

116TH CONGRESS
2D SESSION

H. R. 7858

To require the provision of notice to homeowners regarding available housing relief to respond to the COVID-19 pandemic, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2020

Mr. EVANS introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the provision of notice to homeowners regarding available housing relief to respond to the COVID-19 pandemic, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Helping Owners Main-
5 tain Economic Security Act of 2020” or the “HOMES Act
6 of 2020”.

1 **SEC. 2. NOTICE TO HOMEOWNERS.**

2 Section 4022 of the CARES Act (15 U.S.C. 9056)
3 is amended—

4 (1) in subsection (b)(1), by inserting after “cov-
5 ered period,” the following: “which term for pur-
6 poses of this section shall have the meaning given
7 such term in section 623(a)(1)(F)(i) of the Fair
8 Credit Reporting Act,”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(d) NOTICE TO HOMEOWNERS OF AVAILABLE RE-
12 LIEF.—

13 “(1) NOTICE REQUIREMENT.—Subject only to
14 paragraph (3), not later than the expiration of the
15 30-day period beginning upon the date of the enact-
16 ment of this subsection, each servicer of a Federally
17 backed mortgage loan shall send, by first class
18 United States mail, written notice to the mortgagor
19 sufficient to inform such mortgagor in plain lan-
20 guage of the mortgagor’s eligibility to request for-
21 bearance under subsection (b).

22 “(2) CONTENT.—The notice established pursu-
23 ant to paragraph (1) shall include a statement—

24 “(A) that section 4022(b) of the CARES
25 Act provides that, during the covered period, a
26 borrower with a Federally backed mortgage

1 loan experiencing a financial hardship due, di-
2 rectly or indirectly, to the COVID–19 emer-
3 gency may receive a forbearance on such loan
4 for up to 180 days, regardless of delinquency
5 status, by submitting a request to the loan
6 servicer and affirming that the borrower is ex-
7 perienceing a financial hardship during the
8 COVID–19 emergency, and that such forbear-
9 ance period shall be extended for an additional
10 180 days at the request of the borrower;

11 “(B) explaining that the mortgagor can
12 seek language assistance and general help
13 through a housing counseling agency in the
14 area that is approved by the Department of
15 Housing and Urban Development and providing
16 information on how to find such an approved
17 housing counseling agency;

18 “(C) that the moratorium under the
19 CARES Act does not terminate the mortgagor’s
20 obligation to make payments due under the
21 mortgage;

22 “(D) that mortgagor will owe any mort-
23 gage arrearages that accrue during the morato-
24 rium under the CARES Act; and

1 “(E) that mortgagors are encouraged to
 2 contact their mortgage servicer if they are hav-
 3 ing trouble making payments due under their
 4 mortgage.

5 “(3) EXEMPTION.—A servicer shall not be re-
 6 quired to send notice pursuant to paragraph (1) to
 7 any mortgagor who has previously requested forbear-
 8 ance under subsection (b).”.

9 **SEC. 3. NOTICE TO MULTIFAMILY HOUSING MORTGAGORS.**

10 Section 4023 of the CARES Act (15 U.S.C. 9057)
 11 is amended—

12 (1) by redesignating subsection (f) as sub-
 13 section (g); and

14 (2) by inserting after subsection (e) the fol-
 15 lowing new subsection:

16 “(f) NOTICE TO BORROWER OF AVAILABLE RE-
 17 LIEF.—

18 “(1) NOTICE REQUIREMENT.—Subject only to
 19 paragraph (3), not later than the expiration of the
 20 30-day period beginning upon the date of the enact-
 21 ment of this subsection, each servicer of a Federally
 22 backed multifamily mortgage loan shall send, by
 23 first class United States mail, written notice to the
 24 multifamily borrower under such loan sufficient to
 25 inform such borrower in plain language of the bor-

1 rower’s eligibility to request forbearance under sub-
2 section (b).

3 “(2) CONTENT.—The notice established pursu-
4 ant to paragraph (1) shall include a statement—

5 “(A) explaining that the borrower can seek
6 language assistance and general help through a
7 housing counseling agency in the area that is
8 approved by the Department of Housing and
9 Urban Development and providing information
10 on how to find such an approved housing coun-
11 seling agency;

12 “(B) that the forbearance under the
13 CARES Act does not terminate the borrower’s
14 obligation to make payments due under the
15 mortgage;

16 “(C) that borrower will owe any mortgage
17 arrearages that accrue during the forbearance
18 under the CARES Act;

19 “(D) explaining the renter protections
20 under section subsection (d) of section 4023 of
21 the CARES Act and the prohibitions under
22 subsection (e) of such section; and

23 “(E) that borrowers are encouraged to
24 contact their mortgage servicer if they are hav-

1 ing trouble making payments due under their
2 mortgage.

3 “(3) EXEMPTION.—A servicer shall not be re-
4 quired to send notice pursuant to paragraph (1) to
5 any multifamily borrower who has previously re-
6 quested forbearance under subsection (b).”.

7 **SEC. 4. MODEL NOTICES.**

8 (a) DEVELOPMENT.—Not later than the expiration of
9 the 7-day period beginning on the date of the enactment
10 of this Act, the Secretary of Housing and Urban Develop-
11 ment, the Secretary of Agriculture, the Secretary of Vet-
12 erans Affairs, and the Federal National Mortgage Associa-
13 tion and the Federal Home Loan Mortgage Corporation,
14 at the direction of the Director of the Federal Housing
15 Finance Agency, shall jointly establish notices that are
16 sufficient to comply with the requirements of sections
17 4022(d) and 4023(f) of the CARES Act, as added by the
18 amendments made by sections 2 and 3 of this Act, respec-
19 tively.

20 (b) AVAILABILITY.—Such agency heads and entities
21 shall take such actions as may be necessary—

22 (1) to publicize the availability of such notices
23 to servicers of a Federally backed mortgage loans
24 and Federally backed multifamily mortgage loans;
25 and

1 (2) to make such notices publicly and widely
2 available for use by servicers of a Federally backed
3 mortgage loans and Federally backed multifamily
4 mortgage loans.

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