restaurants, food courts, bars, and grocery stores are still prohibited from allowing on-site food consumption indoors, but can continue to offer takeout or delivery, and may be able to offer outdoor dining subject to local restrictions. Gyms and fitness centers may offer one-on-one instruction indoors, outdoor instruction for groups of up to 10 people, or onsite streaming or filming of classes involving a single instructor. Personal service establishments such as hair salons, barbershops, nail salons, and tattoo parlors may operate subject to social distancing and sanitization requirements. Places of public amusement such as movie theaters, water parks, museums, and fairs remain closed. Houses of worship are encouraged</p>		

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		to provide services online, outdoors, or in a drive-in format, or to limit in-person services to 10 people to prevent the spread of COVID-19. Employers and manufacturers must take all reasonable steps to protect employee health and safety, such as by requiring social distancing, face masks, and facilitating remote work where possible. On June 25, 2020, Governor Pritzker announced that Illinois is moving into Phase 4 of the reopening.		
Indiana	Governor's Executive Action(s): <ul style="list-style-type: none"> EO 20-28, Back on Track: Reopening Indiana in Stage Three issued 5/21/20 EO 20-17, Renewal of Public Health Emergency Declaration issued 4/27/20 EO 20-06, Temporary Prohibition on Evictions & Foreclosures issued 3/19/20 Court Order(s): <ul style="list-style-type: none"> Indiana Supreme Court 	I. Lease Enforcement: <p>On March 19, 2020, Governor Eric J. Holcomb issued EO 20-06, announcing no residential eviction proceedings or foreclosure actions are to be initiated during the declared state of emergency until such order is lifted. The order prohibits any new eviction proceedings involving residential property until the state of emergency related to COVID-19 terminates. On April 3, 2020, Governor Holcomb issued EO 20-17, announcing an extension of Indiana's public health emergency declaration due to COVID-19. The EO extends the public health disaster emergency for an additional 30 days, to expire on June 4, 2020. Through this action, EO 20-06 is extended for that an additional 30 days to expire on May 5, 2020. On April 27, 2020, Governor Holcomb issued EO 20-17, announcing an extension of Indiana's public health emergency declaration due to COVID-19 due to expire on May 27, 2020.</p> <p>On May 21, 2020, Governor Holcomb issued EO 20-28, which permits landlords and mortgage providers to file for eviction or foreclosure if certain conditions are met. These requirements include (1) there is specific immediate and serious injury, or (2) loss or damage to the property. Landlords may not file for eviction or foreclosure for failure to pay rent until July 1, 2020. On June 3, 2020, Governor Holcomb issued an EO No. 20-30, Renewal of Public Health Emergency Declaration for the COVID-19 Pandemic. This order extends the public health disaster emergency until July 4, 2020.</p>	<p>The Governor's EO (residential only) is in effect for the duration of Indiana's state of emergency (which is expected to expire on July 4, 2020). EO No. 20-28 supplements EO. No. 20-02 and will expire upon EO. No. 20-02's expiration, unless otherwise extended.</p>	N/A



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	<p>Case Order No. 20S-CB-123 issued 5/29/20</p> <ul style="list-style-type: none">▪ Indiana Supreme Court, Updated Status of Foreclosure & Eviction proceedings with Federal Directives & State Executive Order issued 5/27/20	<p>On May 27, 2020, the Indiana Supreme Court issued an updated status report of foreclosures and evictions proceeding with federal directives and state executive order. This order clarifies that residential evictions cannot resume before July 1, 2020. Landlord may file an emergency eviction or possessory claim under IC 32-31-6 permitting evictions for specific immediate and serious injury, loss or damage to the property. Lending Institution may file a foreclosure action for property that is vacant, abandoned, or for specific immediate and serious injury, loss or damage to the property. No requirement that landlords must certify that the property is not subject to CARES Act moratorium, but "Courts should inquire at initial hearing if the eviction property is included in an above listed moratorium [list includes CARES Act moratorium]."</p> <p>On May 29, 2020, the Indiana Supreme Court issued an Indiana Supreme Court Case Order No. 20S-CB-123 extending the trial courts' emergency tolling, through August 14, 2020, "all civil and criminal matters before Indiana trial courts," and states that "no interest shall be due or charged during this tolled period."</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 19, 2020, Governor Holcomb issued EO 20-06, which explicitly states that tenants are still required to pay rent, make mortgage payments, and comply with any other obligation any individual may have under tenancy or mortgage. The EO specifies that it does not relieve any obligation to make mortgage payments.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p>		

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		<p>IV. Reopening Plan:</p> <p>Governor Holcomb announced a roadmap to safely reopen Indiana. On June 12, 2020, Indiana started Stage 4 of its reopening plan, and this phase will last until July 3, 2020. Stage 5, which is the final phase, begins on July 4. Social gatherings of up to 250 people can take place if they are planned in accordance with CDC social distancing guidelines. Malls and retail stores may open at full capacity, provided that physical distancing rules are in place. Restaurants may open for indoor dining at 75% capacity, and can offer bar seating at 50% capacity, subject to social distancing policies. Similarly, nightclubs and bars can operate at 50% capacity and pursuant to public health guidelines. Facilities such as museums, aquariums, zoos, and other entertainment and tourism sites can open at 50% capacity, as can movie theaters, bowling alleys, and similar establishments. Assisted living facilities and nursing homes may allow outdoor visitation. People who work in professional office buildings can return to work at full capacity pursuant to social distancing rules, though remote work is still encouraged when needed due to COVID-19 concerns.</p>		
Iowa	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ Proclamation of Public Health Emergency issued 4/27/20 ▪ Proclamation of Disaster Emergency issued 4/2/20 ▪ Proclamation of Disaster Emergency 	<p>I. Lease Enforcement:</p> <p>On March 19, March 22, and April 2, Governor Reynolds issued 3 Proclamations that temporarily suspend the commencement of foreclosure proceedings and the prosecution of ongoing foreclosure proceedings, on residential, commercial, and agricultural real property located in Iowa, at least through April 16, 2020. These proclamations provide the following relief: (1) a 30-day period to cure default for mortgage foreclosures; (2) a halt of acceleration for mortgage foreclosures for 14 days; (3) any notices given during the foreclosure moratorium are invalid; (4) no foreclosures, forfeiture, ejectments, may be filed; and (5) no summary judgment, trials, or default judgment may be entered.</p> <p>On April 2, 2020, the Supreme Court of Iowa issued an order that “forcible entry” and “detainer” proceedings should be continued to a date after June 15th, or</p>	The Governor's Proclamations (residential only) are in effect for the duration of Iowa's public health proclamation, currently expiring May 27, 2020, unless otherwise extended.	N/A

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	<p>issued 3/22/20</p> <ul style="list-style-type: none"> Proclamation of Emergency issued 3/19/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> Iowa Supreme Court Order for COVID-19 Impact issued 5/26/20 Iowa Supreme Court Order for COVID-19 Impact issued 5/22/20 Iowa Supreme Court Order for COVID-19 Impact issued 4/2/20 	<p>conducted by phone. The Supreme Court of Iowa has directed that these proceedings should be continued or conducted by phone at a local court's direction.</p> <p>On April 27, 2020, Governor Reynolds issued a public health proclamation, which includes extending the suspension of evictions and foreclosures for the duration of the proclamation through May 27, 2020.</p> <p>On May 26, 2020, the Supreme Court of Iowa issued an order calling for courts to continue conducting emergency matters that cannot be continued or conducted by videoconference or telephone as in-person business. The new dates for resumption of non-emergency in-person court proceedings is set for July 13, 2020 (civil non-jury trials) and September 14, 2020 (jury trials).</p> <p>II. Mortgage Loan Forbearance:</p> <p>No provision contained in the Governor's EO is construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.</p> <p>However, Governor Reynolds has announced she will be allocating federal CARES Act funds to assist Iowans who have been economically impacted by COVID-19 and may be facing housing hardships. This program will provide short-term relief to income-eligible renters and homeowners who are at risk of eviction or foreclosure. The program provides rental assistance to eligible renters, this relief if granted would provide rental assistance for up to four months (this can include up to two months in arrears) beginning with April 1 rent payment, (\$3,200 maximum). The program provides mortgage assistance to eligible homeowners, this relief if granted would provide rental assistance for up to four months (this can include up to two months in arrears) beginning with April 1, 2020 mortgage payment, (\$3,000 maximum).</p>		

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		<p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>Iowa did not implement a stay at home order, but Governor Kim Reynolds has extended the state of emergency through June 25, 2020. The most recent proclamation is effective from June 12, 2020 through June 25, 2020, unless extended. Retail stores, malls, fitness centers, libraries, casinos, salons, barbershops, restaurants, theaters, and performance venues can reopen subject to social distancing and sanitization rules, but with no limitations on capacity. Senior citizen center and adult daycare facilities may reopen, but must comply with public health guidance. Social or community gatherings or events involving more than 10 people may resume, provided that participants adhere to physical distancing rules. Spiritual and religious gatherings can take place subject to public health guidelines. Elective or nonessential medical and dental procedures can resume. On June 25, 2020, the Governor issued a Proclamation of Disaster Emergency in order to allow more businesses to reopen with social distancing guidelines.</p>		
Kansas	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO No. 20-28 issued 4/30/20 ▪ EO No. 20-10 issued 3/23/20 	<p>I. Lease Enforcement:</p> <p>On April 3, 2020, the Supreme Court of Kansas issued an order imposing a statewide judiciary restricted operation due to COVID-19, which means in practice that the courts are conducting only emergency operations, which do not appear to include evictions and foreclosures. If an eviction is filed, or financial lending entity initiates foreclosure, they have the burden of pleading and proving that foreclosure or eviction proceeding is not being initiated solely because of defaults or violations of mortgages or rental agreements substantially caused by a financial hardship resulting from COVID-19.</p>	<p>The Governor's EO (residential only) is in effect until May 31, 2020 or the end of the public health emergency. This EO has not been updated or extended.</p>	N/A

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	Court Order(s): <ul style="list-style-type: none"> Kansas Administrative 2020-PR-32 Order Amending 2020-PR-016 Order issued 4/3/20 	<p>On April 30, 2020, Governor Laura Kelly reissued EO No. 20-28, which extended the governor’s previous executive orders concerning COVID-19, including EO No. 20-10, until May 31, 2020. On March 23, 2020, Governor Kelly issued EO No. 20-10, which suspended new foreclosure proceedings and evictions of both commercial and residential tenants, but does not affect pending foreclosures. The EO states in relevant part that it imposes these moratoriums “in order to mitigate the economic effects of the spread of COVID-29.” These proceedings cannot be brought as a result of nonpayment due to financial hardship related to COVID-19. However, if an eviction is filed, the borrower must prove that it’s not being brought only because of such financial hardship.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 30, 2020, Kansas released its Phase 1 Reopening Plan. Businesses such as restaurants would be allowed to reopen, but they must maintain at least 6 feet of distance between customers. Childcare facilities and libraries may also reopen.</p> <p>On May 4, 2020, businesses such as restaurants will be allowed to reopen. On May 18, 2020, the following establishments were permitted to reopen if they comply with the specified measures, including the following businesses: nail salons, barber shops, hair salons, tanning salons, tattoo parlors, and other personal service</p>		



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		<p>businesses where close contact cannot be avoided; fitness centers and health clubs absent group classes and with closed locker rooms. Childcare facilities and libraries may also reopen.</p> <p>Phase 3 of the Kansas reopening plan began on June 8, 2020, but individual counties can maintain previous limitations depending on local health data. The final reopening phase is expected to start no earlier than June 22, 2020. Mass gatherings of more than 45 people are not recommended. Employers can begin to reduce teleworking and bring employees back to on-site work, though physical distancing should be maintained. Childcare facilities can resume operations pursuant to safety guidelines put forth by state and local authorities. All businesses can open, and should take steps to ensure that patrons can maintain appropriate social distancing and sanitization protocols. Vulnerable populations should continue to exercise caution in public settings.</p>		
Kentucky	Court Order(s): <ul style="list-style-type: none"> ▪ Supreme Court of Kentucky 2020-28 issued 4/24/20 ▪ Supreme Court of Kentucky 2020-22 Amended Order issued 4/14/20 ▪ Supreme Court of Kentucky Order 2020-16 in Response to COVID-19 issued 4/1/20 	<p>I. Lease Enforcement:</p> <p>On March 16, 2020, the Supreme Court of Kentucky issued an order cancelling all eviction proceedings until April 10. This order does not apply to eviction cases that have been already sent to the sheriff's office to be executed.</p> <p>On March 25, 2020, Governor Beshear issued EO 2020-257, which suspended evictions and ceased enforcement of eviction actions for residential properties for the duration of the state of emergency under EO 2020-215. However, the EO explicitly states that no provision contained in the EO should be construed “as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.”</p> <p>On April 14, 2020, the Supreme Court of Kentucky, issued an amended order of its initial March 16, 2020 order in regards to COVID-19. The court extended the initial order and set forth additional measures to be implemented through May 1, 2020. Additionally, the order mentioned the CARES Act, citing the following:</p>	<p>The Kentucky Supreme Court's Order (residential only) continued evictions of tenants and suspends new eviction filings until the end of the state of emergency.</p> <p>The Governor's EO (residential only) is in effect for the duration of Kentucky's state of emergency.</p>	N/A

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	<ul style="list-style-type: none"> Supreme Court of Kentucky Order 2020-08 issued 3/16/20 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> EO 2020-257, Kentucky State of Emergency issued 3/25/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> Kentucky Department of Financial Institutions (DFI) Non-Depository Guidance issued 3/24/20 	<p>“[b]ased on the moratorium on certain evictions under Section 4024 of the federal CARES Act (H.R. 748, PL 116-136) and Executive Order 2020-257, and because of the public health and safety concerns raised by evictions during the COVID-19 emergency, eviction filings shall not be accepted by the circuit clerk until 30 days after the expiration of this Order.”</p> <p>On April 24, 2020, the Supreme Court of Kentucky issued an amended order extending the judicial court emergency through May 31, 2020, unless otherwise extended or rescinded.</p> <p>On May 29, 2020, the Supreme Court of Kentucky issued an order, NO.EO 2020-44. This order suspends evictions from residential premises for failure to pay rent. County clerks will not accept any filings related to such evictions. Evictions for non-payment of rent from CARES Act properties are prohibited until July 25, 2020 or the end of the State of Emergency, whichever is later.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 24, 2020, the Kentucky Department of Financial Institutions (DFI) released guidance to Kentucky state-chartered financial institutions recommending actions in response to COVID-19. These actions include working with those affected by the COVID-19 to meet their financial needs, which includes waiving overdraft and/or minimum balance fees, restructuring existing loans, extending loan repayment terms, easing terms of new loans, and loan modifications. However, the Governor's EO specifies that it does not relieve any obligation to make mortgage payments.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p>		

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		<p>IV. Reopening Plan:</p> <p>On April 29, 2020, Governor Andy Beshear outlined the road ahead for gradual opening of businesses. Starting on May 11, 2020, manufacturing, construction, vehicle and vessel dealerships, professional services (at 50% of pre-outbreak capacity), horse racing (without spectators), and pet grooming and boarding may reopen. On May 20, 2020, retail and houses of worship will reopen.</p> <p>Governor Beshear has issued a healthy at home order, effective from March 26, 2020 until further notice. However, many types of businesses and other venues have reopened in phases. Businesses that remained open throughout the COVID-19 outbreak included grocery stores, liquor stores, gas stations, hardware stores, media outlets, and gun stores. Businesses and other venues that reopened in early June included movie theaters, gyms, museums, libraries, aquariums, distilleries, and campgrounds. Child care services can reopen at limited capacity, and bars can reopen on June 29, 2020 at limited capacity, subject to meeting safety criteria. Places of worship and businesses that opened at 33% capacity on May 22, 2020 can expand occupancy to 50% capacity on June 22, 2020 subject to meeting safety criteria. Horse racing has resumed, and NASCAR will resume on July 9, 2020 (both sports without fans). Customers and employees should wear masks at all businesses. Gatherings are limited to 50 people.</p>		
Louisiana	<p>Court Order(s):</p> <ul style="list-style-type: none"> Supreme Court of Louisiana Order issued 4/29/20 Supreme Court of Louisiana Order issued 4/6/20 	<p>I. Lease Enforcement:</p> <p>On March 16, 2020, Governor Edwards issued Proclamation No. JBE 2020-30 ordering that all court deadlines are suspended until April 13, 2020. This proclamation specifically applies to eviction proceedings. On April 6, 2020, Governor Edwards issued Proclamation No. 41 JBE 2020 ordering that all court deadlines are suspended until April 30, 2020. This proclamation specifically applies to eviction proceedings. On April 30, 2020, Governor Edwards issued Proclamation No. 52 which renewed the state of emergency for COVID-19 and ordering court deadlines suspended until May 15, 2020. On May 14, 2020,</p>	The Governor's Proclamation (commercial and residential) is in effect until June 15, 2020, unless otherwise extended. This	N/A

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	<ul style="list-style-type: none"> ▪ Supreme Court of Louisiana Order issued 3/23/20 ▪ Supreme Court of Louisiana Order issued 3/16/20 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ Proclamation No. 75 issued 6/4/20 ▪ Proclamation No. 59 issued 5/14/20 ▪ Proclamation No. 52 issued 4/30/20 ▪ Proclamation No. 41 JBE 2020 issued 4/6/20 ▪ Proclamation No. JBE 2020-30 issued 3/17/20 	<p>Governor Edwards issued Proclamation No. 59 which renewed the state of emergency for COVID-19 and ordering court deadlines suspended until June 15, 2020. On June 4, 2020, Governor Edwards issued Proclamation No. 75 which renewed the state of emergency for COVID-19 and ordering court deadlines suspended until June 15, 2020.</p> <p>On March 16, 2020, the Supreme Court of Louisiana issued an order suspending all civil trials, hearings and court appearances set for any date between the date of the Order and March 27, 2020 are continued to a date to be reset by local order. On March 23, 2020, the Supreme Court of Louisiana issued an order stating, “all matters that are resolved by agreement of the parties and with the approval of the court that do not involve any appearance at the court may proceed during the pendency of this order. This authority does not extend to any matters suspended by executive action by the Governor, including but not limited to evictions.” Eviction proceedings are explicitly excluded from hearings that can be held remotely and are not listed on the narrow list of “essential” civil proceedings.</p> <p>On April 29, 2020, the Supreme Court of Louisiana issued an order extending the prohibition on in person proceedings until May 18, 2020, except as expressly permitted in court previous orders.</p> <p>Although both the Governor’s and Supreme Court’s orders do not specifically address or pertain to foreclosure proceedings, it is likely that this order will ultimately delay them regardless.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p>	Proclamation was not extended or updated.	



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		<p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On June 5, 2020, Louisiana entered the second stage of its reopening, which is expected to last for at least three weeks. Businesses that previously reopened in the first stage can expand to 50% capacity. These included restaurants, bars, gyms, movie theaters, salons, museums, zoos, and places of worship. In the second phase, an additional set of businesses can reopen at 50% capacity. These include shopping malls, spas, casinos, massage and tattoo parlors, trampoline parks, outdoor playgrounds, arcades, pool halls, bowling alleys, and event centers. Social distancing rules apply to businesses that reopen.</p>		
Maine	<p>Court Order(s):</p> <ul style="list-style-type: none"> State of Maine Judicial Branch Pandemic Management Order issued 5/5/20 Revised Emergency Order & Notice from the Maine Supreme Judicial Court updated 4/22/20 	<p>I. Lease Enforcement:</p> <p>On March 18, 2020, the Maine Supreme Judicial Court released an emergency order in regards to courthouse safety amid COVID-19. The order explicitly suspended evictions and foreclosures effective immediately.</p> <p>On April 16, 2020, Governor Janet Mills issued EO No. 40 FY 19/20, which prohibits writs of restitution from being executed except in cases of imminent risk of harm by threatening or assaulting behavior or criminal activity. A landlord or agent of a landlord is permitted to initiate evictions in circumstances listed in the EO and may submit evidence in writing to the court that the tenant's eviction is for one of the 6 reasons mentioned in Section B of the EO. On April 22, 2020, the Maine Supreme Judicial Court issued an order extending its initial order and continuing foreclosures and evictions through May 15, 2020, unless otherwise ordered by the court.</p>	<p>The Maine Supreme Judicial Court's Order (commercial and residential) is in effect until July 31, 2020, unless otherwise extended.</p> <p>The Governor's EO is in effect until 30 days after the end of the public health emergency.</p>	N/A

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	<ul style="list-style-type: none"> Emergency Order and Notice from the Maine Supreme Judicial Court issued 3/18/20 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> EO No. 40 FY 19/20 issued 4/16/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> Pandemic Management Order issued 5/28/20 COVID-19 Phased Management Plan issued 5/27/20 Governor Mills' Letter to the Maine Credit Union League 	<p>On May 5, 2020, the Maine Supreme Judicial Court amended an order extending its initial order and continuing foreclosures and evictions through May 30, 2020, unless otherwise extended.</p> <p>II. Mortgage Loan Forbearance:</p> <p>Governor Mills wrote a letter to the Maine Credit Union League urging financial institutions to negotiate workarounds and voluntary forbearances for both residential and commercial borrowers who are impacted by COVID-19. Despite this letter, there is no established mandate or guidelines provided for commercial or residential borrowers on mortgage loan forbearance at this time.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>Governor Mills has replaced the stay at home order with an executive order that allows for reduced restrictions as Maine starts to reopen. The new executive order took effect on May 31, 2020 and will remain in effect until it is rescinded. Maine is in the second phase of its reopening plan. Rules: Businesses and other venues that have reopened statewide include retail stores, places of worship, barber shops, hair salons, drive-in movie theaters, auto dealerships, and car washes. Gyms, fitness centers, nail salons, and tattoo parlors may reopen in 13 of 16 Maine counties, subject to safety precautions. Restaurants have reopened for outdoor dining statewide, and for indoor dining in 13 of 16 counties. Hotels are reopening to Maine residents and to out-of-state residents who comply with travel restrictions. The distinction between essential and non-essential businesses is</p>		

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		being phased out, but businesses are encouraged to continue allowing employees to work remotely. Gatherings are limited to 50 people to slow the spread of COVID-19. People from different households should not travel in the same private vehicle. Maine residents should avoid public transportation except for essential purposes. Stage 2 of Maine's reopening began on June 1, 2020 and Stage 3 is anticipated to begin on July 1, 2020.		
Maryland	Court Order(s): <ul style="list-style-type: none"> Administrative Order of Courts of Appeal of Maryland, Lifting of the Suspension During COVID-19 Emergency of Foreclosures, Evictions, and Other Ejectments issued 5/22/20 Administrative Order of Courts of Appeal of Maryland, Progressive Resumption of Full Function of Judiciary Operations issued 5/22/20 	I. Lease Enforcement: <p>On March 16, 2020, Governor Hogan issued EO No. 20-04-03-01, which temporarily prohibited evictions of tenants. The EO directs for no court to issue “judgments for possession,” or “warrant for restitution of possession of real property” if the tenant is able to demonstrate to the court, through documentation or other objectively verifiable means, that he or she suffered a substantial loss of income resulting from the COVID-19 pandemic.</p> <p>On April 3, 2020, Governor Hogan amended EO No. 20-04-03-01 staying residential and commercial evictions if the tenant is subject to financial hardship due to COVID-19. However, the Supreme Court of Maryland’s administrative order is much broader, and stays pending evictions and foreclosures cases without a showing of financial hardship.</p> <p>On April 14, 2020, the Maryland Court of Appeals Chief Judge issued an amended administrative order which extends the state of emergency and court closures to the public until June 5, 2020. On March 25, 2020, the Maryland Court of Appeals Chief Judge issued an administrative order immediately staying all evictions and foreclosures of residential properties in Maryland. All pending residential eviction orders are stayed effective immediately. To the extent that this order conflicts with other orders, local judicial orders or memoranda, this one prevails. The Chief Judge did not set an expiration date for this order, stating only that it “will be revised as circumstances warrant.”</p>	<p>The Governor’s EO (commercial and residential) is in effect for the duration of Maryland’s state of emergency.</p> <p>The Administrative Order issued by the Court of Appeals Chief Judge is in effect until July 25, 2020.</p>	N/A

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	<ul style="list-style-type: none"> Second Amended Administrative Order of Courts of Appeal of Maryland issued 4/14/20 Administrative Order of Courts of Appeal of Maryland issued 4/3/20 Administrative Order of Courts of Appeals of Maryland issued 3/25/20 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> EO No. 20-04-03-01 issued 4/3/20 EO Temporarily Prohibiting Evictions issued 3/16/20 	<p>On May 22, 2020, the Maryland Court of Appeals Chief Justice issued an administrative order lifting the suspending during the COVID-19 emergency of foreclosures, evictions, and other ejections involving residences. Complaints for failure to pay rent filed between March 27, 2020 and July 25, 2020, must be accompanied a Declaration of Compliance with the CARES Act. Actions for failure to pay rent are tolled until July 25, 2020. Foreclosure actions initiated on March 18, 2020 up to May 25, 2020 must include a certification that the property is not subject to the CARES Act. This order rescinds the Court's March 25, 2020 order. On May 22, 2020, the Maryland Court of Appeals Chief Justice issued another administrative order outlining the out 5-phase re-opening of Maryland courts. During Phases I and II landlord and tenant cases will not be scheduled. During Phase III, scheduled at this time to begin on July 20, 2020, district courts will schedule (1) rent escrow actions; (2) tenant hold over actions; (3) warrants of restitution. During Phase IV, scheduled to start August 31, 2020, courts will begin to schedule failure to pay rent cases.</p> <p>II. Mortgage Loan Forbearance:</p> <p>The Maryland Department of Housing and Community Development (DHCD) announced an agreement between the State of Maryland and 70 financial institutions to provide relief to those that are struggling to pay their mortgage and bills. Under this initiative, mortgage borrowers may be eligible for mortgage payment forbearance for up to 90 days if impacted by COVID-19.</p> <p>On March 19, 2020, Maryland's Commissioner of Financial Regulation issued an industry advisory confirming that foreclosures are stayed on residential properties. All foreclosures in process are halted, but cases are not dismissed and the Maryland Court of Appeal's administrative order does not prohibit initiating a new foreclosure action, however, any new foreclosures are stayed upon filing.</p>		



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	Other Source(s): <ul style="list-style-type: none"> Advisory of Commissioner of Financial Regulation issued 3/19/20) 	III. Legislative Action(s): At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords. IV. Reopening Plan: On April 24, 2020, Governor Larry Hogan released Maryland's Roadmap to Recovery Plan . Maryland began the second phase of its reopening process on June 5, 2020. In the second phase of reopening, retail stores and other non-essential businesses may resume operations. Restaurants may resume indoor dining at 50% capacity, and recreational activities such as outdoor amusements and miniature golf may resume. Salons, massage parlors, and tattoo parlors may resume operations at 50% capacity. State government agencies are returning to normal operations. Restrictions have been lifted on manufacturing, construction, wholesalers, warehouses, and office settings. On June 19, 2020 gyms and fitness centers can reopen at 50% capacity, and shopping malls and casinos can reopen while complying with safety protocols. Employees should continue working remotely if possible. Businesses should ask on-site employees to undergo temperature checks and wear face coverings for in-person interactions to mitigate the spread of COVID-19. They also may want to consider adjusting work schedules or shifts to limit the proximity of employees.		
Massachusetts	Enacted Law(s): <ul style="list-style-type: none"> Bill H. 4647 enacted 4/20/20 Governor's Executive Action(s):	I. Lease Enforcement: On April 3, 2020, the Massachusetts Trial Court issued Standing Order 4-20 , a supplement to Housing Court Standing Order 3-20 and Standing Order 2-20 relating to COVID-19. Specifically, the order states that "all Housing Court divisions shall remain open during regular business hours and, at least until May 4 2020, shall hear only emergency matters. Where appropriate, such matters shall be heard telephonically or through video conferencing."	The emergency legislation, Bill H. 4647, is in effect until 45 days after the governor's emergency declaration ends, or for	N/A

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	<ul style="list-style-type: none"> ▪ Standing Order 4-20 issued 4/3/20 ▪ Standing Order 3-20 issued 3/17/20 ▪ Standing Order 2-20 issued 3/13/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> ▪ Office of Consumer Affairs & Business Regulation—Division of Banks (OCABR) issued 3/25/20 	<p>On April 20, 2020, Governor Baker signed Bill H. 4647—An Act Providing a Moratorium on Evictions & Foreclosures During the COVID-19 Emergency (originally Bill H. 4615) into law. This law imposes a moratorium on evictions and foreclosures for those occupying residential or small commercial properties during the COVID-19 emergency. Landlords would be prohibited from terminating a tenancy and serving tenants a notice to quit. “Small business premises unit” is defined as a premise occupied by a tenant for commercial purposes, may be for-profit or not-for-profit. A small business premise does not include a premise occupied by a tenant “if the tenant or a party that controls, is controlled by or is in common control with the tenant: (i) operates multi-state; (ii) operates multi-nationally; (iii) is publicly traded; or (iv) has not less than 150 full-time equivalent employees.”</p> <p>II. Mortgage Loan Forbearance:</p> <p>On April 20, 2020, Governor Baker signed Bill H. 4647—An Act Providing a Moratorium on Evictions & Foreclosures During the COVID-19 Emergency (originally Bill H. 4615) into law. This law requires lenders to issue a 180-day forbearance to borrowers experiencing financial hardship due to COVID-19 under the new law. Notably, the law states, “[n]othing in this section shall be construed to relieve a mortgagor from the obligation to pay their mortgage or restrict the ability of a creditor, mortgagee or person having estate in the land mortgaged, or a person authorized by a power of sale or right of entry, or attorney duly authorized or person acting in the name of such mortgagee or person from recovering mortgage payments.”</p> <p>On March 25, 2020, the Massachusetts Officer of Consumer Affairs and Business Regulation (OCABR)—Division of Banks issued a letter to its financial institutions, lenders, and loan servicers regarding support for mortgage for mortgage loan borrowers impacted by COVID-19. Specifically, the letter states it “fully expects all regulated financial institutions including Massachusetts chartered banks, credit unions, lenders, and servicers to alleviate the adverse</p>	<p>120 days, whichever is sooner.</p> <p>The Massachusetts Housing Court Order expires on May 4, 2020, unless otherwise extended.</p>	



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		<p>impact of COVID-19 on those mortgage borrowers who demonstrate that they are not able to make timely payments due to financial hardship resulting from the effects of COVID-19.” The OCABR called for the following (1) postponing foreclosures for 60 days; (2) forbearing mortgage payments for 60 or more days from their due dates; (3) waiving late payment fees and any online payment fees for a period of 60 days; and (4) offering borrowers an additional 60-day grace period to complete trial loan modifications.</p> <p>III. Legislative Action(s):</p> <p>The Massachusetts Legislature is considering Bill HD. 5014, and if enacted, would provide for emergency financial protections and forbearance for consumers and small business during COVID-19. Specifically, Bill HD. 5014 would provide the following: “[a] creditor or governmental entity upon a consumer demonstrated financial hardship should not deny relief to any consumer who requests forbearance of payments on residential or commercial mortgages, due to hardships caused by the coronavirus crisis.” A term “consumer” is defined as (1) any natural person obligated to pay any debt; and (2) includes small businesses with 50 or less full and part-time employees, including nonprofits obligated to pay any debt.</p> <p>IV. Reopening Plan:</p> <p>On April 28, 2020, Governor Charlie Baker’s office released a press release extending non-essential business closures to at least May 18, 2020. On May 18, 2020, Massachusetts released a detailed reopening plan.</p> <p>Massachusetts entered the second phase of its reopening process on June 8, 2020. Retail stores can reopen at limited capacity. Restaurants can reopen for outdoor dining, but indoor dining is permitted only in certain areas with low COVID-19 rates. Child care facilities, driving schools, funeral homes, outdoor historical sites, pools, playgrounds, and dog parks may reopen. Hotels may reopen but not for events or meetings. Institutions of higher education may reopen to the extent</p>		

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		needed for students to complete graduation requirements. Most medical procedures may resume, except for cosmetic procedures. Professional and youth sports teams can start practicing in small groups and without contact, but no games may be held. Warehouses and distribution centers may resume operations. Home cleaning, window washing, and other personal services may resume, subject to social distancing. Hair salons are open, but nail salons, tattoo parlors, and massage parlors remain closed until later in the second phase. Gatherings are limited to 10 people. On June 24, 2020, Massachusetts announced it entered Phase 3 of its reopening, allowing bars, casinos, museums, and others in the entertainment business to reopen.		
Michigan	Governor's Executive Action(s): <ul style="list-style-type: none"> ▪ EO 2020-134 issued 6/24/20 ▪ EO 2020-118 issued 6/11/20 ▪ EO 2020-85 issued 5/14/20 ▪ EO 2020-68 issued 5/20 ▪ EO 2020-54 issued 4/20/20 ▪ EO 2020-19 issued 3/20/20 (Rescinded by EO 2020-54) 	<p>I. Lease Enforcement:</p> <p>On April 14, 2020, the Michigan State Court Administrator issued a memorandum to district court judges and court administrators concerning the impact of federal and state actions on landlord-tenant matters. The memorandum also provided considerations for courts to weigh when deciding how to proceed with such cases. Specifically, stating, “[t]his moratorium on evictions does not affect courts or case processing directly. However, you should consider all of the Governor’s orders before proceeding with cases which may eventually result in issuance of a Writ of Eviction.” On April 20, 2020, the Michigan State Court Management Analyst issued a memorandum to district court judges and court administrators concerning the governor’s EO 2020-54. The new EO 2020-54 specifically “allows a landlord to demand payment but not possession.” This memorandum advised that this new prohibition be taken into consideration as the court decides if and when a summary proceedings case can be filed.</p> <p>On March 20, 2020, Governor Whitmer issued EO 2020-19, which bars new and pending execution of evictions against tenants. This EO does not specifically reference post-mortgage foreclosure evictions. This EO specifically prohibits a sheriff or other officer from serving process requiring forfeiture of leased residential premises or residential premises held under a forfeited executory</p>	The Governor’s EO (residential only) is in effect until July 15, 2020, unless otherwise extended.	N/A



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	<ul style="list-style-type: none">▪ EO 2020-14 issued 3/18/20 <p>Court Order(s):</p> <ul style="list-style-type: none">▪ Michigan Supreme Court Memo on Evictions EO 2020-54 issued 4/20/20▪ Michigan Supreme Court Memorandum issued 4/14/20 <p>Other Source(s):</p> <ul style="list-style-type: none">▪ Dpt. Of Insurance and Financial Services	<p>contract. On April 20, 2020, Governor Gretchen Whitmer issued EO 2020-54, clarifying and expanding the now rescinded EO 2020-19. EO 2020-54 establishes a temporary prohibition against entry to premises for the purposes of removing, excluding, or evicting a tenant from their residences. Significantly, EO 2020-54 includes a new provision prohibiting any demand for the payment of rent that includes a demand for possession, or other threats of eviction, based on the nonpayment of rent. This prohibition was not in the eviction moratorium previously issued by the governor.</p> <p>Governor Whitmer issued EO 2020-85 rescinding the previous executive order by extending the moratorium until June 11, 2020. The EO prohibits: removing tenants (and persons holding under them) from residential property even when authorized by a writ of possession; serving process related to the forfeiture of leased residential property; and denying an owner access to their mobile home. These restrictions do not apply if the tenant presents both: (1) a substantial risk to another person and (2) An imminent and severe risk to property.</p> <p>On June 11, 2020, Governor Whitmer issued EO 2020-118, which rescinded EO 2020-85 and set a new deadline for the moratoriums to be lifted on June 30, 2020.</p> <p>On June 26, 2020, Governor Whitmer issued EO 2020-134 extending Michigan's eviction moratorium to July 15, 2020. When the moratorium ends on July 16, 2020, the Eviction Diversion Program launches, awarding payments to landlords who agree not to evict tenants for housing debt accrued during COVID-19. Landlords must agree to waive late fees, and forgive up to 10% of the amount due. Households up to 100% of the state's median income are eligible for the program. Michigan's courts may still hear existing civil cases remotely or in-person if they have complied with the phased reopening plan created by the State Court Administrative Office.</p>		



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		<p>II. Mortgage Loan Forbearance:</p> <p>Governor Whitmer announced an agreement between the State of Michigan and 230 financial institutions to provide relief to those that are struggling to pay their mortgage and bills. The participating list of financial institutions can be accessed here. Under this initiative, residential mortgage borrowers may be eligible for mortgage payment forbearance for up to 90 days if impacted by COVID-19.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 24, 2020, Governor Gretchen Whitmer issued EO 2020-59, which provided that businesses and operations that employ critical infrastructure workers or workers who perform resumed activities may continue in-person operations, subject to conditions.</p> <p>Michigan entered the fourth phase of its six-phase reopening plan on June 1, 2020, and some areas have entered the fifth phase. Retail stores and restaurants may reopen with limited occupancy. Salons, barbershops, and other personal services can resume operations, as can in-home services. People who cannot work remotely can return to the office, but employees who can work remotely should continue to stay home. Sporting venues and outdoor performance venues can reopen for up to 500 people. Swimming pools, museums, libraries, and public transportation have reopened. Manufacturing, construction, and agriculture can resume, subject to safety precautions. Education is largely limited to remote learning. While indoor gatherings are limited to 10 people (50 people in some areas), outdoor gatherings of up to 250 people are permitted if they maintain social distancing. Hiking, biking,</p>		



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		golfing, and boating are permitted. People at high risk of complications from COVID-19 should continue to shelter in place.		
Minnesota	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> EO 20-48 issued 4/30/20 EO 20-14, Suspending Evictions & Writs of Recovery During COVID-19 Peacetime Emergency issued 3/23/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> Supreme Court of Minnesota Order ADM20-8001 issued 3/23/20 	<p>I. Lease Enforcement:</p> <p>On March 23, 2020, Governor Walz issued EO 20-14, Suspending Evictions and Writs of Recovery During the COVID-19 Peacetime Emergency, which halted new and pending evictions and requested a suspension of foreclosures, beginning March 24, 2020. This EO suspended the initiation and enforcement of evictions, except for emergency cases. The order also states that any person that willfully violates the order is guilty of a misdemeanor.</p> <p>On March 23, 2020, the Supreme Court of Minnesota issued an order directing all district court proceedings are suspended, other than on-going jury trials, super high priority, or high priority cases, and criminal cases subject to speedy trial demand. Eviction is considered medium priority and foreclosure is low priority. This initial court order issued on March 20, 2020 was amended to conform with Governor Walz's EO.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p>	The Governor's EO (residential only) is in effect for the duration of Minnesota's public health emergency.	N/A



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		<p>IV. Reopening Plan:</p> <p>On April 30, 2020, Governor Tim Walz issued EO 20-48, which permits certain types of businesses to reopen. Retail stores and other businesses that sell, rent, maintain and repair goods that can be picked up outside, without entering the place of business, with limited interaction between employees and customers. Businesses that provide services such as household goods rental, maintenance services, repair services, and pet grooming are included to the extent that they can adhere to the guidelines. Salons and barbershops are included only to conduct retail product sales, excluding sales of service chemicals not intended for retail and may not provide any services.</p> <p>Minnesota entered the third phase of its reopening process on June 10, 2020. Restaurants can reopen for indoor dining at 50% capacity (reservations required), and salons and tattoo parlors can reopen at 50% capacity (reservations required). Retail stores and places of worship can reopen at 50% capacity. Certain other venues are limited to 25% capacity, including gyms, movie theaters, traditional theaters, and sports venues. Swimming pools may reopen at 50% capacity. Child care, youth programming, organized sports, and campgrounds can resume operations, subject to compliance with health guidelines. Gatherings are limited to 10 people indoors, and to 25 people outdoors. While offices can open, people should continue to work remotely if possible. Certain types of businesses must develop a COVID-19 Preparedness Plan before reopening.</p>		
Mississippi	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO No. 1484 issued 5/14/20 ▪ EO No. 1477 issued 4/24/20 	<p>I. Lease Enforcement:</p> <p>On May 14, 2020, Governor Tate Reeves issued EO No. 1484, which placed places a sunset on the eviction moratorium issued initially on April 1, 2020.</p> <p>On April 24, 2020, Governor Reeves issued EO No. 1477—Safer At Home Order. This EO continues to suspend evictions and directs local law enforcement officers to cease enforcement of orders of eviction for residential premises. On April 17,</p>	The Governor's EO (residential only) is in effect until June 1, 2020 unless otherwise extended. The EO was	N/A

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	<ul style="list-style-type: none"> ▪ EO No. 1473 issued 4/17/20 ▪ EO No. 1466 issued 4/1/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Mississippi Emergency Administrative Order AO-5 issued 3/20/20 	<p>2020, Governor Reeves ordered EO No. 1473 extended the statewide shelter in place order initially issued on April 1, 2020. On April 1, 2020, Governor Reeves ordered EO No. 1466, a statewide shelter in place, which suspends all residential evictions throughout the duration of the shelter in place order, currently to expire on April 20, 2020. The types of properties covered by this EO include the following: single-family residences, hotels, rental units, shelters, mobile home parks, and similar facilities used as an individual’s principal dwelling.</p> <p>On March 20, 2020, the Supreme Court of Mississippi issued an order urging Mississippi courts to prevent in-person proceedings and contact. However, this order requires emergency in-person proceedings and leaves other in-person proceedings to local courts’ discretion.</p> <p>II. Mortgage Loan Forbearance:</p> <p>However, the Governor’s explicitly states that no provision contained in the EO should be construed “as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.”</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 24, 2020, Governor Reeves issued EO No. 1477—Safer At Home Order, which permits businesses to reopen subject to limitations. For retail businesses, capacity must be no greater than 50% in order to ensure compliance. Restaurants</p>	not extended or updated.	



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		<p>and bars will remain open but are limited to drive through, curbside, and deliver service.</p> <p>Governor Reeves replaced the safer at home order with a safe return order, which will remain in effect until at least June 29, 2020. Businesses and non-profit organizations can reopen statewide, while following CDC guidance to reduce COVID-19 risks. However, businesses should continue allowing employees to work remotely if possible. Retail stores, playgrounds, gyms, fitness centers, and bowling alleys can reopen at 50% capacity, and restaurants, bars, salons, and tattoo parlors can reopen, while following pre-existing safety guidelines set by executive orders in May. In-person learning can resume in public schools, and private schools and institutions of higher learning can reopen. Conference centers and reception halls can reopen, subject to strict limitations. Movie theaters, ballparks, libraries, and museums also can reopen, subject to detailed rules imposed by an executive order. Outdoor and indoor arenas can reopen at 25% capacity. High-risk groups should continue to shelter in place to reduce the risk of contracting the coronavirus. If social distancing is possible, gatherings are limited to 50 people indoors and 100 people outdoors. If social distancing is not possible, gatherings are limited to 20 people indoors and 50 people outdoors. There are no travel restrictions, but people should try to minimize non-essential business travel. Hospitals must set aside at least 25% of their capacity for COVID-19 patients.</p>		
Missouri	<p>Court Order(s):</p> <ul style="list-style-type: none"> Operational Directive for Easing COVID-19 Restrictions on In-Person Proceedings issued 5/4/20 	<p>I. Lease Enforcement:</p> <p>On April 1, 2020, the Supreme Court of Missouri issued a statewide order for in-person proceedings subject to some exceptions, which do not include evictions or foreclosure proceedings. Although Missouri's order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless. Also, the Supreme Court of Missouri's order does not specify if it applies to residential or commercial properties, but it appears to apply to both as written.</p>	The Supreme Court of Missouri suspended all in-person proceeding until May 16, 2020, unless otherwise extended. Court operations are (including eviction	N/A

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	<ul style="list-style-type: none"> Supreme Court of Missouri in Response to COVID-19 issued 4/17/20 Supreme Court of Missouri in Response to COVID-19 issued 4/1/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> Missouri Housing Development Commission Guidance on COVID-19 with MHDC Funding 	<p>On April 17, 2020, the Supreme Court of Missouri extended its previous statewide order suspending all in-person proceeding until May 15, 2020, unless otherwise extended or rescinded.</p> <p>On May 4, 2020, the Supreme Court of Missouri issued an Operational Directive for Easing COVID-19 Restrictions on In-Person Proceedings as relating to reopening courts to the public.</p> <p>II. Mortgage Loan Forbearance:</p> <p>The Missouri Housing Development Commission (MHDC) has issued guidance on COVID-19. In many instances, MHDC will not be the sole approval authority for granting forbearance, and as such MHDC needs to clarify and amend its forbearance guidance. Although the CARES Act does not apply to all MHDC properties, MHDC is asking all eligible borrowers applying for forbearance to submit the same initial application materials. This requires MHDC to review monthly financials, bank statements, rent rolls, delinquency reports, etc. In addition, MHDC is required to document additional cash reserves the property may have available for use, and may require those reserves to be utilized first, before forbearance can be granted. Forbearance applications will only be approved for those properties that can document actual need and a poor financial cash position. Applying for forbearance based upon suspicion that tenants may not pay rent is not enough to document financial hardship.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p>	<p>actions) may proceed as of May 16, 2020 but in a restricted matter under certain Operational Directives. The assigned judge still has the discretion to allow a court matter to be continued.</p>	

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		<p>IV. Reopening Plan:</p> <p>On April 28, 2020, Governor Mike Parson announced the first phase of the Show Me Strong Recovery plan outlining Missouri’s opening on May 4, 2020. Retail businesses are directed to limit the number of individuals in any particular location. Additionally, restaurants may offer dining-in services, but must adhere to social distancing and other precautionary public health measures. Missouri’s Phase 1 of reopening began on May 4, 2020, unless a stricter local ordinance was enacted.</p> <p>Governor Parson allowed Missouri to enter the second phase of its reopening plan on June 16, 2020. All statewide restrictions were lifted. Local authorities still will be able to impose health restrictions. Missouri residents should continue to observe social distancing protocols and practice proper hygiene to slow the spread of the coronavirus.</p> <p>Governor Parson announced that Phase 1 of the state’s “Show Me Strong Recovery” Plan has been extended through August 31, 2020.</p>		
Montana	<p>Governor’s Executive Action(s):</p> <ul style="list-style-type: none"> Governor’s Directive implementing EOs issued 4/22/20 Governor’s Directive Implementing EOs issued 4/13/20 	<p>I. Lease Enforcement:</p> <p>On March 17, 2020, the Supreme Court of Montana order recommended the suspension of all in-person court proceedings, however, leaves the decision to individual courts in Montana to make that determination.</p> <p>On March 30, 2020, Governor Steve Bullock issued a Directive implementing EO 2-2020 and 3-2020 providing measures to limit foreclosures and evictions due to COVID-19. This directive prohibits landlords from: (1) terminating a lease; (2) refusing to renew/extend the terms of a current lease agreement, at least on a moment to month basis.</p>	<p>The Governor’s Directive (residential only) is in effect until May 24, 2020 unless otherwise extended.</p> <p>The Supreme Court of Montana did not issue an updated order. As such, in-court proceedings were permitted to</p>	<p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p>



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	<ul style="list-style-type: none">▪ Directive Implementing EO 2-2020 and 3-2020 and extending certain Directives through April 24, 2020 issued 4/7/20▪ Directive Implementing EO 2-2020 and 3-2020 Providing Measures due to COVID-19 issued 3/30/20	<p>On April 7, 2020, Governor Bullock issued a directive extending the initial directive issued March 30, 2020 until April 24, 2020.</p> <p>On April 13, 2020, Governor Bullock issued a directive clarifying the initial provision on implementing the limitation on residential evictions. In order for the directive to apply, the following requirements must be met: (1) tenant is required to be quarantined based on diagnosis of COVID-19; (2) tenant is required to self-quarantine based on a governmental or state order; (3) tenant is over 65 years old or has any health condition that places the tenant at enhanced risk; and (4) tenant is suffering a substantial loss of income from COVID-19.</p> <p>On April 22, 2020, Governor Steve Bullock issued a directive implementing EO 2-2020 and 3-2020. The March 30 and April 13 Directives providing measures to limit foreclosures, evictions, and disconnections from service and all of their terms are extended through May 24, 2020 unless modified by subsequent Directive. For individuals who are members of a vulnerable population and who, pursuant to this Directive, remain sheltered at home, the protections of the March 30 and April 13 Directives will expire 30 days after the individual ceases to shelter at home or at the end of the emergency, whichever is sooner.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p>	commence as of May 24, 2020.	



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		<p>IV. Reopening Plan:</p> <p>On April 22, 2020, Governor Steve Bullock announced Montana’s Reopening the Big Sky Phased Approach and issued a directive implementing EO 2-2020 and 3-2020 and providing guidance for the phased reopening of Montana.</p> <p>Montana is following a three-stage plan to reopen after the COVID-19 closures. It is currently in the second phase, which started on June 1, 2020. Many types of businesses can operate at 75% capacity if they observe social distancing and sanitation guidelines. These include restaurants, bars, gyms, pools, breweries, distilleries, and casinos. Child care facilities can operate without caps. Venues such as concert halls and bowling alleys are subject to tighter restrictions. Gatherings are limited to 50 people. While remote work is not required, it is still encouraged. Social distancing and sanitation guidelines remain in effect, and the use of face coverings in public places is encouraged. High-risk populations should continue to stay home to the extent possible, and visits to nursing homes and assisted living facilities are still largely suspended.</p>		
Nebraska	<p>Court Order(s):</p> <ul style="list-style-type: none"> EO No. 20-07, COVID-19, Temporary Residential Eviction Relief issued 3/25/20 	<p>I. Lease Enforcement:</p> <p>On March 25, 2020, Governor Pete Ricketts issued EO No. 20-07. The EO states that the right of a residential landlord to proceed to trial in an eviction action to terminate a rental agreement for unpaid rent that accrues on or after March 13, 2020 is deferred until May 31, 2020. The tenant must demonstrate to the landlord, with documentation or other objectively verifiable evidence, that the tenant: (1) suffered a substantial loss of income resulting from COVID-19, including job loss, reduction in hours of work, closure of a place of employment; or (2) missed work to care for a relative or a child related to COVID-19.</p>	<p>The Governor’s EO (residential only) is in effect until May 31, 2020, unless otherwise extended. The Governor did not issue an updated order. As such, eviction proceedings were permitted to commence as of May 31, 2020.</p>	N/A



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		<p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>Despite Nebraska never implementing a state-wide shelter in place order, Governor Pete Ricketts announced guidelines on which businesses may reopen. Of the 93 counties in Nebraska, 89 counties entered the second phase of the reopening process on June 1, 2020, while the other four counties entered the first phase on that date. Restaurants can offer indoor dining statewide at 50% capacity, with no more than six people per table. Gyms, salons, tattoo parlors, and massage studios may reopen at 50% capacity (or 25 customers, if that is greater) in the 89 counties that have reached the second phase. In the four remaining counties, their occupancy is limited to 10 customers. Employees and customers in salons, tattoo parlors, and massage studios in all counties must wear masks. Bars may reopen (for seated patrons only) in the 89 counties that have reached the second phase, but they remain closed in the other four counties. Sports with low or limited contact have resumed practices, and games will resume on June 18, 2020. Full-contact sports remain prohibited. Social distancing is still required, and masks are advised. Gatherings are limited to the greater of 25 people or 25% of capacity (not exceeding 3,000 people) in the 89 counties in the second phase, while they are limited to 10 people in the four counties in the first phase.</p>		

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		On June 23, 2020, Governor Ricketts announced Nebraska would begin Phase 3 on June 23, 2020, for all counties except for Dakota, Hall, Hamilton, and Merrick, which will move to Phase 2. Phase 3 allows outdoor gatherings to open to 75% capacity, while indoor gatherings can go up to 50%. Bars and restaurants can now operate at 100% capacity		
Nevada	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> Emergency Directive 016 issued 4/29/20 Declaration of Emergency Directive 008 3/29/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> Nevada Court Orders on Portal <p>Other Source(s):</p> <ul style="list-style-type: none"> State of Nevada Department of Business and Industry, Real Estate Division issued 3/18/20 	<p>I. Lease Enforcement:</p> <p>On March 29, 2020, Governor Sisolak issued a Declaration of Emergency Directive 008, which halts eviction proceedings for the duration of the state of emergency, except for eviction judgments that predated the March 12, 2020 state of emergency Nevada's declaration.</p> <p>On March 31, 2020, Supreme Court of Nevada responded to Governor Sisolak's Directive 008 by halting the consideration of most eviction matters. In consultation with Nevada Supreme Court Chief Justice Kristina Pickering, the Nevada district courts entered orders imposing restrictions in court appearances due to the COVID-19 pandemic. Although Nevada's order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 18, 2020, the Nevada Department of Business and Industry Real Estate Division Ombudsman for Owners in Common-Interest Communities and Condominium Hotels announced that common-interest communities and condominium hotels implement a moratorium for liens and non-judicial foreclosures during the public emergency. However, at this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p>	Residential eviction proceedings for non-payment/no cause and foreclosures will remain suspended until September 1, 2020, and late fees for non-payment cannot be charged retroactively. Other residential evictions can resume August 1, 2020. Commercial summary evictions can resume July 1, 2020.	N/A



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		<p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 29, 2020, Governor Steve Sisolak issued an Emergency Directive 016, which reopens many businesses pursuant to strict guidelines. Effective May 1, 2020, non-essential retail businesses may resume retail sales on a curbside or home delivery basis only. Effective May 1, 2020, licensed cannabis dispensaries may engage in retail sales on a curbside pickup or home delivery basis pursuant to guidance that shall be issued by the Department of Taxation in conjunction with the Cannabis Compliance Board. Additionally, on May 1, 2020, golf, tennis, and pickleball activities may resume 2020 if they are able to follow guidelines set forth. Additional industry-specific guidance can be accessed here.</p> <p>Governor Sisolak announced on May 29, 2020 that Nevada would move into the second phase of the reopening process. This phase will last until June 30, 2020. Retail stores can reopen at limited capacity, and salons can reopen for appointments. Restaurants and bars, including bars that do not serve food, may reopen for on-site customers at 50 percent capacity. Spas, tattoo parlors, massage parlors, swimming pools, museums, zoos, aquariums, amusement parks, movie theaters, indoor malls, and bowling alleys may reopen, subject to occupancy limitations and other restrictions. Casinos may reopen upon implementing health and safety policies provided by the Nevada Gaming Control Board. Nightclubs and adult entertainment establishments remain closed, and sports events and performances with live audiences are prohibited. However, certain sports events and performances will be allowed for the exclusive purposes of broadcasting or live streaming. Youth sports and recreation are expected to resume soon.</p>		

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New Hampshire	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> EO No. 51, Order Terminating Emergency Orders #3 & # 4 issued 6/11/20 EO 2020-04, Temporary Prohibition on evictions and foreclosures issued 3/17/20 	<p>I. Lease Enforcement:</p> <p>On March 17, 2020, Governor Sununu issued Emergency Order #4 pursuant to EO 2020-04 which provides the following restrictions: (1) prohibits an landlord from initiating eviction proceedings, and (2) prohibits all judicial and non-judicial foreclosure actions, during the state of emergency declared in EO 2020-04. Additionally, the initiation of foreclosure proceedings is suspended for the duration of the state's emergency. This EO applies to residential and commercial properties.</p> <p>On June 11, 2020, Governor Sununu issued EO No. 51, which in effect would terminate Emergency Orders 4 (dated March 17, 2020) as of July 1, 2020. For notices of eviction that are posted in whole or in part due to failure to pay rent that accrued between March 17, 2020 and June 11, 2020, the notice period is 30 days, instead of the statutory minimum of 7 days</p> <p>II. Mortgage Loan Forbearance:</p> <p>Emergency Order #4 explicitly states that no provision contained in the EO should be construed "as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage." The EO specifies that it does not relieve any obligation to pay rent or make mortgage payments.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p>	The Governor's EO is expires on July 1, 2020.	N/A

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		<p>IV. Reopening Plan:</p> <p>On May 1, 2020, Governor Chris Sununu announced Stay at Home 2.0, which provides industry specific guidance on reopening pursuant to strict guidelines. On May 11, 2020, retail stores, drive-in movie theaters, public and private golf courses, and barbers and hair salons can expect to reopen and offer its services. On May 18, 2020, restaurants can expect to open and offer services.</p> <p>Governor Sununu allowed the coronavirus stay at home order to expire on June 15, 2020, after which New Hampshire began transitioning to a safer at home advisory. Retail stores, salons, massage parlors, tattoo parlors, gyms, racetracks, libraries, museums, bowling alleys, pools, outdoor attractions, wedding venues, and funeral homes can reopen, subject to safety precautions. Restaurants can reopen at full capacity for indoor dining in certain counties and at 50% capacity for indoor dining in other counties. Beaches have reopened, and some golfing activities have resumed. Movie theaters, amusement parks, and performance venues are expected to reopen on June 29, 2020. Manufacturing can resume operations. The distinction between essential and nonessential businesses is being phased out.</p>		
New Jersey	<p>Court Order(s):</p> <ul style="list-style-type: none"> Order of the Supreme Court of New Jersey issued 6/11/20 Order of the Supreme Court of New Jersey issued 4/24/20 	<p>I. Lease Enforcement:</p> <p>On March 18, 2020, Governor Murphy issued EO No. 106, prohibiting removal of any lessee, tenant, landlord or any other person from residential properties, and postponing enforcement of all judgments for possessions, warrants of removal, and writs of possession. However, this EO does not stop the initiation of eviction and foreclosure proceedings.</p> <p>On March 19, 2020, Governor Murphy signed into law Assembly Bill 3859, which prohibits the removal of any lessee, tenant, or landlord from a residential property as the result of an eviction or foreclosure action. The EO does not halt initiation or continuation of evictions and foreclosure proceedings.</p>	The Governor's EO (residential only) is in effect for 2 months after the date of the end of the public health emergency or the state of emergency, whichever ends later.	N/A

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	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO No. 151 issued 6/4/20 ▪ EO No. 128 issued 4/24/20 ▪ EO No. 106 issued 3/18/20 <p>Enacted Law(s):</p> <ul style="list-style-type: none"> ▪ Assembly Bill 3859 issued 3/16/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> ▪ COVID-19 and Residential Mortgage Relief updated 4/22/20 	<p>On April 24, 2020, the Governor signed EO No. 128 which permits residential tenants to use their security deposit towards rent due during (or up to 60 days after) the public health emergency. The Governor's EO expires on the later of (1) May 9, 2020; or (2) two months after the end of the emergency period declared. The executive order does the following: (1) stays the enforcement of all judgments for possession, warrants of removal, and writs of possession (unless the court determines otherwise); (2) prohibits the removal of a person from a residential property using eviction proceedings (unless the court determines otherwise); (3) does not affect any schedule of rent that is due; (4) permits landlords to begin or continue eviction proceedings; (5) defines residential property as any property rented or owned for residential purposes, including any: house; building; mobile home or land in a mobile home park; or tenement leased for residential purposes; and (6) excludes from residential property any: hotel or motel; other guest house rented to a transient guest or seasonal tenant; or residential health care facility. This prohibition on evictions does not require a tenant to show a COVID-19 related impact, instead it restricts evictions for any "lessee, tenant, homeowner or any other person shall not be removed from a residential property as the result of an eviction or foreclosure proceeding.."</p> <p>On April 24, 2020, the Supreme Court of New Jersey issued an order, where it suspends landlord/tenant trials through May 31, 2020. However, for any evictions of residential tenants, the court states EO 106. This provision does not prevent settlement negotiations, case management conferences, motions, and other proceedings, in effort to resolve matters.</p> <p>On June 4, 2020, the Governor issued an EO No. 151 extending the public health emergency in NJ. The order states in part, "[a]ll Executive Orders adopted in whole or in part based on the authority under the EHPA to respond to the Public Health Emergency presented by the COVID-19 outbreak remain in full force and effect."</p> <p>On June 11, 2020, the Supreme Court of New Jersey issued an order, which states in part, "[p]roviding as to landlord/tenant proceedings that (i) lockouts of</p>		

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		<p>residential tenants (evictions) continue to be suspended in accordance with Executive Order 106 (March 19, 2020); (ii) landlord/tenant complaints may continue to be filed with the courts, and new complaints will include an email address for the landlord and to the extent available an email address for the tenant; (iii) the court will schedule conferences, including to obtain or confirm contact information from the parties and conduct settlement negotiations in an effort to resolve matters; and (iv) trials continue to be suspended until further notice."</p> <p>II. Mortgage Loan Forbearance:</p> <p>Governor Murphy announced an agreement between the State of New Jersey and over 45 federal and state-chartered banks, credit unions, and servicers to provide relief to those that are struggling to pay their mortgage and bills. The participating list of financial intuitions can be accessed here. Under this initiative, residential mortgage borrowers may be eligible for mortgage payment forbearance for up to 90 days if impacted by COVID-19.</p> <p>III. Legislative Action(s):</p> <p>The New Jersey Legislature is considering SR63, which was introduced and if enacted, would provide a framework for financial institutions to provide loan forbearance for mortgage borrower during COVID-19.</p> <p>IV. Reopening Plan:</p> <p>On April 29, 2020, Governor Phil Murphy signed EO No. 133, which authorized the reopening state parks and golf parks. On May 13, 2020, the Governor signed EO 142 permitting resumption after May 18th of non-essential construction, curbside pickup at non-essential retail businesses, and gatherings in cars -- subject to specific limitations contained in the EO. On May 19, 2020, Governor released more details about multi-stage approach to reopening New Jersey State. Retail businesses may submit a request to be deemed an "essential business" to the State</p>		



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		<p>Director of Emergency Management who has discretion to make additions, amendments, clarifications, exceptions, and exclusions to the list of essential businesses. Currently, there is no form or link available online.</p> <p>Governor Murphy announced that New Jersey was entering the second phase of its reopening process on June 15, 2020. Retail stores, most outdoor recreational businesses, golf courses, beaches, campgrounds, car dealerships, and child care centers have reopened. Construction activities, medical and dental procedures, and organized sports activities have resumed. Gyms, fitness centers, museums, libraries, and government services are reopening with modifications. Motor Vehicle Commission agencies have reopened for pickup and drop off services, and will start offering in-person road tests and issuing new licenses on June 29, 2020. Salons and other personal care businesses, as well as swimming pools, will reopen on June 22, 2020. Youth day camps and summer programs are expected to resume on July 6, 2020. Outdoor gatherings are limited to 100 people to mitigate coronavirus risks, while indoor gatherings are limited to 50 people or 25% of the capacity of the space, whichever is less. Outdoor gathering limits are expected to expand to 250 people on June 22, 2020 and to 500 people on July 3, 2020.</p>		
New Mexico	<p>Court Order(s):</p> <ul style="list-style-type: none"> EO 2020-026 issued 4/30/20 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> Supreme Court of New Mexico Order, NO. 20-8500-007 issued 3/24/20 	<p>I. Lease Enforcement:</p> <p>On March 24, 2020, the Supreme Court of New Mexico issued an order halting residential evictions for inability to pay rent during COVID-19. The tenant must provide the court with evidence of current inability to pay rent at the hearing on the eviction petition.</p> <p>On April 30, 2020, Governor Lujan Grisham issued EO 2020-026, which renews the statewide public health emergency until May 15, 2020, unless extended by the Governor again.</p>	The Supreme Court of New Mexico's Order (residential only) is in effect until amended or withdrawn by order of the court.	N/A



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		<p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>New Mexico entered the second phase of its reopening process in June. It is expected to last into the summer, and it may be scaled back if COVID-19 cases increase. Retail stores, places of worship, tattoo parlors, massage parlors, and shopping malls (except for food courts) may resume operations at 25% capacity. Gyms and hotels can operate at 50 percent capacity, although group fitness classes and contact training are prohibited. Indoor dining at restaurants has resumed, but bars remain closed, although breweries and wineries may reopen to a limited extent. Swimming pools may reopen to a limited extent, and drive-in theaters may reopen while complying with safety guidelines. Masks are still required in public places, with some exceptions. Mass gatherings are prohibited, and social distancing is still urged.</p> <p>After a recent resurgence in cases, Governor Grisham announced the delay of moving to Phase Two. The changes were planned for July 1, 2020, but are now expected to be delayed by several weeks.</p>		

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New York	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO 202.28 issued 5/7/20 ▪ EO 202.18 issued 4/16/20 ▪ EO 202.9 issued 3/21/20 ▪ EO 202.8 issued 3/20/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ State of New York Unified Court System COVID-19—Updated Protocols issued 3/13/20 ▪ State of New York Unified Court System COVID-19—Procedures issued 3/13/20 <p>Other Source(s):</p>	<p>I. Lease Enforcement:</p> <p>On March 15, 2020, the Chief Administrative Judge of the State of New York Unified Court System issued a memorandum that states "all eviction proceedings and pending eviction orders shall be suspended statewide until further notice." The Chief Administrative Judge had initially issued a one-week moratorium in New York City on March 13, 20. There will be no evictions of any kind, for anyone, as long as the March 15, 2020 moratorium is in place. In NYC, all city marshals have been notified that they cannot execute any pre-existing warrants. Outside of NYC, law enforcement entities should have been notified by the local courts. The order does not discuss foreclosures; or distinguish between commercial and residential proceeding. Together, the above orders read together are a moratorium on both commercial and residential foreclosures and evictions.</p> <p>On March 20, 2020, the Governor Cuomo issued EO 202.8 that there, "shall be no enforcement of either an eviction of any tenant residential or commercial, or a foreclosure of any residential or commercial property for a period of ninety days." On March 19, 2020, the Governor announced that the DFS issued a new directive to mortgage servicers to provide a "90-day mortgage relief to mortgage borrowers impacted by the novel coronavirus." The directive includes: (1) a modification to subdivision 2 of Banking Law N.Y. § 39 that states any banks subject to the jurisdiction of the DFS who fail to grant a forbearance to any person or business with a financial hardship as a result of the COVID-19 pandemic would be deemed in engaging in an unsafe and unsound business practice ; (2) a directive to the Superintendent of DFS to ensure that persons or entities facing a financial hardship are provided with opportunities for forbearance on mortgage payments for a period of 90 days; and (3) a directive to modify or restrict all fees associated with the use of ATMs, overdrafts, and late credit card payments during COVID-19.</p> <p>On May 7, 2020, the Governor issued EO 202.28 that allows tenants to use their security deposit to pay past rent, prohibits late fees, prohibits eviction for nonpayment due to COVID-19 hardship for a period of 60 days beginning on June</p>	<p>The Governor's EO 202.8 suspends evictions or foreclosures of both residential or commercial properties for a period of 90 days to expire on August 20, 2020, unless otherwise extended.</p> <p>Forbearance of mortgage payments for residential borrowers is up to 90 days.</p>	N/A



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	<ul style="list-style-type: none">▪ NYS Department of Finance, 119 issued 3/24/20	<p>20, 2020. This order also suspends Subdivision 2 of section 238-a of the Real Property Law to provide that no landlord, lessor, sub-lessor or grantor shall demand or be entitled to any payment, fee or charge for late payment of rent occurring during the time period from March 20, 2020, through August 20, 2020. The order allows tenants to use security deposits to pay any rent arrears. This order prohibits initiation of a proceeding or enforcement of either an eviction of any residential or commercial tenant, for nonpayment of rent or a foreclosure of any residential or commercial mortgage, for nonpayment of such mortgage, owned or rented by someone that is eligible for either (1) unemployment insurance or benefits under state or federal law or (2) otherwise facing financial hardship due to the COVID-19 pandemic for a period of sixty days beginning on June 20, 2020.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On March 21, 2020, Governor Cuomo signed EO 202.9 into law, effective through April 20, 2020, which provides for the modification of Banking Law N.Y. § 39 to provide that “it shall be deemed an unsafe and unsound business practice if, in response to the COVID-19 pandemic, any bank which is subject to the jurisdiction of the Department shall not grant a forbearance to any person or business who has a financial hardship as a result of the COVID-19 pandemic for a period of [90] days.” It further provided that it will be the responsibility of the Superintendent of Department of Financial Services (DFS) to promulgate emergency regulations that require that “the application for such forbearance be made widely available for consumers, and such application shall be granted in all reasonable and prudent circumstances solely for the period of such emergency.” Portions of EO 202.9 refer to “any person or business,” other portions refer only to “consumers.” It is unclear therefore whether additional regulations will be promulgated thereunder to apply to commercial mortgages. This issue should be clarified by DFS.</p>		



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		<p>III. Legislative Action(s):</p> <p>The New York State Assembly is considering A10224, which was introduced and if enacted, would suspend all rent payments for certain residential tenants and small business commercial tenants if such tenant has lost employment or was forced to close their place of business. Under this bill, certain mortgage payments for landlords of such tenants would be suspended for 90 days following the effective date of this act in response to the outbreak of COVID-19.</p> <p>The New York State Assembly is considering A10248, which was introduced and if enacted, would establish a COVID-19 emergency rental assistance program, and implement a program of rental assistance in the form of emergency vouchers for eligible individuals or families.</p> <p>The New York State Assembly is considering A10255, which was introduced and if enacted, would establish a COVID-19 emergency small landlord assistance fund and provides that local housing authorities shall provide assistance to owners of a real property portfolio whose tenants have had their rent payments suspended for the costs associated with the operation and maintenance of such properties.</p> <p>The New York State Assembly is considering A10351, which was introduced and if enacted, requires New York regulated banking organizations to make applications for forbearance for residential mortgages available to qualified mortgagors as a result of the COVID-19 pandemic, and to grant such applications for a period of 180 days.</p> <p>The New York State Assembly is considering A10444, which was introduced and if enacted, provides that no personal liability provision of a commercial lease or other rental agreement involving real property and to which a business impacted by COVID-19 is a party as tenant may be enforced against an individual where the default or other event allowing for such enforcement occurs during the COVID-19 period.</p>		

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		<p>IV. Reopening Plan:</p> <p>On April 28, 2020, Governor Andrew Cuomo released guidelines for a phased plan to reopen New York. Businesses in each region will reopen in phases. Phase 1 will include opening construction and manufacturing functions with low risk. Phase 2 will open certain industries based on priority and risk level. Businesses considered "more essential" with inherent low risks of infection in the workplace and to customers will be prioritized, followed by other businesses considered "less essential" or those that present a higher risk of infection spread. Regions must not open attractions or businesses that would draw a large number of visitors from outside the local area.</p> <p>Certain non-essential businesses that were closed will re-open in 4 phases if the region meets the 7 criteria established. Criteria for Reopening NY—7 Metrics: (1) decline in Total Hospitalizations (14-day decline in net hospitalizations or under 15 new hospitalizations; 3-day average); (2) decline in Deaths (14-day decline in hospital deaths or fewer than 5 deaths. 3-day average); (3) new Hospitalizations (under 2 per 100,000 residents, 3 day avg.; (4) Hospital Bed Capacity (threshold of 30%); (4) ICU Bed Capacity (threshold of 30%); (5) Diagnostic Testing Capacity (30 per 1,000 residents tested monthly, 7 day average of new tests per day); and (6) contact tracing capacity (contact tracers 30 per 100,000 residents or based on infection rate. To reopen, every business is required to have a written "safety business plan" outlining how it will prevent the spread of COVID-19 in the workplace. Businesses may fill out the template to fulfill the requirement, or may develop their own plan. The plan does not need to be submitted to a state agency for approval, but must be retained on the premises of the business, posted conspicuously, and must made available to the NYS Department of Health or local health and safety authorities in the event of an inspection. Both essential businesses and non-essential businesses eligible for reopening must comply with the requisite guidance, submit an affirmation, and prepare a safety business plan. Businesses should also be aware that the state has created avenues for individuals (including customers) to file complaints against a</p>		

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		business for failing to comply with the guidance. Individuals may register complaints through a 24/7 hotline as well as online. Employees may also register complaints based on working conditions with the NYS Department of Labor.		
North Carolina	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> EO 20-142 issued 5/30/20 EO No. 20-124 issued 3/31/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> Order of the Chief Justice of the Supreme Court of North Carolina issued 6/20/20 Order of the Chief Justice of the Supreme Court of North Carolina Issued 6/20/20 Order of the Chief Justice of the Supreme Court of North Carolina issued 5/30/20 	<p>I. Lease Enforcement:</p> <p>On March 15, 2020, North Carolina Chief Justice Cheri Beasley issued an memorandum postponing most cases pending in state court for at least 30 days. There is no exception for eviction or foreclosure cases. On March 19, 2020, the Supreme Court of North Carolina issued an order extending deadlines for filing pleadings, motions, notices, other documents and performing required “acts” in civil proceedings, which included “special proceedings” (foreclosure proceedings). Eviction orders already in the system are to be carried out unless the court intervenes. The order specifically contemplates “[m]atters before [m]agistrates: [m]agistrates must conduct initial appearances and, subject to health precautions, should continue to perform weddings. Small claims proceedings, including summary ejectments and money owed, must be postponed.” On April 2, 2020, the Supreme Court of North Carolina issued an order postponing foreclosure actions, but it does not explicitly stop eviction orders that were already approved.</p> <p>On May 30, 2020, the Supreme Court of North Carolina issued an order that postponed ejectment and foreclosure actions, but has not explicitly stayed eviction orders that were already approved. Sheriffs are not allowed to execute pending writs of possession or make due return of such writs until June 30, 2020.</p> <p>On May 30, 2020, Governor Cooper issued EO 20-142, prohibiting evictions for nonpayment of rent and giving tenants 6 months from the expiration of the order on June 21 to pay back any rent that accrues while the order is in effect. The executive order as it relates to residential leases, prevents the following: (1) landlords from initiating or furthering summary ejectment or other eviction proceedings against tenants for nonpayment or late payment of rent; (2) landlords from assessing late fees, interest, or other penalties for late payment or</p>	<p>The Supreme Court of North Carolina Order (commercial and residential) terminates on June 21, 2020. However, the Supreme Court of North Carolina issued an order stating that catastrophic conditions resulting from the COVID-19 outbreak have existed and continue to exist in all counties of this state and “an additional emergency directive related to eviction proceedings is now necessary.”</p>	N/A

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	<ul style="list-style-type: none"> Order of the Chief Justice of the Supreme Court of North Carolina issued 4/13/20 Order of the Chief Justice of the Supreme Court of North Carolina issued 4/2/20 	<p>nonpayment; and (3) landlords from accumulating additional interest, fees, or other penalties for existing late fees during the effective period of the EO. In cases of late payment or no payment, landlords may not initiate or take any action to further summary ejection or other eviction proceedings. Landlords may not assess any fees for late payment or non-payment; interest on any existing fees is paused while the order remains in effect. Tenants will have 6 months from the expiration of the order to pay back any rent that accrues while the order is in effect. In terms of commercial landlords, they may not self-help evict or require commercial tenants to vacate for non-payment or late payment so long as the landlord is aware that such non-payment/late payment is caused by COVID-19 and the tenant provides documentation. Before engaging in self-help eviction of a commercial tenant, landlords have a duty to inquire whether the late payment/non-payment is caused by COVID-19 and give tenants 72 hours to respond. Commercial landlords may not charge late fees while the order is in effect, and interest on an existing late fee is paused. Commercial tenants have 6 months from the expiration of the order to pay rent that comes due while the order is in effect.</p> <p>On June 20, 2020, the Supreme Court of North Carolina issued an order which states in part the following, "[a]n additional emergency directive related to eviction proceedings is now necessary. Accordingly, I hereby determine and declare under N.C.G.S. § 7A-39(b)(2) that catastrophic conditions resulting from the COVID-19 outbreak have existed and continue to exist in all counties of this state." It appears based on this order the Supreme Court of North Carolina will be issuing additional orders regarding residential evictions. On June 20, 2020, the Supreme Court of North Carolina issued a second order, which suspended and postponed "[a]ll jury trials...until after July 31, 2020."</p> <p>II. Mortgage Loan Forbearance:</p> <p>Despite Governor Cooper's EO 20-124, which urged state-chartered financial institutions to assist borrowers in the form of loan payment deferral and</p>		



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		<p>forbearance, there is no established mandate or guidelines provided for commercial or residential borrowers on mortgage loan forbearance at this time.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>The General Assembly of North Carolina Legislature is considering HB 1078, which was introduced and if enacted, would establish a loan program to assist certain small scale landlords due to the COVID-19 pandemic through the North Carolina Housing Finance Agency. The bill would direct the North Carolina Housing Finance Agency to provide assistance in the form of zero-interest loans made to eligible landlords experiencing economic hardship caused by the COVID-19 pandemic under certain conditions.</p> <p>The General Assembly of North Carolina Legislature is considering SB 827, which was introduced and if enacted, would provide financial assistance on behalf of individuals affected by the COVID-19 pandemic to prevent foreclosures.</p> <p>IV. Reopening Plan:</p> <p>On April 23, 2020, Governor Roy Cooper announced the Staying Ahead of the Curve Plan to open North Carolina in phases, starting on May 8, 2020, so long as the number of new cases remains flat or declines and businesses follow guidelines set forth. In Phase 1, the following restrictions would be lifted—including permitting residents to leave home for commercial activity at businesses allowed to reopen (e.g., retailers such as clothing, sporting goods, and houseware).</p> <p>On May 22, 2020, North Carolina moved into Phase 2 of reopening, which will last until June 26, 2020. All businesses not specifically closed by order may reopen</p>		

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		subject to restrictions. This Phase 2 allows for in person service at restaurants to resume at 50% capacity with strict social distancing requirements. Guidance for large venue settings can be accessed here . Guidance for salons, massage, and personal care business settings can be accessed here . Guidance for retail businesses can be accessed here . Guidance for restaurants can be accessed here .		
North Dakota	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO 2020-06.4 issued 4/29/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Order 27 Amendment to Emergency Suspension of Eviction Proceedings issued 4/24/20 ▪ Order 27, Suspension of Evictions issued 4/23/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> ▪ North Dakota Housing Finance Agency, Compliance 	<p>I. Lease Enforcement:</p> <p>On April 23, 2020, the North Dakota Supreme Court ordered that all residential eviction proceedings are suspended until further order of the Court.</p> <p>On April 24, 2020, the North Dakota Supreme Court amended its order issued April 23, 2020, and in doing so lifted the provision suspending eviction hearings. Proceedings may be conducted in person or using audio or audiovisual transmission by reliable electronic means. The eviction hearings may not be fewer than 3 or more than 45 days from the date the summons is issued.</p> <p>II. Mortgage Loan Forbearance:</p> <p>The North Dakota Housing Finance Agency (NDHFA) announced Compliance Memorandum: 20-01, which provides assistance to eligible borrower on a month-to-month basis and asks that borrowers stay in touch with the loan servicing department. The maximum NDHFA currently allows is 6 months of missed payments.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p>	<p>The Supreme Court of North Dakota's Order (residential only) had suspended all eviction orders, but its amended order resumes those proceedings. Evictions in residential actions may proceed as of April 23, 2020. The Supreme Court of North Dakota did not issue an updated order. As such, in-court proceedings were permitted to commence as of April 23, 2020.</p>	N/A

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	Memorandum 20-01	<p>IV. Reopening Plan:</p> <p>On April 29, 2020, Governor Doug Burgum issued EO 2020-06.4 announcing the reopening of many businesses to begin on May 1, 2020. Qualifying businesses include retail businesses, bars, restaurants, recreational facilities, health clubs, authentic facilities, salons, tattoo studios, movie theaters.</p> <p>On May 15, 2020, Governor Burgum announced the ND Smart Restart program. The Governor released guidelines for large gatherings and events, which includes recreational and sports arenas, and music and entertainment venues.</p>		
Ohio	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO 2020-08D issued 4/1/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Guidance to Local Courts—COVID-19 Public Health Emergency issued 3/30/20 	<p>I. Lease Enforcement:</p> <p>On March 30, 2020, the Supreme Court of Ohio issued guidance, rather than an order, allowing courts to "[t]emporarily continue eviction filings, pending eviction proceedings, scheduled move-outs, and the execution of foreclosure judgements (except in the instances where allegations of domestic violence are involved)."</p> <p>On April 1, 2020, Governor DeWine issued an EO 2020-08D, requesting that landlords of commercial properties suspend rent payments, evictions, and provide mortgage forbearance. Therefore, this EO is guidance for landlords, and not mandatory since this was a request for landlords of commercial properties to suspend rent and evictions. The order requests that commercial landlords suspend rent payments for 90 days and place a moratorium on commercial evictions. Lenders are requested to provide mortgage forbearance for 90 days as well. The order does not eliminate the commercial tenant's obligation to pay the rent owed or restrict the landlord from recovering the rent at a future date.</p> <p>II. Mortgage Loan Forbearance:</p> <p>Specifically, Governor DeWine's EO states "[n]othing in this [o]rder shall be construed to negate the obligation of a small business commercial tenant to pay</p>	The Governor's EO (commercial only) requesting relief for commercial tenants and landlords is in effect until July 1, 2020, unless otherwise extended.	N/A



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		<p>rent or restrict a landlord from recovering rent at a future time” and furthermore, states “[n]othing in this [o]rder shall be construed to negate the obligations of a commercial real estate borrower, but rather provide a pause and time for sensible solutions to be worked out among commercial real estate borrowers and lenders.” The EO specifies that it does not relieve any obligation to pay rent or make mortgage payments.</p> <p>III. Legislative Action(s):</p> <p>The Ohio Legislature is considering HB 562, which was introduced and if enacted, would provide evictions and foreclosures during COVID-19. The bill says in part that “[a]fter a declared end to the state of emergency, any forcible entry and detainer or foreclosure proceedings initiated due to default on a mortgage or non-payment of rent for a residential or commercial property during the state of emergency and sixty days thereafter shall be stayed and referred to mediation...” and that the costs of mediation should be covered by the courts.</p> <p>The Ohio Legislature is considering HB 578, which was introduced and if enacted, would provide support homeless shelters and provide rent assistance to those renters who need it due to a COVID-19 hardship. If passed, this will direct the Ohio Housing Finance Agency to develop rules to establish an emergency rental assistance program that supports individuals affected by the COVID-19 pandemic.</p> <p>IV. Reopening Plan:</p> <p>On May 1, 2020, Governor Mike DeWine announced that the Ohio Department of Health issued a Department of Health Director’s Stay Safe Ohio Order, which incorporates the openings of businesses and services under strict guidelines. Manufacturing, distribution, and construction businesses are expected to open on May 4, 2020. Closed general office environments are to reopen on May 4, 2020.</p>		



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		<p>Consumer, retail establishments, and other facilities are expected to open on May 12, 2020.</p> <p>Effective May 15, 2020, restaurants can offer outside dining provided that they take specific mitigating measures. Additionally, personal care services may reopen provided that they take specific mitigating measures. Beginning May 21, 2020, restaurants can offer inside dining. Gyms, fitness centers, and public pools that meet required safety protocols may reopen on May 26, 2020. Guidance for manufacturing, distribution, and construction can be accessed here. Guidance for consumer, retail, services, and entertainment can be accessed here. Guidance for restaurants, bars, and banquet and catering services can be accessed here.</p> <p>As of June 19, 2020, casinos, racinos, amusement parks, and water parks can reopen. Public health practices that all businesses must follow as they reopen include limiting capacity to meet social distancing guidelines, requiring face coverings for employees, and recommending masks for clients and customers.</p>		
Oklahoma	<p>Court Order(s):</p> <ul style="list-style-type: none"> Supreme Court of the State of Oklahoma Order, No. 2020-29 issued 3/27/20 Supreme Court of the State of Oklahoma Order, NO. 2020-24 issued 3/16/20 	<p>I. Lease Enforcement:</p> <p>On March 16, 2020, the Supreme Court of Oklahoma issued Order No. 2020-24 for all courts to reschedule all non-jury trial settings, hearings, and pretrial settings, unless a matter is an emergency matter. In that case, emergency matters would be handled on a case by case basis by the assigned judge. Although the Oklahoma order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that it will delay them.</p> <p>On March 27, 2020, the Supreme Court of Oklahoma issued Order No. 2020-29, closing all courts to the public and extended court filing deadlines through May 15, 2020.</p>	The Supreme Court of Oklahoma's Order (residential and commercial) permits non-jury hearings to resume on May 16, 2020. The Supreme Court of Oklahoma did not issue an updated order. As such, in-court proceedings were	N/A



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		<p>On April 29, 2020, the Supreme Court of Oklahoma issued Order No. 2020-29, which permits non-jury hearings, rules and procedures, deadlines, and statutes to be enforced beginning on May 16, 2020. Additionally, the order states that “[a]ll dispositive orders entered by judges between March 16, 2020 and May 15, 2020 are presumptively valid and enforceable.” The implications of this order could potentially mean that if any orders of eviction were issued during the COVID-19 pandemic, those orders would be enforceable on May 16, 2020.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>Despite Oklahoma never implementing a state-wide shelter in place order, Governor Kevin Stitt announced his Open Up and Recover Safely Plan. Governor Stitt announced the reopening of personal care businesses and parks and outdoor recreation areas.</p> <p>The Oklahoma Department of Commerce released the three-phased approach to opening Oklahoma's economy beginning on April 24, 2020. On April 24, 2020, personal care businesses, including hair salons, barber shops, spas, nail salons, and pet groomers, were permitted to reopen for appointments only if they adhere to strict sanitation protocols and are in communities that do not have more restrictions in place. Additionally, beginning May 1, 2020, tattoo parlors, restaurant dining rooms, movie theaters, gyms and sporting venues can re-open</p>	permitted to commence as of May 16, 2020.	



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		<p>statewide if they adhere to strict social distancing and sanitation protocols. On May 1, 2020, restaurant dining rooms, movie theaters, gyms and sporting venues were permitted to reopen. On May 15, 2020, bars, taverns, nightclubs, and other drinking establishments primarily serving alcoholic beverages may reopen.</p> <p>Guidance for administrative offices, including real estate development, accounting, finance, and professional offices can be accessed here. Guidance for entertainment, movie theaters, bowling alleys, outdoor concerts, sporting venues can be accessed here. Guidance for full service and quick service restaurants offering in-restaurant dining can be accessed here. Guidance for fitness and recreational sports centers can be accessed here. Guidance for bars, taverns, nightclubs, and other drinking establishments primarily serving alcoholic beverages can be accessed here.</p>		
Oregon	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO 20-24 issued 4/24/20 ▪ EO 20-13 issued 4/1/20 ▪ EO No. 20-11 issued 3/22/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Chief Justice Order Restricts Court Hearing & Operations issued 3/16/20 	<p>I. Lease Enforcement:</p> <p>On March 16, 2020, the Chief Justice of the State of Oregon issued an order restricting court hearings and operations. Specifically, the order calls for forcible entry and detainer proceedings to be postponed without the need for a motion.</p> <p>On March 22, 2020, Governor Kate Brown issued an EO No. 20-11, directing that law enforcement officers are prohibited from serving, delivering, or acting on any notice, order or “writ of termination of tenancy” or the equivalent or any judicial action that relates to residential evictions for nonpayment.</p> <p>On April 1, 2020, Governor Brown issued EO 20-13, which placed a moratorium on terminations of residential rental agreements and non-residential leases. It prevents evictions on the basis of nonpayment, and adds protections for tenants of non-residential property.</p> <p>On May 1, 2020, Governor Brown issued EO 20-24, extending the COVID-19 declaration of emergency for an additional 60 days through July 6, 2020.</p>	<p>The Governor's EO (commercial and residential) is in effect until September 30, 2020, unless otherwise extended.</p>	N/A



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		<p>On May 1, 2020, the Oregon Legislature's Emergency Board pushed \$8.5 million for residents who have lost income due to the COVID-19 pandemic and cannot pay rent. Oregon Housing & Community Services (OHCS) created the COVID-19 Rent Relief Program to provide much-needed rent assistance for people who have experienced a loss of income and are at risk of homelessness due to COVID-19. An additional \$14.9 million is expected from the federal government to help cover rent and utilities and funding homeless shelter operations or using hotels as temporary housing and the \$8.5 million will be given to existing housing assistance agencies for distribution.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>However, on May 21, 2020, Prosper Portland, an economic and urban development agency for the city of Portland, formed a Reduce Commercial Evictions Task Force to assist in finding solutions for both the issue of commercial tenants having problems paying rent and commercial property owners losing income from lack of rent being received. Prosper Portland is currently gathering data and tracking inquiries as a tool to inform policy and policy makers. Next steps include coordinating with banks, lending institutions and state and federal partners to determine how best to provide relief to landlords. Commercial landlords are encouraged also contact their lenders about options for payment deferral as the federal government has enacted suspensions on deferral on some mortgage/loan products for owners of rental housing properties.</p> <p>On May 14, 2020, Governor Brown issued EO 20-25 outlining the framework to reopen in a phased manner to reopen Oregon's economy. Effective May 15, 2020, pending approval of county applications by the governor, Phase I counties were permitted to begin the limited reopening of the following sectors under specific safety guidelines: restaurants and bars for sit-down service; personal care and</p>		



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		<p>services businesses, including barbers and salons; and in-person gatherings of up to 25 people. Guidance for retail stores can be accessed here. Guidance for shopping centers and malls can be accessed here. Guidance for restaurants, bars, breweries, tasting rooms, and distilleries can be accessed here.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On May 7, 2020, Governor Brown released a Reopening Oregon Plan for restarting public life and businesses in Oregon. Governor Brown announced a phased approach for counties and businesses emphasizes data, safety, and physical distancing.</p> <p>As of June 15, 2020, 29 counties are in Phase 2, six counties are in Phase 1, and Multnomah County is in the Baseline reopening phase (prior to Phase 1). On June 11, 2020, Governor Brown announced that she has placed all applications for further reopening across the state on hold for at least seven days after seeing a concerning increase in coronavirus infections.</p>		
Pennsylvania	<p>Proposed Law(s):</p> <ul style="list-style-type: none"> SB.1116 <p>Court Order(s):</p> <ul style="list-style-type: none"> Supreme Court of Pennsylvania Emergency 	<p>I. Lease Enforcement:</p> <p>On March 18, 2020, the court announced that Pennsylvania courts are closed to the public for non-essential functions through at least April 3, 2020. The order also explicitly states that during the period of judicial emergency, no eviction, ejectment or other displacement from a residence based on failure to make payment can be made. It also suspends Rule of Criminal Procedure 600 in all judicial districts.</p>	The Governor's EO (residential and commercial) is in effect until July 10, 2020, unless otherwise extended.	N/A

State	Type of Action / Source of Law	General Overview and Scope of Applicability—Commercial / Residential	Expiration Date	Special Notes
	<p>Order of Statewide Judicial Administration issued 4/28/20</p> <ul style="list-style-type: none"> ▪ Supreme Court of Pennsylvania Order issued 4/1/20 ▪ Supreme Court of Pennsylvania Order—General Statewide Judicial Emergency issued 3/18/20 <p>Governor’s Executive Action(s):</p> <ul style="list-style-type: none"> ▪ Amendment to the Order of the Governor of PA for Staying the Notice Requirements for Certain Actions Related to Dispossession of Property issued 5/21/20 	<p>On April 1, 2020, the Supreme Court of Pennsylvania issued an order extending its initial order through April 30, 2020. This order provides that no tenant can be evicted for nonpayment of aa mortgage, rent, or property taxes.</p> <p>On April 28, 2020, the Supreme Court of Pennsylvania issued an order in which extends the direction concerning dispossession of property until May 11, 2020. However, the order specifically states that these protections will “cease” after that date.</p> <p>On May 7, 2020, Governor Wolf issued an executive order, which included staying notice requirements for certain actions related to the dispossession of property. This order stays the ability to serve notice of evictions or foreclosures until at least July 10, 2020.</p> <p>On May 21, 2020, Governor Wolf issued an executive order, clarifying his May 7, 2020 order staying notice requirements for certain actions related to the dispossession of property, including evictions and foreclosures resulting from nonpayment. The provisions of this EO apply only to matters involving the nonpayment of monies as well as to those proceedings related to removal of any tenant solely because the tenant has held over exceeded the term of a lease. The EO does not apply to suspend notice requirements relating to evictions for breaches of any other covenants.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On April 17, 2020, Governor Wolf a Plan for Pennsylvania that will allow for a “safe and expedient reopening.” In this plan, he stated that “[t]he PA State Treasury, the PA Department of Banking and Securities, and the PA Housing and Finance Agency have come together to develop a series of relief recommendations and are working collaboratively with banks and other creditors to push for broad flexibilities and relief actions to assist businesses and consumers across the state.”</p>	The Supreme Court of Pennsylvania’s Order is in effect until May 11, 2020, at which time the eviction moratorium must cease.	

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	<ul style="list-style-type: none"> Order of the Governor For Staying Notice Requirements for Certain Actions Related to Disposition of Property issued 5/7/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> COVID-19 Multifamily Relief Request Process issued 4/20 	<p>The Pennsylvania Housing Finance Agency (PFHA) released guidance for multifamily relief due to COVID-19. Requests for temporary economic relief may come in several forms, including but not limited to forbearance and deferment of mortgage payments, use of reserves such as the Operating Deficit Reserve Account, Reserve for Replacement Account, and other accounts as may be held by PHFA to cover deficits, payment of debt.</p> <p>III. Legislative Action(s):</p> <p>The General Assembly of Pennsylvania is considering SB. 1116, which was introduced and if enacted, would provide prohibit foreclosure and eviction of small business owners during the proclamation of disaster issued by Governor Wolf, or any renewal of the proclamation, and for 90 days thereafter. The status of the bill is that it has been introduced in the Senate, but it has not yet passed and was referred to the Community, Economic, and Recreational Development Committee. SB. 1116 states the following “[n]otwithstanding a contrary provision of another law, for the duration of the temporary moratorium a financial institution may not foreclose on the property of and a landlord may not evict a business owner experiencing financial hardship. This subsection applies only to evictions for nonpayment of rent.” In addition, A landlord or financial institution may not charge any penalties, late fees or interest for nonpayment that occurred during the moratorium period. A landlord may not impose any change or terminate the lease due to the nonpayment of rent during the moratorium period. Notably, the bill does not define the term “business” and specify which businesses would be covered under this proposed legislation.</p> <p>IV. Reopening Plan:</p> <p>On May 1, 2020, Governor Tom Wolf released an updated plan for the reopening Pennsylvania. Governor Wolf announced the reopening of 24 counties in Pennsylvania beginning on May 8, 2020. This announcement comes after</p>		

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		<p>Governor Wolf reopened golf courses, marinas, guided fishing trips, and privately-owned campgrounds on May 1, under social distancing guidelines.</p> <p>As of May 26, 2020, telework must continue where feasible. Businesses with in-person operations must follow business and building safety orders. Child care open with worker and building safety orders. On May 20, 2020, Governor Wolf announces that real estate industry may conduct limited business transactions statewide and provides guidance for operations.</p>		
Rhode Island	<p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ EO 2020-02 issued 5/20/20 ▪ EO 2020-12 issued 5/15/20 ▪ EO 20-31 issued 5/6/20 ▪ Supreme Court of Rhode Island EO No. 2020-09 issued 4/8/20 ▪ Rhode Island EO No. 2020-04 issued 3/17/20 <p>Other Source(s):</p>	<p>I. Lease Enforcement:</p> <p>On March 17, 2020, the Supreme Court of Rhode Island issued an EO regarding evictions. The EO stated that state courts are not to proceed with any residential or commercial evictions for the next 30 days. Payment and filing deadlines have also been extended.</p> <p>On April 8, 2020, the Supreme Court of Rhode Island issued EO 2020-09, in response to COVID-19 and the continuation of emergency measures. Eviction filings should not be filed or heard by the district court until after May 17, 2020. However, any eviction order issued before March 17, 2020, can still be executed by appropriate authorities.</p> <p>On May 6, 2020, Governor Raimondo issued EO 20-31, extending various executive orders, including the declaration of disaster emergency, which is now to expire on June 5, 2020.</p> <p>On May 15, 2020, the Supreme Court of Rhode Island issued EO 2020-12, in response to COVID-19 and the continuation of emergency measures. Courts are permitted to recommence the adjudication of eviction matters after June 1, 2020, and district courts are directed to establish a protocol for the orderly and equitable handling of these matters, giving priority to cases pending for the greatest amount of time.</p>	<p>The Supreme Court of Rhode Island's Order permits evictions currently ordered and scheduled statewide to resume on June 12, 2020.</p>	N/A



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	<ul style="list-style-type: none">Reopening RI: Charting the Course issued 4/27/20)	<p>On May 20, 2020, the Supreme Court of Rhode Island issued EO 2020-02, in response to COVID-19 and addressed district court eviction calendar. This EO sets out the procedure for how eviction cases should proceed when Supreme Court's order ends on June 2, 2020. This order gives priority to cases filed before March 17, 2020 and also allows for execution of orders granted prior to that date. For new eviction cases, priority will be given to "new claims involving arrearage of 90 days or more." Certification of compliance with the CARES Act must be included with the complaint and cases that fall under the CARES Act cannot be accepted until after July 28, 2020.</p> <p>II. Mortgage Loan Forbearance:</p> <p>RIHousing announced that if a customer's ability is impacted in making mortgage payments, he/she may qualify for forbearance if eligible. Additionally, RIHousing will not charge any late fees during the forbearance period.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 27, 2020, Governor Gina Raimondo announced to reopen Rhode Island on May 9, 2020 so long as the number of new cases remains flat or declines. In Phase 1, the following businesses and industries will be permitted to reopen under strict guidelines: parks, daycare centers, retail locations to allow in-store pickups, offices will allow limited number of employees on site, restaurants will be allowed to dine outside, and hair salons and barbers.</p>		

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		On May 18, 2020, subject to applicable municipal approval(s) relating to outdoor dining, restaurants may begin limited outdoor dining in addition to pick-up, delivery, and drive-through operations. On May 22, 2020, Governor Raimondo announced Phase 2 of reopening is planned to begin on June 1, 2020, which includes indoor dining at 50% capacity; personal services; gyms and fitness centers.		
South Carolina	Governor's Executive Action(s): <ul style="list-style-type: none"> EO 2020-35 (State of Emergency to Facilitate COVID-19 Pandemic Response, Testing, & Other Measures) issued 5/12/20 EO 2020-28 issued 4/20 Court Order(s): <ul style="list-style-type: none"> Supreme Court of South Carolina Order issued 4/30/20 Supreme Court of South Carolina Order Statewide 	I. Lease Enforcement: <p>On March 18, 2020, the Supreme Court of South Carolina issued an order regarding statewide foreclosures and evictions. It directed a statewide moratorium on foreclosure hearings, foreclosure sales, writs of ejectment, all matters relating to foreclosures until further order of Chief Justice. The moratorium on evictions and foreclosures is scheduled to end on May 1, 2020.</p> <p>On April 30, 2020, the Supreme Court of South Carolina issued an order regarding statewide evictions and foreclosures. Specifically, all evictions currently ordered and scheduled statewide are to resume on May 15, 2020. Furthermore, master-in-equity courts statewide are to resume foreclosure hearings, foreclosure sales, writs of ejectments, and any other matter pertaining to foreclosures on May 15, 2020. Also, the court is able to accept applications for ejectment, schedule hearings, issue writs or warrants of ejectment, and proceed in any other manner necessary regarding evictions beginning May 15, 2020.</p> II. Mortgage Loan Forbearance: <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p>	The Supreme Court of South Carolina's Order (commercial and residential) permits evictions currently ordered and scheduled statewide to resume on May 15, 2020. The Supreme Court of South Carolina did not issue an updated order. As such, in-court proceedings were permitted to commence as of May 15, 2020. However, any party pursuing such an action must submit a Compliance Certification with the CARES Act, which can be accessed here .	N/A



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	Evictions and Foreclosures issued 3/18/20	<p>III. Legislative Action(s):</p> <p>The South Carolina General Assembly is considering H. 5419, which was introduced and if enacted, would provide prohibit a magistrate or circuit court from commencing an eviction proceeding for the nonpayment of rent within a 90-day grace period due to the COVID-19 pandemic. The status of the bill is that it has been introduced in the House, but it has not yet passed and has been referred to the House Committee on Judiciary.</p> <p>The South Carolina General Assembly introduced HB 5477, which if enacted would allow a taxpayer to deduct a net operating loss that has or will occur in Tax Year 2020 as a result of the COVID-19 Pandemic.</p> <p>IV. Reopening Plan:</p> <p>On May 1, 2020, Governor Henry McMaster announced he will lift the “work-or-home” order effective May 4, 2020. This announcement comes after Governor McMaster issued EO 2020-28. Together these announcements remove restrictions on public access points to the state’s beaches, public piers, and docks. Additionally, retail stores reopened under specific guidelines. Retail stores may reopen under limited capacity of 20% or 5 customers per 1,000 square feet, whichever is less. Additionally, effective May 4, 2020, restaurants are permitted to provide outdoor customer dining service.</p> <p>On May 4, 2020, outdoor dining services for restaurants were allowed. On May 11, 2020, restaurants were permitted to resume some dine-in service, with guidelines provided by the South Carolina Restaurant and Lodging Association (SCRLA), allowing only 50% of posted occupancy inside, as determined by fire marshals. Effective May 18, 2020, close-contact businesses like barber shops and massage parlors resumed operations.</p>		



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		On May 21, 2020 Governor McMaster announced that "attraction facilities" may reopen, which includes zoos, museums, waterparks, amusement parks, bingo facilities, and miniature golf. Guidance for Close Contact and/or Services Industry can be accessed here . Guidance for Cosmetology Industry can be accessed here . Guidance for Public Swimming Pools can be accessed here . Guidance for Public Swimming Pools can be accessed here . Guidance for Retail can be accessed here .		
South Dakota	Court Order(s): <ul style="list-style-type: none"> Supreme Court of the State of South Dakota Order Declaring Judicial Emergency COVID-19 issued 3/13/20 	<p>I. Lease Enforcement:</p> <p>On March 13, 2020, the Supreme Court of South Dakota issued an order declaring a judicial emergency due to COVID-19 pandemic. The order permits presiding judges of South Dakota's to adopt, modify, and suspend court rules and orders to address the spread of COVID-19. Although the South Dakota order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.</p> <p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 28, 2020, Governor Kristi Noem announced the "Back to Normal Plan," and issued EO 2020-20. This plan permits enclosed retail businesses that promote</p>	The Supreme Court of South Dakota's Order is in effect until further order of the court.	N/A



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		<p>public gatherings to resume operations in a manner that allows for reasonable physical distancing.</p> <p>Guidance for Restaurant Businesses can be accessed here. Guidance for Hotel and Lodging can be accessed here. Guidance for Retail Business can be accessed here. Guidance for Manufacturing Business can be accessed here. Guidance for Close Contact Services Business can be accessed here.</p>		
Tennessee	<p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Supreme Court of Tennessee in RE: COVID-19 Pandemic issued 4/24/20 ▪ Supreme Court of Tennessee at Nashville in RE: COVID-19 Pandemic issued 3/25/20 	<p>I. Lease Enforcement:</p> <p>On March 25, 2020, the Supreme Court of Tennessee issued an order continuing suspension of in-person court proceedings and extensions of deadlines. The court ordered that no law enforcement officials are to execute evictions for solely nonpayment of rent except under extraordinary circumstances. The order specifically states, “[g]iven the increasing economic issues caused by this pandemic, no judge, clerk, or other court official shall take any action to effectuate an eviction, ejectment, or other displacement from a residence during the effective dates of this order based upon the failure to make a rent, loan, or other similar payment absent extraordinary circumstances as determined by a judge in a court of competent jurisdiction.”</p> <p>On April 24, 2020, the Supreme Court of Tennessee issued an order temporarily prohibiting court officials from acting on matters involving evictions, ejectments, or foreclosures from a residence for failure to pay rent, mortgage loan, or other charges. This order extends through May 31, 2020. This order allows each judicial district to develop a plan to begin conducting additional in-person hearings and until a plan is approved by the Chief Justice, all courts in the judicial district are to operate under the Court's March 25th Order.</p> <p>On May 6, 2020, the court published each judicial district’s approved plans by the Court as contemplated by the March 25, 2020 Order. These updated, approved plans can be accessed here.</p>	The Supreme Court of Tennessee’s Order (residential only) suspended certain in-person court proceedings throughout the state until May 31, 2020.	N/A



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		<p>II. Mortgage Loan Forbearance:</p> <p>The Supreme Court of Tennessee Order’s explicitly specifies that it does not relieve any obligation to pay rent or make mortgage payments. The order states, “[n]othing in this order affects the obligations, terms, or conditions for payment under existing contracts.” The order specifies that it does not relieve any obligation to pay rent or make mortgage payments.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 28, 2020, Governor Bill Lee announced EO 30, reopening many businesses under strict guidelines including reopening gyms, restaurants, retail stores, and state parks effective May 1st. On May 5, 2020, Governor Lee issued EO No. 33, which permits the reopening of businesses who provide close contact personal services, pursuant to new safety guidelines.</p> <p>Guidance for Lodging and Accommodations can be accessed here. Guidance for Attractions and Large Venues can be accessed here. Guidance for Lodging and Accommodations can be accessed here. Guidance for Recreation (non-contact, small groups) can be accessed here. Guidance for Office Buildings can be accessed here. Guidance for Manufacturing can be accessed here. Guidance for Houses of Worship can be accessed here. Guidance for Close Contact Businesses can be accessed here. Guidance for Exercise Facilities can be accessed here. Guidance for the Retail Industry can be accessed here. Guidance for the Restaurant Industry can be accessed here. Guidance for Business Guidelines can be accessed here.</p>		



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Texas	<p>Court Order(s):</p> <ul style="list-style-type: none"> Supreme Court of Texas Order (Misc. Docket No. 20-9066) issued 5/14/20 Supreme Court of Texas Order issued 4/27/20 Supreme Court of Texas Order issued 4/6/20 Supreme Court of Texas, Fourth Emergency Order Regarding issued 3/19/20 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> EO GA 18 issued 4/27/20 	<p>I. Lease Enforcement:</p> <p>On March 19, 2020, the Supreme Court of Texas issued an emergency order in regards to the COVID-19 stopping eviction proceedings for the next 30 days. The “execution of the writ of possession” are suspended until after April 26, 2020. However, the court noted exceptions for criminal activity or if the tenants “pose an imminent physical threat.” At this time, there are no EOs restricting commercial foreclosures or evictions. However, many counties, such as Austin, Dallas and San Antonio, have imposed emergency restrictions on commercial foreclosures and evictions.</p> <p>On April 6, 2020, the Supreme Court of Texas issued an order suspending all eviction proceedings and hearings until April 30, 2020. On April 27, 2020, the Supreme Court of Texas issued an order, where it stated no trial, hearing, or any other proceeding may be conducted in any action for eviction to recover possession of residential property. Additionally, all deadlines are tolled until after May 18, 2020. Execution of writ of possession may not occur until after May 25, 2020.</p> <p>On May 14, 2020, the Supreme Court of Texas issued an order, where it stated that evictions may proceed on May 19, 2020 and deadlines are no longer tolled. Beginning on May 26, 2020, warnings may be posted and writs of possession may be executed. For eviction proceedings filed from March 27, 2020, through July 25, 2020, a sworn petition containing “a description of the facts and grounds for eviction” required by Texas Rule of Civil Procedure 510.3(a)(2) must state that the premises are not subject to the moratorium on evictions imposed by Section 4024 of the CARES Act. This order is effectively immediately and expires on July 25, 2020, unless otherwise extended.</p>	The Supreme Court of Texas’ Order (residential only) permitted in-person court proceedings, including evictions, to proceed on May 19, 2020 and deadlines are no longer tolled.	N/A



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		<p>II. Mortgage Loan Forbearance:</p> <p>At this time, there is no established guidance on mortgage loan forbearance for commercial or residential borrowers.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 27, 2020, Governor Greg Abbott issued EO GA 18, announcing his plan to reopen Texas. This EO and the Governor's Report to Open Texas, which allowed some businesses, including retail stores, salons, restaurants, movie theaters, museums, libraries, and malls to reopen on May 1, 2020. These businesses may open under strict guidelines, including limiting its capacity to 25%, and 50% if in rural counties with 5 or less new COVID-19 confirmed cases.</p> <p>Employers are recommended to adhere to the industry-specific checklists published by the state, which can be accessed here and minimum standard health protocols outlined by Texas' Department of State Health Services, which can be accessed here.</p>		
Utah	<p>Enacted Law(s):</p> <ul style="list-style-type: none">SB30006 issued 4/30/20	<p>I. Lease Enforcement:</p> <p>On April 2, 2020, Governor Herbert issued EO 2020-13 in regards to temporarily suspending residential evictions of individuals experiencing wage or job loss as a result of COVID-19. Governor Herbert issued a declaration prohibiting enforcement of eviction actions only where the tenant is current on rent payments as of March 31, 2020 and suffered job loss or lost income because of COVID-19.</p>	<p>The Governor's EO (residential only) is in effect until May 15, 2020, unless otherwise extended.</p>	<p>N/A</p>

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	<p>Governor’s Executive Action(s):</p> <ul style="list-style-type: none"> ▪ EO 2020-13 issued 4/1/20 <p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Supreme Court of Utah in RE: Order for Court Operations During Pandemic issued 3/21/20 ▪ Supreme Court of Utah in RE: Order for Court Operations During Pandemic issued 3/13/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> ▪ Utah Housing Corporation COVID-19 issued 4/20 	<p>On March 21, 2020, the Supreme Court of Utah issued an order regarding court operations during the COVID-19 pandemic. Specifically, the order states that "district courts shall continue to perform all mission-critical functions...District court judges may hold other hearings in civil cases, provided the hearing is conducted by remote transmission and court staff is available...District court and justice court judges are directed to suspend...all civil jury trials until after June 1, 2020."</p> <p>II. Mortgage Loan Forbearance:</p> <p>The Utah Housing Corporation (UHC) released its COVID-19 Response, urging landlords to contact any other mortgage servicing companies with whom they have an account to determine if they are eligible for mortgage loan forbearance.</p> <p>III. Legislative Action(s):</p> <p>On April 30, 2020, SB3006 was enacted into law and took effect immediately, which provided for COVID-19 Financial Relief Funding. SB3006 created a COVID-19 commercial rental assistance program, in which it directed the Governor’s Office of Economic Development (GOED) to establish and administer this program, which would grant relief to certain businesses that have lost revenue as a result of measures taken to minimize the public’s exposure to COVID-19. Pursuant to SB3006, the qualified business entity demonstrates a monthly gross revenue loss of 50% or greater, but less than 71%, an amount equal to 50% of the qualified business entity's monthly rent, among other requirements. Recently, the GOED announced its program and requirements that must be met in order to receive assistance. Those requirements, along with the process can be accessed here.</p>	<p>The Governor did not issue an updated order. As such, in-court proceedings were permitted to commence as of May 15, 2020, when the Governor’s EO expired.</p>	

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		<p>IV. Reopening Plan:</p> <p>Despite Utah never implementing a state-wide shelter in place order, Governor Gary Herbert announced on April 30, 2020 a loosening of COVID-19 restrictions if businesses are able to comply with the outlined safety measures. Effective May 1, 2020, in-restaurant dining and gatherings of up to 20 people will be allowed. Additionally, the guidance allows for the reopening of certain businesses, such as hotels, retail businesses, gyms, daycare centers, and personal service businesses, including barbers and salons.</p> <p>On May 22, 2020, Governor Herbert released Utah Leads Together 3.0, and moved some counties in Utah to Phase 3. Governor Herbert issued EO 22, which clarified Utah’s color-coded health guidance system, which serves as a guide for Utahns as adjustments are made to open businesses.</p>		
Vermont	<p>Court Order(s):</p> <ul style="list-style-type: none"> ▪ Amendment of Administrative Order No. 49 issued 5/13/20 ▪ Amendment of Administrative Order No. 49 issued 4/30/20 ▪ Amendment of Administrative Order No. 49 issued 4/9/20 ▪ Administrative Order No. 49, 	<p>I. Lease Enforcement:</p> <p>On March 25, 2020, the Supreme Court of Vermont issued an Administrative Order No. 49 declaring a judicial emergency and changes to court procedures. It states that all nonemergency superior court hearings, whether evidentiary or non-evidentiary are to be postponed until further notice. The order lists exceptions of matters that the court will continue to schedule and hear, which includes emergency landlord-tenant hearings to be decided by the discretion of the judge.</p> <p>On April 9, 2020, the Supreme Court of Vermont issued an amendment extending Administrative Order No. 49. The court declared a judicial emergency to extend until May 31, 2020. On April 30, 2020, the Supreme Court of Vermont issued an amendment to Administrative Order No. 49, that permits emergency landlord tenant hearings to be heard at the discretion of the judge.</p> <p>On May 13, 2020, the Supreme Court of Vermont issued an amendment to Administrative Order No. 49, that continues to permit emergency landlord tenant</p>	<p>The Supreme Court of Vermont’s Order (commercial and residential) suspends all non-emergency civil cases, at the discretion of the judge until September 1, 2020, unless otherwise extended or terminated. The court notes that this amendment does not “signal that the existing provisions in</p>	N/A

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	<p>Declaration of Judicial Emergency and Changes to Court Procedures issued 3/25/20</p> <p>Enacted Law(s):</p> <ul style="list-style-type: none"> ▪ Bill S. 333 passed 5/1/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> ▪ VHFA Memorandum Impact of COVID-19 issued 4/2/20 	<p>hearings to be heard at the discretion of the judge. The amendment extends the judicial emergency to September 1, 2020; however, note that this amendment does not “signal that the existing provisions in the emergency order will necessarily remain in place until that time.” Nonemergency hearings may begin on June 1, 2021; however, hearings cannot be scheduled until May 18, 2020. Jury trials are suspended until January 1, 2021.</p> <p>On May 14, 2020, Governor Phil Scott announced he would be extending Virginia’s state of emergency as data-driven restart continues within the state.</p> <p>II. Mortgage Loan Forbearance:</p> <p>The Vermont Housing Finance Agency (VHFA), which provides affordable housing options, issued a memorandum to all multifamily borrowers in regards to those impacted by COVID-19. The memorandum states that a multifamily borrower submits a request for relief, the VHFA will provide potential relief options. Notably, VHFA also states that “[l]oan forbearance is not the only tool available and VHFA may require additional steps prior to approval of a forbearance.” VHFA published COVID-19 Vermont Affordable Housing Updates, where it urged single-family borrowers to contact their mortgage loan servicer to discuss eligibility for loan forbearance, loan modification, suspension of credit reporting, suspension of foreclosure actions, waiver of any penalties or late fees.</p> <p>III. Legislative Action(s):</p> <p>On May 14, 2020, Governor Scott signed into law S. 333, which stayed all pending actions for ejectment under 12 V.S.A. ch. 169, actions for foreclosure under 12 V.S.A. ch. 172, and any outstanding orders in those actions that could lead to execution of a writ of possession against a residential tenant or resident until the end of the emergency period. The emergency period is defined as beginning with the Governor’s declaration of state of emergency on March 13, 2020, and ending</p>	<p>the emergency order will necessarily remain in place until that time.”</p> <p>S. 333 (residential only) stays all pending actions for ejectment under 12 V.S.A. ch. 169, actions for foreclosure under 12 V.S.A. ch. 172, and any outstanding orders in those actions that could lead to execution of a writ of possession against a residential tenant or resident until the end of the emergency period.</p>	



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		<p>30 days after the Governor terminates the state of emergency by declaration. In regards to new foreclosure and ejectment actions, during the emergency period, a landlord may commence an ejectment action pursuant to 9 V.S.A. ch. 137 and 12 V.S.A. ch. 169, and a residential mortgage lender may commence a foreclosure action pursuant to 12 V.S.A. ch. 172 if the requirements set forth in the law are met. Notably, one of the requirements are that the plaintiff must commence the action only by filing with the court, and not by service. The deadline for completing service of process is 60 days after the emergency period ends. The court may reduce the amount of rent that must be paid after consideration of various factors.</p> <p>IV. Reopening Plan:</p> <p>On May 1, 2020, Governor Scott announced a third loosening of COVID-19 related business restrictions if businesses are able to comply with outlined safety measures. On May 4, 2020, crews of 10 or fewer employees per location/job to perform outdoor work and construction work in unoccupied job sites. Additionally, effective May 4, 2020, manufacturing and distribution operations may resume with a maximum of 10 employees in any location if they are low-density and ensure employees are always 6 feet apart. Effective May 11, 2020, manufacturing, construction, and distribution operations may restart with as few employees as necessary to permit full operations if they can meet all health and safety requirements, comply with Agency of Commerce and Community Development (ACCD) guidance and develop enhanced training programs that expand on the Vermont Occupational Safety and Health Agency (VOSHA) training.</p> <p>Effective May 21, 2020, lodging operations, including hotels, motels, bed and breakfasts, inns, short term rentals, and other services, parks for recreational vehicles and campgrounds, all public and private camping facilities including those managed by the Vermont Department of Parks and Recreation, and marinas may resume operations for the following limited purposes: housing vulnerable</p>		

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		<p>populations as arranged through the state; providing accommodations for work necessary to support public health, public safety or critical infrastructure and workers entering the state for authorized work; use of lodging properties as quarantine facilities as arranged by the state; and lodging for Vermont residents and others who certify self-quarantine for a minimum of 14 days prior to lodging overnight in Vermont. Effective May 29, 2020, salons and barber shops can reopen with safety measures in place. Additionally, all businesses must follow COVID-19 Personal Protective Equipment Guidance issued by the Vermont Department of Health, which can be accessed here.</p> <p>Additionally, the State of Vermont’s Agency of Commerce and Community Development has issued guidance for specific industries, including: agriculture and forestry; arts and culture organizations; bars; restaurants and food service; campgrounds; construction; consumer retail establishments; distribution; education and childcare; financial, legal, and professional services; firearms, first responders; food and beverage manufacturing; funeral and mortuary services; health and beauty; healthcare providers; human services; insurance; laundry and dry cleaning; lodging; manufacturing; marinas; media; pet care; property management; real estate; religious organizations; and transportation. These industry specific guidance can be accessed here.</p>		
Virginia	Court Order(s): <ul style="list-style-type: none"> Supreme Court of Virginia Fifth Order Modifying & Extending Declaration of Judicial Emergency in Response to COVID-19 	<p>I. Lease Enforcement:</p> <p>On March 16, 2020, the Supreme Court of Virginia issued an order announcing a judicial emergency, which suspended all non-essential and non-emergency proceedings through April 6, 2020. On March 17, 2020, the Attorney General praised the Supreme Court of Virginia for issuing this temporary suspension of initiation of eviction actions.</p> <p>On March 27, 2020, the Supreme Court of Virginia issued an order which continued routine proceedings, including but not limited to non-emergency hearings of unlawful detainers and writs of eviction for the period that the order is</p>	The Supreme Court of Virginia’s EO is in effect until June 28, 2020, unless otherwise extended.	N/A

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	<p>issued 6/8/20</p> <ul style="list-style-type: none"> Supreme Court of Virginia Fourth Order Modifying & Extending Declaration of Judicial Emergency in Response to COVID-19 issued 5/12/20 Supreme Court of Virginia Fourth Order Extending Declaration of Judicial Emergency issued 5/6/20 Supreme Court of Virginia Third Order Extending Declaration of Judicial Emergency in Response to COVID-19 issued 4/22/20 	<p>in effect through April 26, 2020. The Court clarified that “[t]he court shall continue all civil, traffic and criminal matters, including jury trials, except for emergency and other matters as provided in this Order. For example, routine proceedings, including but not limited to non-emergency: warrants in debt, unlawful detainers, issuance of garnishments and writs of eviction shall be continued during the period this Order is in effect.” Also, the Supreme Court of Virginia’s order does not specify if it applies to residential or commercial properties, but it appears to apply to both as written.</p> <p>On March 30, 2020, Governor Northam issued EO 55 (2020), which directed all relevant state agencies to assist in avoiding evictions and foreclosures. However, this is not a governor mandated moratorium on evictions and foreclosures.</p> <p>On April 22, 2020, the Supreme Court of Virginia issued an order extending the declaration of the judicial emergency in response to COVID-19 until May 17, 2020. The order states that previous orders remain in effect, which should include unlawful detainers and writs of eviction.</p> <p>On May 6, 2020, the Supreme Court of Virginia issued an order again extending the declaration of the judicial emergency in response to COVID-19 until at least June 10, 2020, unless extended.</p> <p>On May 12, 2020, the Supreme Court of Virginia issued an order stating that notwithstanding the ongoing preference for conducting hearings by video conferencing or telephone, courts may hear in-person non-emergency matters if they determine it is safe to do so, and they comply with the guidance for transitioning from emergency to routine operations provided by the Office of the Executive Secretary in order to minimize the risk of the spread of COVID-19 from in-person court proceedings. This order is effective May 18, 2020 and modified and extended the declaration of judicial emergency.</p>		

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	<ul style="list-style-type: none"> Supreme Court of Virginia in RE: Order Declaring a Judicial Emergency Response to COVID-19 issued 3/16/20 <p>Enacted Law(s):</p> <ul style="list-style-type: none"> H340, Ch. 7 of Title 44, § 44-209 H1420, Ch. 12 of Title 55.1, §§ 55.1-1204, 55.1-1250 <p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> EO 55 (2020) issued 3/30/20 <p>Other Source(s):</p> <ul style="list-style-type: none"> VHDA Rental Housing Mortgage Forbearance & 	<p>On June 8, 2020, the Supreme Court of Virginia issued an order, which suspended and continued all actions of unlawful detainer and the issuance of writs of eviction until June 28, 2020.</p> <p>II. Mortgage Loan Forbearance:</p> <p>On May 1, 2020, the Virginia Housing Development Authority (VHDA), which provides affordable housing, announced a mortgage forbearance program for VHDA financed loans, loans through the Department of Housing and Community Development, and the Virginia Housing Trust Fund. As it applies to multifamily forbearance, the program applies to Virginia Housing loans, not including loans in the construction/ lease-up phase or interest-only period. The borrower must have a COVID-19 related hardship, which is defined as 15% or more reduction in rent collections. The deadline to request forbearance is August 31, 2020. Additionally, the loan must be current as of March 31, 2020 (or current as agreed upon under a workout agreement. The loan forbearance period is up to 90 days.</p> <p>III. Legislative Action(s):</p> <p>On April 22, 2020, Virginia House Bill 340 was enacted. Bill 340 provides a 60-day stay of an unlawful detainer for nonpayment of rent for tenants and a 30-day stay of foreclosure proceedings for landlords of, and owners who rent to a tenant, a one-family to four-family residential dwelling unit who request a stay and provide written proof, defined in the bill, that they are an employee or contractor of the U.S. Additionally, the bill also expands the available relief to any tenant or landlord affected by the COVID-19 pandemic public health crisis during the period for which the Governor has declared a state of emergency. The bill contains an emergency clause and provides that the expanded relief provisions shall expire 90 days following the end of the emergency. Additionally, House Bill 1420 amends Virginia Code §§ 55.1-1204, 55.1-1250, providing a 10% cap on late fees. Landlords are not permitted to charge tenants late payment of rent unless the charge is provided for in the written rental</p>		

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	<p>Tenant Protection issued 5/1/20</p> <ul style="list-style-type: none"> ▪ VHDA Chart Comparison of Multifamily Forbearance & Eviction Provisions issued 5/1/20 	<p>agreement. If included in the rental agreement between the parties, a late charge cannot exceed the lesser of 10% of the periodic rent or 10% of the remaining balance due and owed by the tenant. On March 3, 2020, House Bill 1420 passed the legislature’s general session, however was not supposed to take effect until July 1, 2020. Due to the COVID-19 pandemic, Governor Ralph Northam provided his recommendation on April 11, 2020, that the bill take effect immediately. Governor Northam’s recommendation was approved and adopted on April 22, 2020, and the bill is to take effect on date of adoption. However, this law does not apply retroactively, so any late fees charged to tenants prior to April 22, 2020 are enforceable so long as the amount complies with the written rental agreement. However, any late fees applied on or after April 22, 2020, must comply with the limitations set forth in House Bill 1420 and described above.</p> <p>IV. Reopening Plan:</p> <p>On May 4, 2020, Governor Northam announced a detailed reopening plan is forthcoming. On May 9, 2020, the Governor issued EO 61, which outlined a detailed framework for the first phase of the “Forward Virginia” plan to safely reopen the state and ease public health restrictions so long as the established guidelines are followed. Effective May 15, 2020, certain businesses will be able to open, including the following: restaurants, dining establishments, food courts, breweries, and wineries may operate delivery, take-out, and outdoor dining, beverage services, brick and mortar retail businesses, fitness centers with outdoor spaces, personal care and grooming services, and indoor shooting ranges. The mentioned businesses may reopen subject to specific industry guidance and so long as occupancy does not exceed 50% of the lowest occupancy. Guidelines for all business sectors can be accessed here. More recently, Governor Northam issued EO 62, which delayed the reopening of certain areas in Virginia, and as such the phase zero jurisdictions’ entrance into phase one is delayed until May 28, 2020. On June 26, 2020, Governor Northam announced that Virginia will move into Phase 3 on July 1, 2020.</p>		

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Washington	<p>Governor's Executive Action(s):</p> <ul style="list-style-type: none"> Proclamation 20-19.2 Evictions and Related Housing Practices issued 6/2/20 Proclamation 20-51.1, Associations & Late Fees issued 5/15/20 Proclamation 20-19.1, Evictions—Amending Proclamations 20-05 and 20-19 issued 4/16/20 Proclamation 20-25.1, Extending Stay Home-Stay Healthy issued 4/2/20 Proclamation 20-19, Evictions issued 3/18/20 	<p>I. Lease Enforcement:</p> <p>On March 18, 2020, Governor Inslee issued Proclamation 20-19, Evictions order directing a suspension of evictions for non-payment or where the tenancy has ended until April 17, 2020, unless otherwise extended. This proclamation prohibits residential landlords from: (1) serving a notice for default payment of rent; (2) seeking or enforcing (or threatening to seek or enforce) judicial eviction orders; (3) assessing late fees; (4) treating unpaid rent as an enforceable debt that is collectible where nonpayment was due to COVID-19 hardship; (5) increasing the rate of rent; (5) issuing a 20-day notice absent an affidavit attesting the action is necessary for health and safety of tenants or others; and (6) utilizing law enforcement to enforce eviction orders based solely on nonpayment of rent. This order subjects any violators to criminal liability (misdemeanor).</p> <p>On April 2, 2020, Governor Inslee issued Proclamation 20-25.1, Extending Stay Home- Stay Healthy order extending the original declaration on suspension of evictions for non-payment or where the tenancy has ended through May 4, 2020.</p> <p>On April 16, 2020, Governor Inslee issued Proclamation 20-19.1, Evictions amending prior proclamations 20-05 and 20-19. This proclamation extends prior orders until June 4, 2020, unless otherwise extended or terminated. This proclamation expands its scope and applicability to commercial tenants, as well as residential ones. Additionally, the proclamation applies to those who lawfully occupy or reside in less traditional dwelling situations that may or may not be documented in a lease, including, but not limited to, roommates who share a home; transient housing in hotels and motels; “Airbnb”; motor homes; RVs; and camping areas. The prohibition on increasing the rate of rent mentioned above also applies to commercial properties if the tenant is materially impacted by a COVID-19 hardship. Any landlord (commercial or residential) who violates this proclamation are subject to criminal penalties pursuant to RCW 43.06.220(5). Additionally, Governor Inslee’s proclamation provides an exception clause for cases where a landlord can prove that an eviction is necessary for a public health or safety reason.</p>	<p>The Governor’s Proclamation (commercial and residential) is in effect until August 1, 2020, unless otherwise extended.</p>	<p>N/A</p>

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	Other Source(s): <ul style="list-style-type: none"> Department of Financial Institutions (DFI) Guidance to Washington State Regulated & Exempt Residential Mortgage Loan Servicers updated 4/20 	<p>On May 15, 2020, Governor Inslee issued Proclamation 20-51.1, Community Associations & Late Fees. This proclamation urges community association boards to provide relief to members in the form of prohibiting the imposition of interest and late fees for late payment of association assessments in coping with the effects of COVID-19. The proclamation removed the following provisions from relevant statutes regarding the following: reasonable late charges and a rate of interest to be charged on all subsequent delinquent assessments or installments (RCW 64.34.304(1)(k)); imposition and collection of charges for late payments of assessments (RCW 64.34.364(13)); (RCW 64.38.020(11)); collection of assessment and imposition of reasonable charges for late payment of assessments (RCW 64.90.405(2)(k)); and reasonable late charges and rate of interest to be charged (RCW 64.90.485(18)).</p> <p>On June 2, 2020, Governor Inslee issued Proclamation 20-19.2 Evictions and Related Housing Practices. This order extends the previous order and amends prohibition on notice. Specifically, it amends previous orders by providing exception to allow landlords to remove tenants when landlord gives "at least 60 days' written notice of intent to (i) personally occupy the premises as a primary residence, or (ii) sell the property." A landlord's failure to provide a reasonable re-payment plan is a defense to any lawsuit brought by the landlord against a tenant.</p> <p>II. Mortgage Loan Forbearance:</p> <p>The Washington Department of Financial Institutions (DFI) issued guidance to Washington state regulated and exempt residential mortgage loan servicers regarding mortgage loan forbearance assistance for borrowers impacted by COVID-19. The DFI guidance urged companies servicing mortgages to take "reasonable and prudent actions, subject to the requirement of any related guarantees or insurance policies, to support those adversely impacted mortgagors." The DFI guidance called for forbearing residential mortgage payments for 90 days from the due date and offering mortgagors an additional 90-day grace period to</p>		

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		<p>complete trial loan modifications. Despite the Department of Financial Institutions' guidance issued to state-chartered financial institutions urging they assist borrowers in the form of loan forbearance, there is no established mandate on mortgage loan forbearance for commercial or residential borrowers at this time.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 27, 2020, Governor Jay Inslee announced easing of outdoor restrictions, which would partial reopen some recreation activities, including fishing, hunting, golfing, day use at state parks and public lands managed by the Department of Natural Resources and at state Fish and Wildlife areas. This partial reopening is subject to special conditions to minimize the public health risk from COVID-19. Washington's phased one through four approach can be accessed here. There are four phases of reopening beginning on May 5, 2020, and each phase lasts for a minimum of three weeks. During that time, Department of Health and the Governor will reevaluate specified indicators and determine if the state should remain in the current phase, advance to the next phase, or return to the previous phase.</p> <p>On May 4, 2020, Governor Inslee announced Washington state's Safe Start, A Phase Approach to Recovery plan. He issued a Proclamation, Adjusting and Extending Stay Home—Stay Healthy to May 31, 2020, Safe Start Washington: Phase I—Re-Opening Washington. In this order, low-risk activities are permitted, including the following business activities: landscaping and lawn care, vehicle and vessel sales, pet walking, retail (curb-side pick-up orders only), and car washes. All eligible businesses must follow the general requirements mandated by Washington</p>		

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		<p>State. Guidance for Phase 1 Construction Restart can be accessed here. Guidance for Phase 1 Curbside Retail can be accessed here. Guidance for Phase 1 Pet Walking Industry can be accessed here. Guidance for Phase 1 Landscape Services and Outdoor Maintenance Industry can be accessed here.</p> <p>Additionally, on May 19, 2020, Governor Inslee issued Proclamation 20-25, Phase 2 Real Estate Requirements, which serves to provide criteria for adjusting real estate requirements under Phase 2. The real estate activities described in this proclamation includes sales, appraisals, settlement and escrow services, inspections, mortgage lending, necessary office services, and government workers necessary to review real estate excise tax and record documents. Pursuant to Proclamation 20-25, up to three individuals can participate in in-person activities in phase 2. The real estate activities described above may resume immediately if the following are met: (1) the individuals can meet and maintain all requirements, including providing materials, schedules, and equipment needed to comply; and (2) conduct only those activities that are allowed under specific county phase status.</p> <p>Additional counties are eligible to move to Phase Two of the Safe Start reopening plan. On May 22, 2020, Governor Inslee released a statement announcing that approximately one-third of the state meeting the requirements to move into Phase 2. Guidance for Phase 2 Restaurants and Taverns can be accessed here. Guidance for Phase 2 In-store Retail Operations can be accessed here. Guidance for Phase 2 Personal Services can be accessed here. Guidance for Phase 2 Outdoor Recreation can be accessed here. Guidance for Phase 2 Fitness and Training can be accessed here. Guidance for Phase 2 Critical Infrastructure Workers can be accessed here.</p>		
West Virginia	Court Order(s): <ul style="list-style-type: none"> Supreme Court of Appeals of West Virginia. 	<p>I. Lease Enforcement:</p> <p>On March 22, 2020, the Supreme Court of Appeals of West Virginia issued an administrative order declaring a judicial emergency. All proceedings and court</p>	The Supreme Court of West Virginia's	N/A

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	<p>Administrative Order—RE: Resumption of Operations & Protocols issued 5/6/20</p> <ul style="list-style-type: none"> ▪ WVHDF—A Message to Customers Regarding Covid-19 issued 5/1/20 ▪ Supreme Court of Appeals of West Virginia, Administrative Order—RE: Judicial Emergency Declared, Amended issued 4/22/20 	<p>deadlines, except the emergency proceedings described in the order were postponed. Although the Supreme Court of Appeals of West Virginia’s order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless. Also, the order does not specify if it applies to residential or commercial properties, but it appears to apply to both as written.</p> <p>On April 22, 2020, the Supreme Court of Appeals of West Virginia issued an amended administrative order, extending the initial order until May 15, 2020. In this order, eviction matters are explicitly mentioned and will not be heard before May 18, 2020.</p> <p>On May 6, 2020, the Supreme Court of Appeals of West Virginia issued an administrative order regarding the resumption of operations. In this order, the court states that upon the expiration of the judicial emergency on May 15, 2020, all courts, judicial officers, and court personnel are to comply with the guidance and directives set forth in the order and protocols. This includes commencing in-person hearings and proceedings on or after May 18, 2020. However, the order stated that remote hearings and proceedings are still permitted and encouraged, if appropriate.</p> <p>II. Mortgage Loan Forbearance:</p> <p>The West Virginia Housing Development Fund (WVHDF) announced it has resources and programs for eligible single-family borrowers, and stated that it will not send any negative credit reporting for the months of March or April 2020. However, this is limited to the protections offered under the CARES Act.</p> <p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p>	<p>Order is in effect until May 15, 2020, and eviction matters will not be heard before May 18, 2020, unless otherwise extended. The Supreme Court of Appeals of West Virginia did not issue an updated order.</p>	

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		<p>IV. Reopening Plan:</p> <p>On April 30, 2020, Governor Jim Justice announced a reopening plan and issued EO No. 32-20, Safer at Home. In this EO, several businesses will be allowed to reopen on May 4, 2020 with physical distancing measures in effect and will be required to implement efforts to increase sanitation and the use of face coverings. Subject to limitations, these businesses include small retail businesses, restaurants, pet groomers, barbershops, hair and nail salons, and other businesses offering professional services.</p> <p>Effective on May 11, 2020, drive-in movie theaters and other theaters who have not operated as such, may operate as drive-in movie theaters to the extent they are able to subject to “The Comeback Guidance” issued by the Governor.</p> <p>Currently, West Virginia is in Week 5 of its reopening plan, which permits the reopening of state park cabins, lodges (in-state residents only), bars (indoor bars at 50% capacity and outdoor bars), museums and visitor centers, zoos, spas and massage businesses, limited video lottery retailers, swimming pools, bowling alleys, pool halls, roller rinks, and other places with indoor amusement. Guidance for drive-in movie theaters can be accessed here. Guidance for small businesses can be accessed here. Guidance for restaurants through takeaway service and outdoor dining can be accessed here. Guidance for wellness centers operated by or with West Virginia Licensed Health Care Providers can be accessed here. Guidance for large retail stores can be accessed here. Guidance for campgrounds can be accessed here. Guidance for outdoor recreation outfitters can be accessed here. Guidance for low-contact sports training facilities, dance studios, and similar facilities can be accessed here. Guidance for fitness centers, gymnasiums, and recreation centers can be accessed here. Guidance for malls and similar facilities can be accessed here. Guidance for restaurants and bars can be accessed here. Guidance for museums and visitor centers can be accessed here. Guidance for zoos can be accessed here. Guidance for spas can be accessed here. Guidance for guided fishing and rock climbing services</p>		



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		can be accessed here . Guidance for religious entities and funeral homes can be accessed here .		
Wisconsin	Governor's Executive Action(s): <ul style="list-style-type: none"> Emergency Order #34, Interim Order to Turn the Dial issued 4/28/20 Emergency Order No. 15, Temporary Ban on Evictions and Foreclosures issued 3/27/20) 	<p>I. Lease Enforcement:</p> <p>On March 27, 2020, Governor Tony Evers issued Emergency Order #15 directing a statewide ban on evictions for non-payment of rent or where the tenancy has ended for 60 days, which applies to both commercial and residential tenants.</p> <p>This EO prohibits landlords from: (1) serving any notice terminating a tenancy for failure to pay rent; (2) serving any notice terminating a tenancy unless the notice is accompanied by an affidavit attesting that if the tenant is not evicted it will result in an imminent threat of physical harm to another person; (3) commencing an eviction action unless the following conditions are met: (a) the eviction is not based on a failure to pay rent, and; (b) affidavit attesting that the eviction is not based on a failure to pay rent and to a reasonable belief that a failure to proceed with the eviction will result in an imminent threat of serious physical harm to others; and (4) delivering a writ of restitution to the sheriff, who is prohibited from acting on eviction orders unless the above conditions are met. However, Emergency Order #15 does not have an impact on the following: (1) operation of state law—Wisc. Stat. §704.25 relating to a tenant's holding over after a lease expires, and (2) tenant's obligations to pay rent owed to the landlord.</p> <p>The Supreme Court of Wisconsin issued an order suspending all in-person proceedings in all circuit and district courts with no specified end date. However, the order does not prohibit any court proceedings that may be conducted by telephone, video, teleconferencing, or other electronic means that not involve in-person contact. All civil trials, hearings, and motions are likely to be postponed and rescheduled for a later date.</p> <p>Recently, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) has announced that it approved a temporary emergency</p>	The Governor's EO (eviction moratorium) is in effect until May 28, 2020, unless otherwise extended or terminated.	N/A



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		<p>rule—20-R-02, modifying Wis. Admin. Code ch. ATPC 134.09(8)(d). This emergency rule prohibits landlords from charging late fees and penalties for missed or late payments during the public health emergency announced by the Governor and for 90 days afterward. It will be retroactively applied back to April 25, 2020. However, this rule appears to apply only to residential landlords since Wis. Admin. Code ch. ATPC 134 pertains to residential rental practices, and not commercial ones.</p> <p>II. Mortgage Loan Forbearance:</p> <p>Pursuant to Emergency Order #15, foreclosures are also banned for 60 days. Governor Evers’s Emergency Order No. 15 states specifically “[n]o provision in this order should be construed as relieving an individual of their obligations to pay rent, make mortgage payments, or any other obligation an individual may have under a tenancy or mortgage.” The EO does not have an impact on the following: (1) operation of state law—Wisc. Stat. §846.102 relating to commence a civil action to foreclose upon real estate, and (2) landlord’s obligations to make mortgage payments and/or any other obligation an individual may have under such mortgage.</p> <p>On April 30, 2020, the Wisconsin Housing and Economic Development Authority (WHEDA), which provides affordable housing financing, issued FAQs guidance for landlords, tenants, and housing providers in response to COVID-19. WHEDA announced that options are available for eligible single-family borrowers with WHEDA bond supported mortgages. WHEDA’s mortgage loan forbearance options also allow for reduced and/or suspended mortgage payments for a period of time followed up by a permanent loss mitigation option to bring the account current.</p>	The Governor’s EO (suspending foreclosure actions and sales) is in effect until May 26, 2020, unless otherwise extended or terminated.	

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		<p>III. Legislative Action(s):</p> <p>At this time, there is no proposed or enacted legislation regarding lease enforcement in the form of an eviction moratorium or mortgage loan forbearance relief program for commercial or residential landlords.</p> <p>IV. Reopening Plan:</p> <p>On April 28, 2020, Governor Evers and Department of Health Services issued Emergency Order #34, Interim Order to Turn the Dial. In this emergency order, the Department of Health Services reopened outdoor and recreation facilities, including golfing, recreational equipment rentals, including boats, and golf carts, and kayaks. Governor Evers also announced that Department of National Resources is to reopen 34 several state parks and forests on May 1, 2020 under special conditions to minimize the public health risk from COVID-19.</p> <p>Under Emergency Order #34, Interim Order to Turn the Dial, minimum basic operations is now amended to include the following: (1) curbside drop off of goods or animals for the purpose of having those goods or animals serviced, repaired, or cared for by the business and (2) car washes may open for service. Governor Evers also released a Safer at Home FAQs document which allows the following businesses and activities to increase services and operations: (1) public libraries to offer curbside pick-up of books; (2) non-essential businesses can do more things as Minimum Basic Operations, including deliveries, mailings, curbside pick-up and drop-off, and outdoor recreational rentals; and (3) arts and craft stores may offer expanded curbside pick-up of materials necessary to make face masks and other personal protective equipment (PPE).</p> <p>The Supreme Court of Wisconsin decided in a published decision to end the Safer at Home order effective May 13, 2020. The order states in part “... Executive Order 28....is subject to statutory emergency rulemaking procedures established by the Legislature. Accordingly, the rulemaking procedures of Wis. Stat. § 227.24</p>		

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		were required to be followed during the promulgation of Order 28. Because they were not, Emergency Order 28 is unenforceable.” This decision would effectively require the Department of Health Services to go through the rulemaking process to be able to respond to the COVID-19 pandemic.		
Wyoming	Court Order(s): <ul style="list-style-type: none"> Third Order, Supreme Court of Wyoming Temporary Plan Regarding COVID-19 issued 5/15/20 Second Order, Supreme Court of Wyoming Temporary Plan Regarding COVID-19 issued 4/30/20 Supreme Court of Wyoming Extending Emergency Orders issued 4/1/20 Public Health Order(s): <ul style="list-style-type: none"> Third Continuation, & 	I. Lease Enforcement: <p>On March 18, 2020, the Supreme Court of Wyoming issued an order declaring a judicial emergency. All proceedings and court deadlines, except certain emergency proceedings described in the order were ordered stayed. On April 1, 2020, the Supreme Court of Wyoming issued a supplemental order extending its original order emergency orders through May 31, 2020. On April 30, 2020, the Supreme Court of Wyoming issued a supplemental order suspending in-person proceedings until May 31, 2020.</p> <p>On May 14, 2020, the Supreme Court of Wyoming issued an order suspending all in-person proceedings in all circuit and district courts throughout the state until August 3, 2020. However, the order does not prohibit any court proceedings that may be conducted by telephone, video, teleconferencing, or other electronic means that not involve in-person contact. All civil trials, hearings, and motions are likely to be postponed and rescheduled for a later date unless the assigned judge finds the proceedings can be held through telephonic or video means and an adequate record can be made by a court reporter or electronic recording, or pursuant to a COVID-19 Operating Plan adopted by the judges of the relevant courthouse and submitted to the Wyoming Supreme Court in accordance with the Covid-19 Reopening Guidelines for Court Employees and Public Proceedings.</p> <p>Although the Supreme Court of Wyoming’s order does not specifically address or pertain to eviction or foreclosure proceedings; it is likely that this order will ultimately delay them regardless. However, it is important to note that remote proceedings may still occur, subject to local judicial discretion. Also, the Supreme</p>	The Supreme Court of Wyoming’s Order suspending in-person court proceedings throughout the state until August 3, 2020, unless otherwise extended or terminated. However, the EO does not prohibit any court proceedings that may be conducted by telephone, video, teleconferencing, or other means that do not involve in-person contact.	N/A

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	<p>Modification of Statewide Public Health Order #3 (Personal Care Service Businesses) issued 4/28/20</p> <ul style="list-style-type: none"> ▪ Third Continuation, & Modification of Statewide Public Health Order (Closing Bars, Restaurants, Theaters, Gyms) issued 4/28/20 <p>Proposed Law(s):</p> <ul style="list-style-type: none"> ▪ HB 1002 (20LSO-0701) issued 5/16/20 	<p>Court of Wyoming’s order does not specify if it applies to residential or commercial properties, but it appears to apply to both as written.</p> <p>II. Mortgage Loan Forbearance:</p> <p>The Wyoming Community Development Authority (WCDA), which administers low-interest single-family mortgages, several major affordable rental housing development programs, and multi-housing financing, has released guidance in regards to mortgage loan forbearance. If eligible, borrowers must submit to WCDA a mortgage loan forbearance request with a brief explanation on how the COVID-19 pandemic has created a financial hardship.</p> <p>In April, WCDA has issued a COVID-19 Notice providing guidance on compliance and forbearance advisement to eligible multifamily borrowers. In this notice, WCDA states that a multifamily borrower must submit in writing a request for such mortgage loan forbearance for a 30-day period during the covered period of April 1, 2020 through December 30, 2020, with a brief statement on how COVID-19 has created a financial hardship. Notably, the guidance states that a multifamily borrower will not for the duration of the moratorium on evictions, evict or initiate eviction procedures against tenants for nonpayment of rent, and that these prohibitions are not limited to tenants affected by COVID-19, but apply to all tenants regardless of the situation.</p> <p>III. Legislative Action(s):</p> <p>The Wyoming Legislature referred HB1002, Emergency Government Action Covid-19 to a third reading. If enacted, HB1002 would provide assistance to those with COVID-19 related hardships through the legislation’s creation of programs aimed at avoiding evictions. This program would allow for the following awards: (1) payment to any applicant who is the owner of property leased or rented to a residential tenant and lost 25% or more of the rental income generated by the property as a result of the COVID-19 pandemic; or (2) monthly payments in the</p>		



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		<p>amount of monthly lost rental income, continuing until the governor orders that payments under the program should stop or until December 30, 2020, whichever occurs first. If enacted, this bill would prohibit the applicant from charging any rental amount to any tenant living at the property for which the applicant is receiving payments under this section.</p> <p>IV. Reopening Plan:</p> <p>Despite Wyoming never implementing a state-wide shelter in place order, Governor Mark Gordon unveiled on April 23, 2020 his reopening plan to transition Wyoming to a new phase of COVID-19 response. On April 28, 2020, the Wyoming Department of Health announced two new public health orders effective May 1, 2020, which allows certain businesses, including restaurants, bars, gyms, barber shops, hair salons, and other personal care service businesses to reopen under specific transition plan metrics and guidelines designed to minimize the public health risk from COVID-19.</p> <p>Wyoming transition plan includes easing of business restrictions, enhanced testing and personal protective equipment availability. Effective on May 15, 2020, Governor Gordon announces public health orders that will ease restrictions on several business categories: restaurants, gyms, movie theaters, and personal care providers. In all cases, employer must screen employees for COVID symptoms prior to each shift and must not operate without appropriate protective equipment for staff (face coverings), EPA-approved disinfectants, sanitizers, soaps, and other necessary cleaning supplies. Businesses must maintain a record of staff working hours by date and time for purposes of COVID-19 contact tracing. Guidance for educational institutions from the Wyoming Department of Health can be accessed here. Guidance for childcare providers from the Wyoming Department of Health can be accessed here. Guidance for restaurants from the Wyoming Department of Health can be accessed here. Guidance for employee screening from the Wyoming Department of Health can be accessed here. Guidance for</p>		



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		grocery and retail stores from the Wyoming Department of Health can be accessed here .		