

Janeese Lewis George

Councilmember Janeese Lewis George

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To extend, on an emergency basis, 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.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Foreclosure Moratorium Extension Emergency Amendment Act of 2022”.

Sec. 2. Foreclosure moratorium.

(a)(1) Notwithstanding any other provision of District law, during the time period from March 11, 2020 to June 30, 2022, no:

(A) Residential foreclosure may be initiated or conducted under section 539 or section 95 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1274; D.C. Official Code §§ 42-815 and 42-816);

34 (B) Sale may be conducted under section 313(c) of the Condominium Act
35 of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.13(c)); or

36 (C) Judgment foreclosing the right of redemption shall be entered under
37 section 507(a)(2) of the Tax Clarity Act of 2001, effective June 9, 2001 (D.C. Law 13-305; D.C.
38 Official Code § 47-1378).

39 (2) From July 1, 2022, through September 30, 2022, no residential foreclosure
40 may be initiated or conducted under section 539 or section 95 of An Act To establish a Code of
41 Law for the District of Columbia, approved March 3, 1901 (31 Stat. 1274; D.C. Official Code §§
42 42-815 and 42-816), no sale may be conducted under section 313(c) of the Condominium Act of
43 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.13(c)), and no
44 judgment foreclosing the right of redemption shall be entered under section 507(a)(2) of the Tax
45 Clarity Act of 2001, effective June 9, 2001 (D.C. Law 13-305; D.C. Official Code § 47-1378), if:

46 (A) A homeowner or their representative applies for financial assistance to
47 cure a debt or default with funds from the Department of Housing and Community
48 Development's Homeowner Assistance Fund, or a similar government fund established to assist
49 homeowners impacted by the COVID-19 public emergency or public health emergency declared
50 pursuant to the District of Columbia Public Emergency Act of 1980, effective March 5, 1981
51 (D.C. Law 3-149; D.C. Official Code § 7-2301 *et seq.*);

52 (B) Proof of the submitted application is presented, electronically or as a
53 paper copy, to the mortgage lender, condominium association, homeowners association, or tax
54 sale purchaser, or to an agent acting as a representative for any housing or financing entity to
55 which a homeowner is indebted, within 60 calendar days after the completed application was
56 submitted; and

57 (C) The application is pending approval, pending payment, or under
58 appeal.

59 (b) This section shall not apply to a residential property at which neither a record owner
60 nor a person with an interest in the property as heir or beneficiary of a record owner, if deceased,
61 has resided for at least 275 total calendar days during the 12 months prior to October 1, 2021.

62 Sec. 3. Applicability.

63 This act shall apply as of January 5, 2022.

64 Sec. 4. Fiscal impact statement.

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

68 Sec. 5. Effective date.

69 This act shall take effect following approval by the Mayor (or in the event of veto by the
70 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
71 90 days, as provided for emergency acts of the Council of the District of Columbia in section
72 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
73 D.C. Official Code § 1-204.12(a)).