



ASSISTANT SECRETARY FOR HOUSING
FEDERAL HOUSING COMMISSIONER

Date: January 21, 2021

Mortgagee Letter 2021-03

To: All FHA-Approved Mortgagees
All Direct Endorsement Underwriters
All Eligible Submission Sources for Condominium Project Approvals
All FHA Roster Appraisers
All FHA-Approved 203(k) Consultants
All HUD-Approved Housing Counselors
All HUD-Approved Nonprofit Organizations
All Governmental Entity Participants
All Real Estate Brokers
All Closing Agents

Subject Extension of Foreclosure and Eviction Moratorium in Connection with the
Presidentially-Declared COVID-19 National Emergency

Purpose The purpose of this Mortgagee Letter (ML) is to inform mortgagees of an extension to the foreclosure and eviction moratorium originally issued in ML 2020-04, extended in MLs 2020-13, 2020-19, 2020-27, and further extended in ML 2020-43 for borrowers with FHA-insured Single Family mortgages for an additional period through March 31, 2021.

Effective Date The extension of the moratorium announced in this ML is effective immediately upon the expiration of the moratorium announced in ML 2020-43 for all FHA-insured mortgages except for FHA-insured mortgages secured by vacant or abandoned properties.

Public Feedback HUD welcomes feedback from interested parties for a period of 30 calendar days from the date of issuance. To provide feedback on this policy document, please send feedback to the FHA Resource Center at answers@hud.gov. HUD will consider the feedback in determining the need for future updates.

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Affected Programs

This guidance applies to all FHA Title II Single Family forward and Home Equity Conversion Mortgage (reverse) mortgage programs except for FHA-insured mortgages secured by vacant or abandoned properties.

Background

On January 20, 2021, President Joseph R. Biden directed agencies to extend a federal moratorium on evictions and a moratorium on foreclosures on federally guaranteed mortgages in response to the coronavirus pandemic. HUD had imposed moratoriums beginning on March 18, 2020, when HUD published ML 2020-04, through which the Secretary of HUD authorized a 60-day moratorium on foreclosures of FHA-insured mortgages and evictions of persons from properties securing FHA-insured mortgages, to ensure that individuals and families were not displaced during this critical period. On May 14, 2020, HUD published ML 2020-13 to extend the moratorium that expired on May 17, 2020 through June 30, 2020. On June 17, 2020, HUD published ML 2020-19 to extend the moratorium through August 31, 2020. On August 8, 2020, the President issued an Executive Order to minimize, to the greatest extent possible, residential evictions and foreclosures during the ongoing COVID-19 national emergency, and for HUD to take action to promote the ability of renters and homeowners to avoid eviction or foreclosure resulting from financial hardships caused by COVID-19. In response, HUD issued MLs 2020-19, 2020-27, and 2020-43. Due to the continued national emergency resulting from the COVID-19 pandemic and pursuant to the President's direction, HUD is issuing a further extension for all FHA-insured mortgages except those secured by vacant or abandoned properties.

Moratorium on Foreclosures and Evictions and Extension of Deadlines

FHA-insured Single Family mortgages, excluding vacant or abandoned properties, are subject to an extension to the moratorium on foreclosure through March 31, 2021. The moratorium applies to the initiation of foreclosures and to foreclosures in process.

Separate from any eviction moratorium that was applicable to lessors under the CARES Act, evictions of persons from properties securing FHA-insured Single Family mortgages, excluding actions to evict occupants of legally vacant or abandoned properties, are also suspended through March 31, 2021.

Deadlines for the first legal action and reasonable diligence timelines are extended by 120 days from the date of expiration of this moratorium for FHA-insured Single Family mortgages, except for FHA-insured mortgages secured by vacant or abandoned properties.

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Paperwork Reduction Act

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB Control Numbers 2502-0005; 2502-0059; 2502-0117; 2502-0189; 2502-0302; 2502-0306; 2502-0322; 2502-0358; 2502-0404; 2502-0414; 2502-0429; 2502-0494; 2502-0496; 2502-0525; 2502-0527; 2502-0538; 2502-0540; 2502-0556; 2502-0561; 2502-0566; 2502-0570; 2502-0583; 2502-0584; 2502-0589; 2502-0595 and 2502-0600. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB Control Number.

Questions

Any questions regarding this Mortgagee Letter may be directed to the FHA Resource Center at 1-800-CALL-FHA. Persons with hearing or speech impairments may reach this number by calling the Federal Relay Service at 1-800-877-8339. For additional information on this Mortgagee Letter, please visit www.hud.gov/answers.

Signature

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Federal Housing Commissioner