

113TH CONGRESS
1ST SESSION

H. R. 1499

To ensure that homeowners who have mortgages insured by the FHA, or owned or guaranteed by Fannie Mae or Freddie Mac, and whose homes are located in major disaster areas are notified of any forbearance relief in connection with such disaster that is offered or recommended by the FHA, the Federal Housing Finance Agency, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2013

Mr. JEFFRIES (for himself, Mr. GRIMM, and Mr. CROWLEY) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Disaster-Affected
3 Homeowners Notification Act of 2013”.

4 **SEC. 2. REQUIREMENT TO NOTIFY AFFECTED HOME-**
5 **OWNERS OF MORTGAGE RELIEF.**

6 (a) REQUIREMENT.—If, in connection with any major
7 disaster declared pursuant to section 401 of the Robert
8 T. Stafford Disaster Relief and Emergency Assistance Act
9 (42 U.S.C. 5170), the Secretary of Housing and Urban
10 Development, the Director of the Federal Housing Fi-
11 nance Agency, the Federal National Mortgage Association,
12 or the Federal Home Loan Mortgage Corporation makes
13 available forbearance relief with respect to any covered
14 mortgage, or any such agency head or enterprise issues
15 any notice or guidelines to mortgagees or servicers recom-
16 mending or requiring such relief, the applicable agency
17 head shall—

18 (1) provide, to each mortgagor under a covered
19 mortgage, direct notification in accordance with sub-
20 section (b) of such relief made available, required, or
21 recommended; and

22 (2) provide, for areas subject to such disaster
23 declaration, community-wide notification in accord-
24 ance with the guidelines issued under subsection (c)
25 of such relief made available, required, or rec-
26 ommended.

1 (b) DIRECT NOTIFICATION.—Direct notification in
2 accordance with this subsection is notification to the mort-
3 gator under a covered mortgage—

4 (1)(A) made by a telephone call to the mort-
5 gator or by mail to the residence subject to the
6 mortgage; and

7 (B) by such other method of direct contact as
8 may be provided in the guidelines issued pursuant to
9 subsection (e); and

10 (2) that clearly informs the mortgagor—

11 (A) that the mortgage is a covered mort-
12 gage;

13 (B) of the forbearance relief made avail-
14 able, required, or recommended;

15 (C) of any moratorium on foreclosure with
16 respect to covered mortgages; and

17 (D) of how to obtain more information re-
18 garding such relief.

19 (c) COMMUNITY-WIDE NOTIFICATION AND AWARE-
20 NESS MEASURES.—The applicable agency heads shall,
21 pursuant to subsection (e), issue guidelines regarding
22 measures designed to provide notice and awareness of any
23 forbearance relief made available, required, or rec-
24 ommended in connection with a major disaster throughout
25 the areas subject to such disaster declaration. Such guide-

1 lines may include requirements regarding the types of no-
2 tification measures, such as town hall meetings, public
3 service announcements, public advertisements and the
4 types of media used to convey such advertisements, and
5 flyers and other community notices.

6 (d) DEFINITIONS.—For purposes of this section, the
7 following definitions shall apply:

8 (1) APPLICABLE AGENCY HEAD.—The term
9 “applicable agency head” means—

10 (A) the Secretary, with respect to a cov-
11 ered mortgage described in paragraph (2)(B)(i);
12 and

13 (B) the Director, with respect to a covered
14 mortgage described in paragraph (2)(B)(ii).

15 (2) COVERED MORTGAGE.—The term “covered
16 mortgage” means, with respect to any major dis-
17 aster declared pursuant to section 401 of the Robert
18 T. Stafford Disaster Relief and Emergency Assist-
19 ance Act (42 U.S.C. 5170), a mortgage—

20 (A) that is secured by a one- to four-family
21 dwelling that—

22 (i) is the principal residence of the
23 mortgagor; and

24 (ii) is located within an area for which
25 such major disaster was declared; and

1 (B) that is—

2 (i) insured under title II of the Na-
3 tional Housing Act (12 U.S.C. 1707 et
4 seq.); or

5 (ii) owned or guaranteed by the Fed-
6 eral National Mortgage Association or the
7 Federal Home Loan Mortgage Corpora-
8 tion.

9 Any delinquency or default under a mortgage
10 shall not affect the status of such mortgage as
11 a covered mortgage.

12 (3) DIRECTOR.—The term “Director” means
13 the Director of the Federal Housing Finance Agen-
14 cy.

15 (4) FORBEARANCE RELIEF.—The term “for-
16 bearance relief” means, with respect to a mortgage,
17 any suspension or reduction of payments due under
18 the mortgage, in any form and to any extent.

19 (5) MORTGAGEE.—The term “mortgagee”
20 means, with respect to a covered mortgage, the
21 original lender under the mortgage and any affili-
22 ates, agents, subsidiaries, successors, or assignees of
23 such lender, any subsequent purchaser, trustee, or
24 transferee of the mortgage or credit instrument
25 issued by such lender.

1 (6) SECRETARY.—The term “Secretary” means
2 the Secretary of Housing and Urban Development.

3 (e) GUIDELINES.—Not later than the expiration of
4 the 30-day period beginning on the date of the enactment
5 of this Act, the Secretary and the Director shall jointly
6 issue guidelines to carry out this section.

7 (f) APPLICABILITY.—This Act shall apply with re-
8 spect to any major disaster declared pursuant to section
9 401 of the Robert T. Stafford Disaster Relief and Emer-
10 gency Assistance Act in connection with Hurricane Sandy
11 and any major disaster declared thereafter.

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