

Practice Update

FHFA / HUD / State Foreclosure Suspensions and Related Emergency Orders

March 30, 2020

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Federal and state governments are beginning to issue emergency orders and take other actions related to foreclosure. Below is a summary of those actions. Please see our [Interactive Foreclosure Map](#) for additional information.

Federal Actions

FHFA – On [March 18](#) FHFA issued an order suspending foreclosures and evictions for all Fannie and Freddie loans. The suspension is in effect for at least the next 60 days.

HUD – On [March 18](#) HUD issued Mortgage Letter 2020-04, suspending foreclosure and evictions on FHA loans for 60 days. The letter also extends deadlines of the first legal action and reasonable diligence timelines by 60 days.

USDA – On [March 19](#) USDA announced a 60-day moratorium on the initiation of new foreclosures and on the completion of foreclosures in process for all borrowers with USDA guaranteed loans. USDA also announced a 60-day moratorium on evictions of persons from properties secured by USDA guaranteed loans.

State Actions

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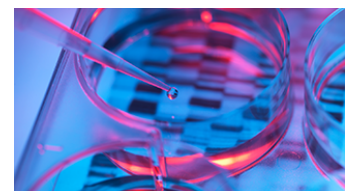
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Arizona – The state has not issued emergency orders related to foreclosures, but on March 15 Phoenix announced moratorium on evictions from city-owned housing.

California – On March 16 Governor Newsom issued an order permitting localities to take whatever means necessary to promote housing security and stability.

- *Los Angeles* – On March 15 Mayor Garcetti issued an order prohibiting evictions.
- *San Francisco* – On March 13 Mayor Breed issued an order prohibiting evictions.

Delaware – On March 24, Governor Carney issued an emergency order suspending all residential mortgage foreclosures and residential evictions. The suspension will remain in place until Delaware's state of emergency is terminated.

Florida – The state has not issued emergency orders related to foreclosures as of March 20th, but local police departments have suspended evictions.

- *Miami-Dade* – On March 12 police department announced suspension of all eviction activities until further notice.
- *Orange County (Orlando)* – On March 16 sheriff's office announced suspension of eviction activities until further notice.
- *Hillsborough County (Tampa)* – On March 18 sheriff's office ordered suspension of any eviction proceedings.

Georgia – The state has not issued emergency orders related to foreclosures as of March 20th. On March 16 Atlanta imposed moratorium on residential evictions and filings by public housing authorities.

Hawaii – On March 17, the Hawaii Department of Public Safety Sheriff Division suspended all eviction

activities until further notice.

Illinois – The state has not issued emergency orders related to foreclosures as of March 20th, but on March 13 Circuit Court of Cook County (Chicago) imposed moratorium on final judgments and executions of judgments in mortgage foreclosure proceedings. The Cook County sheriff subsequently suspended all court-ordered evictions for 30 days.

Indiana – On March 19 Governor Holcomb issued an emergency order suspending all foreclosure and eviction proceedings until May 5, 2020.

Kansas – On March 17, Governor Kelly ordered all financial institutions operating in Kansas to suspend initiation of: (1) any mortgage foreclosure efforts or judicial proceedings, and (2) any commercial or residential evictions efforts or judicial proceedings until May 1, 2020.

Maryland – On March 16 Governor Hogan issued an emergency order suspending evictions.

Michigan – The state has not issued emergency orders related to foreclosures as of March 20th. On March 16, the 36th District Court (Detroit) issued a moratorium on evictions.

Missouri – The state has not issued emergency orders related to foreclosures as of March 20th, but on March 19 St. Louis announced a moratorium on evictions.

Nevada – On March 29, Governor Sisolak issued an emergency directive suspending eviction and foreclosure actions involving residential or commercial real estate. The emergency directive will remain in effect until the governor terminates Nevada's state of emergency order.

New Hampshire – On March 17 Governor Sununu suspended all foreclosures for the duration of New Hampshire's state of emergency.

New Jersey – On March 19 Governor Murphy issued an emergency order staying the enforcement of all judgments related to foreclosure or eviction, and also prohibiting removal of any resident in connection with a foreclosure or eviction. The order permits initiating or continuing foreclosure and eviction proceedings.

New York – On March 20 Governor Cuomo suspended enforcement of any residential or commercial evictions and foreclosures of any residential or commercial property.

- *New York City* – Courts ordered suspension residential evictions, court-ordered auctions, and residential foreclosure proceedings.
- *Buffalo* - On March 17, the city announced suspension of residential and commercial evictions until further notice.

Oklahoma – The state has not issued emergency orders related to foreclosures or evictions as of March 20th. On March 16, sheriff of Oklahoma County (Oklahoma City) announced suspension of all foreclosure sales.

Oregon – The state has not issued orders related to foreclosures, but on March 22 Governor Brown issued a 90-day moratorium on residential evictions. On March 17, Multnomah County (Portland) issued a moratorium on evictions.

Washington – The state has not issued orders related to foreclosures, but on March 18 Governor Inslee issued a moratorium on evictions. Seattle Mayor Durkan previously issued an order suspending evictions.

Wisconsin – On March 27, Governor Evers and the Wisconsin Department of Health Services issued an order suspending evictions and foreclosures for sixty days.

This information is intended to inform firm clients and friends about legal developments, including recent decisions of various courts and administrative bodies. Nothing in this Practice Update should be construed as legal advice or a legal opinion, and readers should not act upon the information contained in this Practice Update without seeking the advice of legal counsel. Prior results do not guarantee a similar outcome.