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Councilmember Trayon White, Sr.



Councilmember Robert C. White, Jr.



Councilmember Anita Bonds



Councilmember Brianne K. Nadeau



Councilmember Elissa Silverman

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, An Act To establish a code of law for the District of Columbia and the Condominium Act of 1976 to enact a time limited foreclosure moratorium while a public health emergency is in effect, or for 60 days thereafter.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Foreclosure Moratorium Emergency Amendment Act of 2020".

Sec. 2. Foreclosure prohibition.

(a) Section 539 of An Act To establish a code of law for the District of Columbia, approved on March 3, 1901 (31 Stat. 1274; D.C. Official Code § 42-815) is amended by adding a new subsection (c-1) to read as follows:

32 “(c-1) Notwithstanding the provision of any other law, in the case of a residential
33 mortgage, a foreclosure under a power of sale provision contained in any deed of trust, mortgage,
34 or other security instrument shall not be initiated or conducted while a public health emergency
35 is in effect pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
36 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), or for 60 days
37 thereafter.”.

38 (b) Section 95 of An Act To establish a code of law for the District of Columbia,
39 approved on March 3, 1901 (31 Stat. 1204; D.C. Official Code § 42-816), is amended as follows:

40 (1) The existing text is designated subsection (a).

41 (2) A new subsection (b) is added to read as follows:

42 “(b) Notwithstanding any other provision of this section, in the case of a residential
43 mortgage, a foreclosure action shall not be initiated, and no foreclosure shall be conducted, while
44 a public health emergency is in effect pursuant to section 5a of the District of Columbia Public
45 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
46 2304.01), or for 60 days thereafter.”.

47 (c) Section 313(c) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law
48 1-89; D.C. Official Code § 42-1903.13(c)) is amended by adding a new paragraph (7) to read as
49 follows:

50 “(7) Notwithstanding any other provision of this section, a foreclosure of a
51 residential condominium unit to enforce a condominium lien shall not be initiated or conducted
52 while a public health emergency is in effect pursuant to section 5a of the District of Columbia

53 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
54 Code § 7-2304.01), or for 60 days thereafter.”.

55 Sec. 3. Fiscal impact statement.

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

59 Sec. 4. Effective date.

60 This act shall take effect following approval by the Mayor (or in the event of veto by the
61 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
62 90 days, as provided for emergency acts of the Council of the District of Columbia in section
63 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
64 D.C. Official Code § 1-204.12(a)).