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
Credit Reporting
Expired Policy Changes
Dead Legislation

Enacted Policy Changes

Action	Type	Notes	Status
Alabama Bureau of Loans Statement	Payment Deferrals / Reporting Requirements	The bureau is allowing small loan licensees to process deferments on installments for alternative rate loan customers. Licensees may charge up to $18 to defer a payment 10 days or more. This only an opinion and was not issued by the State Banking Department and cannot be considered as legal advice of any form. Any licensees seeking deferment should get a signed consent form from the borrower 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.	03/25/20 – issued
Arizona Department of Financial Institutions Statement	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.	04/24/20 – issued

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Action	Type	Notes	Status
Arkansas Securities Department Guidance	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.	04/01/20 – issued
California Executive Order N-57-20	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.	04/23/20 – issued, no expiration given
California AB 3088 / Chapter 37	Forbearance	The bill provides several housing protections in response to the COVID-19 pandemic, including mortgage forbearance, landlord and homeowner relief and other related protections. 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. It would also extend the Homeowners Bill of Rights to small landlords, defined as those that own no more than three residential properties.	08/31/20 – signed by governor, effective immediately until 04/01/21
California – Los Angeles City Council Motion 20-0418	Collections	The motion calls on the Mayor to restrict debt collection for the duration of the mayor's "safer at home" order. This is not a collections ban, it just asks the mayor to institute a ban.	04/29/20 – passed
Colorado SB 21-002	Collections / Wage Garnishment	This law prohibits wage garnishment until 06/01/21 for consumers facing financial hardship, It allows borrowers to voluntarily set up a repayment plan with their creditors. Creditors are allowed execute a wage garnishment order after the prohibition period. Additionally, until 06/01/21, the law exempts up to $4,000 in a consumer's bank account from seizure.	01/21/21 – signed, effective immediately until 06/01/21

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Colorado Attorney General Request to Lenders	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.	03/18/20 – issued
Delaware Sixth Modification to the Declaration of a State of Emergency	Foreclosure Restrictions	The governor is prohibiting residential foreclosures until the end of the state of emergency.	03/24/20 – issued, effective until end of state of emergency

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District of Columbia B23-0758 / Act A23-0334 / Law L23-0130	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	This bill is the temporary companion to B23-0757 / Act A23-0326. 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. Mortgage lenders are required to approve applications for borrowers that demonstrate direct or indirect financial hardship due to the public health emergency. 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. Voluntary vehicle surrender is permitted. 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." The law also requires consumer reporting agencies 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. Creditors are prohibited from considering “adverse information in a report that was the result of an action or inaction by a consumer that occurred during, and was directly or indirectly the result of, a public health emergency” if the consumer’s credit report has the COVID-19 alert.	10/09/20 – became law (after congressional review period) Effective until 05/22/21
District of Columbia B23-0734 / Act A23-0323 / Law L23-0129	Collections / Credit Reporting / Fees / Payment Deferrals / Repossessions	This is the temporary companion to B23-0733 / Act A 23-0286. The bill is largely the same as B23-0758 / Act A23-0334 / Law L23-0130, but lacks the credit alert provisions.	10/09/20 – became law (after congressional review period) Effective until 05/22/21

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District of Columbia B24-0139 / Act A24-0030	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	The bill would extend, on an emergency basis, restrictions on creditors on debt collection, repossession, foreclosure, credit reporting, and wage garnishment that were passed in earlier bills. As an emergency bill, the bill would be effective for 90 days after enactment.	03/17/21 – signed by mayor, effective immediately until 06/15/21
Florida Office of Financial Regulation Emergency Order 2020-03	Payment Deferrals	The commissioner is allowing vehicle finance companies to schedule the initial payment for 90 days after the signing their contract. Existing law only allows companies to schedule the initial payment for 45 days after signing their contract.	04/17/20 – issued
Idaho Department of Finance Guidance	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.	03/26/20 – issued
Illinois Division of Financial Institutions Guidance	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.	04/14/20 – issued
Illinois – Cook County Order re: “Early Resolution Program”	Collections	The order requires companies to notify consumers that they have the right to enter an alternate dispute resolution program before a court can issue an order for debt collection.	12/14/20 – issued

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Illinois – Clay County Circuit Complaint and Court Order	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.	07/02/20 – issued
Illinois Executive Order 2020-25 and 2021-06 (most recent extension)	Collections / Wage Garnishment	The governor is prohibiting wage garnishment during the state of emergency.	04/14/20 – issued, effective until 05/01/21 (extended)
Illinois Division of Financial Institutions Guidance	Credit Reporting / Forbearance / Foreclosure Restrictions / Fees	The division is urging all mortgage servicers to: a) Forbear mortgage payments for at least 90 days without incurring additional interest or fees; 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; 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; d) Offer other loss mitigation options to mortgage borrowers, including those that help borrowers stay in their homes at affordable payments; 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; f) Postpone foreclosures and evictions for at least 90 days; and 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.	03/30/20 – issued

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Indiana Supreme Court Order	Collections / Wage Garnishment	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. 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.	04/20/20 – issued, effective until end of state of emergency
Indiana Executive Order 20-06	Foreclosure Restrictions	The governor ordered that foreclosure actions or proceedings may not be initiated during the state of emergency.	03/19/20 – issued, effective until the state of emergency is lifted
Kansas Executive Order 20-61 and 20-64	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.	08/17/20 – issued, effective until 01/26/21 (extended) or until the state of disaster expires, whichever is earlier.
Kentucky Department of Financial Institutions Guidance	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.	03/24/20 – issued
Louisiana SB 450 / Act 44	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.	06/04/20 – signed by governor, effective immediately

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Louisiana Office of Financial Institutions (OFI) Non-Depository Licensee Guidance	Credit Reporting / Fees / Forbearance / Foreclosures Payment Deferrals	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. 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.	04/14/20 – issued
Maryland Executive Order 20-04-29-03	Collections / Wage Garnishment	The order exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/29/20 – issued, effective until end of State of Emergency
Maryland Executive Orders 20-04-03-01, 20-10-16-01, and 20-12-17-02	Repossessions/ Foreclosure Restrictions	The original order prohibited repossessions by self-help and all residential foreclosures. The updated order removes the prohibition on repossession unless the creditor is repossessing a chattel home. The updated order also allows creditors to foreclose on a home after a forbearance period of up to 360 days. The Commissioner of Financial Regulation must suspend the notice of intent to foreclose electronic system until 01/31/21 or until a later date specified by the commissioner. The guidance does not apply to vacant and abandoned property.	04/03/20 – issued, 10/16/20 – updated, 12/17/20 – updated Effective until end of State of Emergency
Maryland Court of Appeals Administrative Order	Foreclosure Restrictions	The court is halting all foreclosures on residential property.	03/18/20 – issued, effective until revoked
Maryland Commissioner of Financial Regulation Guidance to Mortgage Servicers	Credit Reporting / Fees / Forbearance / Loan Modification	The commissioner is urging mortgage servicers to: a) Waive late fees and online/telephone payment processing fees; b) Forgo negative reporting to credit reporting agencies; c) Offer forbearance or other options; and d) Extend trial modification periods.	03/24/20 – issued

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Maryland Commissioner of Financial Regulation Guidance to Licensees	Credit Reporting / Fees / Forbearance / Loan Modification	The commissioner is urging all licensees to: a) Waive late fees and online/telephone payment processing fees; b) Forgo negative reporting to credit reporting agencies; and c) Offer modification, forbearance, or other options to borrowers	03/27/20 – issued
Massachusetts Attorney General Guidance	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/13/20 – issued
Massachusetts Division of Banks Guidance	Fees / Forbearance/ Foreclosure Restrictions	The division expects that mortgage lenders and servicers provide relief to those adversely impacted borrowers, including: a) Postponing foreclosures for 60 days; b) Forbearing mortgage payments for 60 or more days from their due dates; c) Waiving late payment fees and any online payment fees for a period of 60 days; d) Refraining from reporting late payments to credit rating agencies for 60 days; 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; 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 g) Proactively reaching out to borrowers to explain the above-listed assistance being offered	03/25/20 – issued
Minnesota Executive Order 20-50	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	05/04/20 – issued

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Minnesota Executive Orders 20-14, 20-73, and 20-79	Foreclosure Restrictions	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. Financial institutions are also strongly urged not to impose late fees or other penalties for late mortgage payments related to the COVID-19 pandemic	03/23/20 – issued, effective until end of State of Emergency
Nebraska Attorney General Guidance	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	04/15/20 – issued
Nevada Directive 008	Foreclosure Restrictions	The governor is ordering a stay on all foreclosure actions during the state of emergency.	03/29/20– issued, effective until the end of the state of emergency
Nevada Financial Institutions Division (NFID) Letter 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.	03/17/20 – issued
New Hampshire Emergency Order #4	Foreclosure Restrictions	The state is halting all foreclosures while the state of emergency related to the coronavirus outbreak is active.	03/17/20 – issued, effective until end of state of emergency

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New Jersey Executive Order 106	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.	03/19/20 – issued, effective until two months following the end of the state of emergency or public health emergency, whichever ends later
New Mexico Supreme Court Order 20-8500-021	Collections / Wage Garnishment	The court is suspending all new wage garnishment orders.	06/05/20 – issued, effective 06/08/20 – until revoked
New York AG Stimulus Payments Guidance	Collections / Wage Garnishment	The New York AG issued guidance that the most recent round of federal stimulus payments are exempt from garnishment under New York law. The AG's office similarly issued guidance for previous stimulus payments The guidance states that the AG will treat garnishment as unfair and abusive under the Dodd-Frank act.	Issue date not given
New York SB 8243 / Chapter 112	Forbearance	This law requires New York regulated banking organizations to provide up to 180 days of forbearance for a 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.	06/17/20 – signed by governor, effective immediately until end of state of emergency
New York SB 8428 / Chapter 126	Forbearance	This law, among other provisions, modifies the forbearance program established in SB 8243 / Chapter 112 to clarify that mortgagors must demonstrate financial hardship as a result of COVID-19. It also clarifies that forbearance granted under the program created by the DFS emergency rules counts towards the 180 days of forbearance granted under the law.	06/17/20 – signed by governor, effective immediately until end of state of emergency

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New York Attorney General Guidance re: CARES Act Payments	Collections / Wage Garnishment	The AG is prohibiting creditors or debt collectors from garnishing federal CARES Act stimulus payments from a creditor.	04/21/20 – issued
New York DFS Guidance	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.	04/07/20 – issued
New York Executive Order 202.9 and DFS Emergency Rules	Forbearance / Fees	The governor issued an order giving the DFS emergency rulemaking authority. 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. The rules also require credit card companies to eliminate ATM, overdraft, and late payment fees, among other provisions. The rules also encourage regulated institutions to provide other assistance to affected consumers.	03/24/20 – issued
New York SB 471 / Ch. 73	Foreclosure Restrictions / Credit Reporting	This bill would prohibit foreclosures on commercial mortgagors declaring hardship until May 1, 2021. It also prevents a creditor from discriminating against mortgagor declaring hardship and prevents a credit reporting agency from reporting negative credit information. The Senate bill substituted AB 3207.	03/09 – signed by governor, effective immediately

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New York SB 9114/Ch. 381	Credit Reporting / Foreclosure	The act will establish new rules regarding eviction and foreclosure proceedings as well as establish hardship declarations for owners of residential real estate. It would also require lending companies to provide homeowners with a "hardship declaration" stating that the homeowner cannot be discriminated against based on credit history if they show a lender the declaration until May 1, 2021. It also prohibits lenders from reporting negative credit report information related to the stay of foreclosure until May 1, 2021. Companion bill AB 11181 was substituted by SB 9114 on December 28.	12/28/20 – signed by governor, effective immediately
North Carolina Attorney General Relief Plan	Fees / Forbearance / Foreclosure / Repossession	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: • Allow eligible customers to request a 90-day grace period on their residential mortgage payments that are not already covered by the CARES Act; • Allow eligible customers to request assistance for payment extensions of auto loan accounts; • Allow eligible customers to request relief from monthly maintenance fees, overdraft fees, and CD early withdrawal penalties (subject to applicable federal regulations); • Place a moratorium on residential mortgage foreclosures of occupied properties and consumer auto repossessions; • Refrain from reporting loans subject to agreed upon accommodations related to COVID-19 as delinquent; and • Inform customers about the assistance they are being offered and alert them to the heightened risk of scams during the COVID-19 pandemic.	06/04/20 – launched

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Ohio Attorney General Guidance	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/13/20 – issued
Oregon Executive Order 20-18	Collections / Wage Garnishment	The order exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/17/20 – issued
Pennsylvania Attorney General PA CARE Package Initiative	Credit Reporting /Fees / Foreclosure Restrictions / Payment Deferrals / Repossessions	The attorney general is launching a voluntary program for financial institutions. Participating institutions must commit to: a) A 90-day grace period for mortgages; b) A 90-day grace period for other consumer loans such as auto loans; c) A 90-day window for relief from fees and charges such as late, overdraft fees; d) A foreclosure, eviction, or motor vehicle repossession moratorium for 60 days; and e) A suspension of adverse credit reporting for accessing relief on consumer loans	03/30/20 – launched
Rhode Island Attorney General Guidance AG 2020-04	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/28/20 – issued
Texas Office of the Consumer Credit Commissioner (OCCC) Advisory Bulletin	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.	03/26/20 – issued, effective until 05/31/21 (revised on 04/15/21)

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Texas Office of the Consumer Credit Commissioner (OCCC) Advisory Bulletin	Fees / Foreclosures / Payment Deferrals / Repossessions	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. The bulletin also notifies licensees that electronic signatures are allowed under state and federal law.	03/26/20 – issued, effective until 05/31/21 (revised on 04/15/21)
Texas Department of Motor Vehicles Waiver	Title Extension	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. 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. Title applications submitted delinquently after 60 days from the TxDMV notice will not be assessed a penalty for any period associated with the waiver.	03/16/20 – issued
Vermont SB 333 / Act 101	Foreclosure Restrictions	This law places a stay on pending foreclosure proceedings foreclosures on a property that is occupied. For new cases, the law bars service of foreclosure complaints, but not the filing. The bill is effective during a state or local state of emergency due to COVID-19 and 30 days after it ends.	05/14/20 – signed by governor, effective immediately until 30 days after state of emergency
Vermont Attorney General Directive	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.	04/21/20 – issued
Virginia HB 5115/Ch. 49	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.	11/09/20 – signed by governor, effective immediately until 90 days after the state of emergency

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Washington Department of Financial Institutions Consumer Loan Fee Reduction Bulletin	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.	07/15/20 – issued
Washington Department of Financial Institutions Initiative	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: 1. Providing a minimum of 90 days of forbearance 2. Waiving late payment fees 3. Ensuring that no borrower is subject to negative credit reporting 4. Ceasing debt collection lawsuits for 90 days 5. Working with borrowers to enroll them in other borrower assistance programs, such as income-based repayment.	04/21/20 – issued
Washington Proclamation 20-49 (original) and 20-49.13 (most recent extension)	Collections / Wage Garnishment	The governor is prohibiting wage garnishment.	04/14/20 – issued, effective until end of state of emergency

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Washington Department of Financial Institutions Guidance	Fees / Forbearance / Foreclosure Restrictions	The department is requesting that mortgage loan servicers support those adversely impacted mortgagors by: a) Forbearing mortgage payments; b) Refraining from reporting late payments to credit rating agencies; c) Offering mortgagors additional time to complete trial loan modifications, and ensuring that late payments during the COVID-19 pandemic does not affect their ability to obtain permanent loan modifications; d) Waiving late payment fees and any online payment fees; e) Postponing foreclosures; and f) Ensuring that mortgagors do not experience a disruption of service if the mortgage servicer closes its office, including making available other avenues for mortgagors to continue to manage their accounts and to make inquiries; and g) Proactively reaching out to mortgagors via app announcements, text, email or otherwise to explain the assistance being offered to mortgagors.	03/20/20 – issued, 02/12/21 – amended, effective until end of state of emergency
Wisconsin Department of Financial Institutions Emergency Guidance	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.	04/13/20 – issued
Wisconsin Department of Financial Institutions Emergency Guidance	Interest Rates	The DFI stated that it 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.	03/18/20 – issued

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Action	Type	Notes	Status
21 State and DC Attorneys General Letter 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.	05/01/20 – sent
34 State and DC Attorneys General Letters to U.S. Department of Housing and Urban Development (HUD) and Federal Housing Finance Administration (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 forborne 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.	04/23/20 – sent
25 State Attorneys General Letter 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.	04/13/20 – sent
22 State and DC Attorneys General Letter 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.	04/13/20 – sent

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Proposed Policy Changes [1]

Action	Type	Notes	Status
Connecticut HB 5478	Foreclosure Restrictions	Full bill text is not yet available, but the bill states that it would prohibit a mortgagee from placing a lien against or foreclosing upon a property for any mortgage loan default caused by a missed installment payment between the period of 03/01/20 – 09/30/21,	01/25/21 – referred to Joint Banking Committee
Connecticut HB 5942	Foreclosure Restrictions	Full bill text is not yet available, but the bill states that it would prevent a lender from pursuing a foreclosure against 4 a mortgagor who is unable to pay the mortgage due to a loss of rental income.	01/28/21 – referred to Joint Judiciary Committee
Connecticut SB 158	Foreclosure Restrictions	Full bill text is not yet available, but the bill states that it would provide enhanced protections to homeowners who face the prospect of foreclosure due to the economic impact of COVID-19.	01/15/21 – referred to Joint Judiciary Committee
District of Columbia B24-0140	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	The bill would extend, on an emergency basis, restrictions on creditors on debt collection, repossession, foreclosure, credit reporting, and wage garnishment that were passed in earlier bills. As a temporary bill, the bill would be effective for 225 days following a Congressional review period.	04/06 – passed council
Georgia HB 656	Credit Reporting	The bill would allow a consumer to request that credit reporting agencies place a COVID-19 alert on their credit report indicating that they have been impacted by the COVID-19 pandemic. If the consumer's request is approved, the agency would have to include that alert on any report or credit score.	02/26/21 – introduced
Indiana HB 1336	Business Assistance	This bill would create a fund to provide compensation for businesses that experienced losses before July 1, 2021 caused by the result of the state's state of emergency.	01/14/21 – referred to House Ways and Means Committee

[1] Note: New Jersey and Virginia carry over legislation from 2020 to 2021

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Action	Type	Notes	Status
Indiana SB 282	Mortgage Assistance	This bill would establish and appropriate $100 million to a fund to provide residents grants to make payments on utilities, rental payments, or a mortgage that is more than 30 days overdue,	01/11/21 – introduced & referred to Senate Appropriations Committee
Maryland HB 1370	Foreclosure Restrictions	This bill would require a nonfederal mortgage lender or servicer to notify a residential borrower at least 60 days before sending a notice of intent to foreclose that they may request up to 180 days of forbearance if they experienced financial hardship due to the COVID-19 pandemic. A borrower would have 90 days after receiving the notice to request forbearance. If the borrower is approved for forbearance, the lender must suspend all fees, penalties, and interest and defer all payments until the end of the loan term. During the forbearance period a borrower may request an extension of up to an additional 180 days	03/01/21 – introduced & referred to House Rules Committee
Maryland HB 1009 / SB 724	Forbearance / Foreclosure Restrictions	The bills would prohibit a mortgage servicer from commencing or completing any foreclosure action during a state of emergency and catastrophic health emergency. The bills would also allow borrowers that have experienced a negative financial impact to request forbearance. If a mortgage servicer accepts the borrowers request, it would be required to provide up to 180 days of forbearance. If a mortgage servicer denies the request, it would have to submit reasons why it denied the request. If a servicer denies a request due to missing or incomplete information, it would have to provide the borrower 21 days to correct this information. They would also prevent a servicer from furnishing negative mortgage payment information to a consumer reporting agency regarding mortgage payments subject to forbearance for one year after the state of emergency is terminated.	HB 1009: 02/24/21 – hearing Economic Matters, Environment, and Transportation Committee SB 724: 03/03/21 – hearing in Senate Judicial Proceedings Committee

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Action	Type	Notes	Status
Massachusetts HB 415	Credit Reporting	This bill would prohibit credit reporting agencies from reporting late installment loan payments on mortgages, vehicle loans, personal loans, student loans, and credit card balances for payments due between 03/10/20 and 30 days after the governor's state of emergency is rescinded.	04/13/21 – referred to Joint Consumer Protection and Professional Licensure Committee
Minnesota HF 12 / SF 491	Foreclosure Restriction / Mortgage Assistance	The bill would prohibit any foreclosure actions during for up to 60 days after the end of the state of emergency. It would also appropriate $50 million to the Minnesota Housing finance Agency to provide grants for residents to pay for rent and mortgage payments, among other payments.	HF 12: 03/22/21 – passed House Judiciary Finance and Civil Law Committee, referred to House Ways and Means Committee SF 491: 02/01/21 – referred to Senate Civil Law and Data Practices Policy Committee
New Jersey SB 3669	Credit Reporting / Forbearance / Foreclosure	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. 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. 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. During the forbearance period, creditors would be unable to furnish negative payment information to a debt collector or credit reporting agency. It would also prohibit foreclosures on property that is no vacant or abandoned.	04/26/21 – introduced and referred to Senate Community and Urban Affairs Committee

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Action	Type	Notes	Status
New Jersey SB 2340	Forbearance / Foreclosure Restrictions	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. 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. Mortgage servicers would also be required to submit a monthly report to the Department of Banking and Insurance containing information on the forbearance provided. 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. It would also prohibit foreclosures on property that is no vacant or abandoned. The bill vests enforcement authority to the attorney general. The bill would apply retroactively to March 9, 2020. Substituted AB 4034 on 07/30.	10/29/20 – amended in the Senate

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Action	Type	Notes	Status
New Jersey AB 3908 / SB 2330	Collections / Credit Reporting / Wage Garnishment	The amendments removed provisions that placed significant new restrictions on debt collection. 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. 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. They would also exempt any state or federal financial assistance related to the emergency from seizure by a debtor. 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.	AB 3908: 05/07/20 – passed Assembly Commerce and Economic Development Committee with amendments SB 2330: 05/07/20 – passed Senate Budget and Appropriations Committee with amendments
New Jersey AB 3949	Credit Reporting	This bill would also prevent creditors from considering any negative information due to the COVID-19 pandemic. Credit reporting agencies would be required to delete negative information if requested by a consumer experiencing financial hardship. 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.	04/13/20 – introduced & referred to Assembly Financial Institutions and Insurance Committee

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Action	Type	Notes	Status
New Jersey AB 3948	Credit Reporting / Forbearance	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. This bill would also prevent creditors from considering any negative information due to the COVID-19 pandemic. Credit reporting agencies would be required delete negative information if a consumer experiencing financial hardship request. The credit reporting provisions of the bill would be in place for the duration of the state of emergency and 90 days after. The bill would be retroactive to March 9.	04/13/20 – introduced & referred to Assembly Financial Institutions and Insurance Committee
New York AB 559 / SB 775	Credit Reporting	These bills would prohibit credit reporting agencies from reporting adverse information related to the pandemic for an affected person. They allow reporting agencies to request proof of financial hardship.	AB 559: 01/06/21 – referred to Assembly Consumer Affairs Committee SB 775: 01/06/21 – referred to Senate Consumer Protection Committee
New York AB 1748 / SB 1740	Collections	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.	AB 1748: 01/11/21 – referred to Assembly Consumer Affairs and Protection Committee SB 1740: 01/14/21 – referred to Senate Consumer Protection Committee
New York AB 1611	Forbearance	This bill would require lenders to grant up to a year of forbearance for residential mortgagors who demonstrate financial hardship.	01/11/21 – referred to Assembly Banks Committee

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Action	Type	Notes	Status
New York AB 2220	Mortgage Lending	This bill would require financial institutions to forgive mortgage payments for 90 days to borrowers who lost income due to deprived rent payments from residential and commercial tenants. The amount of forgiveness is based on a percentage of lost rent divided by the total amount of rent payments the borrowers typically receive.	01/14/21 – referred to Assembly Judiciary Committee
New York AB 2456 / SB 1599	Foreclosure Restrictions	This bill would impose a ban on the commencement of mortgage foreclosure actions and the sale of foreclosed properties for 365 days after the last region or county enters into phase 3 of the governor's reopening plan. During this period, lenders would be required to send the borrower a notice of default that includes a list of housing counseling agencies and legal services provides, participate in a mandatory settlement conference, or engage in a pre-foreclosure workout to negotiate a modification or forbearance in good faith. The bill has an exception for vacant or abandoned property.	AB 2456:01/19/21 – referred to Assembly Judiciary Committee SB 1599: 01/14/21 – referred to Senate Housing, Construction and Community Development Committee
New York AB 2617 / SB 4050	Forbearance / Foreclosure Restrictions / Credit Reporting	This bill would prohibit lenders from requiring mortgage payments until 90 days after the state of emergency. It would prevent borrowers being treated as accruing any debt or additional fees, penalties, or interest if they do not make payments. It would also prevent a mortgagee or mortgage servicer from commencing or continuing a foreclosure action for failure to make a payment during this period. It would further prohibit nonpayment from being reported to a consumer credit agency.	AB 2617: 02/05/21 – amended and recommitted to Assembly Housing, Committee SB 4050: 02/09/21 – amended and recommitted to Senate Housing, Construction and Community Development Committee

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Action	Type	Notes	Status
New York SB 1598	Forbearance	This bill would allow lenders to cancel or renegotiate forbearance agreements made during the state of emergency and up to 30 days after its conclusion if the agreement includes terms that exclude backloading payments or requires that missed loan payments be made up in full within 12 months of the agreement. The bill excludes loans made, insured, or securities by the government, a government-sponsored enterprise, or a federal home loan bank.	01/14/21 – referred to Senate Banks Committee
New York SB 2195	Forbearance	The bills would require New York lenders to provide up to 90 days of forbearance for commercial mortgagors who demonstrate financial hardship. 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.	01/20/21 – referred to Senate Banks Committee
New York SB 2849	Credit Reporting / Fees / Repossession	This bill would prohibit creditors from repossessing a motor home or motor vehicle if a consumer requests it and shows proof of hardship until all the state's coronavirus closures and gathering limits expires in the consumer's county or 12/31/21, whichever is later. It would also prohibit creditors from reporting new adverse information that is a result of the public health emergency to a consumer reporting agency. It would further prevent creditors from assessing fees, penalties, or additional interest on vehicle-secured credit obligations and prohibit lump sum payments after the end of the covered period.	04/20/21 – amended and recommitted to Senate Consumer Protection Committee
Ohio HB 20	Foreclosure Restrictions	This bill would prohibit foreclosures during the state of emergency.	02/04/21 – referred to House Civil Justice Committee

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Action	Type	Notes	Status
Rhode Island HB 5309 / SB 183	Fees / Foreclosure Restrictions	The bill would impose a moratorium on initiating or proceeding with any foreclosure action during a state of emergency (not specific to the COVID-19 emergency). It also prohibits mortgages from imposing late fees for non-payment on a residential mortgage if the mortgagor provides documentation that the non-payment is due to the state of emergency within 30 days of payment.	HB 5309: 01/29/21 – introduced & referred to House Judiciary Committee SB 183: 03/11/21 – hearing in Senate Judiciary Committee
Texas HB 2624	Interest Rates / Payday Lending	The bill would impose a 30% rate cap on payday loans in areas subject to a disaster declaration until 2 years after the end of the declaration.	03/02/21 – filed

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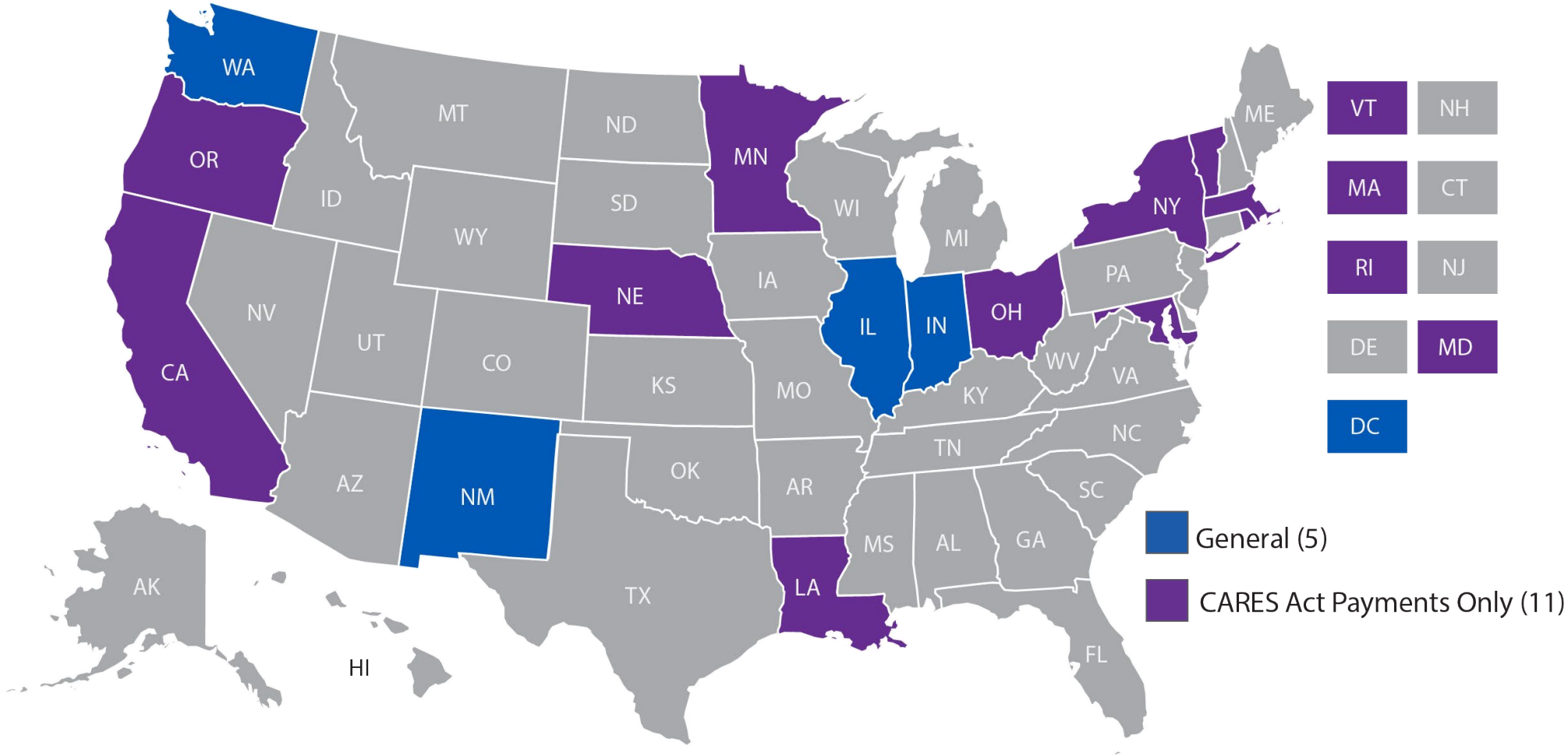
Wage Garnishment
Active Restrictions



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STATE CREDIT-RELATED POLICY CHANGES DUE TO CORONAVIRUS

State/Action	CARES Act Only?	Retroactive?	Validity (if general)
California Executive Order N-57-20	☑	☑	04/23/20 – issued
Colorado SB 211 Expired	☑	☒	06/29/20 – 11/01/20, extendable to 02/01/21 by state AG
Colorado SB 21-002	☑	☒	01/21/21 – 06/30/21
District of Columbia B23-0758 / Act A23-0334 / Law L23-0130 and B23-0734 / Act A23-0323 / Law L23-0129	☒	☒	10/09/20 – became law (after congressional review period) Effective until 05/22/21
Illinois Executive Order 2020-25 and 2021-06 (most recent extension)	☒	☒	04/14/20 – issued, effective until 05/01/21 (extended)
Indiana Supreme Court Order	☒	Only for CARES Act payments	04/20/20 – end of state of emergency

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

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State/Action	CARES Act Only?	Retroactive?	Validity (if general)
Nebraska Attorney General Guidance	☑	☒	04/15/20 – issued
Nevada Emergency Directives 017 and 026 Expired	☒	☒	04/30/20 – 06/30/20
New Mexico Supreme Court Order 20-8500-021	☒	☒	06/08/20 – until revoked
New York Attorney General Guidance re: CARES Act Payments	☑	☒	04/21/20 – issued
Ohio Attorney General Guidance	☑	☒	04/13/20 – issued
Oregon Executive Order 20-18	☑	☒	04/17/20 – issued

State/Action	CARES Act Only?	Retroactive?	Validity (if general)
Oregon HB 4212 / Ch. 12 Expired	☑	☑	03/08/20 – 09/30/20
Rhode Island Attorney General Guidance AG 2020-03	☑	☒	04/28/20 – issued
Vermont Attorney General Directive	☑	☒	04/21/20 – issued
Virginia Supreme Court Second and Fourth Judicial Emergency Orders Expired	☒	☒	03/27/20 – 05/06/20
Washington Proclamation 20-49 (original) and 20-49.13 (most recent extension)	☒	☒	04/14/20 – issued, effective until end of state of emergency

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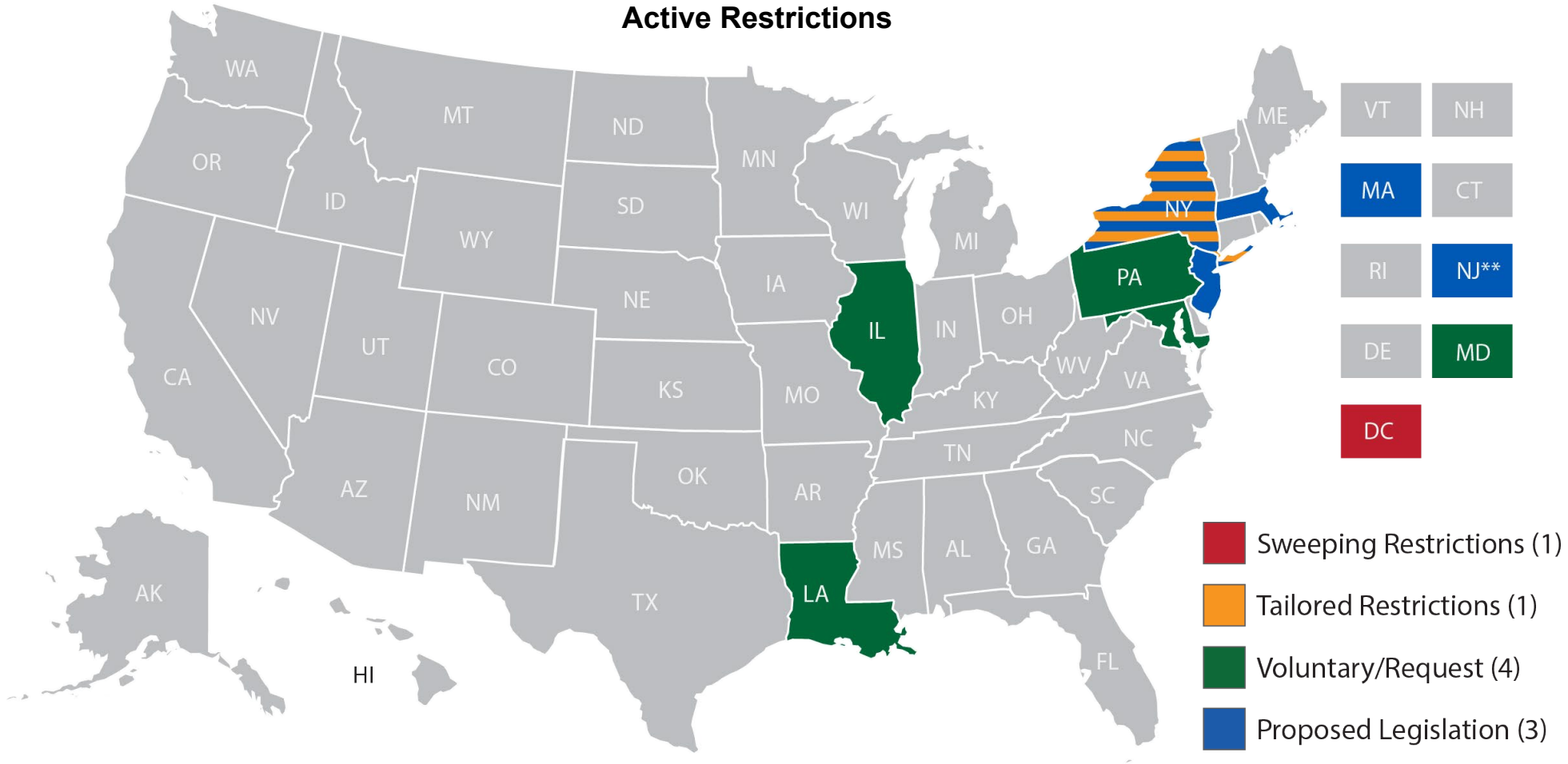
STATE CREDIT-RELATED POLICY CHANGES DUE TO CORONAVIRUS

Credit Reporting

Active Restrictions



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Active

Action	Type	Industry	Agencies or Furnishers?	Notes	Status
District of Columbia B23-0758 / Act A23-0334 / Law L23-0130	Sweeping Restriction	All	Both	This bill is the temporary companion to B23-0757 / Act A23-0326 and would become effective after a congressional review period and be effective for 225 days. The law, among other provisions, requires residential and commercial mortgage lenders to create a deferment program for borrowers in which lenders cease negative reporting to credit bureaus. The law also requires consumer reporting agencies 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. Creditors are prohibited from considering "adverse information in a report that was the result of an action or inaction by a consumer that occurred during, and was directly or indirectly the result of, a public health emergency" if the consumer's credit report has the COVID-19 alert.	10/09/20 – became law (after congressional review period) Effective until 05/22/21
District of Columbia B23-0734 / Act A23-0323 / Law L23-0129	Tailored Restriction	Mortgage	Furnishers	This is the temporary companion to B23-0733 / Act A 23-0286. The act, among other provisions, requires residential and commercial mortgage lenders to create a deferment program for borrowers in which lenders cease negative reporting to credit bureaus.	10/09/20 – became law (after congressional review period) Effective until 05/22/21
Illinois Division of Financial Institutions Guidance	Voluntary / Request	All	Furnishers	The guidance includes recommended "best practices" for licensees, including using available disaster codes for credit reporting.	04/14/20 – issued

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Action	Type	Industry	Agencies or Furnishers?	Notes	Status
Illinois Division of Financial Institutions Guidance	Voluntary / Request	Mortgage	Furnishers	The division is urging all mortgage servicers to, among other provisions, 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.	03/30/20 – issued
Louisiana Office of Financial Institutions (OFI) Non-Depository Licensee Guidance	Voluntary / Request	All	Furnishers	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. 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.	04/14/20 – issued
Maryland Commissioner of Financial Regulation Guidance to Mortgage Servicers	Voluntary / Request	Mortgage	Furnishers	The commissioner is urging mortgage servicers to, among other provisions, forgo negative reporting to credit reporting agencies.	03/24/20 – issued
Maryland Commissioner of Financial Regulation Guidance to Licensees	Voluntary / Request	All	Furnishers	The commissioner is urging licensees to, among other provisions, forgo negative reporting to credit reporting agencies.	03/27/20 – issued
New York SB 9114/Ch. 381	Tailored Restriction	Mortgage	Furnishers	The law, among other provisions, prohibits mortgage lenders from reporting negative credit report information related to a stay of foreclosure until May 1, 2021.	12/28/20 – signed by governor, effective immediately

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Action	Type	Industry	Agencies or Furnishers?	Notes	Status
Pennsylvania Attorney General PA CARE Package Initiative	Voluntary / Request	All	Furnishers	The attorney general is launching a voluntary program for financial institutions. Participating institutions must commit to, among other provisions, a suspension of adverse credit reporting for accessing relief on consumer loans	03/30/20 – launched

Proposed

Action	Type	Industry	Agencies or Furnishers?	Notes	Status
District of Columbia B24-0139	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	All	Both	The bill would extend, on an emergency basis, restrictions on creditors on debt collection, repossession, foreclosure, credit reporting, and wage garnishment that were passed in earlier bills. As an emergency bill, the bill would be effective for 90 days after enactment.	03/02 – passed council, awaiting mayoral review
District of Columbia B24-0140	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	All	Both	The bill would extend, on an emergency basis, restrictions on creditors on debt collection, repossession, foreclosure, credit reporting, and wage garnishment that were passed in earlier bills. As a temporary bill, the bill would be effective for 225 days following a Congressional review period.	03/02 – amended & passed first Council meeting

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Action	Type	Industry	Agencies or Furnishers?	Notes	Status
Massachusetts HD 284	Sweeping Restriction	All	Agencies	This bill would prohibit credit reporting agencies from reporting late installment loan payments on mortgages, vehicle loans, personal loans, student loans, and credit card balances for payments due between 03/10/20 and 30 days after the governor's state of emergency is rescinded.	Not yet filed
Georgia HB 656	Sweeping Restriction	All	Agencies	The bill would allow a consumer to request that credit reporting agencies place a COVID-19 alert on their credit report indicating that they have been impacted by the COVID-19 pandemic. If the consumer's request is approved, the agency would have to include that alert on any report or credit score.	02/26 – introduced
New Jersey AB 3908 / SB 2330	Sweeping Restriction	All	Both	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. 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. 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.	AB 3908: 05/07/20 – passed Assembly Commerce and Economic Development Committee with amendments SB 2330: 05/07/20 – passed Senate Budget and Appropriations Committee with amendments

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Action	Type	Industry	Agencies or Furnishers?	Notes	Status
New Jersey AB 3949	Sweeping Restriction	All	Both	This bill would also prevent creditors from considering any negative information due to the COVID-19 pandemic. Credit reporting agencies would be required to delete negative information if requested by a consumer experiencing financial hardship. 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.	04/13/20 – introduced & referred to Assembly Financial Institutions and Insurance Committee
New Jersey AB 3948	Sweeping Restriction	All	Both	This bill would prevent creditors from considering any negative information due to the COVID-19 pandemic. Credit reporting agencies would be required delete negative information if a consumer experiencing financial hardship request. The credit reporting provisions of the bill would be in place for the duration of the state of emergency and 90 days after. The bill would be retroactive to March 9.	04/13/20 – introduced & referred to Assembly Financial Institutions and Insurance Committee
New York AB 559 / SB 775	Sweeping Restriction	All	Agencies	These bills would prohibit credit reporting agencies from reporting adverse information related to the pandemic for an affected person. They allow reporting agencies to request proof of financial hardship.	AB 559: 01/06/21 – referred to Assembly Consumer Affairs Committee SB 775: 01/06/21 – referred to Senate Consumer Protection Committee

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Action	Type	Industry	Agencies or Furnishers?	Notes	Status
New York AB 2617 / SB 4050	Tailored Restriction	Mortgage	Furnishers	This bill would prohibit lenders from requiring mortgage payments until 90 days after the state of emergency. It would prevent borrowers being treated as accruing any debt or additional fees, penalties, or interest if they do not make payments. It would also prevent a mortgagee or mortgage servicer from commencing or continuing a foreclosure action for failure to make a payment during this period. It would further prohibit nonpayment from being reported to a consumer credit agency.	AB 2617: 02/05/21 – amended and recommitted to Assembly Housing, Committee SB 4050: 02/09/21 – amended and recommitted to Senate Housing, Construction and Community Development Committee
New York AB 3207/ SB 471	Tailored Restriction	Mortgage	Furnishers	This bill would prohibit foreclosures on commercial mortgagors declaring hardship until May 1, 2021. It also prevents a creditor from discriminating against mortgagor declaring hardship and prevents lenders from reporting negative credit information.	AB 3207: 01/26/21 – substituted by SB 471 SB 471: 01/26/21 – passed Assembly & returned to Senate
New York SB 2849	Tailored Restriction	Vehicle Finance	Agencies	This bill would prohibit creditors from repossessing a motor home or motor vehicle during the bill's covered period, which would last until 180 days after the end of the state of emergency. It would also prohibit creditors from reporting new adverse information that is a result of the public health emergency to a consumer reporting agency. It would further prevent creditors from assessing fees, penalties, or additional interest on vehicle-secured credit obligations and prohibit lump sum payments after the end of the covered period.	01/26/21 – referred to Senate Consumer Protection Committee

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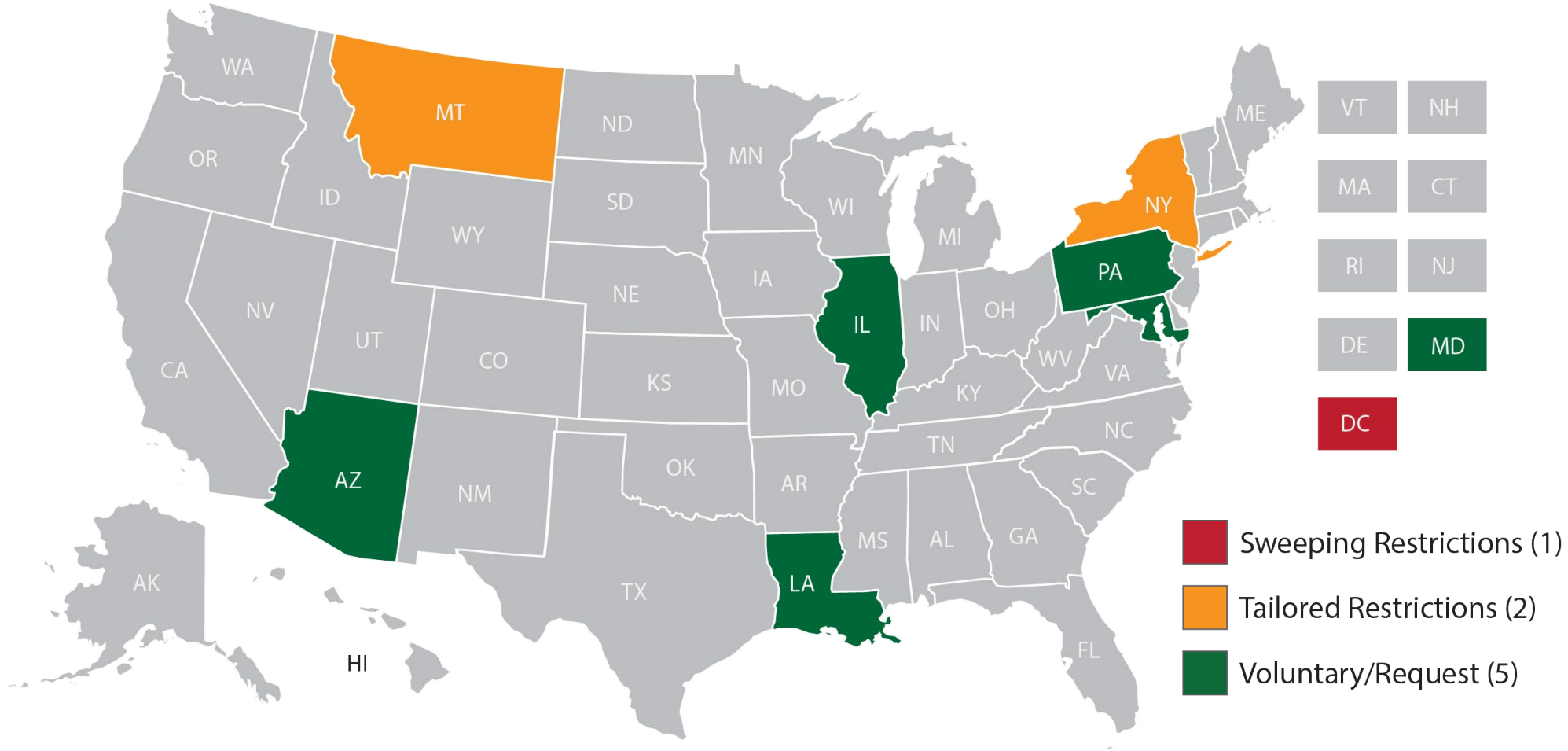
Credit Reporting Restrictions History (Active & Expired)



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Expired Restrictions

Action	Type	Industry	Agencies or Furnishers?	Notes	Status
Arizona Attorney General Request to Lenders Expired	Voluntary / Request	All	Furnishers	The attorney general is requesting that lending companies cease negative reporting to credit bureaus for at least 90 days (until 06/17 minimum)	03/19/20 – issued, effective until 06/17/20
District of Columbia B23-0869 / Act A23-0405 Expired	Sweeping Restriction	All	Both	This law renews coronavirus-related emergency provisions in B23-0757 / Act A23-0326 and related bills until November 16, 2020. It also includes the credit reporting provisions of B23-0776 / Act A23-0332.	08/19/20 – signed by mayor, effective immediately until 11/16/20
District of Columbia B23-0776 / Act A23-0332 Expired	Sweeping Restriction	All	Both	Among other provisions, the emergency bill law prohibits credit report users from considering adverse information resulting from a public health emergency, retroactive to July 1.	07/07/20 – signed by mayor, effective 07/01/20 – 10/04/20

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Action	Type	Industry	Agencies or Furnishers?	Notes	Status
District of Columbia B23-0757 / Act A23-0326 Expired	Sweeping Restriction	All	Both	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. 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.	05/27/20 – signed by mayor, effective immediately. Retroactive to 03/11/20 Expires on 08/25/20
District of Columbia B23-0759 / Act A 23-0328 Expired	Sweeping Restriction	All	Both	This is a congressional review emergency bill companion to B23-0757 / Act A23-0326.	06/08/20 – signed by mayor Expires on 09/06/20

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Action	Type	Industry	Agencies or Furnishers?	Notes	Status
District of Columbia B23-0750 / Act A12-0317 Expired	Sweeping Restriction	All	Both	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 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.	05/13/20 – signed by Mayor, effective immediately Expires on 08/11/20

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Expired Policy Changes

Action	Type	Notes	Status
Alaska SB 241 / Chap. 10 Expired	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.	04/10/20 – signed by governor, effective immediately, effective until 06/30/20 or until the public health emergency ends
Alaska Division of Banking and Securities Emergency Guidance Expired	Reporting Requirements	The division is extending the due dates for all required reporting to the division by 60 days.	03/15/20 – issued
Arizona Governor's Agreement with State Banks Expired	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).	03/30/20 – issued, effective until 05/29/20
Arizona Attorney General Request to Lenders Expired	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)	03/19/20 – issued, effective until 06/17/20
California Rules of the Court Emergency Rules and Amendment Expired	Foreclosure Restrictions	The court is placing a stay on all judicial foreclosure actions.	04/06/20 – issued, 08/12 – amended, effective until 09/01/20
California Executive Orders N-28-20, N-66-20, N-71-20, and N-80-20 Expired	Foreclosure Restrictions	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. Executive Order N-80-20 extends the commercial eviction provisions only until 03/31/21.	03/16/20 – issued, effective until 09/30/20

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Action	Type	Notes	Status
Colorado SB 211 Expired	Collections / Wage Garnishment	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. It allows borrowers to voluntarily set up a repayment plan with their creditors. Creditors are allowed execute a wage garnishment order after the prohibition period. Additionally, until February 1, 2021, the law exempts up to $4,000 in a consumer's bank account from seizure.	06/29/20 – signed by governor, effective immediately until 11/01/20
Colorado Executive Order D 2020-088 and Department of Regulatory Agencies Guidance Expired	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.	03/20/20 – issued first order, valid until 06/13/20 (extended)
Connecticut Judicial Branch Strict Foreclosure Order and Extension Expired	Foreclosure Restrictions	The court is suspending all strict foreclosures (foreclosures that bypass a foreclosure sale, see Conn. Gen. Stat. § 49-24).	05/15/20 – issued, effective until 10/06/20 (extended on 09/04/20)
Connecticut Judicial Branch Strict Foreclosure Sale Order and Extension Expired	Foreclosure Restrictions	The court is cancelling all foreclosure sales scheduled before 10/03.	04/18/20 – issued, effective until 10/03/20 (extended on 07/09/20)
District of Columbia B23-0869 / Act A23-0405 Expired	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	This law renews coronavirus-related emergency provisions in B23-0757 / Act A23-0326 and related bills until November 16, 2020. It also includes the credit reporting provisions of B23-0776 / Act A23-0332.	08/19/20 – signed by mayor, effective immediately until 11/16/20
District of Columbia B23-0776 / Act A23-0332 Expired	Credit Reporting	Among other provisions, the emergency bill law prohibits credit report users from considering adverse information resulting from a public health emergency, retroactive to July 1.	07/07/20 – signed by mayor, effective 07/01/20 – 10/04/20

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Action	Type	Notes	Status
District of Columbia B23-0757 / Act A23-0326 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.	05/27/20 – signed by mayor, effective immediately. Retroactive to 03/11/20 Expires on 08/25/20
District of Columbia B23-0759 / Act A 23-0328 Expired	Credit Reporting / Fees / Forbearance / Foreclosure Restrictions / Repossessions / Payment Deferrals	This is a congressional review emergency bill companion to B23-0757 / Act A23-0326.	06/08/20 – signed by mayor Expires on 09/06/20
District of Columbia B23-0750 / Act A12-0317 Expired	Credit Reporting	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 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.	05/13/20 – signed by Mayor, effective immediately Expires on 08/11/20

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Action	Type	Notes	Status
District of Columbia B23-0743 / Act A23-0318 Expired	Foreclosure Restrictions	This bill would enact a foreclosure moratorium for owner-occupied properties during a public state of emergency and 60 days after it ends. 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.	05/27/20 – signed by Mayor, effective immediately. Expires on 08/25/20
District of Columbia B23-0735 / Act A23-299 Expired	Payment Deferrals / Collections	This bill would amend the COVID-19 Response Supplemental Emergency Amendment Act of 2020, B23-0733 / Act A23-0286. 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. 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	05/04/20 – signed by mayor, effective immediately. Expires on 08/02/20

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Action	Type	Notes	Status
District of Columbia B23-0733 / Act A23-0286 Expired	Collections / Credit Reporting / Fees / Payment Deferrals / Repossessions / Wage Garnishment	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. Mortgage lenders are required to approve applications for borrowers that demonstrate direct or indirect financial hardship due to the public health emergency. 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. Voluntary vehicle surrender is permitted. 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."	04/10/20 – signed by mayor, effective immediately. Expires on 07/09/20 Bill text states provisions effective as of 03/11/20
District of Columbia Superior Court Order and Amended Order Expired	Foreclosure Restrictions	The court is issuing a stay of evictions, including those involving foreclosures, until May 1, extended to May 15	03/15/20 – issued, effective until 05/15/20
Florida Executive Orders 20-94, 20-121, 20-137, 20-159, 20-180, and 20-211 Expired	Foreclosure Restrictions	The governor is suspending foreclosures for single family mortgagors adversely affected by the COVID-19 emergency.	04/02/20 – issued, effective until 10/01/20 (extended)
Illinois Executive Order 2020-16 and extensions 2020-33, 2020-39, 2020-44, 2020-48, and 2020-52 Expired	Repossessions	The governor is prohibiting vehicle repossessions during the coronavirus disaster declaration. Order 2020-52, which extends previous executive orders to 09/19, does *not* extend the provisions of Order 2020-16 limiting vehicle repossessions.	03/26/20 – issued, effective until 08/22/20 (extended)

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Action	Type	Notes	Status
Iowa April 27 Proclamation of Disaster Emergency Expired	Collections / Foreclosure Restrictions / Wage Garnishment	The proclamation suspends all new wage garnishment orders and foreclosures. Foreclosures were first suspended by the 03/22 Proclamation	04/27/20 – issued, effective until 05/27/20
Kansas Executive Orders 20-10 and 20-28 Expired	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.	03/17/20 – issued, effective until 05/31/20 or until the state of disaster expires, whichever is earlier.
Maine Supreme Court PMO-SJC-1 and Reopening Plan Expired	Foreclosure Restrictions	The court is not scheduling or hearing foreclosure proceedings. Phase 5, beginning on 11/09, permits all case types and jury trials to occur. However, it is expected that most non-family civil matters will not be heard until sometime in 2021.	03/30 -issued, 04/14/20 – revised, 05/27/ – reopening plan issued, Effective until 11/09/20
Massachusetts HB 4647 / Chap. 65 and Extension Expired	Foreclosure Restrictions	This law sets a moratorium on evictions and foreclosures for residential property that is not vacant or abandoned. It also requires a lender to grant 180 days of forbearance for mortgagors that can affirm financial hardship. During this period, the lender cannot furnish negative credit report information regarding the mortgagor. The governor would be authorized to extend the moratorium but cannot extend it longer than 45 days after the emergency declaration is lifted.	04/20/20 – signed by governor, effective immediately. 07/21/20 – extended to 10/17/20

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Action	Type	Notes	Status
Massachusetts Attorney General Emergency Regulations and FAQ Expired	Collections / Repossessions / Wage Garnishment	The regulations would make it an unfair and deceptive act to: a) Initiate, file, or threaten to file any new collection lawsuit; 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; c) Initiate, threaten to initiate, or act upon any legal or equitable remedy for the repossession of any vehicle; d) Apply for, cause to be served, enforce, or threaten to apply for, cause to be served or enforce any capias warrant; e) Visit or threaten to visit the household of a debtor at any time; f) Visit or threaten to visit the place of employment of a debtor at any time; and g) Confront or communicate in person with a debtor regarding the collection of a debt in any public place at any time It would also make it an unfair or deceptive act or practice to contact a debtor via telephone. On 05/07, the Federal District Court for Massachusetts granted a motion for a temporary restraining order and preliminary injunction in its lawsuit challenging Mass AG Maura Healey's emergency regulations	03/27 – issued. Valid until 06/25/20 or the end of the State of Emergency, whichever is earlier.
Michigan Department of Insurance and Financial Services (DIFS) Survey Expired	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.	03/18/20 – issued

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Action	Type	Notes	Status
Montana Directive Implementing Executive Orders 2-2020 and 3-2020 and Extension Expired	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.	03/30/20 – issued, effective until 04/24/20
Nevada Emergency Directives 017 and 026 Expired	Collections / Wage Garnishment	This order places a stay on all wage garnishment orders until the end of the state of emergency.	04/30/20 – issued, effective until 06/30/20
Nevada – Las Vegas Justice Court Administrative Ruling 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.	03/16/20 – issued, expired 04/15/20
New York Department of Financial Services (DFS) Guidance and Extension Expired	Reporting Requirements	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. The report was originally due on 04/09 but the DFS extended it to 05/25	03/10/20 – issued, 03/24/20 – updated
New York DFS Guidance and Extension Expired	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	03/10/20 – issued, 03/24/20 – updated
New York Executive Orders 202.8, 202.48, 202.57, 202.70, and 202.81 Expired	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.	03/20/20 – issued, effective until 07/06/20 (residential) and 01/31/21 (commercial)
New York Office of the Courts AO 78 and AO 114 Expired	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.	03/22/20 – issued, effective until 05/20/20

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Action	Type	Notes	Status
New York Executive Order 202.28 Expired	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.	05/07/20 – issued, effective 06/20/20 – 08/19/20
North Carolina Office of the Courts Memo Expired	Foreclosure Restrictions	The state court system is implementing a 30-day halt on eviction and foreclosure proceedings.	03/15/20 – issued, effective until 04/14/20
North Carolina Department of Insurance Guidance Expired	Payment Deferrals	The department is ordering all collection agencies to follow the provisions set in NC Gen. Stat. § 58-2-46, which require them to defer payments for 30 days from the last day the premium.	03/27/20 – issued, effective until 05/26/20
Ohio Attorney General Guidance	Collections / Wage Garnishment	The guidance exempts federal CARES act cash assistance from garnishment or other seizure by creditors and debt collectors.	04/13/20 – issued
Ohio Executive Order 2020-08D Expired	Foreclosure Restrictions	The governor is ordering a suspension of rent payments, a moratorium on evictions, the forbearance of mortgage loans to small businesses for 90 days. The order does not define “small business”	04/01/20 – issued, effective until 06/03/20
Oregon HB 4212 / Ch. 12 Expired	Collections / Wage Garnishment	This law, among other provisions, exempts CARES Act stimulus payment from garnishment, retroactive from 03/08 and effective until 09/30.	06/30/20 – signed by governor, effective until 09/30/20
Oregon HB 4204 / Ch. 4 and Executive Order 20-37 Expired	Fees / Foreclosures / Payment Deferrals	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. Alternatively, the lender can work out a formal payment deferral agreement with a customer. It also prohibits foreclosures. 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. EO 20-37 extended the foreclosure moratorium to 12/31.	06/30/20 – signed by governor, effective until 12/31/20 Retroactive to 03/08/20

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Action	Type	Notes	Status
Pennsylvania May 7 and July 9 Executive Orders Expired	Foreclosure Restrictions	The order tolls all foreclosures requiring compliance with Pennsylvania Act 6 and Act 91. Section 403(d) of Act 6 states that the notice of intention to foreclose provided in this section *shall not be required where the residential mortgage debtor, has abandoned or voluntarily surrendered the property* which is the subject of a residential mortgage." 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	05/07/20 – issued, 07/09/20 – updated Effective 05/11/20 – 08/31/20
Rhode Island Attorney General Guidance AG 2020-03 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.	05/20/20 – issued, retroactive to 03/13/20 and effective until 09/30/20

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Action	Type	Notes	Status
South Carolina Department of Consumer Affairs Interim Guidance Expired	Fees / Foreclosures / Repossessions	The department is strongly encouraging consumer credit licensees to adopt the following: • 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. • 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. • Waiving late charges during the disaster declaration. • Waiving deferment charges or waiving additional finance charges resulting from a deferment. • Waiving nonsufficient funds fees for dishonored payments or unsuccessful ACH withdrawals. • Suspending charging off accounts. • Suspending repossessions of collateral and foreclosure of real property.	06/01/20 – issued, effective until 08/30/20
South Carolina Supreme Court Orders 2020-03-18-01 and 2020-04-30-02 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.	03/18/20 – issued, 04/30/20 – updated, effective until 05/15/20
Virginia Supreme Court Second and Fourth Judicial Emergency Orders Expired	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.	03/27/20 – issued, 05/06/20 – expired

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Action	Type	Notes	Status
Wisconsin Emergency Order 15 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.	03/27/20 – issued, effective until 05/26/20

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Dead Legislation (2020 Session)

Action	Type	Notes	Status
California AB 1436	Forbearance / Foreclosure	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. Amendments to the bill clarify that the forbearance period only applies to borrowers who were current on their payments as of February 1, 2020. 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. 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. 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.	08/20/20 – passed Senate Appropriations Committee and referred to the Senate Rules Committee
California AB 2501	Forbearance / Foreclosure Restrictions / Repossessions	This bill would impose significant new requirements on creditors. Among other provisions, it would require providers of vehicle secured credit and mortgage lenders and servicers to provide up to 270 days of forbearance. 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. 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. After the forbearance period, the creditor may not require balloon payments, assess any late fees or other penalties.	06/15 – failed in the Assembly and was not reconsidered before the 06/19 crossover deadline

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Action	Type	Notes	Status
		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. After the forbearance period, the creditor may not require balloon payments, assess any late fees or other penalties, or accrue additional interest. The amendments also prohibit self-help repossession until 01/01/23 unless: 1. The creditor defaults due to lack of insurance; 2. The vehicle has been impounded for 30 days; or 3. The creditor complies with the forbearance section of the bill	
California AB 828	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 HB 1410	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.	06/04/20 – introduced
Delaware SB 254	Fees / Foreclosure Restrictions	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). During this period, a mortgage lender may not charge any late fees or excess interest if a borrower fails to make a payment. For mortgage actions commenced before the state of emergency, all deadlines will be extended until 30 days after the state of emergency.	06/23/20 – removed from consideration, unlikely to be taken up again this year
District of Columbia B23-0751	Credit Reporting	This is the companion to B23-0750 / Act A12-0317 It is a temporary bill, so it would be effective after mayor's signature and congressional review and remain for 225 days.	05/04/20 – passed first reading
District of Columbia B23-0744	Foreclosure Restrictions	This bill would enact a foreclosure moratorium during the COVID-19 state of emergency and 60 days after it ends.	05/05/20 – passed first reading

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Massachusetts H 5062	Foreclosure Restrictions	This bill would sets a moratorium on evictions and foreclosures for residential property that is not vacant or abandoned until January 1, 20201 or 45 days after the COVID-19 emergency declaration has been lifted, whichever is sooner. It would also authorize the governor to extend the moratorium in increments of 90 days.	10/15/20 – referred to Joint Housing Committee
Massachusetts H 5018	Forbearance / Mortgage Assistance	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. 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. The bill does not contain provisions limiting foreclosures that were in previous bills.	10/01/20 – passed House Housing Committee & referred to Joint Rules Committee
Massachusetts HD 4878 / HD 5166 / SD 2831 / SD 2992	Forbearance / Foreclosure Restrictions / Mortgage Assistance	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. 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. 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.	07/28/20 – hearing in Joint Housing Committee
Massachusetts HD 5027	Credit Cards / Debt Collection	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	04/27/20 – passed Joint Rules Committee & referred to House Consumer Protection and Professional Licensure Committee

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Massachusetts HD 5014	Collections / Credit Reporting / Fees / Forbearance / Wage Garnishment	This bill would prohibit a creditor from demanding payment of any debt. Creditors would be required to grant forbearance if an affected consumer request it. It would also prohibit creditors from assessing any monetary charge or penalty of any kind/20 – including interest and late fees – on any debt during the bill's effective period, and any charges on the debt after the bill expires. Creditors would be required to return any property garnished after 03/10. 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. For debt collectors, the bill would prohibit all communication with a debtor, other than written communication. The bill would be effective until 90 days after the COVID-19 state of emergency ends.	04/21/20 – passed House Rules Committee and referred the House Consumer Protection and Professional Licensure Committee
Massachusetts HD 5012	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.	04/15/20 – referred to House Rules Committee
Massachusetts H 4883 / HD 5005	Fees / Forbearance	This bill would establish the "COVID-19 Homeowners Protection Act" 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. Lenders would be prohibited from reporting forbearance as late payments to credit reporting agencies and instituting any additional fees for loan modification. It would also prohibit foreclosures during the COVID-19 state of emergency and 90 days after it ends.	08/03/20 – hearing in Joint Financial Services Committee

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Massachusetts SD 2889	Credit Reporting / Forbearance / Foreclosure Restrictions	This bill would give residents demonstrating financial hardship the right to forbear payments for 180 days. Lenders would be prohibited to report forbearance as late payments to credit bureaus. Within 90 days of the termination of the forbearance, lenders must maintain pre-forbearance monthly payments or enact loan modifications reducing such monthly payments. It would also prohibit lenders from initiative foreclosures during the governor's state of emergency and for 90 days after it ends.	04/06/20 – referred to Joint Rules Committee
Massachusetts SB 2631	Foreclosure Restrictions	This bill would set a moratorium on evictions and foreclosures for 120 days,	04/09/20 – passed Senate Ways and Means Committee
Massachusetts SB 2621	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	04/06/20 – passed Senate Ways and Means Committee
Massachusetts HB 4624	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	04/06/20 – Senate concurred with House version
Massachusetts HB 4615	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.	04/15/20 – substituted by HB 4647
Minnesota HF 150	Foreclosure Restrictions / Mortgage Relief	This bill would prohibit foreclosures during the state's public health emergency. 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. 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.	06/19/20 – introduced and referred to the House Housing Finance and Policy Division

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Minnesota HF 1507	Fees / Payday Lending	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. 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. 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. 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.	05/07/20 – passed House
Minnesota HF 4541	Foreclosure Restrictions	The bill would prohibit foreclosures for 90 days after a public health emergency.	05/04/20 – passed House Ways and Means Committee
Minnesota HF 3532/SF 4194	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.	HF 3532: 02/19/20 – referred to House Health and Human Services Policy Committee SF 4149: 03/09/20 – referred to Senate Health and Human Services Finance and Policy Committee

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New York AB 10826	Fees / Foreclosures / Payment Deferrals	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.	07/16/20 – introduced and referred to Assembly Housing Committee
New York AB 10689 / SB 8650	Student Lending	These bills would establish the New York State COVID-19 Heroes Loan Forgiveness program. Under this program, eligible health care workers and first responders would receive up to $100,000 in student loan debt repayment.	AB 10689: 07/01/20 – introduced & referred to Assembly Higher Education Committee SB 8650: 07/01/20 – introduced & referred to Senate Rules Committee
New York AB 10688/ SB 8571	Medical Debt / Student Lending	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.	AB 10688: 07/01/20 – introduced & referred to Assembly Consumer Affairs and Protection Committee SB 8571: 06/16/20 – referred to Senate Rules Committee
New York AB 10478 / SB 8443	Mortgage Assistance	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. Mortgage lenders and servicers would also be prohibited from foreclosing on a homeowner that is in the program. 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.	AB 10478: 05/22/20 – referred to Assembly Housing Committee SB 8443: 06/03 referred to the Senate Housing, Construction and Community Development Committee

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New York AB 10544	Forbearance	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 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.	05/28/20 – referred to Assembly Banks Committee
New York SB 8454	Forbearance	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 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.	07/20/20 – amended and recommitted to Senate Banks Committee
New York AB 10526 / SB 8425	Forbearance	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.	AB 10526: 05/28/20 – referred to Assembly Ways and Means Committee SB 8425: 05/28/20 – referred to Senate Rules Committee
New York AB 10499	Forbearance	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. 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.	05/22/20 – referred to Assembly Banks Committee
New York SB 8402	Collections	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 It would also prohibit levies against a personal and commercial bank account. The bill would be retroactive to March 7.	05/21/20 – referred to Senate Consumer Protection Committee

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New York SB 8118-B	Credit Reporting	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. 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.	05/18/20 – referred to Senate Consumer Protection Committee
New York AB 10325	Payment Deferrals	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. It would also prohibit creditors from charging late fees and reporting adverse information due to the payment suspension.	04/22/20 – referred to Assembly Judiciary Committee
New York AB 10261	Payment Deferrals / Credit Reporting	This bill would suspend all student loan, mortgage, vehicle loan, and credit card payments for 90 days and suspend negative reporting to credit bureaus.	04/08/20 – referred to Assembly Consumer Affairs and Protection Committee
North Carolina HB 1134 / SB 827	Mortgage Assistance	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. Participants would be eligible receive up to $40,000 in mortgage relief.	HB 1134: 05/18/20 – referred to House Finance, Appropriations, and Rules Committees SB 827: 05/21/20 – referred to Senate Appropriations Committee

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Ohio HB 596	Collections / Fees / Forbearance / Wage Garnishment	The bill would impose sweeping restrictions on debt collectors. It would prevent any debt collector from any of the following. a) Capitalizing unpaid interest; b) Applying a higher interest rate triggered by the nonpayment of the debt to the debt balance; c) Charging a fee triggered by the nonpayment of the debt, d) Suing or threatening to sue for nonpayment of a debt, e) Continuing litigation to collect a debt initiated prior to the effective date of the legislation, f) Enforcing a security interest through repossession, limitation of use or foreclosure, 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; h) Causing the collection of a debt by levying funds from a bank account or seizing other assets of a consumer or small business; i) Commencing or continuing an action to evict a consumer or small business from real or personal property. The bill broadly defines “debt collector” include creditors, lessors and providers of utility services, but would exclude collectors of federally-related mortgage loans.	05/04/20 – referred to House Civil Justice Committee
Ohio SB 297	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.	05/06/20 – referred to Senate General Government and Agency Review Committee

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Ohio HB 562	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.	05/04/20 – referred to House Civil Justice Committee
Pennsylvania HB 2836	Foreclosure Restrictions	This bill would place a moratorium on foreclosures and restrictions until 12/31/20.	09/14/20 – introduced & referred to House Consumer Affairs Committee
Pennsylvania SB 1292	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.	09/08/20 – introduced & referred to the Senate Banking and Insurance Committee
Pennsylvania HB 2623	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 memo states these funds are aimed to help non-resident landlords.	06/23/20 – introduced and referred to House Urban Affairs Committee
Pennsylvania SB 1151	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.	06/05/20 – introduced & referred to Senate Banking & Insurance committee
Pennsylvania HB 2554	Credit Reporting	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. It would also prohibit a creditor from considering any adverse information in an affected consumer's credit report. Both provisions would be effective during the emergency and for ninety days after it ends.	05/26/20 – referred to House Commerce Committee

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Puerto Rico HB 2562	Payment Deferrals	This bill would establish a moratorium for the payment of mortgage loans, personal loans, credit cards, and vehicle loans.	03/28/20 – filed, referred to Committee on Consumer Affairs, Banking and Insurance

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