

A RESOLUTION

24-676

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 1, 2022

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

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

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

(b) The District received \$50 million in federal assistance through the American Rescue Plan Act to assist low- and moderate-income homeowners who experienced new or exacerbated financial hardships as a result of the pandemic and, in June, the Department of Housing and Community Development (“DHCD”) opened applications for DC’s Homeowner Assistance Fund (“DC HAF”) program.

(c) Earlier in the summer, the Council extended the pandemic-related foreclosure moratorium to align with the opening of the DC HAF program and required homeowners to submit an application for DC HAF assistance to cure housing debts by September 30, 2022, in order to remain eligible for foreclosure protections beyond that initial deadline.

(d) Approximately 1,000 DC HAF applications remain pending with DHCD at this time, and review and payment processing steps are taking multiple months, on average.

(e) Extending the foreclosure moratorium protections previously guaranteed by the Council to those homeowners who met the September 30, 2022, deadline for their DC HAF

applications will provide DHCD the time needed to make accurate determinations while preventing unnecessary foreclosures and displacement of homeowners who fell on hard times during the pandemic.

(f) Homeowners who have not yet applied for DC HAF funds yet may be eligible continue to deserve information about this relief program making it necessary to clarify that foreclosure notices from financial and housing entities must continue to include information about the opportunity to cure housing debts through funds available from DC HAF.

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

Sec. 4. This resolution shall take effect immediately.