



TEXAS A&M UNIVERSITY  
SCHOOL OF LAW

# Eviction and Foreclosure Prevention After the CARES ACT?

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# CARES ACT ENDS

## Evictions and Foreclosures on the Horizon

- Approximately 20 million to 28 million people may be facing eviction between now and September.
- Approximately 10 million people were displaced from their homes during the 2008 foreclosure crisis and the Great Recession.
- CARES ACT provided \$6 trillion dollars of direct and indirect federal aid for housing. Most protections end July 25, 2020.

# CARES ACT:

1. **Foreclosure Moratorium** – Federally-backed mortgages for 60 days from March 18, 2020 ending on May 18, 2020.
2. **Mortgage Forbearance** – For owners with federally-backed mortgages 180 days up to 360 days.
3. **Eviction Moratorium** -- 120 days from March 27, 2020 ( the enactment of the Act) ending on July 25, 2020.
  1. Landlords of **“covered properties” without 30 days notice.** also MAY NOT evict tenants after the moratorium period expires

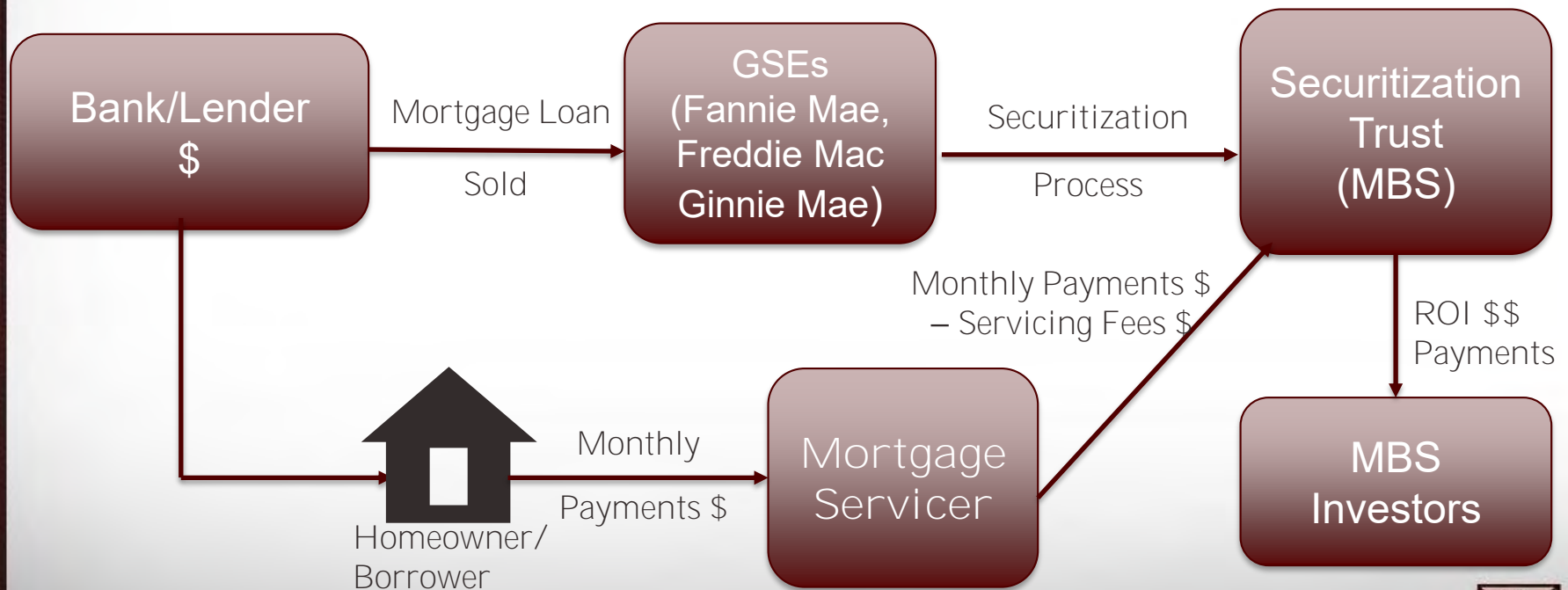
# What is a federally-backed mortgage?

(Title IV Sec.4022(a)(2))

- Any mortgage (or deed of trust) secured by a first or subordinate lien on residential real property insured, guaranteed, made, purchased, or securitized by one of the following federal agencies:
  - (GSEs) – Fannie Mae, Freddie Mac, Ginnie Mae
  - FHA – Federal Housing Administration
  - HUD – U.S. Dept. of Housing and Urban Development
  - VA – Veterans Administration
  - USDA – U.S. Department of Agriculture
- NOTE: These provisions do not apply to purely private mortgage loans.

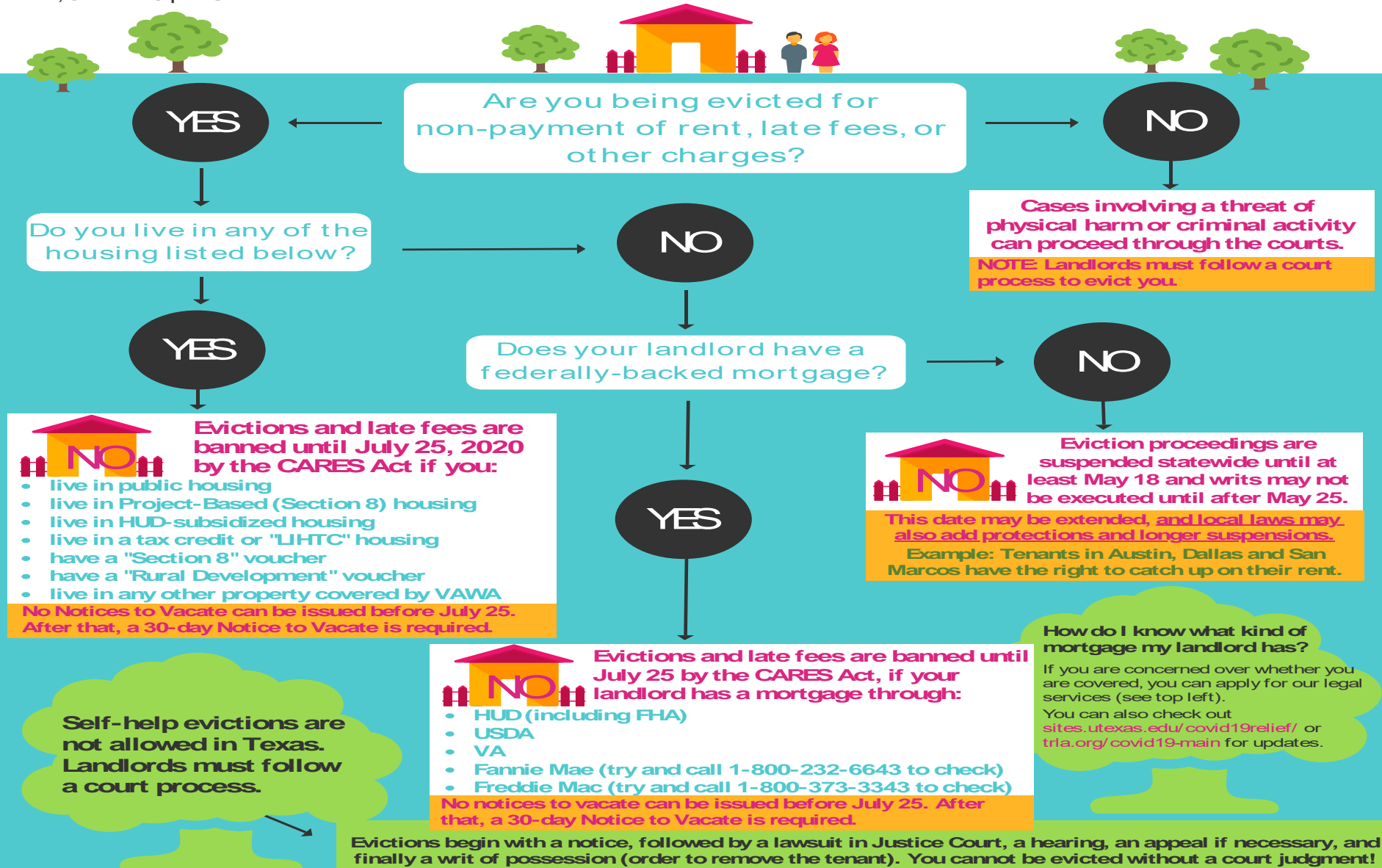
# How Do I Know If My Mortgage is Federally-Backed?

- Call your mortgage servicer
- What is a mortgage servicer?



# CAN I BE EVICTED DURING COVID 19 IN TEXAS?

Information is current as of April 27, 2020, but likely to change in the coming weeks.



# Federal Extensions

- June 17th: Fannie Mae and Freddie Mac are extending their moratorium on foreclosures and evictions through August 31, 2020.
  - The FHA also extending its foreclosure and eviction moratorium through August 31, 2020.
- Fannie Mae and Freddie Mac are offering a new payment deferral option for homeowners in a COVID-19 forbearance plan, allowing the homeowners to repay their missed payments at the time the home is sold, refinanced, or at maturity.

# Mortgage Look Up Resources

- Nearly **50% of nation's mortgages are owned** or backed by Fannie Mae or Freddie Mac.
- Resources to find whether your mortgage is federally-backed:
  - Fannie Mae
  - Freddie Mac
  - Mortgage Electronic Registration System (MERS)
- Consumer Financial Protection Bureau



# State and Local Moratoria

- Bexar County
  - **June 4th**: County Judge Wolff issued an order suspending tax foreclosure proceedings until **July 6, 2020**.
  - **May 19**: County Judge Wolff issued an order suspending all foreclosure proceedings until **July 6, 2020**.
- Dallas County
  - **June 8th**: According to the Dallas County website, all foreclosure sales are still cancelled until further notice.
  - **March 27**: Dallas County has halted all delinquent property tax litigation and property tax foreclosure proceedings until further notice.
- Travis County
  - **June 8th**: The Travis County Tax office cancelled May and June property tax sales.
  - **March 31st update**: Travis County Tax Office is temporarily stopping any *new* legal actions against those with delinquent property taxes (however, state penalties and interest continue to accrue).

# Texas Resources

- [TAMU Law Program in Real Estate and Community Development Law](#)
- [UT - Protections for Texas Renters -- Covid 19](#)
- [Texas Housers -Texas Low Income Housing Information Service](#)
- [Texas Rio Grande Legal Aid](#)
- [BASTA-Building and Strengthening Tenant Action](#)

# Federal Resources for Homeowners and Tenants

- [Consumer Financial Protection Bureau](#)
- [National Low-Income Housing Law Project](#)
- [HUD](#)
- [Princeton University - Eviction Lab-Covid-19 Resources](#)



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# WATCH OUT FOR SCAMS!

Thank You  
I Look Forward To Questions?

