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A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To declare the existence of an emergency with respect to the need to extend the current foreclosure moratorium until July 1, 2022, and to further extend a foreclosure moratorium to September 30, 2022, for homeowners who have submitted a completed application for government assistance to cure a debt or default, and the application is pending approval, pending payment, or under appeal.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Foreclosure Moratorium Extension Emergency Declaration Resolution of 2022.”

Sec. 2. (a) There exists an immediate need to extend the foreclosure moratorium in order to prevent foreclosure actions from being initiated or executed against homeowners impacted by the COVID-19 public and public health emergencies while the District awaits Homeowner Assistance Fund dispersal from the federal government.

(b) The District is entitled to at least \$50 million in Federal assistance through the American Rescue Plan Act to assist low- and moderate-income homeowners who experienced

37 new or exacerbated financial hardships as a result of the pandemic, however the federal  
38 government has yet to disperse any funds to the District.

39 (c) The District requires additional time to receive these funds, establish application and  
40 dispersal mechanisms, and make payments to qualified homeowners to prevent foreclosure.

41 (d) District homeowners, banks, condo associations, executive agencies, and other actors  
42 in the housing finance ecosystem require stable, transparent, and proactive deadlines to  
43 understand a District plan to wind down pandemic-related prohibitions on foreclosures.

44 (e) The current foreclosure moratorium emergency extension lapsed as of January 5,  
45 2022 but was intended to expire February 4, 2022, in tandem with the Coronavirus Support  
46 Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824).

47 (f) The lapsed moratorium, without immediate retroactive applicability action on the part  
48 of the Council, will expose homeowners to foreclosure, eviction, and displacement before they  
49 have an opportunity to cure debts through federal housing aid for which they may be eligible.

50 (g) Extending the current moratorium through June 30, 2022 will provide the Department  
51 of Housing and Community Development, the agency administering a forthcoming HAF  
52 program, time to standup a program that is accessible, well promoted, and best able to reach all  
53 eligible DC homeowners in need.

54 (h) Homeowners who apply for financial assistance by June 30, 2022 will be eligible to  
55 delay foreclosure and housing debt collection actions further until September 30, 2022 while  
56 their application is pending approval, payment, or reconsideration upon appeal. This additional  
57 time will provide the Department of Housing and Community Development administrative  
58 flexibility to thoroughly review applications and issue payments.

59           Sec. 3. The Council of the District of Columbia determines that the circumstances  
60 enumerated in section 2 constitute emergency circumstances making it necessary that the  
61 Foreclosure Moratorium Extension Emergency Amendment Act of 2022 should be adopted after  
62 a single reading.

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

DRAFT