



# STATE CREDIT-RELATED POLICY CHANGES DUE TO CORONAVIRUS

Key	
General	Traditional Installment Lending
Mortgage Lending	Credit Reporting
Vehicle Finance	

Jump to:  
[Proposed Policy Changes](#)  
[Wage Garnishment](#)

## Enacted Policy Changes

Action	Type	Notes	Status
<a href="#">Alabama Bureau of Loans Statement</a>	Payment Deferrals / Reporting Requirements	<p>The bureau is allowing small loan licensees to process deferments on installments for alternative rate loan customers.</p> <p>Licensees may charge up to \$18 to defer a payment 10 days or more.</p> <p>This only an opinion and was not issued by the State Banking Department and cannot be considered as legal advice of any form.</p> <p>Any licensees seeking deferment should get a signed consent form from the borrower</p> <p>The bureau is also extending the due date for annual reports required under the Consumer Credit Act, Small Loan Act, and Mortgage Broker Act to 07/15.</p>	03/25 – issued

© American Financial Services Association. Content is general information only, not legal advice or legal opinion based on any specific facts or circumstances. For your company's compliance, please seek legal advice. AFSA expressly disclaims any and all liability that may result from reliance on this document.

Last updated 11/17/20  
[Return to top](#)

Action	Type	Notes	Status
Alaska <a href="#">SB 241 / Chap. 10</a> <b>Expired</b>	Foreclosure Restrictions / Repossessions	The act establishes a moratorium on foreclosures and repossessions for consumers that experience financial hardship as a result of the COVID-19 pandemic until June 30 or until the public health emergency ends, whichever comes first.	04/10 – signed by governor, effective immediately, effective until 06/30 or until the public health emergency ends
Alaska Division of Banking and Securities <a href="#">Emergency Guidance</a> <b>Expired</b>	Reporting Requirements	The division is extending the due dates for all required reporting to the division by 60 days.	03/15 – issued
Arizona Department of Financial Institutions <a href="#">Statement</a>	Fees / Foreclosure / Payment Deferrals	The department is requesting that licensees waive ATM fees, overdraft fees, late fees, early withdrawal fees, increase credit card limits, offer payment accommodations such as deferments and extensions, and suspend foreclosures and evictions.	04/24 – issued
Arizona Governor’s <a href="#">Agreement</a> with State Banks <b>Expired</b>	Foreclosure Restrictions	The governor reached a cooperative agreement with state banks to, among other provisions, suspend evictions and foreclosures for at least 60 days (until 05/29).	03/30 – issued, effective until 05/29
Arizona Attorney General <a href="#">Request to Lenders</a> <b>Expired</b>	Credit Reporting / Fees / Foreclosure Restrictions / Payment Deferrals / Repossessions	The attorney general is requesting that lending companies defer payments without lump sum or balloon payments after deferment, cease foreclosures and repossessions, waive late fees and default interest for late payments, and cease negative reporting to credit bureaus for at least 90 days (until 06/17 minimum)	03/19 – issued, effective until 06/17
Arkansas Securities Department <a href="#">Guidance</a>	Reporting Requirements	The department is providing a 60-day extension to file financial statements, a 30-day extension to submit call reports and the MCR standard financial condition report, and a 180-day extension for testing enrollment for mortgage servicers.	04/01 - issued
California – Los Angeles City Council <a href="#">Motion 20-0418</a>	Collections	The motion calls on the Mayor to restrict debt collection for the duration of the mayor’s “safer at home” order.	04/29 – passed
California <a href="#">Executive Order N-57-20</a>	Collections / Wage Garnishment	The order exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors. This order retroactively applies to any garnishment activities that have already taken place.	04/23 – issued, no expiration given

© American Financial Services Association. Content is general information only, not legal advice or legal opinion based on any specific facts or circumstances. For your company’s compliance, please seek legal advice. AFSA expressly disclaims any and all liability that may result from reliance on this document.

Last updated 11/17/20

Action	Type	Notes	Status
California Rules of the Court <a href="#">Emergency Rules</a> and <a href="#">Amendment</a> <b>Expired</b>	Foreclosure Restrictions	The court is placing a stay on all judicial foreclosure actions.	04/06 – issued, 08/12 – amended, effective until 09/01
California <a href="#">AB 3088 / Chapter 37</a>	Forbearance	<p>The bill provides several housing protections in response to the COVID-19 pandemic, including mortgage forbearance, landlord and homeowner relief and other related protections.</p> <p>Among other provisions, it requires a mortgage servicer that denies a borrower's request for forbearance on mortgage payments for a property consisting of no more than four residential units to provide the borrower with a written explanation of the denial. It also requires servicers to review a customer for a post-forbearance program that is consistent with guidance provided for federally backed loans.</p> <p>It would also extend the Homeowners Bill of Rights to small landlords, defined as those that own no more than three residential properties.</p>	08/31 – signed by governor, effective immediately until 04/01/21
California Executive Orders <a href="#">N-28-20</a> , <a href="#">N-66-20</a> , <a href="#">N-71-20</a> , and <a href="#">N-80-20</a> <b>Expired</b>	Foreclosure Restrictions	<p>The governor is requesting that financial institutions implement an immediate moratorium on foreclosures and related evictions if such an action arises out of a substantial decrease in income or increase in medical expenses caused by the COVID-19 pandemic.</p> <p>Executive Order N-80-20 extends the commercial eviction provisions only until 03/31/21.</p>	03/16 – issued, effective until 09/30
Colorado <a href="#">SB 211</a> <b>Expired</b>	Collections / Wage Garnishment	<p>This law prohibits wage garnishment until 11/01 for consumer facing financial hardship, which can be extended until 02/01/21 by the state attorney general.</p> <p>It allows borrowers to voluntarily set up a repayment plan with their creditors.</p> <p>Creditors are allowed execute a wage garnishment order after the prohibition period.</p> <p>Additionally, until February 1, 2021, the law exempts up to \$4,000 in a consumer's bank account from seizure.</p>	06/29 – signed by governor, effective immediately until 11/01

Action	Type	Notes	Status
Colorado <a href="#">Executive Order D 2020-088</a> and Department of Regulatory Agencies <a href="#">Guidance</a> <b>Expired</b>	Foreclosure Restrictions / Payment Deferrals	The governor is directing the Department of Regulatory Agencies (DORA) to encourage financial institutions to limit residential and commercial foreclosures.  The governor is also directing DORA to encourage financial institutions to provide a 90-day deferment for all consumer loans.	03/20 – issued first order, valid until 06/13 (extended)
Colorado Attorney General <a href="#">Request to Lenders</a>	Collections	The attorney general is requesting that student loan servicers, creditors, and debt collectors refrain from mandatory debt collection efforts from those who are unable to pay because of their financial circumstance.	03/18 – issued
Connecticut Judicial Branch Strict Foreclosure <a href="#">Order</a> and <a href="#">Extension</a> <b>Expired</b>	Foreclosure Restrictions	The court is suspending all strict foreclosures (foreclosures that bypass a foreclosure sale, see <a href="#">Conn. Gen. Stat. § 49-24</a> ).	05/15 – issued, effective until 10/06 (extended on 09/04)
Connecticut Judicial Branch Strict Foreclosure Sale <a href="#">Order</a> and <a href="#">Extension</a> <b>Expired</b>	Foreclosure Restrictions	The court is cancelling all foreclosure sales scheduled before 10/03.	04/18 – issued, effective until 10/03 (extended on 07/09)
Delaware <a href="#">Sixth Modification</a> to the Declaration of a State of Emergency	Foreclosure Restrictions	The governor is prohibiting residential foreclosures until the end of the state of emergency.	03/24 – issued, effective until end of state of emergency
District of Columbia <a href="#">B23-0758 / Act A23-0334 / Law L23-0130</a>	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	This bill is the temporary companion to <a href="#">B23-0757 / Act A23-0326</a> and would become effective after a congressional review period and be effective for 225 days.  The bill was amended to include provisions that would prohibit credit report users from considering adverse information resulting from a public health emergency that were removed by previous emergency legislation.	10/09 – became law (after congressional review period) Effective until 05/22/21
District of Columbia <a href="#">B23-0734 / Act A23-0323 / Law L23-0129</a>	Collections / Credit Reporting / Fees / Payment Deferrals / Repossessions	This is the temporary companion to <a href="#">B23-0733 / Act A 23-0286</a> . As a temporary bill, once effective, the bill expires after 225 days.	10/09 – became law (after congressional review period) Effective until 05/22/21

© American Financial Services Association. Content is general information only, not legal advice or legal opinion based on any specific facts or circumstances. For your company's compliance, please seek legal advice. AFSA expressly disclaims any and all liability that may result from reliance on this document.

Last updated 11/17/20

Action	Type	Notes	Status
District of Columbia <a href="#">B23-0869 / Act A23-0405</a> Expired	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	This law renews coronavirus-related emergency provisions in <a href="#">B23-0757 / Act A23-0326</a> and related bills until November 16, 2020. It also includes the credit reporting provisions of <a href="#">B23-0776 / Act A23-0332</a> .	08/19 – signed by mayor, effective immediately until 11/16
District of Columbia <a href="#">B23-0776 / Act A23-0332</a> Expired	Credit Reporting	Among other provisions, the emergency bill would prohibit credit report users from considering adverse information resulting from a public health emergency that were removed by previous emergency legislation. The prohibition would take effect on July 1.	07/07 – signed by mayor, effective 07/01 – 10/04
District of Columbia <a href="#">B23-0757 / Act A23-0326</a> Expired	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	The law makes certain corrections and amendments to the requirements enacted by previous emergency relief bills, which included restrictions on debt collection, wage garnishment, repossession and foreclosure. As with the previous legislation, the restrictions on creditors would be in place during any declared public health emergency and sixty days after its conclusion. Prior legislation also prohibited users of consumer reports from considering adverse information from the covered time period if the consumer report included a COVID-19 alert. Importantly, the law removes this restriction on consumer report users. However, consumer reporting agencies would still be required to include a “COVID-19 alert” and a personal statement in a consumer’s file if the consumer shows evidence of financial hardship because of the COVID-19 emergency.	05/27 – signed by mayor, effective immediately. Retroactive to 03/11. Expires on 08/25.
District of Columbia <a href="#">B23-0759 / Act A 23-0328</a> Expired	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	This is a congressional review emergency bill companion to <a href="#">B23-0757 / Act A23-0326</a> .	06/08 – signed by mayor Expires on 09/06

Action	Type	Notes	Status
District of Columbia <a href="#">B23-0750 / Act A12-0317</a> Expired	Credit Reporting	<p>Among other provisions, the law requires consumer reporting agencies to include a “COVID-19 alert” in a consumer’s file if the consumer shows evidence of financial hardship because of the COVID-19 emergency</p> <p>It prohibits the user of a consumer report to consider any adverse information in a consumer’s credit report that is filed under the COVID-19 alert during the state of emergency and 60 days after it ends.</p>	05/13 – signed by Mayor, effective immediately Expires on 08/11
District of Columbia <a href="#">B23-0743 / Act A23-0318</a> Expired	Foreclosure Restrictions	<p>This bill would enact a foreclosure moratorium for owner-occupied properties during a public state of emergency and 60 days after it ends.</p> <p>It defines an owner-occupied property as a property in which the owner has resided for at least 275 days within the previous 12 months.</p>	05/27 – signed by Mayor, effective immediately. Expires on 08/25
District of Columbia <a href="#">B23-0735 / Act A23-299</a> Expired	Payment Deferrals / Collections	<p>This bill would amend the COVID-19 Response Supplemental Emergency Amendment Act of 2020, <a href="#">B23-0733 / Act A23-0286</a>.</p> <p>It would require mortgage lenders to provide the Commissioner of the Department of Insurance, Securities, and Banking a list of all approved applications every 15 days.</p> <p>For all creditors, the bill would also explicitly exclude the mailing of monthly statements related to an existing payment plan or payment receipts related to an existing payment plan from the law’s restrictions on communications with a debtor and explicitly allow creditors to receive and deposit payments a debtor chooses to make during a public health emergency</p>	05/04 – signed by mayor, effective immediately. Expires on 08/02.

Action	Type	Notes	Status
District of Columbia <a href="#">B23-0733 / Act A23-0286</a> <b>Expired</b>	Collections / Credit Reporting / Fees / Payment Deferrals / Repossessions / Wage Garnishment	<p>The act, among other provisions, requires residential and commercial mortgage lenders to create a deferment program for borrowers in which lenders defer mortgage payments for 90 days without lump sum or balloon payments, waive any late fees or processing fees, cease negative reporting to credit bureaus.</p> <p>Mortgage lenders are required to approve applications for borrowers that demonstrate direct or indirect financial hardship due to the public health emergency.</p> <p>For other lenders, the act prohibits debt collection lawsuits, wage garnishment, vehicle repossessions, and in person debt collection, or any threats to perform any of those actions, for the duration of the public health emergency and 60 days after its conclusion.</p> <p>Voluntary vehicle surrender is permitted.</p> <p>It also places restrictions on debt collection communications with borrowers; "original creditors" are exempt from the restriction, but neither the bill nor existing statute define the term "original creditor."</p>	04/10 – signed by mayor, effective immediately. Expires on 07/09. Bill text states provisions effective as of 03/11
District of Columbia Superior Court <a href="#">Order</a> and <a href="#">Amended Order</a> <b>Expired</b>	Foreclosure Restrictions	The court is issuing a stay of evictions, including those involving foreclosures, until May 1, extended to May 15	03/15 – issued, effective until 05/15.
Florida Office of Financial Regulation <a href="#">Emergency Order 2020-03</a>	Payment Deferrals	<p>The commissioner is allowing vehicle finance companies to schedule the initial payment for 90 days after the signing their contract.</p> <p>Existing law only allows companies to schedule the initial payment for 45 days after signing their contract.</p>	04/17 – issued
Florida Executive Orders <a href="#">20-94</a> , <a href="#">20-121</a> , <a href="#">20-137</a> , <a href="#">20-159</a> , <a href="#">20-180</a> , and <a href="#">20-211</a> <b>Expired</b>	Foreclosure Restrictions	The governor is suspending foreclosures for single family mortgagors adversely affected by the COVID-19 emergency.	04/02 – issued, effective until 10/01 (extended)

Action	Type	Notes	Status
Idaho Department of Finance <a href="#">Guidance</a>	Reporting Requirements	The department is providing a 60-day extension to file financial statements, a 30-day extension to submit call reports and the MCR standard financial condition report, and a 180-day extension for testing enrollment.	03/26 – issued
Illinois Division of Financial Institutions <a href="#">Guidance</a>	Collections / Credit Reporting / Fees / Payment Deferrals	The division is expecting that consumer credit licensees will "work proactively with consumers during this crisis" and "be flexible with repayment of debt."  The guidance includes recommended "best practices" for licensees, including increasing communications with consumers, proactively reaching out to consumers to offer payment plans or deferrals and waiving late and nonsufficient charges, use available disaster codes for credit reporting, and potentially suspending debt collection for consumers negatively impacted by COVID-19.	04/14 – issued
Illinois - Clay County Circuit <a href="#">Complaint</a> and <a href="#">Court Order</a>	General	The Clay County Circuit Court ruled that the governor's authority does not allow him to consistently renew an executive order every 30 days, the maximum amount of time that an executive order can be in place.  The effects of this ruling are still uncertain, and is likely to be appealed by the state.	07/02 – issued
Illinois Executive Order <a href="#">2020-25</a> and <a href="#">2020-71</a> (most recent extension)	Collections / Wage Garnishment	The governor is prohibiting wage garnishment during the state of emergency.	04/14 – issued, effective until 12/12 (extended)
Illinois Executive Order <a href="#">2020-16</a> and extensions <a href="#">2020-33</a> , <a href="#">2020-39</a> , <a href="#">2020-44</a> , <a href="#">2020-48</a> , and <a href="#">2020-52</a> <b>Expired</b>	Repossessions	The governor is prohibiting vehicle repossessions during the coronavirus disaster declaration.  Order 2020-52, which extends previous executive orders to 09/19, does <i>not</i> extend the provisions of Order 2020-16 limiting vehicle repossessions.	03/26 - issued, effective until 08/22 (extended)



Action	Type	Notes	Status
Illinois Division of Financial Institutions <a href="#">Guidance</a>	Credit Reporting / Forbearance / Foreclosure Restrictions / Fees	<p>The division is urging all mortgage servicers to:</p> <ul style="list-style-type: none"> <li>a) Forbear mortgage payments for at least 90 days without incurring additional interest or fees;</li> <li>b) Refrain from reporting late payments to credit rating agencies, and when payments are deferred or modified, coding those payments as deferred with the applicable disaster code;</li> <li>c) Offer borrowers an additional 90-day grace period to complete trial loan modifications, and ensuring that late payments during the COVID-19 pandemic do not affect their ability to obtain permanent loan modifications;</li> <li>d) Offer other loss mitigation options to mortgage borrowers, including those that help borrowers stay in their homes at affordable payments;</li> <li>e) Waive late payment fees and online payment fees for at least 90 days and, for mortgage borrowers in a forbearance plan, during the period of forbearance;</li> <li>f) Postpone foreclosures and evictions for at least 90 days; and</li> <li>g) Contact mortgage borrowers on automatic payment plans to see if they need to temporarily suspend those payments and, if so, grant any such requests without delay and place the mortgage borrower in a forbearance program as discussed above.</li> </ul>	03/30 – issued
Indiana Supreme Court <a href="#">Order</a>	Collections / Wage Garnishment	<p>The court will not be issuing new orders placing a hold on, attaching, or garnishing funds in a judgment-debtor’s account in a depository institution.</p> <p>For any existing court orders, debtors are entitled to a hearing to determine what funds in an account are from CARES Act stimulus payments, which will be exempt from garnishment.</p>	04/20 – issued, effective until end of state of emergency
Indiana <a href="#">Executive Order 20-06</a>	Foreclosure Restrictions	The governor ordered that foreclosure actions or proceedings may not be initiated during the state of emergency.	03/19 – issued, effective until the state of emergency is lifted

Action	Type	Notes	Status
Iowa <a href="#">April 27</a> Proclamation of Disaster Emergency <b>Expired</b>	Collections / Foreclosure Restrictions / Wage Garnishment	The proclamation suspends all new wage garnishment orders and foreclosures. Foreclosures were first suspended by the <a href="#">03/22</a> Proclamation	04/27 – issued, effective until 05/27
Kansas Executive Orders <a href="#">20-10</a> and <a href="#">20-28</a> <b>Expired</b>	Foreclosure Restrictions	The governor ordered all financial institutions to suspend new foreclosures due to defaults or violations of the mortgage caused by financial hardship from the COVID-19 pandemic. The order does not prohibit the continuation of judicial foreclosure or eviction proceedings initiated before the order.	03/17 – issued, effective until 05/31 or until the state of disaster expires, whichever is earlier.
Kansas Executive Order <a href="#">20-61</a> and <a href="#">20-64</a>	Foreclosure Restrictions	This is a reissuance of the previous order banning foreclosures, which the governor allowed to expire. The order prohibits financial institutions from foreclosing on residential property due to defaults or violations of the mortgage caused by financial hardship from the COVID-19 pandemic. The order does not prohibit the continuation of judicial foreclosure or eviction proceedings initiated before the order.	08/17 – issued, effective until 01/26/21 (extended) or until the state of disaster expires, whichever is earlier.
Kentucky Department of Financial Institutions <a href="#">Guidance</a>	Fees / Loan Terms	The department is suggesting that licensees implement policies and procedures to work constructively with customers, including restructuring existing loans, extending loan repayment terms, easing terms for new loans, and waiving fees.	03/24 - issued
Louisiana <a href="#">SB 450 / Act 44</a>	Collections / Wage Garnishment	This law exempts payments a debtor receives from federal COVID-19 relief laws, excluding unemployment compensation, from seizure. It also extends the provisions to exempt any state or federal payments, grants, or loans in response to any “extraordinary emergency event” from seizure. It defines an “extraordinary emergency event” as an act of war or terrorism, a riot or insurrection against the government, a declared national disaster or state of emergency, or a pandemic or other declared public health emergency.	06/04 – signed by governor, effective immediately

Action	Type	Notes	Status
Louisiana Office of Financial Institutions (OFI) Non-Depository Licensee <a href="#">Guidance</a>	Credit Reporting / Fees / Forbearance / Foreclosures Payment Deferrals	<p>The OFI is encouraging mortgage lenders to extend the federal CARES Act provisions restricting credit bureau reporting for accommodations made to borrowers, instituting a moratorium on foreclosures, and giving a right to request forbearance for all non-federally backed mortgage loans.</p> <p>The OFI is also encouraging licensed consumer lenders to waive nonsufficient funds and late fees, offer discounted fees and finance charges, suspend negative credit reporting, and defer loan payments.</p>	04/14 – issued
Maine Supreme Court <a href="#">PMO-SJC-1</a> and <a href="#">Reopening Plan</a> <b>Expired</b>	Foreclosure Restrictions	<p>The court is not scheduling or hearing foreclosure proceedings. Phase 5, beginning on 11/09, permits all case types and jury trials to occur.</p> <p>However, it is expected that most non-family civil matters will not be heard until sometime in 2021.</p>	03/30 -issued, 04/14 – revised, 05/27 – reopening plan issued, Effective until 11/09
Maryland <a href="#">Executive Order 20-04-29-03</a>	Collections / Wage Garnishment	The order exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/29 – issued, effective until end of State of Emergency
Maryland Executive Orders <a href="#">20-04-03-01</a> and <a href="#">20-10-16-01</a>	Repossessions/ Foreclosure Restrictions	<p>The original order prohibited repossessions by self-help and all residential foreclosures.</p> <p>The updated order removes the prohibition on repossession unless the creditor is repossessing a chattel home.</p> <p>The updated order also allows creditors to foreclose on a home after a forbearance period of up to 360 days.</p>	04/03 – issued, 10/16 – updated Effective until end of State of Emergency
Maryland Court of Appeals <a href="#">Administrative Order</a>	Foreclosure Restrictions	The court is halting all foreclosures on residential property.	03/18 – issued, effective until revoked
Maryland Commissioner of Financial Regulation <a href="#">Guidance to Mortgage Servicers</a>	Credit Reporting / Fees / Forbearance / Loan Modification	<p>The commissioner is urging mortgage servicers to:</p> <ol style="list-style-type: none"> <li>a) Waive late fees and online/telephone payment processing fees;</li> <li>b) Forgo negative reporting to credit reporting agencies;</li> <li>c) Offer forbearance or other options; and</li> <li>d) Extend trial modification periods.</li> </ol>	03/24 – issued

Action	Type	Notes	Status
Maryland Commissioner of Financial Regulation <a href="#">Guidance to Licensees</a>	Credit Reporting / Fees / Forbearance / Loan Modification	The commissioner is urging all licensees to: <ul style="list-style-type: none"> <li>a) Waive late fees and online/telephone payment processing fees;</li> <li>b) Forgo negative reporting to credit reporting agencies; and</li> <li>c) Offer modification, forbearance, or other options to borrowers</li> </ul>	03/27 - issued
Massachusetts <a href="#">HB 4647 / Chap. 65</a> and <a href="#">Extension</a> <b>Expired</b>	Foreclosure Restrictions	This law sets a moratorium on evictions and foreclosures for residential property that is not vacant or abandoned. The governor would be authorized to extend the moratorium but cannot extend it longer than 45 days after the emergency declaration is lifted.	04/20 – signed by governor, effective immediately. 07/21 – extended to 10/17
Massachusetts Attorney General <a href="#">Guidance</a>	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/13 – issued

Action	Type	Notes	Status
<p>Massachusetts Attorney General <a href="#">Emergency Regulations</a> and <a href="#">FAQ</a> <b>Expired</b></p>	<p>Collections / Repossessions / Wage Garnishment</p>	<p>The regulations would make it an unfair and deceptive act to:</p> <ul style="list-style-type: none"> <li>a) Initiate, file, or threaten to file any new collection lawsuit;</li> <li>b) Initiate, threaten to initiate, or act upon any legal or equitable remedy for the garnishment, seizure, attachment, or withholding of wages, earnings, property or funds for the payment of a debt to a creditor;</li> <li>c) Initiate, threaten to initiate, or act upon any legal or equitable remedy for the repossession of any vehicle;</li> <li>d) Apply for, cause to be served, enforce, or threaten to apply for, cause to be served or enforce any capias warrant;</li> <li>e) Visit or threaten to visit the household of a debtor at any time;</li> <li>f) Visit or threaten to visit the place of employment of a debtor at any time; and</li> <li>g) Confront or communicate in person with a debtor regarding the collection of a debt in any public place at any time</li> </ul> <p>It would also make it an unfair or deceptive act or practice to contact a debtor via telephone.</p> <p>On 05/07, the Federal District Court for Massachusetts granted a <a href="#">motion</a> for a temporary restraining order and preliminary injunction in its lawsuit challenging Mass AG Maura Healey's emergency regulations</p>	<p>03/27 – issued. Valid until 06/25 or the end of the State of Emergency, whichever is earlier.</p>

Action	Type	Notes	Status
Massachusetts Division of Banks <a href="#">Guidance</a>	Fees / Forbearance/ Foreclosure Restrictions	<p>The division expects that mortgage lenders and servicers provide relief to those adversely impacted borrowers, including:</p> <ul style="list-style-type: none"> <li>a) Postponing foreclosures for 60 days;</li> <li>b) Forbearing mortgage payments for 60 or more days from their due dates;</li> <li>c) Waiving late payment fees and any online payment fees for a period of 60 days;</li> <li>d) Refraining from reporting late payments to credit rating agencies for 60 days;</li> <li>e) Offering borrowers an additional 60-day grace period to complete trial loan modifications, and ensuring that late payments during the COVID-19 pandemic do not affect their ability to obtain permanent loan modifications;</li> <li>f) Ensuring that borrowers do not experience a disruption of service if the mortgage servicer closes its office, including making available other avenues for borrowers to continue to manage their accounts and to make inquiries; and</li> <li>g) Proactively reaching out to borrowers to explain the above-listed assistance being offered</li> </ul>	03/25 – issued
Michigan Department of Insurance and Financial Services (DIFS) <a href="#">Survey</a> <b>Expired</b>	Reporting Requirements	DIFS is requiring licensees to submit survey responses with a summary of all actions in direct response to the coronavirus outbreak by March 20 at 5:00 p.m.	03/18 – issued
Minnesota <a href="#">Executive Order 20-50</a>	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	05/04 – issued
Minnesota Executive Orders <a href="#">20-14</a> , <a href="#">20-73</a> , and <a href="#">20-79</a>	Foreclosure Restrictions	<p>The governor is requesting that financial institutions holding home mortgages implement an immediate moratorium on all pending and future foreclosures when the foreclosure arises out of a substantial decrease in income or substantial out of pocket medical expenses caused by the COVID-19 pandemic.</p> <p>Financial institutions are also strongly urged not to impose late fees or other penalties for late mortgage payments related to the COVID-19 pandemic</p>	03/23 – issued, effective until end of State of Emergency

Action	Type	Notes	Status
Montana <a href="#">Directive</a> Implementing Executive Orders 2-2020 and 3-2020 and <a href="#">Extension</a> <b>Expired</b>	Foreclosure Restrictions / Credit Reporting	The governor is requesting the courts stay on all foreclosure actions. The governor is also prohibiting negative credit reporting for a mortgage borrower for nonpayment. The order exempts property that are no longer occupied.	03/30 – issued, effective until 04/24
Nebraska Attorney General <a href="#">Guidance</a>	Collections / Wage Garnishment	Nebraska Attorney General Doug Peterson alerted creditors, debt collectors, and financial institutions that Nebraska law may exempt CARES Act stimulus checks from attachment, garnishment or execution for certain low-income consumers. According to the AG, any attempt or threat by a creditor or a debt collector to garnish or attach funds provided through the CARES Act, if that property would have otherwise been exempt under Nebraska law, will be considered an unfair trade practice in violation of Nebraska’s Consumer Protection Act, Neb. Rev. Stat. § 59-1602. CARES Act stimulus payments may be garnished in cases where people are behind on child support statements	04/15 -issued
Nevada Emergency Directives <a href="#">017</a> and <a href="#">026</a> <b>Expired</b>	Collections / Wage Garnishment	This order places a stay on all wage garnishment orders until the end of the state of emergency.	04/30 – issued, effective until 06/30
Nevada <a href="#">Directive 008</a>	Foreclosure Restrictions	The governor is ordering a stay on all foreclosure actions during the state of emergency.	03/29 – issued, effective until the end of the state of emergency
Nevada Financial Institutions Division (NFID) <a href="#">Letter</a> to Licensees	Collections / Fees / Interest Rates / Payment Deferrals / Repossession	NFID sent a letter requesting that every licensee have a plan in place that outlines the licensee’s efforts to manage the outbreak, including, but not limited to: waiving certain fees, such as late fees; lowering interest rates; halting collection efforts, including vehicle repossession; offering payment accommodations, such as deferring or skipping payments or extending the payment due date.	03/17 – issued

Action	Type	Notes	Status
Nevada – Las Vegas Justice Court <a href="#">Administrative Ruling</a> Expired	Collections / Wage Garnishment	The court suspended issuing orders for the examination of a judgment debtor and suspended the issuance of any Writ of Execution.  Any property garnished or attached after March 17, 2020, must be released back to the judgment debtor.	03/16 – issued, expired 04/15
New Hampshire <a href="#">Emergency Order #4</a>	Foreclosure Restrictions	The state is halting all foreclosures while the state of emergency related to the coronavirus outbreak is active.	03/17 – issued, effective until end of state of emergency
New Jersey <a href="#">Executive Order 106</a>	Foreclosure Restrictions	The governor ordered that no resident shall be removed from a residential property as the result of an eviction or foreclosure proceeding.  Foreclosure or foreclosure proceedings may be initiated or continued during the order. Only enforcements of judgements for possession, warrants of removal, and writs of possession will be halted.  Supersedes local foreclosure moratoriums.	03/19 – issued, effective until two months following the end of the state of emergency or public health emergency, whichever ends later
New Mexico Supreme Court <a href="#">Order 20-8500-021</a>	Collections / Wage Garnishment	The court is suspending all new wage garnishment orders.	06/05 – issued, effective 06/08 – until revoked
New Mexico Public Regulation Commission <a href="#">Guidance</a> Department of Public Health <a href="#">Renewed Closure Order (11/13)</a>	Repossessions	The commission is classifying towing services for repossession as non-essential, effectively banning repossessions when non-essential businesses are closed.	04/14 – issued, expired on 06/01 11/16 – reauthorized, effective until 11/30
New York <a href="#">SB 8243 / Chapter 112</a>	Forbearance	This law requires New York regulated banking organizations to provide up to 180 days of forbearance for mortgagor whose primary residence is in New York, with the option to extend the forbearance period by another 180 days, backdated to 03/07.  Adherence to the law is a condition precedent to commencing a foreclosure actions stemming from missed payments.	06/17 – signed by governor, effective immediately until end of state of emergency

© American Financial Services Association. Content is general information only, not legal advice or legal opinion based on any specific facts or circumstances. For your company's compliance, please seek legal advice. AFSA expressly disclaims any and all liability that may result from reliance on this document.

Last updated 11/17/20



Action	Type	Notes	Status
New York <a href="#">SB 8428 / Chapter 126</a>	Forbearance	<p>This law, among other provisions, modifies the forbearance program established in <a href="#">SB 8243 / Chapter 112</a> to clarify that mortgagors must demonstrate financial hardship as a result of COVID-19.</p> <p>It also clarifies that forbearance granted under the program created by the <a href="#">DFS emergency rules</a> counts towards the 180 days of forbearance granted under the law.</p>	06/17 – signed by governor, effective immediately until end of state of emergency
New York Attorney General <a href="#">Guidance re: CARES Act Payments</a>	Collections / Wage Garnishment	The AG is prohibiting creditors or debt collectors from garnishing federal CARES Act stimulus payments from a creditor.	04/21 – issued
New York DFS <a href="#">Guidance</a>	Credit Reporting / Forbearance / Student Loans	The department is requiring student loan servicers to, among other provisions, provide forbearance, cease negative credit reporting, refrain from sending defaulted accounts to debt collectors, and waive fees for at least 90 days.	04/07 - issued
New York <a href="#">Executive Order 202.9</a> and DFS <a href="#">Emergency Rules</a>	Forbearance / Fees	<p>The governor issued an order giving the DFS emergency rulemaking authority.</p> <p>The DFS issued emergency rules that would create a COVID-19 relief program, which would require mortgage lenders to grant a 90-day forbearance on payments.</p> <p>The rules also require credit card companies to eliminate ATM, overdraft, and late payment fees, among other provisions.</p> <p>The rules also encourage regulated institutions to provide other assistance to affected consumers.</p>	03/19 – announced, 03/24 – issued
New York Department of Financial Services (DFS) <a href="#">Guidance</a> and <a href="#">Extension</a> <b>Expired</b>	Reporting Requirements	<p>The DFS is requiring that regulated institutions submit a plan describing how the institution will manage potential financial risk from the coronavirus outbreak within thirty days of the guidance.</p> <p>The report was originally due on 04/09 but the DFS extended it to 05/25</p>	03/10 – issued, 03/24 – updated

Action	Type	Notes	Status
New York DFS <a href="#">Guidance</a> and <a href="#">Extension</a> <b>Expired</b>	Reporting Requirements	The DFS is requiring that regulated institutions submit a plan describing how the institution will manage potential operational risk from the coronavirus outbreak within thirty days of the guidance. The report was originally due on 04/09 but the DFS extended it to 05/25	03/10 – issued, 03/24 – updated
New York Office of the Courts <a href="#">AO 78</a> and <a href="#">AO 114</a> <b>Expired</b>	Foreclosure Restrictions	The court system is directing clerks to no accept filings in non-essential cases “until further order.” Foreclosure cases are deemed non-essential cases.	03/22 – issued, effective until 05/20
New York Executive Order <a href="#">202.28</a> <b>Expired</b>	Foreclosure Restrictions	The order suspends the initiation or enforcement of all residential and commercial foreclosures for 60 days starting on 06/20 for borrowers that are eligible for unemployment insurance or benefits under state or federal law.	05/07 – issued, effective 06/20 – 08/19
New York Executive Orders <a href="#">202.8</a> , <a href="#">202.48</a> , <a href="#">202.57</a> , and <a href="#">202.70</a>	Foreclosure Restrictions	The order suspends the initiation or enforcement of all residential and commercial foreclosures for 90 days. Executive order 202.48 ended the suspension of residential foreclosures.	03/20 – issued, effective until 07/06 (residential) and 01/01/21 (commercial)

Action	Type	Notes	Status
North Carolina Attorney General <a href="#">Relief Plan</a>	Fees / Forbearance / Foreclosure / Repossession	<p>The AG is working with financial institutions to support their customers who are facing financial hardship related to COVID-19. The first financial institution to join the initiative will provide the following until at least 06/30:</p> <ul style="list-style-type: none"> <li>• Allow eligible customers to request a 90-day grace period on their residential mortgage payments that are not already covered by the CARES Act;</li> <li>• Allow eligible customers to request assistance for payment extensions of auto loan accounts;</li> <li>• Allow eligible customers to request relief from monthly maintenance fees, overdraft fees, and CD early withdrawal penalties (subject to applicable federal regulations);</li> <li>• Place a moratorium on residential mortgage foreclosures of occupied properties and consumer auto repossessions;</li> <li>• Refrain from reporting loans subject to agreed upon accommodations related to COVID-19 as delinquent; and</li> <li>• Inform customers about the assistance they are being offered and alert them to the heightened risk of scams during the COVID-19 pandemic.</li> </ul>	06/04 – launched
North Carolina Office of the Courts <a href="#">Memo</a> <b>Expired</b>	Foreclosure Restrictions	The state court system is implementing a 30-day halt on eviction and foreclosure proceedings.	03/15 – issued, effective until 04/14
North Carolina Department of Insurance <a href="#">Guidance</a> <b>Expired</b>	Payment Deferrals	The department is ordering all collection agencies to follow the provisions set in <a href="#">NC Gen. Stat. § 58-2-46</a> , which require them to defer payments for 30 days from the last day the premium.	03/27 – issued, effective until 05/26.
Ohio Attorney General <a href="#">Guidance</a>	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/13 – issued
Ohio <a href="#">Executive Order 2020-08D</a> <b>Expired</b>	Foreclosure Restrictions	<p>The governor is ordering a suspension of rent payments, a moratorium on evictions, the forbearance of mortgage loans to small businesses for 90 days.</p> <p>The order does not define “small business”</p>	04/01 – issued, effective until 06/03-

© American Financial Services Association. Content is general information only, not legal advice or legal opinion based on any specific facts or circumstances. For your company's compliance, please seek legal advice. AFSA expressly disclaims any and all liability that may result from reliance on this document.

Last updated 11/17/20

Action	Type	Notes	Status
Oregon <a href="#">HB 4204 / Ch. 4</a> and <a href="#">Executive Order 20-37</a>	Fees / Foreclosures / Payment Deferrals	<p>This law prohibits a mortgage lender from treating a missed payment as a default and from imposing any fees, charges, penalties, attorney fees, or any other fee a borrower would accrue due to missed payment, among other limits.</p> <p>Alternatively, the lender can work out a formal payment deferral agreement with a customer.</p> <p>It also prohibits foreclosures.</p> <p>The law does not apply to property apply to foreclosures that occur after a person has recorded a notice of intent to abandon real property or a judicial order that authorizes an abandonment of real property.</p> <p>EO 20-37 extended the foreclosure moratorium to 12/31.</p>	<p>06/30 – signed by governor, effective until 12/31</p> <p>Retroactive to 03/08</p>
Oregon <a href="#">HB 4212 / Ch. 12</a> <b>Expired</b>	Collections / Wage Garnishment	<p>This law, among other provisions, exempts CARES Act stimulus payment from garnishment, retroactive from 03/08 and effective until 09/30.</p>	<p>06/30 – signed by governor, effective until 09/30</p>
Oregon <a href="#">Executive Order 20-18</a>	Collections / Wage Garnishment	<p>The order exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.</p>	<p>04/17 – issued</p>
Pennsylvania <a href="#">May 7</a> and <a href="#">July 9</a> Executive Orders <b>Expired</b>	Foreclosure Restrictions	<p>The order tolls all foreclosures requiring compliance with Pennsylvania <a href="#">Act 6</a> and <a href="#">Act 91</a>.</p> <p>Section 403(d) of Act 6 states that the notice of intention to foreclose provided in this section <i>shall not be required where the residential mortgage debtor, has abandoned or voluntarily surrendered the property</i> which is the subject of a residential mortgage.”</p> <p>The order only applies to borrowers who have not received assistance from a new program administered by the Pennsylvania Housing Finance Agency (PHFA) or are not already receiving relief through one of several federal foreclosure moratorium programs or judicial orders</p>	<p>05/07 – issued, 07/09 – updated Effective 05/11 – 08/31</p>

Action	Type	Notes	Status
Pennsylvania Attorney General PA CARE Package <a href="#">Initiative</a>	Credit Reporting /Fees / Foreclosure Restrictions / Payment Deferrals / Repossessions	The attorney general is launching a voluntary program for financial institutions. Participating institutions must commit to: <ul style="list-style-type: none"> <li>a) A 90-day grace period for mortgages;</li> <li>b) A 90-day grace period for other consumer loans such as auto loans;</li> <li>c) A 90-day window for relief from fees and charges such as late, overdraft fees;</li> <li>d) A foreclosure, eviction, or motor vehicle repossession moratorium for 60 days; and</li> <li>e) A suspension of adverse credit reporting for accessing relief on consumer loans</li> </ul>	03/30 - launched
Rhode Island Attorney General <a href="#">Guidance AG 2020-03</a> Expired	Student Loans	The guidance reminds lenders of federal CARES Act student loan provisions, which requires servicers of federally held student loans to provide six months of forbearance, in which interest cannot be accrued. The CARES act also suspends collection activities and negative credit reporting until 09/30.  The AG is urging lenders to offer relief to non-federal loans as well.	05/20 – issued, retroactive to 03/13 and effective until 09/30
Rhode Island Attorney General <a href="#">Guidance AG 2020-04</a>	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/28 – issued

Action	Type	Notes	Status
South Carolina Department of Consumer Affairs <a href="#">Interim Guidance</a> Expired	Fees / Foreclosures / Repossessions	The department is strongly encouraging consumer credit licensees to adopt the following: <ul style="list-style-type: none"> <li>Increasing communication with borrowers regarding COVID-19 and the recommended methods for borrowers to contact the lender, especially if the lender has altered operations due to COVID-19.</li> <li>Offering modifications or workout strategies to borrowers to help ensure successful repayment, including deferred or partial payments, which would avoid delinquencies and negative credit reporting.</li> <li>Waiving late charges during the disaster declaration.</li> <li>Waiving deferment charges or waiving additional finance charges resulting from a deferment.</li> <li>Waiving nonsufficient funds fees for dishonored payments or unsuccessful ACH withdrawals.</li> <li>Suspending charging off accounts.</li> <li>Suspending repossessions of collateral and foreclosure of real property.</li> </ul>	06/01 – issued, effective until 08/31
South Carolina Supreme Court Orders <a href="#">2020-03-18-01</a> and <a href="#">2020-04-30-02</a> Expired	Foreclosure Restrictions	The court is ordering a statewide moratorium on foreclosure hearings, foreclosure sales, writs of ejectment, all matters relating to foreclosures until further order of Chief Justice.	03/18 – issued, 04/30 – updated, effective until 05/15
Texas Office of the Consumer Credit Commissioner (OCCC) <a href="#">Advisory Bulletin</a>	Payment Deferments / Repossessions	The OCCC urges motor vehicle sales finance licensees to modify contracts with consumers to defer payments or make partial payments.  The updated order on October 27 removed the suggestion to waive payments and suspend repossessions, instead urging licensees to review “policies for fees, late charges, delinquency practices, and repossessions, to help support successful repayment.”  The bulletin also notifies licensees that electronic signatures are allowed under state and federal law.	03/26 – issued, effective until 12/31 (revised on 11/16)

Action	Type	Notes	Status
Texas Office of the Consumer Credit Commissioner (OCCC) <a href="#">Advisory Bulletin</a>	Fees / Foreclosures / Payment Deferrals / Repossessions	<p>The OCCC urges regulated lenders to modify contracts with consumers to defer payments or make partial payments, waive late payment, deferment, nonsufficient funds fees, suspend charging off accounts, and suspend collateral and foreclosure of real property.</p> <p>The bulletin also notifies licensees that electronic signatures are allowed under state and federal law.</p>	03/26 – issued, effective until 12/31 (revised on 11/16)
Texas Department of Motor Vehicles <a href="#">Waiver</a>	Title Extension	<p>The governor granted the department’s request for a 60-day waiver of the time in which to apply for title and the associated delinquent transfer penalty.</p> <p>During this period, the delinquent transfer penalty does not apply to any title application submitted between March 16, 2020, and 60 days after the department provides notice normal titling services have resumed.</p> <p>Title applications submitted delinquently after 60 days from the TxDMV notice will not be assessed a penalty for any period associated with the waiver.</p>	03/16 – issued
Vermont <a href="#">SB 333 / Act 101</a>	Foreclosure Restrictions	<p>This law places a stay on pending foreclosure proceedings foreclosures on a property that is occupied.</p> <p>For new cases, the law bars service of foreclosure complaints, but not the filing.</p> <p>The bill is effective during a state or local state of emergency due to COVID-19 and 30 days after it ends.</p>	05/14 – signed by governor, effective immediately until 30 days after state of emergency
Vermont Attorney General <a href="#">Directive</a>	Collections / Wage Garnishment	The AG is advising debt collectors, creditors, and other financial institutions that CARES Act stimulus payments are exempt from wage garnishment or collection.	04/21 – issued
Virginia <a href="#">HB 5115/Ch. 49</a>	Foreclosure Restrictions	The bill would provide a 30-day stay of foreclosure proceedings for owners of any residential dwelling unit and for homeowners of a one-family to four-family residential dwelling unit who request a stay and provide written proof, defined in the bill, that they are affected by the COVID-19 pandemic.	11/09 – signed by governor, effective immediately until 90 days after the state of emergency

Action	Type	Notes	Status
Virginia Supreme Court <a href="#">Second</a> and <a href="#">Fourth</a> Judicial Emergency Orders  <b>Expired</b>	Collections / Wage Garnishment	The court is suspending routine matters, including new garnishment orders.  For garnishments issued before or after March 16, 2020, where a garnishment exemption is requested, that hearing should be considered an emergency hearing and should be heard either by electronic audio-visual or telephonic communication or by telephone.  The fourth order allows courts to return to routine matters.	03/27 – issued, 05/06 – expired
Washington Department of Financial Institutions <a href="#">Consumer Loan Fee            Reduction Bulletin</a>	Fees / Licensing	The DFI is waiving hourly examination fees for consumer loan company examinations for one year.  It is also waiving assessments for residential mortgage loans that were made before January 1, 2020 for the 2020 calendar year.  The DFI is also temporarily reducing the MLO license renewal fee for the 2021 calendar year from \$155 to \$75. The renewal process for calendar year 2021 opens November 1, 2020.	07/15 – issued
Washington Department of Financial Institutions <a href="#">Initiative</a>	Collections / Credit Reporting / Fees / Forbearance / Student Lending	The department secured relief options with many private student loan servicers to expand on the protections the federal government granted to federal student loan borrowers, including: <ol style="list-style-type: none"> <li>1. Providing a minimum of 90 days of forbearance</li> <li>2. Waiving late payment fees</li> <li>3. Ensuring that no borrower is subject to negative credit reporting</li> <li>4. Ceasing debt collection lawsuits for 90 days</li> <li>5. Working with borrowers to enroll them in other borrower assistance programs, such as income-based repayment.</li> </ol>	04/21 – issued
Washington <a href="#">Proclamation            20-49</a> and <a href="#">20-49.10</a>	Collections / Wage Garnishment	The governor is prohibiting wage garnishment.	04/14 – issued, effective until 12/07



Action	Type	Notes	Status
Washington Department of Financial Institutions <a href="#">Guidance</a>	Fees / Forbearance / Foreclosure Restrictions	The department is requesting that mortgage loan servicers: <ul style="list-style-type: none"> <li>a) Forbear mortgage payments for 90 days from their due dates;</li> <li>b) Refrain from reporting late payments to credit rating agencies for 90 days;</li> <li>c) Offer mortgagors an additional 90-day grace period to complete a trial loan and ensure late payments do not affect their ability to obtain permanent loan modifications;</li> <li>d) Waive late payment and online payment fees for 90 days; and</li> <li>e) Postpone foreclosures for 90 days;</li> <li>f) Ensure mortgagors do not experience disruption of service if the mortgage servicer closes its office.</li> </ul>	03/20 – issued
Wisconsin Department of Financial Institutions <a href="#">Emergency Guidance</a>	Collections	The department is warning debt collectors from repeatedly contacting consumers, without drawing precise boundaries boundary between permitted or prohibited communications with debtors, stating each communication must “be considered in context.”  The department stated that: "Solicited follow-up communications are different than unsolicited threats to sue, and calls made in a good faith effort to compromise a debt are different than efforts to be the 'squeakiest wheel' among a debtor's creditors."  The Guidance also includes an interpretive letter from the Department's Chief Legal Counsel regarding certain servicing acts that are prohibited under the Wisconsin Consumer Act.	04/13 – issued
Wisconsin <a href="#">Emergency Order 15</a> Expired	Foreclosure Restrictions	The governor is prohibiting mortgagees from commencing civil actions to foreclose upon real estate, and from requesting or scheduling a sheriff's sale of the mortgaged premises for 60 days  The governor is also ordering sheriffs to not act on any order of foreclosure or execute any writ of assistance related to foreclosure.	03/27 – issued, effective until 05/26

Action	Type	Notes	Status
Wisconsin Department of Financial Institutions <a href="#">Emergency Guidance</a>	Interest Rates	The DFI will deem it an essential failure of character and fitness for a licensed lender to increase interest rates, fees, or any costs of borrowing during the coronavirus crisis.	03/18 – issued

## Proposed Policy Changes

Action	Type	Notes	Status
21 State and DC Attorneys General <a href="#">Letter</a> to Experian Information Solutions, Inc.; Equifax Information Services, LLC; and TransUnion LCC	Credit Reporting	In the letter, the AGs warned the nation's three consumer reporting agencies that they will not hesitate to enforce safeguards set in place to ensure consumers' credit is properly protected and accurately reported. The AGs reinforced their commitment to enforcing the consumer credit protections outlined in the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), as well as in the Fair Credit Reporting Act (FCRA), despite the federal government's failure to commit to enforcing the FCRA's 30 to 45-day deadline to investigate consumer disputes.	05/01 – sent
34 State and DC Attorneys General Letters to <a href="#">U.S. Department of Housing and Urban Development</a> (HUD) and <a href="#">Federal Housing Finance Administration</a> (FHFA)	Fees / Forbearance / Foreclosure Restrictions	In the letters, the AGs urged HUD and the FHFA to provide additional relief to borrowers with federally-backed mortgage loans, including moving forbore or missed payments to the back of the loan term, allowing immediate relief for homeowners and reduce borrower confusion and concern while simultaneously limiting the strain on the mortgage servicing industry.  They also requested that HUD and the FHFA to expand their disaster-related modification programs and clarify that the moratorium on foreclosures and evictions applies to all aspects of the foreclosure or eviction process.	04/23 – sent
25 State Attorneys General <a href="#">Letter</a> to U.S. Treasury Department	Collections / Wage Garnishment	In the letter, the AGs requested the department take immediate action to protect CARES act stimulus payments from seizure by debt collectors.	04/13 - sent
22 State and DC Attorneys General <a href="#">Letter</a> to CFPB	Credit Reporting	In the letter, the AGs requested that the CFPB enforce the federal CARES Act's amendment to the Fair Credit Reporting Act that requires lenders to report as current any loans that are subject to a COVID-19-related forbearance or other accommodation.	04/13 – sent
24 State and DC Attorneys General <a href="#">Letter</a> to Department of Education	Student Lending	In the letter, the AGs call upon the department to immediately implement emergency measures available under the Higher Education Relief Opportunities for Students Act of 2003 ("HEROES Act") to protect federal student loan borrowers in the wake of the COVID-19 crisis.	03/26 - issued

© American Financial Services Association. Content is general information only, not legal advice or legal opinion based on any specific facts or circumstances. For your company's compliance, please seek legal advice. AFSA expressly disclaims any and all liability that may result from reliance on this document.

Last updated 11/17/20

Action	Type	Notes	Status
California <a href="#">AB 1436</a>	Forbearance / Foreclosure	<p>The bill would require mortgage servicers to provide up to 360 days of forbearance for borrowers that attest financial hardship due to the COVID-19 emergency. The forbearance period would include all forbearance granted before the bill takes effect since 03/04.</p> <p>Amendments to the bill clarify that the forbearance period only applies to borrowers who were current on their payments as of February 1, 2020.</p> <p>After the forbearance period, mortgage servicers are prohibited from requiring borrowers to make a lump-sum repayment or increase the borrower's pre-forbearance monthly principal and interest payment.</p> <p>If the borrower states that they are unable to resume making their pre-forbearance mortgage payments, the mortgage servicer would be required to evaluate the borrower for all loss mitigation and foreclosure prevention options.</p> <p>The bill has an effective time period until the sooner of 90 days after the conclusion of the governor's state of emergency or April 1, 2021. However, the forbearance period can last beyond the effective period.</p>	08/20 – passed Senate Appropriations Committee and referred to the Senate Rules Committee
California <a href="#">AB 2501</a>	Forbearance / Foreclosure Restrictions / Repossessions	<p>This bill would impose significant new requirements on creditors.</p> <p>Among other provisions, it would require providers of vehicle secured credit and mortgage lenders and servicers to provide up to 270 days of forbearance.</p> <p>The amendments clarify that a consumer can request this forbearance for 12 months after the effective date of the bill and allows a creditor to request attestation of financial hardship.</p> <p>The amendments also clarify that forbearance provided between March 4 and the effective date of the bill would count towards the 270 days of forbearance.</p> <p>After the forbearance period, the creditor may not require balloon payments, assess any late fees or other penalties.</p> <p>It would further mandate a foreclosure moratorium during the COVID-19 state of emergency and for a 180-day period after the state of emergency is lifted with no specific end point.</p>	06/15 – failed in the Assembly and was not reconsidered before the 06/19 crossover deadline

Action	Type	Notes	Status
		<p>After the forbearance period, the creditor may not require balloon payments, assess any late fees or other penalties, or accrue additional interest.</p> <p>The amendments also prohibit self-help repossession until 01/01/23 unless:</p> <ol style="list-style-type: none"> <li>1. The creditor defaults due to lack of insurance;</li> <li>2. The vehicle has been impounded for 30 days; or</li> <li>3. The creditor complies with the forbearance section of the bill</li> </ol>	
California <a href="#">AB 828</a>	Foreclosure Restrictions	This bill would establish a moratorium on foreclosures during a state or local state of emergency due to COVID-19 and 90 days after it ends.	07/28 – amended and re-referred to Senate Judiciary Committee
Colorado <a href="#">HB 1410</a>	Mortgage Assistance	Among other provisions, the bill appropriate \$19,650,000 of federal funds from the CARES Act to the housing development fund to provide mortgage and rental assistance to affected residents, prioritizing those making less than the area median income.	06/04 – introduced
Delaware <a href="#">SB 254</a>	Fees / Foreclosure Restrictions	<p>The bill would prohibit any new residential foreclosures for 60 days after the COVID-19 emergency ends (foreclosures are already prohibited during the emergency in a previous executive order).</p> <p>During this period, a mortgage lender may not charge any late fees or excess interest if a borrower fails to make a payment.</p> <p>For mortgage actions commenced before the state of emergency, all deadlines will be extended until 30 days after the state of emergency.</p>	06/23 – removed from consideration, unlikely to be taken up again this year
District of Columbia <a href="#">B23-0751</a>	Credit Reporting	<p>This is the companion to <a href="#">B23-0750 / Act A12-0317</a></p> <p>It is a temporary bill, so it would be effective after mayor's signature and congressional review and remain for 225 days.</p>	05/04 – passed first reading
District of Columbia <a href="#">B23-0744</a>	Foreclosure Restrictions	This bill would enact a foreclosure moratorium during the COVID-19 state of emergency and 60 days after it ends.	05/05 – passed first reading

Action	Type	Notes	Status
Massachusetts <a href="#">H 5062</a>	Foreclosure Restrictions	<p>This bill would sets a moratorium on evictions and foreclosures for residential property that is not vacant or abandoned until January 1, 2021 or 45 days after the COVID-19 emergency declaration has been lifted, whichever is sooner.</p> <p>It would also authorize the governor to extend the moratorium in increments of 90 days.</p>	10/15 – referred to Joint Housing Committee
Massachusetts <a href="#">H 5018</a>	Forbearance / Mortgage Assistance	<p>The bill would require mortgage lenders to provide up to 360 days of forbearance upon request to individual borrowers and nonprofit entities that submit evidence of financial hardship from COVID-19.</p> <p>It would also establish a “COVID-19 Housing Stability and Recovery Fund” to provide assistance to owners of residential units who were unable to pay for housing and housing-related costs for reasons related directly or indirectly as a result of the COVID-19 emergency.</p> <p>The bill does not contain provisions limiting foreclosures that were in previous bills.</p>	10/01 - passed House Housing Committee & referred to Joint Rules Committee
Massachusetts <a href="#">HD 4878</a> / <a href="#">HD 5166</a> / <a href="#">SD 2831</a> / <a href="#">SD 2992</a>	Forbearance / Foreclosure Restrictions / Mortgage Assistance	<p>The bills would prohibit foreclosures and evictions, except in cases where the property is vacant or abandoned, until 12 months after the commonwealth’s state of emergency ends.</p> <p>They would also require mortgage lenders to provide up to 360 days of forbearance upon request to individual borrowers and nonprofit entities that submit evidence of financial hardship from COVID-19.</p> <p>They would also establish a “COVID-19 Housing Stability and Recovery Fund” to provide assistance to owners of residential units who were unable to pay for housing and housing-related costs for reasons related directly or indirectly as a result of the COVID-19 emergency.</p>	07/28 – hearing in Joint Housing Committee
Massachusetts <a href="#">HD 5027</a>	Credit Cards / Debt Collection	<p>This bill would make it “unconscionable act” for a creditor to collect a credit card debt until 90 days after the state or national emergency declaration ends, whichever is later</p>	04/27 – passed Joint Rules Committee & referred to House Consumer Protection and Professional Licensure Committee

Action	Type	Notes	Status
Massachusetts <a href="#">HD 5014</a>	Collections / Credit Reporting / Fees / Forbearance / Wage Garnishment	<p>This bill would prohibit a creditor from demanding payment of any debt.</p> <p>Creditors would be required to grant forbearance if an affected consumer request it.</p> <p>It would also prohibit creditors from assessing any monetary charge or penalty of any kind – including interest and late fees – on any debt during the bill’s effective period, and any charges on the debt after the bill expires.</p> <p>Creditors would be required to return any property garnished after 03/10.</p> <p>It would also prohibit creditors from reporting any negative information to a credit bureau and prohibit credit reporting agencies from lowering a consumer’s credit score for the duration of the bill’s effective period.</p> <p>For debt collectors, the bill would prohibit all communication with a debtor, other than written communication.</p> <p>The bill would be effective until 90 days after the COVID-19 state of emergency ends.</p>	04/21 - passed House Rules Committee and referred the House Consumer Protection and Professional Licensure Committee
Massachusetts <a href="#">HD 5012</a>	Credit Reporting	This bill would prohibit consumer reporting agencies from reporting any late payments on all installment loans, including mortgages, vehicle loans, personal loans, and student loans, during the COVID-19 state of emergency and 30 days after it ends.	04/15 – referred to House Rules Committee
Massachusetts <a href="#">H 4883</a> / <a href="#">HD 5005</a>	Fees / Forbearance	<p>This bill would establish the “COVID-19 Homeowners Protection Act”</p> <p>It would require grant mortgagors the right to a 180-day forbearance period, with payments added to the end of the loan term, during the COVID-19 state of emergency and 180 days after it ends.</p> <p>Lenders would be prohibited from reporting forbearance as late payments to credit reporting agencies and instituting any additional fees for loan modification.</p> <p>It would also prohibit foreclosures during the COVID-19 state of emergency and 90 days after it ends.</p>	08/03 – hearing in Joint Financial Services Committee

Action	Type	Notes	Status
Massachusetts <a href="#">SD 2889</a>	Credit Reporting / Forbearance / Foreclosure Restrictions	<p>This bill would give residents demonstrating financial hardship the right to forbear payments for 180 days.</p> <p>Mortgagors would be prohibited to report forbearance as late payments to credit bureaus.</p> <p>Within 90 days of the termination of the forbearance, mortgagors must maintain pre-forbearance monthly payments or enact loan modifications reducing such monthly payments.</p> <p>It would also prohibit mortgagors from initiative foreclosures during the governor's state of emergency and for 90 days after it ends.</p>	04/06 – referred to Joint Rules Committee
Massachusetts <a href="#">SB 2631</a>	Foreclosure Restrictions	This bill would set a moratorium on evictions and foreclosures for 120 days,	04/09 – passed Senate Ways and Means Committee
Massachusetts <a href="#">SB 2621</a>	Foreclosure Restrictions	This bill would set a moratorium on evictions and foreclosures as long as the governor's emergency declaration for the coronavirus outbreak is active and for 90 days after it ends	04/06 – passed Senate Ways and Means Committee
Massachusetts <a href="#">HB 4624</a>	Foreclosure Restrictions	This bill would set a moratorium on evictions and foreclosures as long as the governor's emergency declaration for the coronavirus outbreak is active and for 30 days after it ends	04/06 – Senate concurred with House version
Massachusetts <a href="#">HB 4615</a>	Foreclosure Restrictions	This bill would set a moratorium on evictions and foreclosures as long as the governor's emergency declaration for the coronavirus outbreak is active.	04/15 – substituted by HB 4647
Minnesota <a href="#">HF 150</a>	Foreclosure Restrictions / Mortgage Relief	<p>This bill would prohibit foreclosures during the state's public health emergency.</p> <p>It would also appropriate \$100 million to the Minnesota Housing Finance Agency to establish emergency housing assistance grants for individuals, which can be used for a mortgage or rent payment or homeowner association dues.</p> <p>In order to qualify for a grant, an individual must have a current household gross income at or below 300 percent of the federal poverty guidelines at the time of application or as averaged over the previous 12 months, whichever is lower.</p>	06/19 – introduced and referred to the House Housing Finance and Policy Division



Action	Type	Notes	Status
Minnesota <a href="#">HF 1507</a>	Fees / Payday Lending	<p>The bill would place restrictions on consumer small loans, defined as loans of \$350 or less that must be repaid in a single installment, and consumer short-term loans, defined as loans of \$1,000 or less, executed during a public health emergency.</p> <p>It would require lenders to extend the repayment period for the loan, including applicable interest, fees, penalties and charges to allow the borrower to repay the loan in equal installments over a period of 12 months.</p> <p>The total dollar amount of interest, fees, penalties and charges for a loan would not exceed the total dollar amount of interest, fees, penalties and charges that would be owed if the loan had been made outside of a public health emergency.</p> <p>Additionally, the bill would make a small loan or short-term loan that violates this provision void and unenforceable against the borrower and a consumer small loan lender or consumer short-term lender who committed a violation would be liable to the borrower for all money collected or received in connection with the loan and be given a civil penalty of \$500.</p>	05/07 – passed House
Minnesota <a href="#">HF 4541</a>	Foreclosure Restrictions	The bill would prohibit foreclosures for 90 days after a public health emergency.	05/04 – passed House Ways and Means Committee
Minnesota <a href="#">HF 3532/SF 4194</a>	Credit Reporting / Fees	The bills would require the Commissioner of Commerce to negotiate with credit reporting bureaus to waive negative reports, and to negotiate a federal waiver for federally guaranteed student loans.	<p>HF 3532: 02/19 – referred to House Health and Human Services Policy Committee</p> <p>SF 4149: 03/09 – referred to Senate Health and Human Services Finance and Policy Committee</p>
New Jersey <a href="#">AB 4226v</a>	Forbearance	The bill would require creditors to provide mortgage forbearance to borrowers affected by the COVID-19 emergency for a minimum of 90 days, with the possibility to extend the forbearance period for another period of at least 90 days.	06/08 – introduced & referred to Assembly Housing Committee

Action	Type	Notes	Status
New Jersey <a href="#">SB 2340</a>	Forbearance	<p>The bill would require creditors to provide mortgage forbearance upon written request by homeowners impacted by the COVID-19 emergency for 90 days, with the option to extend for an additional 90-day period.</p> <p>During this period, no interest, fees, or penalties may accrue, and a creditor may not report negative information to a debt collector or consumer reporting agency.</p> <p>Mortgage servicers would also be required to submit a monthly report to the Department of Banking and Insurance containing information on the forbearance provided.</p> <p>To be eligible for the forbearance, the homeowner's gross household income may not exceed 150 percent of the area median income and the homeowner's bank account balance must contain less than six months' reserves of the homeowner's gross household income for 2019.</p> <p>The bill vests enforcement authority to the attorney general. The bill would apply retroactively to March 9, 2020.</p> <p>Substituted <a href="#">AB 4034</a> on 07/30.</p>	08/13 – passed second reading in Senate
New Jersey <a href="#">SR 63</a>	Forbearance	This resolution urges financial institutions to provide forbearance for mortgage borrowers during COVID-19 pandemic.	04/09 – introduced

Action	Type	Notes	Status
New Jersey <a href="#">AB 3908</a> / <a href="#">SB 2330</a>	Collections / Credit Reporting / Wage Garnishment	<p>The amendments removed provisions that placed significant new restrictions on debt collection.</p> <p>As amended, the bills would require credit reporting agencies to place an alert in the credit file of a consumer if they notify the credit reporting agency that they have faced financial hardship as a result of COVID-19.</p> <p>They would also prohibit credit report users from considering adverse information that is a result of the COVID-19 pandemic and also prohibit any person from creating a credit scoring model that would treat as a negative factor any adverse information resulting from the pandemic.</p> <p>They would also exempt any state or federal financial assistance related to the emergency from seizure by a debtor.</p> <p>They would be effective for the entirety of the duration of the public health emergency and 90 days after its conclusion or until December 1, 2020, whichever is sooner.</p>	<p>AB 3908: 05/07 –passed Assembly Commerce and Economic Development Committee with amendments</p> <p>SB 2330: 05/07 – passed Senate Budget and Appropriations Committee with amendments</p>
New Jersey <a href="#">AB 3949</a>	Credit Reporting	<p>This bill would also prevent creditors from considering any negative information due to the COVID-19 pandemic.</p> <p>Credit reporting agencies would be required to delete negative information if requested by a consumer experiencing financial hardship.</p> <p>It would be retroactive to March 9 and be effective for the entirety of the duration of the public health emergency and 120 days after its conclusion.</p>	04/13 – introduced & referred to Assembly Financial Institutions and Insurance Committee

Action	Type	Notes	Status
New Jersey <a href="#">AB 3948</a>	Credit Reporting / Forbearance	<p>This bill would require the forbearance of commercial loans, student loans, residential and commercial mortgage loans, and “other consumer loans” for the duration of the state of emergency and six months after. The total forbearance period would be not more than 180 days.</p> <p>This bill would also prevent creditors from considering any negative information due to the COVID-19 pandemic.</p> <p>Credit reporting agencies would be required delete negative information if a consumer experiencing financial hardship request.</p> <p>The credit reporting provisions of the bill would be in place for the duration of the state of emergency and 90 days after.</p> <p>The bill would be retroactive to March 9.</p>	04/13 – introduced & referred to Assembly Financial Institutions and Insurance Committee
New York <a href="#">AB 10826</a>	Fees / Foreclosures / Payment Deferrals	<p>This bill would suspend all required rent or mortgage payments from 03/07 until 90 days after the state of emergency ends. During this period, a mortgagee would not be held responsible for mortgage payments, and cannot accrue fees, penalties, or additional interest. It would also prohibit foreclosures during the effective period.</p>	07/16 – introduced and referred to Assembly Housing Committee
New York <a href="#">AB 10689</a> / <a href="#">SB 8650</a>	Student Lending	<p>These bills would establish the New York State COVID-19 Heroes Loan Forgiveness program.</p> <p>Under this program, eligible health care workers and first responders would receive up to \$100,000 in student loan debt repayment.</p>	<p>AB 10689: 07/01 – introduced &amp; referred to Assembly Higher Education Committee</p> <p>SB 8650: 07/01 – introduced &amp; referred to Senate Rules Committee</p>
New York <a href="#">AB 10688</a> / <a href="#">SB 8571</a>	Medical Debt / Student Lending	<p>This bill would prohibit the collection of all medical and student debt owed to the State of New York until the end of the COVID-19 emergency, retroactive to March 7.</p>	<p>AB 10688: 07/01 – introduced &amp; referred to Assembly Consumer Affairs and Protection Committee</p> <p>SB 8571: 06/16 – referred to Senate Rules Committee</p>

Action	Type	Notes	Status
New York <a href="#">AB 10478</a> / <a href="#">SB 8443</a>	Mortgage Assistance	<p>The bills would establish the “COVID-19 Emergency Homeownership Stability Program,” in which eligible homeowners can receive a one-time payment between either the sum of unpaid property taxes or 250% of the fair market rent for the area, and 30% of the homeowner’s adjusted annual income.</p> <p>Mortgage lenders and servicers would also be prohibited from foreclosing on a homeowner that is in the program.</p> <p>In order to qualify for the program, homeowners would need to qualify for unemployment benefits, experience a significant loss of income, and have mortgage payments greater than 30 percent of their annualized adjusted income.</p>	<p>AB 10478: 05/22 – referred to Assembly Housing Committee</p> <p>SB 8443: 06/03 referred to the Senate Housing, Construction and Community Development Committee</p>
New York <a href="#">AB 10544</a>	Forbearance	<p>The bills would require New York regulated banking organizations to provide up to 180 days of forbearance for qualified commercial mortgagors, backdated to 03/07</p> <p>After the forbearance period, mortgagors would be able to have the arrears accumulated during the forbearance payable on a monthly basis or as a non-interest-bearing balloon payment due twelve months after the end of the forbearance period.</p>	05/28 – referred to Assembly Banks Committee
New York <a href="#">SB 8454</a>	Forbearance	<p>The bills would require New York regulated banking organizations to provide up to 90 days of forbearance for qualified commercial mortgagors, backdated to 03/07</p> <p>Mortgagors can defer their arrears accumulated during the forbearance period to a non-interest-bearing balloon payment due twelve months after the end of the forbearance period.</p>	07/20 – amended and recommitted to Senate Banks Committee
New York <a href="#">AB 10526</a> / <a href="#">SB 8425</a>	Forbearance	<p>The bills would require New York regulated banking organizations to provide up to 360 days of forbearance for qualified residential mortgagors, backdated to 03/07.</p>	<p>AB 10526: 05/28 – referred to Assembly Ways and Means Committee</p> <p>SB 8425: 05/28 – referred to Senate Rules Committee</p>

Action	Type	Notes	Status
New York <a href="#">AB 10499</a>	Forbearance	<p>The bill would require New York regulated banking organizations to make applications for forbearance of up to one year for residential mortgages available for borrowers who demonstrate financial hardship as a result of the COVID-19 pandemic.</p> <p>It would also extend the term of the loan for the period of forbearance, provide foreclosure protection and allow any interest on a mortgage which was granted forbearance under this section in the last year of such mortgage to not be taxable for the banking institution.</p>	05/22 – referred to Assembly Banks Committee
New York <a href="#">SB 8402</a>	Collections	<p>This bill would prohibit the collection of any collection fee, attorney's fee, court cost or expense, money judgements during the COVID-19 emergency and 90 days after its conclusion</p> <p>It would also prohibit levies against a personal and commercial bank account.</p> <p>The bill would be retroactive to March 7.</p>	05/21 – referred to Senate Consumer Protection Committee
New York <a href="#">SB 8118-B</a>	Credit Reporting	<p>The bill would prohibit consumer reporting agencies from reporting adverse information on a consumer's report if the consumer faces financial hardship due to the coronavirus pandemic.</p> <p>The bill would apply to hardship faced since March 7 and be in effect until ninety days after the conclusion of the state of emergency.</p>	05/18 – referred to Senate Consumer Protection Committee
New York <a href="#">AB 10325</a>	Payment Deferrals	<p>This bill would suspend all mortgage payments for individuals who are unemployed because their place of employment was closed due to government-ordered restrictions for 90 days if their mortgage is \$350,000 or less.</p> <p>It would also prohibit creditors from charging late fees and reporting adverse information due to the payment suspension.</p>	04/22 – referred to Assembly Judiciary Committee
New York <a href="#">AB 10261</a>	Payment Deferrals / Credit Reporting	<p>This bill would suspend all student loan, mortgage, vehicle loan, and credit card payments for 90 days and suspend negative reporting to credit bureaus.</p>	04/08 - referred to Assembly Consumer Affairs and Protection Committee

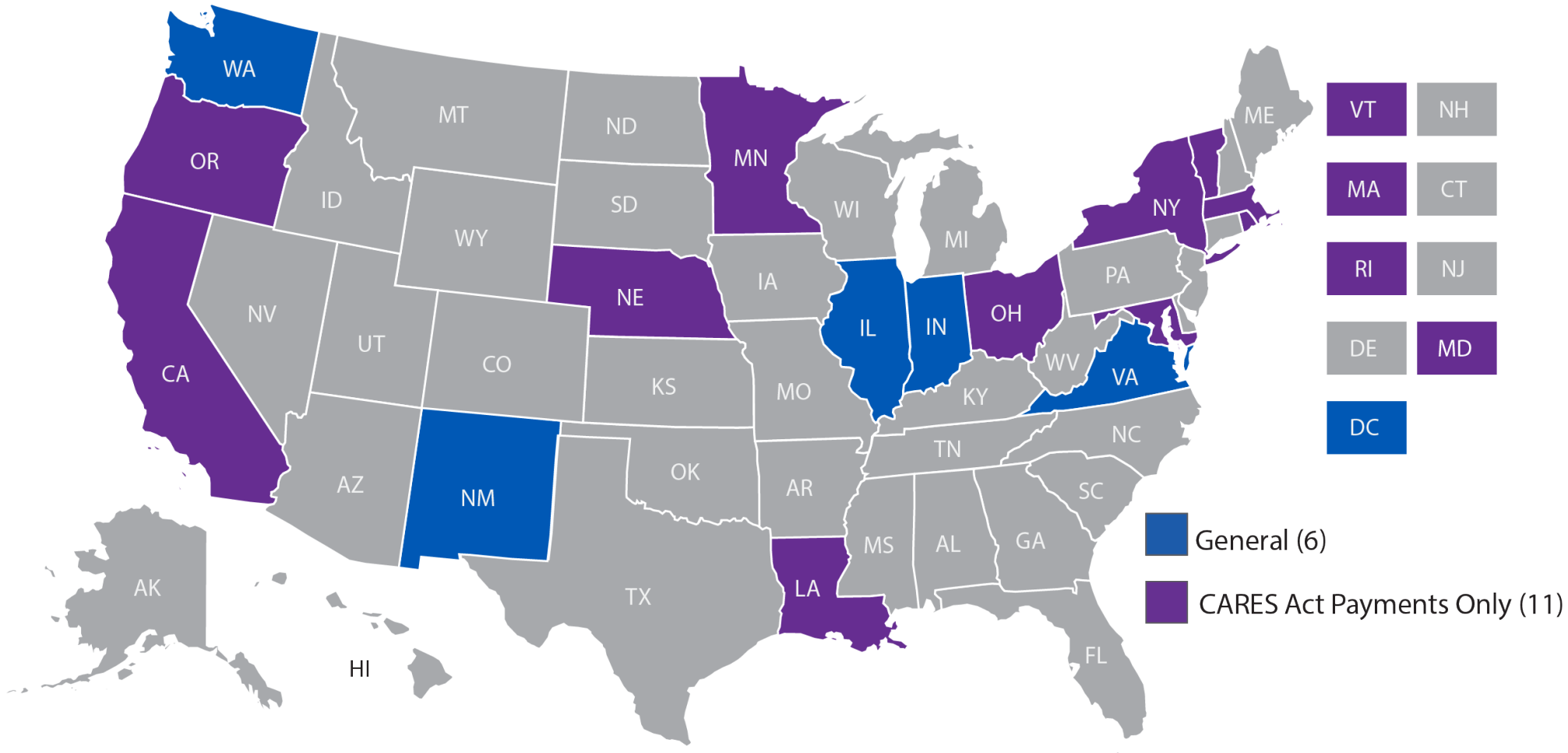
Action	Type	Notes	Status
North Carolina <a href="#">HB 1134</a> / <a href="#">SB 827</a>	Mortgage Assistance	<p>These bills would create a mortgage assistance program for North Carolina residents who are unable to make mortgage payments as a result of the COVID-19 pandemic, are receiving unemployment benefits, and who have a household income under 350% of the federal poverty level.</p> <p>Participants would be eligible receive up to \$40,000 in mortgage relief.</p>	<p>HB 1134: 05/18 referred to House Finance, Appropriations, and Rules Committees</p> <p>SB 827: 05/21 – referred to Senate Appropriations Committee</p>
Ohio <a href="#">HB 596</a>	Collections / Fees / Forbearance / Wage Garnishment	<p>The bill would impose sweeping restrictions on debt collectors. It would prevent any debt collector from any of the following.</p> <ul style="list-style-type: none"> <li>a) Capitalizing unpaid interest;</li> <li>b) Applying a higher interest rate triggered by the nonpayment of the debt to the debt balance;</li> <li>c) Charging a fee triggered by the nonpayment of the debt,</li> <li>d) Suing or threatening to sue for nonpayment of a debt,</li> <li>e) Continuing litigation to collect a debt initiated prior to the effective date of the legislation,</li> <li>f) Enforcing a security interest through repossession, limitation of use or foreclosure,</li> <li>g) Commencing or continuing any action to cause collection of a debt, including pursuant to a previously issued court order, from wages, state benefits, or other amounts due a consumer or small business, by way of garnishment, deduction offset or other seizure;</li> <li>h) Causing the collection of a debt by levying funds from a bank account or seizing other assets of a consumer or small business;</li> <li>i) Commencing or continuing an action to evict a consumer or small business from real or personal property.</li> </ul> <p>The bill broadly defines “debt collector” include creditors, lessors and providers of utility services, but would exclude collectors of federally-related mortgage loans.</p>	05/04 – referred to House Civil Justice Committee

Action	Type	Notes	Status
Ohio <a href="#">SB 297</a>	Foreclosure Restrictions	The bill would prohibit foreclosure activity & the eviction of residential and commercial tenants during the COVID-19 emergency. After the state of emergency, the bill would prohibit any forcible entry and detainer or foreclosure proceedings initiated due to default on a mortgage or non-payment of rent for a residential property 60 days thereafter shall be stayed and referred to mediation.	05/06 – referred to Senate General Government and Agency Review Committee
Ohio <a href="#">HB 562</a>	Foreclosure Restrictions	This bill would require all courts to refuse to commence new foreclosure actions, put a stay on all pending foreclosure actions and foreclosure sales, refuse to accept all motions or other pleadings seeking writs of execution on judgements in foreclosure actions during the state of emergency declared due to the coronavirus outbreak.	05/04 – referred to House Civil Justice Committee
Pennsylvania <a href="#">HB 2836</a>	Foreclosure Restrictions	This bill would place a moratorium on foreclosures and restrictions until 12/31/20.	09/14 – introduced & referred to House Consumer Affairs Committee
Pennsylvania <a href="#">SB 1292</a>	Credit Reporting / Fees / Foreclosure Restrictions / Repossession	During and for 90 days after a statewide disaster emergency, this bill would prevent financial institutions from instituting foreclosure proceedings; instituting proceedings to place a lien on owner-occupied real property, instituting proceedings to take possession of a vehicle, appliance or other home furnishing; charging late fees, overdraft fees or transfer fees; or reporting adverse credit information to a consumer reporting agency.	09/08 – introduced & referred to the Senate Banking and Insurance Committee
Pennsylvania <a href="#">HB 2623</a>	Mortgage Assistance	This bill would appropriate \$25 million of the funds the state received from the CARES Act to establish an emergency mortgage loan assistance program. The bill does not set out requirements for borrowers to be eligible for a loan, but a sponsor <a href="#">memo</a> states these funds are aimed to help non-resident landlords.	06/23 – introduced and referred to House Urban Affairs Committee
Pennsylvania <a href="#">SB 1151</a>	Collections / Wage Garnishment	This bill would exempt federal CARES act stimulus or unemployment assistance from garnishment or other seizure by creditors and debt collector during the state of emergency and 60 days after it ends.	06/05 – introduced & referred to Senate Banking & Insurance committee



Action	Type	Notes	Status
Pennsylvania <a href="#">HB 2554</a>	Credit Reporting	<p>This bill would prohibit a consumer reporting agency from including any adverse information in the credit report of an affected consumer that has suffered financial hardship as a result of the COVID-19 disaster emergency.</p> <p>It would also prohibit a creditor from considering any adverse information in an affected consumer's credit report.</p> <p>Both provisions would be effective during the emergency and for ninety days after it ends.</p>	05/26 – referred to House Commerce Committee
Puerto Rico <a href="#">HB 2562</a>	Payment Deferrals	This bill would establish a moratorium for the payment of mortgage loans, personal loans, credit cards, and vehicle loans.	03/28 – Filed, referred to Committee on Consumer Affairs, Banking and Insurance

## Wage Garnishment Active Restrictions



© American Financial Services Association. Content is general information only, not legal advice or legal opinion based on any specific facts or circumstances. For your company's compliance, please seek legal advice. AFSA expressly disclaims any and all liability that may result from reliance on this document.

Last updated 11/17/20

## STATE CREDIT-RELATED POLICY CHANGES DUE TO CORONAVIRUS

State/Action	CARES Act Only?	Retroactive?	Validity (if general)
California <a href="#">Executive Order N-57-20</a>	☑	☑	04/23 – issued
Colorado <a href="#">SB 211</a> Expired	☑	☒	06/29 – 11/01, extendable to 02/01/21 by state AG
District of Columbia <a href="#">B23-0758 / Act A23-0334 / Law L23-0130</a> and <a href="#">B23-0734 / Act A23-0323 / Law L23-0129</a>	☒	☒	10/09 – became law (after congressional review period) Effective until 05/22/21
Illinois Executive Order <a href="#">2020-25</a> and <a href="#">2020-71</a> (most recent extension)	☒	☒	04/14 – issued, effective until 12/12 (extended)
Indiana Supreme Court <a href="#">Order</a>	☒	Only for CARES Act payments	04/20 – end of state of emergency

State/Action	CARES Act Only?	Retroactive?	Validity (if general)
Iowa <a href="#">April 27 Proclamation of Disaster Emergency</a> Expired	☒	☒	04/27 – 05/27
Louisiana <a href="#">SB 450 / Act 44</a>	☑	☒	06/04 – signed No expiration date
Maryland <a href="#">Executive Order 20-04-29-03</a>	☑	☒	04/29 – issued
Massachusetts Attorney General <a href="#">Guidance</a>	☑	☒	04/13 – issued
Massachusetts <a href="#">Emergency Regulations</a> Expired	☒	☒	03/27 – 06/25 or the end of the State of Emergency, whichever is earlier.
Minnesota <a href="#">Executive Order 20-50</a>	☑	☒	05/04 – issued

© American Financial Services Association. Content is general information only, not legal advice or legal opinion based on any specific facts or circumstances. For your company's compliance, please seek legal advice. AFSA expressly disclaims any and all liability that may result from reliance on this document.

Last updated 11/17/20

[Return to top](#)

State/Action	CARES Act Only?	Retroactive?	Validity (if general)
Nebraska Attorney General <a href="#">Guidance</a>	☑	☒	04/15 – issued
Nevada Emergency Directives <a href="#">017</a> and <a href="#">026</a> Expired	☒	☒	04/30 – 06/30
New Mexico Supreme Court <a href="#">Order 20-8500-021</a>	☒	☒	06/08 – until revoked
New York Attorney General <a href="#">Guidance re: CARES Act Payments</a>	☑	☒	04/21 – issued
Ohio Attorney General <a href="#">Guidance</a>	☑	☒	04/13 – issued
Oregon <a href="#">Executive Order 20-18</a>	☑	☒	04/17 – issued
Oregon <a href="#">HB 4212 / Ch. 12</a> Expired	☑	☑	03/08 – 09/30
Rhode Island Attorney General <a href="#">Guidance AG 2020-03</a>	☑	☒	04/28 -issued
Vermont Attorney General <a href="#">Directive</a>	☑	☒	04/21 - issued

State/Action	CARES Act Only?	Retroactive?	Validity (if general)
Virginia Supreme Court <a href="#">Second</a> and <a href="#">Fourth</a> Judicial Emergency Orders Expired	☒	☒	03/27 – 05/06
Washington <a href="#">Proclamation 20-49</a> and <a href="#">20-49.10</a>	☒	☒	04/14 – issued, effective until 12/07

© American Financial Services Association. Content is general information only, not legal advice or legal opinion based on any specific facts or circumstances. For your company's compliance, please seek legal advice. AFSA expressly disclaims any and all liability that may result from reliance on this document.

Last updated 11/17/20