

116TH CONGRESS
2D SESSION

S. 4519

To provide mortgage relief and to provide eviction relief for renters related to the COVID–19 pandemic, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 10, 2020

Ms. HARRIS introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide mortgage relief and to provide eviction relief for renters related to the COVID–19 pandemic, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rent Emergencies
5 Leave Impacts on Evicted Families Act” or the “RELIEF
6 Act”.

7 **SEC. 2. MORTGAGE RELIEF.**

8 (a) SHORT TITLE.—This section may be cited as the
9 “COVID–19 Mortgage Relief Act”.

10 (b) MORTGAGE RELIEF.—

1 (1) FORBEARANCE AND FORECLOSURE MORA-
2 TORIUM FOR COVERED MORTGAGE LOANS.—Section
3 4022 of the CARES Act (15 U.S.C. 9056) is
4 amended—

5 (A) by striking “Federally backed mort-
6 gage loan” each place such term appears and
7 inserting “covered mortgage loan”; and

8 (B) in subsection (a)—

9 (i) by amending paragraph (2) to read
10 as follows:

11 “(2) COVERED MORTGAGE LOAN.—The term
12 ‘covered mortgage loan’—

13 “(A) means any credit transaction that is
14 secured by a mortgage, deed of trust, or other
15 equivalent consensual security interest on—

16 “(i) a 1- to 4-unit dwelling or on resi-
17 dential real property that includes a 1- to
18 4-unit dwelling;

19 “(ii) a manufactured home; or

20 “(iii) a covered recreational vehicle;

21 and

22 “(B) does not include a credit transaction
23 under an open end credit plan other than a re-
24 verse mortgage.”; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(3) COVERED PERIOD.—The term ‘covered pe-
4 riod’ means the 12-month period beginning on the
5 date of enactment of this Act.

6 “(4) COVERED RECREATIONAL VEHICLE.—The
7 term “‘covered recreational vehicle’” means a rec-
8 reational vehicle that is—

9 “(A) rented or leased to a tenant by the
10 owner; and

11 “(B) occupied by the tenant as the resi-
12 dence of the tenant.

13 “(5) MANUFACTURED HOME.—The term ‘man-
14 ufactured home’ has the meaning given the term in
15 section 603 of the National Manufactured Housing
16 Construction and Safety Standards Act of 1974 (42
17 U.S.C. 5402).”.

18 (2) AUTOMATIC FORBEARANCE FOR DELIN-
19 QUENT BORROWERS.—Section 4022(c) of the
20 CARES Act (15 U.S.C. 9056(c)) is amended by in-
21 sserting after paragraph (8), as added by paragraph
22 (5) of this subsection, the following:

23 “(9) AUTOMATIC FORBEARANCE FOR DELIN-
24 QUENT BORROWERS.—

1 “(A) IN GENERAL.—Notwithstanding any
2 other law governing forbearance relief—

3 “(i) any borrower whose covered mort-
4 gage loan became 60 days delinquent be-
5 tween March 13, 2020, and the date of en-
6 actment of this paragraph, and who has
7 not already received a forbearance under
8 subsection (b), shall automatically be
9 granted a 60-day forbearance that begins
10 on the date of enactment of this para-
11 graph, provided that a borrower shall not
12 be considered delinquent for purposes of
13 this paragraph while making timely pay-
14 ments or otherwise performing under a
15 trial modification or other loss mitigation
16 agreement; and

17 “(ii) any borrower whose covered
18 mortgage loan becomes 60 days delinquent
19 between the date of enactment of this
20 paragraph and the end of the covered pe-
21 riod, and who has not already received a
22 forbearance under subsection (b), shall
23 automatically be granted a 60-day forbear-
24 ance that begins on the 60th day of delin-
25 quency, provided that a borrower shall not

1 be considered delinquent for purposes of
2 this paragraph while making timely pay-
3 ments or otherwise performing under a
4 trial modification or other loss mitigation
5 agreement.

6 “(B) INITIAL EXTENSION.—An automatic
7 forbearance provided under subparagraph (A)
8 shall be extended for up to an additional 120
9 days upon the request of the borrower, oral or
10 written, submitted to the servicer of the bor-
11 rower affirming that the borrower is experi-
12 encing a financial hardship that prevents the
13 borrower from making timely payments on the
14 covered mortgage loan due, directly or indi-
15 rectly, to the COVID–19 emergency.

16 “(C) SUBSEQUENT EXTENSION.—A for-
17 bearance extended under subparagraph (B)
18 shall be extended for up to an additional 180
19 days, up to a maximum of 360 days (including
20 the period of automatic forbearance), upon the
21 borrower’s request, oral or written, submitted to
22 the borrower’s servicer affirming that the bor-
23 rower is experiencing a financial hardship that
24 prevents the borrower from making timely pay-
25 ments on the covered mortgage loan due, di-

1 rectly or indirectly, to the COVID–19 emer-
2 gency.

3 “(D) RIGHT TO ELECT TO CONTINUE MAK-
4 ING PAYMENTS.—

5 “(i) IN GENERAL.—With respect to a
6 forbearance provided under this paragraph,
7 the borrower of the covered mortgage loan
8 may elect to continue making regular pay-
9 ments on the covered mortgage loan.

10 “(ii) LOSS MITIGATION.—A borrower
11 who makes an election described in clause
12 (i) shall be offered a loss mitigation option
13 pursuant to subsection (d) within 30 days
14 of resuming regular payments to address
15 any payment deficiency during the forbear-
16 ance.

17 “(E) RIGHT TO SHORTEN FORBEAR-
18 ANCE.—

19 “(i) IN GENERAL.—At the request of
20 a borrower, any period of forbearance pro-
21 vided to the borrower under this paragraph
22 may be shortened.

23 “(ii) LOSS MITIGATION.—A borrower
24 who makes a request under clause (i) shall
25 be offered a loss mitigation option pursu-

1 ant to subsection (d) within 30 days of re-
2 suming regular payments to address any
3 payment deficiency during the forbearance.

4 “(10) AUTOMATIC FORBEARANCE FOR CERTAIN
5 REVERSE MORTGAGE LOANS.—

6 “(A) IN GENERAL.—When any covered
7 mortgage loan that is also a federally insured
8 reverse mortgage loan, during the covered pe-
9 riod, is due and payable due to the death of the
10 last borrower or end of a deferral period or eli-
11 gible to be called due and payable due to a
12 property charge default, or if the borrower de-
13 faults on a property charge repayment plan, or
14 if the borrower defaults for failure to complete
15 property repairs, or if an obligation of the bor-
16 rower under the Security Instrument is not per-
17 formed, the mortgagee automatically shall be
18 granted a 6-month extension of—

19 “(i) the mortgagee’s deadline to re-
20 quest due and payable status from the De-
21 partment of Housing and Urban Develop-
22 ment;

23 “(ii) the mortgagee’s deadline to send
24 notification to the mortgagor or his or her
25 heirs that the loan is due and payable;

1 “(iii) the deadline to initiate fore-
2 closure;

3 “(iv) any reasonable diligence period
4 related to foreclosure or the Mortgagee Op-
5 tional Election;

6 “(v) if applicable, the deadline to ob-
7 tain the due and payable appraisal; and

8 “(vi) any claim submission deadline,
9 including the 6-month acquired property
10 marketing period.

11 “(B) FORBEARANCE PERIOD.—The mort-
12 gagee shall not request due and payable status
13 from the Secretary of Housing and Urban De-
14 velopment nor initiate foreclosure during this 6-
15 month period described in subparagraph (A),
16 which shall be considered a forbearance period.

17 “(C) EXTENSION.—A forbearance provided
18 under subparagraph (B) and related deadline
19 extension authorized under subparagraph (A)
20 shall be extended for an additional 180 days
21 upon—

22 “(i) the request of the borrower, oral
23 or written, submitted to the servicer or the
24 borrower affirming that the borrower is ex-
25 periencing a financial hardship that pre-

1 vents the borrower from making payments
2 on property charges, completing property
3 repairs, or performing an obligation of the
4 borrower under the Security Instrument
5 due, directly or indirectly, to the COVID-
6 19 emergency;

7 “(ii) the request of a non-borrowing
8 spouse, oral or written, submitted to the
9 servicer affirming that the non-borrowing
10 spouse has been unable to satisfy all cri-
11 teria for the Mortgagee Optional Election
12 program due, directly or indirectly, to the
13 COVID-19 emergency, or to perform all
14 actions necessary to become an eligible
15 non-borrowing spouse following the death
16 of all borrowers; or

17 “(iii) the request of a successor-in-in-
18 terest of the borrower, oral or written, sub-
19 mitted to the servicer affirming the dif-
20 ficulty of the heir in satisfying the reverse
21 mortgage loan due, directly or indirectly,
22 to the COVID-19 emergency.

23 “(D) CURTAILMENT OF DEBENTURE IN-
24 TEREST.—Where any covered mortgage loan
25 that is also a federally insured reverse mortgage

1 loan is in default during the covered period and
2 subject to a prior event which provides for cur-
3 tailment of debenture interest in connection
4 with a claim for insurance benefits, the curtail-
5 ment of debenture interest shall be suspended
6 during any forbearance period provided here-
7 in.”.

8 (3) ADDITIONAL FORECLOSURE AND REPOSSES-
9 SION PROTECTIONS.—Section 4022(c) of the
10 CARES Act (15 U.S.C. 9056(c)) is amended—

11 (A) in paragraph (2), by striking “may not
12 initiate any judicial or non-judicial foreclosure
13 process, move for a foreclosure judgment or
14 order of sale, or execute a foreclosure-related
15 eviction or foreclosure sale for not less than the
16 60-day period beginning on March 18, 2020”
17 and inserting “may not initiate or proceed with
18 any judicial or non-judicial foreclosure process,
19 schedule a foreclosure sale, move for a fore-
20 closure judgment or order of sale, execute a
21 foreclosure related eviction or foreclosure sale
22 for 6 months after the date of enactment of the
23 COVID–19 Mortgage Relief Act”; and

24 (B) by adding at the end the following:

1 “(3) REPOSSESSION MORATORIUM.—In the case
2 of personal property, including any recreational or
3 motor vehicle, used as a dwelling, no person may use
4 any judicial or non-judicial procedure to repossess or
5 otherwise take possession of the property for the 6-
6 month period beginning on the date of enactment of
7 this paragraph.”.

8 (4) MORTGAGE FORBEARANCE REFORMS.—Sec-
9 tion 4022 of the CARES Act (15 U.S.C. 9056) is
10 amended—

11 (A) in subsection (b), by striking para-
12 graphs (1), (2), and (3) and inserting the fol-
13 lowing:

14 “(1) IN GENERAL.—During the covered period,
15 a borrower with a covered mortgage loan who has
16 not obtained automatic forbearance pursuant to this
17 section and who is experiencing a financial hardship
18 that prevents the borrower from making timely pay-
19 ments on the covered mortgage loan due, directly or
20 indirectly, to the COVID–19 emergency may request
21 forbearance on the covered mortgage loan, regard-
22 less of delinquency status, by—

23 “(A) submitting a request, orally or in
24 writing, to the servicer of the covered mortgage
25 loan; and

1 “(B) affirming that the borrower is experi-
2 encing a financial hardship that prevents the
3 borrower from making timely payments on the
4 covered mortgage loan due, directly or indi-
5 rectly, to the COVID–19 emergency.

6 “(2) DURATION OF FORBEARANCE.—

7 “(A) IN GENERAL.—Upon a request by a
8 borrower to a servicer for forbearance under
9 paragraph (1), the forbearance shall be granted
10 by the servicer for the period requested by the
11 borrower, up to an initial length not more than
12 180 days, the length of which shall be extended
13 by the servicer, at the request of the borrower
14 for the period or periods requested, for a total
15 forbearance period of not more than 12 months.

16 “(B) MINIMUM FORBEARANCE
17 AMOUNTS.—For purposes of granting a forbear-
18 ance under this paragraph, a servicer may
19 grant an initial forbearance with a term of not
20 less than 90 days, provided that it is automati-
21 cally extended for an additional 90 days unless
22 the servicer confirms the borrower does not
23 want to renew the forbearance or that the bor-
24 rower is no longer experiencing a financial
25 hardship that prevents the borrower from mak-

1 ing timely mortgage payments due, directly or
2 indirectly, to the COVID–19 emergency.

3 “(C) RIGHT TO SHORTEN FORBEAR-
4 ANCE.—

5 “(i) IN GENERAL.—At the request of
6 a borrower, any period of forbearance de-
7 scribed under this paragraph may be
8 shortened.

9 “(ii) LOSS MITIGATION.—A borrower
10 who makes a request under clause (i) shall
11 be offered a loss mitigation option pursu-
12 ant to subsection (d) within 30 days of re-
13 suming regular payments to address any
14 payment deficiency during the forbearance.

15 “(3) ACCRUAL OF INTEREST OR FEES.—A
16 servicer shall not charge a borrower any fees, pen-
17 alties, or interest (beyond the amounts scheduled or
18 calculated as if the borrower made all contractual
19 payments on time and in full under the terms of the
20 mortgage contract) in connection with a forbearance,
21 provided that a servicer may offer the borrower a
22 modification option at the end of a forbearance pe-
23 riod granted hereunder that includes the capitaliza-
24 tion of past due principal and interest and escrow
25 payments as long as the principal and interest pay-

1 ment of the borrower under such modification re-
2 mains at or below the contractual principal and in-
3 terest payments owed under the terms of the mort-
4 gage contract before such forbearance period except
5 as the result of a change in the index of an adjust-
6 able rate mortgage.

7 “(4) COMMUNICATION WITH SERVICERS.—Any
8 communication between a borrower and a servicer
9 described in this section may be made in writing or
10 orally, at the election of the borrower.

11 “(5) COMMUNICATION WITH BORROWERS WITH
12 A DISABILITY.—

13 “(A) IN GENERAL.—Upon request from a
14 borrower, servicers shall communicate with bor-
15 rowers who have a disability in the preferred
16 method of communication of the borrower.

17 “(B) DEFINITION.—In this paragraph, the
18 term ‘disability’ has the meaning given the
19 term—

20 “(i) ‘handicap’ in section 802 of the
21 Fair Housing Act (42 U.S.C. 3602);

22 “(ii) in section 3 of the Americans
23 with Disabilities Act of 1990 (42 U.S.C.
24 12102); or

1 “(iii) section 7 of the Rehabilitation
2 Act of 1973 (29 U.S.C. 705.”; and

3 (B) in subsection (c), by amending para-
4 graph (1) to read as follows:

5 “(1) NO DOCUMENTATION REQUIRED.—A
6 servicer of a covered mortgage loan shall not require
7 any documentation with respect to a forbearance
8 under this section other than the oral or written af-
9 firmation of the borrower to a financial hardship
10 that prevents the borrower from making timely pay-
11 ments on the covered mortgage loan due, directly or
12 indirectly, to the COVID–19 emergency. An oral re-
13 quest for forbearance and oral affirmation of hard-
14 ship by the borrower shall be sufficient for the bor-
15 rower to obtain or extend a forbearance.”.

16 (5) OTHER SERVICER REQUIREMENTS DURING
17 FORBEARANCE.—Section 4022(c) of the CARES Act
18 (15 U.S.C. 9056(c)), as amended by paragraph (3)
19 of this subsection, is amended by adding at the end
20 the following:

21 “(4) FORBEARANCE TERMS NOTICE.—Within
22 30 days of a servicer of a covered mortgage loan
23 providing forbearance to a borrower under sub-
24 section (b) or paragraph (9) or (10), or 10 days if
25 the forbearance is for a term of less than 60 days,

1 but only where the forbearance was provided in re-
2 sponse to a request by the borrower for forbearance
3 or when an automatic forbearance was initially pro-
4 vided under paragraph (9) or (10), and not when an
5 existing forbearance is automatically extended, the
6 servicer shall provide the borrower with a notice in
7 accordance with the terms in paragraph (5).

8 “(5) CONTENTS OF NOTICE.—The written no-
9 tice required under paragraph (4) shall state in
10 plain language—

11 “(A) the specific terms of the forbearance;

12 “(B) the beginning and ending dates of the
13 forbearance;

14 “(C) that the borrower is eligible for not
15 more than 12 months of forbearance;

16 “(D) that the borrower may request an ex-
17 tension of the forbearance unless the borrower
18 will have reached the maximum period at the
19 end of the forbearance;

20 “(E) that the borrower may request that
21 the initial or extended period be shortened at
22 any time;

23 “(F) that the borrower should contact the
24 servicer before the end of the forbearance pe-
25 riod;

1 “(G) a description of the loss mitigation
2 options that may be available to the borrower at
3 the end of the forbearance period based on the
4 specific covered mortgage loan of the borrower;

5 “(H) information on how to find a housing
6 counseling agency approved by the Department
7 of Housing and Urban Development;

8 “(I) in the case of a forbearance provided
9 pursuant to paragraph (9) or (10), that the for-
10 bearance was automatically provided and how
11 to contact the servicer to make arrangements
12 for further assistance, including any renewal;
13 and

14 “(J) where applicable, that the forbearance
15 is subject to an automatic extension, including
16 the terms of any such automatic extensions and
17 when any further extension would require a bor-
18 rower request.

19 “(6) TREATMENT OF ESCROW ACCOUNTS.—
20 During any forbearance provided under this section,
21 a servicer shall pay or advance funds to make dis-
22 bursements in a timely manner from any escrow ac-
23 count established on the covered mortgage loan.

24 “(7) NOTIFICATION FOR BORROWERS.—During
25 the period beginning on the date that is 90 days

1 after the date of the enactment of this paragraph
2 and ending on the last day of the covered period,
3 each servicer of a covered mortgage loan shall be re-
4 quired to—

5 “(A) make available in a clear and con-
6 spicuous manner on their web page accurate in-
7 formation, in English and in the top 10 most
8 widely spoken languages used by limited
9 English proficient borrowers, for borrowers re-
10 garding the availability of forbearance as pro-
11 vided under subsection (b); and

12 “(B) notify every borrower whose pay-
13 ments on a covered mortgage loan are delin-
14 quent in any oral communication with or to the
15 borrower that the borrower may be eligible to
16 request forbearance as provided under sub-
17 section (b), except that such notice shall not be
18 required if the borrower already has requested
19 forbearance under subsection (b).

20 “(8) CERTAIN TREATMENT UNDER RESPA.—As
21 long as a payment of a borrower on a covered mort-
22 gage loan was not more than 30 days delinquent on
23 March 13, 2020, a servicer may not deem the bor-
24 rower as delinquent while a forbearance granted
25 under subsection (b) is in effect for purposes of the

1 application of sections 6 and 10 of the Real Estate
2 Settlement Procedures Act (12 U.S.C. 2605, 2609)
3 and any applicable regulations.”.

4 (6) POST-FORBEARANCE LOSS MITIGATION.—

5 (A) AMENDMENT TO CARES ACT.—Section
6 4022 of the CARES Act (15 U.S.C. 9056) is
7 amended by adding at the end the following:

8 “(d) POST-FORBEARANCE LOSS MITIGATION.—

9 “(1) NOTICE OF AVAILABILITY OF ADDITIONAL
10 FORBEARANCE.—With respect to any covered mort-
11 gage loan as to which forbearance under this section
12 has been granted and not otherwise extended, in-
13 cluding by automatic extension, a servicer shall, not
14 later than 30 days before the end of the forbearance
15 period, in writing, notify the borrower that addi-
16 tional forbearance may be available and how to re-
17 quest such forbearance, except that no such notice
18 is required where the borrower already has requested
19 an extension of the forbearance period, is subject to
20 automatic extension pursuant to subsection
21 (b)(2)(B), or no additional forbearance is available.

22 “(2) LOSS MITIGATION OFFER BEFORE EXPIRA-
23 TION OF FORBEARANCE.—Not later than 30 days
24 before the end of any forbearance period that has
25 not been extended or 30 days after a request by a

1 consumer to terminate the forbearance, which time
2 shall be before the servicer initiates or engages in
3 any foreclosure activity listed in subsection (c)(2),
4 including incurring or charging to a borrower any
5 fees or corporate advances related to a foreclosure,
6 the servicer shall, in writing—

7 “(A) offer the borrower a loss mitigation
8 option, without the charging of any fees or pen-
9 alties other than interest, such that the prin-
10 cipal and interest payment of the borrower re-
11 mains the same as it was prior to the forbear-
12 ance, subject to any adjustment of the index
13 pursuant to the terms of an adjustable rate
14 mortgage, and that—

15 “(i) defers the payment of total ar-
16 rearages, including any escrow advances,
17 to the end of the existing term of the loan,
18 without the charging or collection of any
19 additional interest on the deferred
20 amounts; or

21 “(ii) extends the term of the mortgage
22 loan, and capitalizes, defers, or forgives all
23 escrow advances and other arrearages,
24 provided, however, that the servicer may offer
25 the borrower a loss mitigation option that re-

1 duces the principal and interest payment on the
2 loan and capitalizes, defers, or forgives all es-
3 crow advances or arrearages if the servicer has
4 information indicating that the borrower cannot
5 resume the pre-forbearance mortgage payments;
6 and

7 “(B) concurrent with the loss mitigation
8 offer in subparagraph (A), notify the borrower
9 that the borrower has the right to be evaluated
10 for other loss mitigation options if the borrower
11 is not able to make the payment under the op-
12 tion offered in subparagraph (A).

13 “(3) EVALUATION FOR LOSS MITIGATION PRIOR
14 TO FORECLOSURE INITIATION.—Before a servicer
15 may initiate or engage in any foreclosure activity
16 listed in subsection (c)(2), including incurring or
17 charging to a borrower any fees or corporate ad-
18 vances related to a foreclosure on the basis that the
19 borrower has failed to perform under the loss miti-
20 gation offer in paragraph (2)(A) within the first 90
21 days after the option is offered, including a failure
22 to accept the loss mitigation offer in paragraph
23 (2)(A), the servicer shall—

1 “(A) unless the borrower has already sub-
2 mitted a complete application that the servicer
3 is reviewing—

4 “(i) notify the borrower in writing of
5 the documents and information, if any,
6 needed by the servicer to enable the
7 servicer to consider the borrower for all
8 available loss mitigation options; and

9 “(ii) exercise reasonable diligence to
10 obtain the documents and information
11 needed to complete the loss mitigation ap-
12 plication of the borrower; and

13 “(B) upon receipt of a complete applica-
14 tion or if, despite the exercise by the servicer of
15 reasonable diligence, the loss mitigation applica-
16 tion remains incomplete 60 days after the no-
17 tice in paragraph (2)(A) is sent—

18 “(i) conduct an evaluation of the com-
19 plete or incomplete loss mitigation applica-
20 tion without reference to whether the bor-
21 rower has previously submitted a complete
22 loss mitigation application; and

23 “(ii) offer the borrower all available
24 loss mitigation options for which the bor-
25 rower qualifies under applicable investor

1 guidelines, including guidelines regarding
2 required documentation.

3 “(4) EFFECT ON FUTURE REQUESTS FOR LOSS
4 MITIGATION REVIEW.—An application, offer, or eval-
5 uation for loss mitigation under this section shall
6 not be the basis for the denial of an application of
7 a borrower as duplicative or for a reduction in the
8 appeal rights of the borrower under Regulation X in
9 part 1024 of title 12, Code of Federal Regulations,
10 in regard to any loss mitigation application sub-
11 mitted after the servicer has complied with the re-
12 quirements of paragraphs (2) and (3).

13 “(5) SAFE HARBOR.—Any loss mitigation op-
14 tion authorized by the Federal National Mortgage
15 Association, the Federal Home Loan Corporation, or
16 the Federal Housing Administration shall be deemed
17 to comply with the requirements of paragraph
18 (1)(B) if the loss mitigation option—

19 “(A) defers the payment of total arrear-
20 ages, including any escrow advances, to the end
21 of the existing term of the loan, without the
22 charging or collection of any additional interest
23 on the deferred amounts; or

24 “(B) extends the term of the mortgage
25 loan, and capitalizes, defers, or forgives all es-

1 crow advances and other arrearages, without
2 the charging of any fees or penalties beyond in-
3 terest on any amount capitalized into the loan
4 principal.

5 “(6) HOME RETENTION OPTIONS FOR CERTAIN
6 REVERSE MORTGAGE LOANS.—

7 “(A) IN GENERAL.—For a covered mort-
8 gage loan that is also a federally insured re-
9 verse mortgage loan, the conduct of a servicer
10 shall be deemed to comply with this section,
11 provided that if the loan is eligible to be called
12 due and payable due to a property charge de-
13 fault, the mortgagee shall, as a precondition to
14 sending a due and payable request to the Sec-
15 retary or initiating or continuing a foreclosure
16 process—

17 “(i) make a good faith effort to com-
18 municate with the borrower regarding
19 available home retention options to cure
20 the property charge default, including en-
21 couraging the borrower to apply for home
22 retention options; and

23 “(ii) consider the borrower for all
24 available home retention options as allowed
25 by the Secretary.

1 “(B) PERMISSIBLE REPAYMENT PLANS.—
2 The Secretary shall amend the allowable home
3 retention options of the Secretary to permit a
4 repayment plan of not more than 120 months
5 in length, and to permit a repayment plan with-
6 out regard to prior defaults on repayment
7 plans.

8 “(C) LIMITATION ON INTEREST CURTAIL-
9 MENT.—The Secretary may not curtail interest
10 paid to mortgagees who engage in loss mitiga-
11 tion or home retention actions through interest
12 curtailment during such loss mitigation or home
13 retention review or during the period when a
14 loss mitigation or home retention plan is in ef-
15 fect and ending 90 days after any such plan
16 terminates.”.

17 (B) AMENDMENT TO HOUSING ACT OF
18 1949.—Section 505 of the Housing Act of 1949
19 (42 U.S.C. 1475) is amended—

20 (i) by striking the section heading and
21 inserting “LOSS MITIGATION AND FORE-
22 CLOSURE PROCEDURES”;

23 (ii) in subsection (a), by striking the
24 section designation and all that follows

1 through “During any” and inserting the
2 following:

3 “SEC. 505. (a) MORATORIUM.—(1) In determining
4 the eligibility of a borrower for relief eligibility for relief,
5 the Secretary shall make all eligibility decisions based on
6 the household income, expenses, and circumstances of the
7 borrower.

8 “(2) During any”;

9 (iii) by redesignating subsection (b) as
10 subsection (c); and

11 (iv) by inserting after subsection (a)
12 the following:

13 “(b) LOAN MODIFICATION.—(1) Notwithstanding
14 any other provision of this title, for any loan made under
15 section 502 or 504, the Secretary may modify the interest
16 rate and extend the term of such loan for up to 30 years
17 from the date of such modification.

18 “(2) At the end of any moratorium period granted
19 under this section or under the COVID–19 Mortgage Re-
20 lief Act, the Secretary shall determine whether the bor-
21 rower can reasonably resume making principal and inter-
22 est payments after the Secretary modifies the loan obliga-
23 tion of the borrower obligations in accordance with para-
24 graph (1).”.

1 (7) MULTIFAMILY MORTGAGE FORBEARANCE.—
2 Section 4023 of the CARES Act (15 U.S.C. 9057)
3 is amended—

4 (A) in the section heading, by striking
5 “**FEDERALLY BACKED LOANS**”;

6 (B) by striking “Federally backed multi-
7 family mortgage loan” each place that term ap-
8 pears and inserting “multifamily mortgage
9 loan”;

10 (C) in subsection (b), by striking “during”
11 and inserting “due, directly or indirectly, to”;

12 (D) in subsection (c)(1)—

13 (i) in subparagraph (A), by adding
14 “and” at the end; and

15 (ii) by striking subparagraphs (B) and
16 (C) and inserting the following:

17 “(B) provide the forbearance for up to the
18 end of the period described in section
19 4024(b).”;

20 (E) by redesignating subsection (f) as sub-
21 section (g);

22 (F) by inserting after subsection (e) the
23 following:

24 “(f) TREATMENT AFTER FORBEARANCE.—

1 “(1) IN GENERAL.—With respect to a multi-
2 family mortgage loan provided a forbearance under
3 this section, the servicer of the loan—

4 “(A) shall provide the borrower with a 12-
5 month period beginning at the end of the for-
6 bearance to become current on the payments
7 under the loan;

8 “(B) may not charge any late fees, pen-
9 alties, or other charges with respect to pay-
10 ments on the loan that were due during the for-
11 bearance period, if the payments are made be-
12 fore the end of the 12-month period; and

13 “(C) may not report any adverse informa-
14 tion to a credit rating agency (as defined in sec-
15 tion 603 of the Fair Credit Reporting Act (12
16 U.S.C. 1681a)) with respect to any payments
17 on the loan that were due during the forbear-
18 ance period, if the payments are made before
19 the end of the 12-month period.

20 “(2) PENALTY.—A violation of paragraph
21 (1)(C) shall be treated as a violation of the Fair
22 Credit Reporting Act (15 U.S.C. 1601 et seq.) for
23 purposes of subsections (a) and (b) of section 621
24 of that Act (15 U.S.C. 1681s) (relating to adminis-
25 trative enforcement by Federal agencies).”; and

1 (G) in subsection (g), as so redesignated—

2 (i) in paragraph (2)—

3 (I) in the paragraph heading, by
4 striking “FEDERALLY BACKED MULTI-
5 FAMILY” and inserting “MULTI-
6 FAMILY”;

7 (II) by striking “that—” and all
8 that follows through “(A) is secured
9 by” and inserting “that is secured
10 by”;

11 (III) by striking “; and” and in-
12 serting a period; and

13 (IV) by striking subparagraph
14 (B); and

15 (ii) by amending paragraph (5) to
16 read as follows:

17 “(5) COVERED PERIOD.—The term ‘covered pe-
18 riod’ has the meaning given the term in section
19 4022(a)(3).”.

20 (8) RENTER PROTECTIONS DURING FORBEAR-
21 ANCE PERIOD.—A borrower that receives a forbear-
22 ance pursuant to section 4022 or 4023 of the
23 CARES Act (15 U.S.C. 9056 or 9057) may not, for
24 the duration of the forbearance—

1 (A) evict, initiate, or file and execute the
 2 eviction of a tenant solely for nonpayment of
 3 rent or other fees or charges; or

4 (B) charge any late fees, penalties, or
 5 other charges to a tenant for late payment of
 6 rent.

7 (9) EXTENSION OF GSE PATCH.—

8 (A) NON-APPLICABILITY OF EXISTING
 9 SUNSET.—Section 1026.43(e)(4)(iii)(B) of title
 10 12, Code of Federal Regulations, shall have no
 11 force or effect.

12 (B) EXTENDED SUNSET.—The special
 13 rules in section 1026.43(e)(4) of title 12, Code
 14 of Federal Regulations, shall apply to covered
 15 transactions consummated prior to June 1,
 16 2022, or such later date as the Director of the
 17 Bureau of Consumer Financial Protection may
 18 determine, by rule.

19 (10) SERVICER SAFE HARBOR FROM INVESTOR
 20 LIABILITY.—

21 (A) SAFE HARBOR.—

22 (i) IN GENERAL.—A servicer of cov-
 23 ered mortgage loans or multifamily mort-
 24 gage loans—

1 (I) shall be deemed not to have
2 violated any duty or contractual obli-
3 gation owed to investors or other par-
4 ties regarding those mortgage loans
5 on account of offering or imple-
6 menting in good faith forbearance
7 during the covered period or offering
8 or implementing in good faith post-
9 forbearance loss mitigation (including
10 after the expiration of the covered pe-
11 riod) in accordance with the terms of
12 sections 4022 and 4023 of the
13 CARES Act (15 U.S.C. 9056, 9057)
14 to borrowers, respectively, on covered
15 or multifamily mortgage loans that
16 the servicer services; and

17 (II) shall not be liable to any
18 party who is owed such a duty or obli-
19 gation or subject to any injunction,
20 stay, or other equitable relief to such
21 party on account of such offer or im-
22 plementation of forbearance or post-
23 forbearance loss mitigation.

24 (ii) OTHER PERSONS.—Any person,
25 including a trustee of a securitization vehi-

1 cle or other party involved in a
2 securitization or other investment vehicle,
3 who in good faith cooperates with a
4 servicer of covered or multifamily mortgage
5 loans held by that securitization or invest-
6 ment vehicle to comply with the terms of
7 section 4022 and 4023 of the CARES Act
8 (15 U.S.C. 9056, 9057), respectively, to
9 borrowers on covered or multifamily mort-
10 gage loans owned by the securitization or
11 other investment vehicle shall not be liable
12 to any party who is owed such a duty or
13 obligation or subject to any injunction,
14 stay, or other equitable relief to such party
15 on account of the cooperation of the
16 servicer with an offer or implementation of
17 forbearance during the covered period or
18 post-forbearance loss mitigation, including
19 after the expiration of the covered period.

20 (B) STANDARD INDUSTRY PRACTICE.—

21 During the covered period, notwithstanding any
22 contractual restrictions, it is deemed to be
23 standard industry practice for a servicer to
24 offer forbearance or loss mitigation options in
25 accordance with the terms of sections 4022 and

1 4023 of the CARES Act (15 U.S.C. 9056,
2 9057) to borrowers, respectively, on all covered
3 or multifamily mortgage loans serviced by the
4 servicer.

5 (C) RULE OF CONSTRUCTION.—Nothing in
6 this paragraph may be construed as affecting
7 the liability of a servicer or other person for ac-
8 tual fraud in the servicing of a mortgage loan
9 or for the violation of a State or Federal law.

10 (D) DEFINITIONS.—In this paragraph:

11 (i) COVERED MORTGAGE LOAN.—The
12 term “covered mortgage loan” has the
13 meaning given the term in section 4022(a)
14 of the CARES Act (15 U.S.C. 9056(a)).

15 (ii) COVERED PERIOD.—The term
16 “covered period” has the meaning given
17 that term in section 4023(g) of the
18 CARES Act (15 U.S.C. 9057(g)).

19 (iii) MULTIFAMILY MORTGAGE
20 LOAN.—The term “multifamily mortgage
21 loan” has the meaning given the term in
22 section 4023(g) of the CARES Act (15
23 U.S.C. 9057(g)).

24 (iv) SERVICER.—The term
25 “servicer”—

1 (I) has the meaning given the
2 term in section 6(i) of the Real Estate
3 Settlement Procedures Act of 1974
4 (12 U.S.C. 2605(i)); and

5 (II) means a master servicer and
6 a subservicer, as those terms are de-
7 fined in section 1024.31 of title 12,
8 Code of Federal Regulations.

9 (v) SECURITIZATION VEHICLE.—The
10 term “securitization vehicle” has the
11 meaning given that term in section
12 129A(f) of the Truth in Lending Act (15
13 U.S.C. 1639a(f)).

14 (11) AMENDMENTS TO NATIONAL HOUSING
15 ACT.—Section 306(g)(1) of the National Housing
16 Act (12 U.S.C. 1721(g)(1)) is amended—

17 (A) in the fifth sentence, by inserting after
18 “issued” the following: “, subject to any pledge
19 or grant of security interest of the Federal Re-
20 serve under section 4003(a) of the CARES Act
21 (15 U.S.C. 9042(a)) and to any such mortgage
22 or mortgages or any interest therein and the
23 proceeds thereon, which the Association may
24 elect to approve”; and

25 (B) in the sixth sentence—

1 (i) by striking “or (C)” and inserting
2 “(C)”; and

3 (ii) by inserting before the period the
4 following: “, or (D) its approval and hon-
5 oring of any pledge or grant of security in-
6 terest of the Federal Reserve under section
7 4003(a) of the CARES Act (15 U.S.C.
8 9042(a)) and to any such mortgage or
9 mortgages or any interest therein and pro-
10 ceeds thereon.”.

11 (12) BANKRUPTCY PROTECTIONS.—

12 (A) BANKRUPTCY PROTECTIONS FOR FED-
13 ERAL CORONAVIRUS RELIEF PAYMENTS.—Sec-
14 tion 541(b) of title 11, United States Code, is
15 amended—

16 (i) in paragraph (9), in the matter fol-
17 lowing subparagraph (B), by striking “or”;

18 (ii) in paragraph (10)(C), by striking
19 the period at the end and inserting “; or”;
20 and

21 (iii) by inserting after paragraph (10)
22 the following:

23 “(11) payments made under Federal law relat-
24 ing to the national emergency declared by the Presi-
25 dent under the National Emergencies Act (50

1 U.S.C. 1601 et seq.) with respect to the Coronavirus
2 disease 2019 (COVID–19).”.

3 (B) PROTECTION AGAINST DISCRIMINA-
4 TORY TREATMENT OF HOMEOWNERS IN BANK-
5 RUPTCY.—Section 525 of title 11, United
6 States Code, is amended by adding at the end
7 the following:

8 “(d) A person may not be denied any forbearance,
9 assistance, or loan modification relief made available to
10 borrowers by a mortgage creditor or servicer because the
11 person is or has been a debtor, or has received a discharge,
12 in a case under this title.”.

13 (C) INCREASING THE HOMESTEAD EXEMP-
14 TION.—Section 522 of title 11, United States
15 Code, is amended—

16 (i) in subsection (d)(1), by striking
17 “\$15,000” and inserting “\$100,000”; and

18 (ii) by adding at the end the fol-
19 lowing:

20 “(r) Notwithstanding any other provision of applica-
21 ble nonbankruptcy law, a debtor in any State may exempt
22 from property of the estate the property described in sub-
23 section (d)(1) not to exceed the value in subsection (d)(1)
24 if the exemption for such property permitted by applicable
25 nonbankruptcy law is lower than that amount.”.

1 (D) EFFECT OF MISSED MORTGAGE PAY-
2 MENTS ON DISCHARGE.—Section 1328 of title
3 11, United States Code, is amended by adding
4 at the end the following:

5 “(i) A debtor shall not be denied a discharge under
6 this section because, as of the date of discharge, the debtor
7 did not make 6 or fewer payments directly to the holder
8 of a debt secured by real property.

9 “(j) Notwithstanding subsections (a) and (b), upon
10 the debtor’s request, the court shall grant a discharge of
11 all debts provided for in the plan that are dischargeable
12 under subsection (a) if the debtor—

13 “(1) has made payments under a confirmed
14 plan for at least 1 year; and

15 “(2) who is experiencing or has experienced a
16 material financial hardship due, directly or indi-
17 rectly, to the Coronavirus disease 2019 (COVID–19)
18 pandemic.”.

19 (E) EXPANDED ELIGIBILITY FOR CHAPTER
20 13.—Section 109(e) of title 11, United States
21 Code, is amended—

22 (i) by striking “\$250,000” each place
23 the term appears and inserting
24 “\$850,000”; and

1 (ii) by striking “\$750,000” each place
2 the term appears and inserting
3 “\$2,600,000”.

4 (F) EXTENDED CURE PERIOD FOR HOME-
5 OWNERS HARMED BY COVID–19 PANDEMIC.—

6 (i) IN GENERAL.—Chapter 13 of title
7 11, United States Code, is amended by
8 adding at the end thereof the following:

9 **“§ 1331. Special provisions related to COVID–19 pan-**
10 **demie**

11 “(a) Notwithstanding subsections (b)(2) and (d) of
12 section 1322, if the debtor is experiencing or has experi-
13 enced a material financial hardship due, directly or indi-
14 rectly, to the Coronavirus disease 2019 (COVID–19) pan-
15 demie, a plan may provide for the curing of any default
16 within a reasonable time, not to exceed 7 years after the
17 time that the first payment under the original confirmed
18 plan was due, and maintenance of payments while the case
19 is pending on any unsecured claim or secured claim on
20 which the last payment is due after the expiration of such
21 time. Any such plan provision shall not affect the applica-
22 ble commitment period under section 1325(b).

23 “(b) For purposes of sections 1328(a) and 1328(b),
24 any cure or maintenance payments under subsection (a)
25 that are made after the end of the period during which

1 the plan provides for payments (other than payments
2 under subsection (a)) shall not be treated as payments
3 under the plan.

4 “(c) Notwithstanding section 1329(c), a plan modi-
5 fied under section 1329 at the debtor’s request may pro-
6 vide for cure or maintenance payments under subsection
7 (a) over a period that is not longer than 7 years after
8 the time that the first payment under the original con-
9 firmed plan was due.

10 “(d) Notwithstanding section 362(c)(2), during the
11 period after the debtor receives a discharge and the period
12 during which the plan provides for the cure of any default
13 and maintenance of payments under the plan, section
14 362(a) shall apply to the holder of a claim for which a
15 default is cured and payments are maintained under sub-
16 section (a) and to any property securing such claim.

17 “(e) Notwithstanding section 1301(a)(2), the stay of
18 section 1301(a) terminates upon the granting of a dis-
19 charge under section 1328 with respect to all creditors
20 other than the holder of a claim for which a default is
21 cured and payments are maintained under subsection
22 (a).”

23 (ii) TABLE OF CONTENTS.—The table
24 of sections of chapter 13, title 11, United

1 States Code, is amended by adding at the
2 end thereof the following:

“Sec. 1331. Special provisions related to COVID–19 pandemic.”.

3 (iii) APPLICATION.—The amendments
4 made by this paragraph shall apply only to
5 any case under title 11, United States
6 Code, commenced or pending during the 3-
7 year period beginning on the date of enact-
8 ment of this Act in which a plan under
9 chapter 13 of title 11, United States Code,
10 was not confirmed before March 27, 2020.

11 (13) LIQUIDITY FOR MORTGAGE SERVICERS
12 AND RESIDENTIAL RENTAL PROPERTY OWNERS.—

13 (A) IN GENERAL.—Section 4003 of the
14 CARES Act (15 U.S.C. 9042) is amended by
15 adding at the end the following:

16 “(i) LIQUIDITY FOR MORTGAGE SERVICERS.—

17 “(1) IN GENERAL.—Subject to paragraph (2),
18 the Secretary shall ensure that servicers of covered
19 mortgage loans (as defined in section 4022) and
20 multifamily mortgage loans (as defined in section
21 4023) are provided—

22 “(A) the opportunity to participate in the
23 loans, loan guarantees, or other investments
24 made by the Secretary under this section; and

1 “(B) with access to such opportunities
2 under equitable terms and conditions regardless
3 of their size.

4 “(2) MORTGAGE SERVICER ELIGIBILITY.—In
5 order to receive assistance under subsection (b)(4),
6 a mortgage servicer shall—

7 “(A) demonstrate that the mortgage
8 servicer has established policies and procedures
9 to use such funds only to replace funds used for
10 borrower assistance, including to advance funds
11 as a result of forbearance or other loss mitiga-
12 tion provided to borrowers;

13 “(B) demonstrate that the mortgage
14 servicer has established policies and procedures
15 to provide forbearance, post-forbearance loss
16 mitigation, and other assistance to borrowers in
17 compliance with the terms of section 4022 or
18 4023, as applicable;

19 “(C) demonstrate that the mortgage
20 servicer has established policies and procedures
21 to ensure that forbearance and post-forbearance
22 assistance is available to all borrowers in a non-
23 discriminatory fashion and in compliance with
24 the Fair Housing Act (42 U.S.C. 3601 et seq.),
25 the Equal Credit Opportunity Act (15 U.S.C.

1 1691 et seq.), and other applicable fair housing
2 and fair lending laws; and

3 “(D) comply with the limitations on com-
4 pensation set forth in section 4004.

5 “(3) MORTGAGE SERVICER REQUIREMENTS.—A
6 mortgage servicer receiving assistance under sub-
7 section (b)(4) may not, while the servicer is under
8 any obligation to repay funds provided or guaran-
9 teed under this section—

10 “(A) pay dividends with respect to the
11 common stock of the mortgage servicer or pur-
12 chase an equity security of the mortgage
13 servicer or any parent company of the mortgage
14 servicer if the security is listed on a national se-
15 curities exchange, except to the extent required
16 under a contractual obligation that is in effect
17 on the date of enactment of this subsection; or

18 “(B) prepay any debt obligation.”.

19 (B) CREDIT FACILITY FOR RESIDENTIAL
20 RENTAL PROPERTY OWNERS.—

21 (i) IN GENERAL.—The Board of Gov-
22 ernors of the Federal Reserve System
23 shall—

24 (I) establish a facility, using
25 amounts made available under section

1 4003(b)(4) of the CARES Act (15
2 U.S.C. 9042(b)(4)), to make long-
3 term, low-cost loans to residential
4 rental property owners as to tempo-
5 rarily compensate such owners for
6 documented financial losses caused by
7 reductions in rent payments; and

8 (II) defer such owners' required
9 payments on such loans until after 6
10 months after the date of enactment of
11 this Act.

12 (ii) REQUIREMENTS.—A borrower
13 that receives a loan under this subpara-
14 graph may not, for the duration of the
15 loan—

16 (I) evict, initiate, or file and exe-
17 cute the eviction of a tenant solely for
18 nonpayment of rent or other fees or
19 charges;

20 (II) charge any late fees, pen-
21 alties, or other charges to a tenant for
22 late payment of rent; and

23 (III) with respect to a person or
24 entity described in clause (iv), dis-

1 criminate on the basis of source of in-
2 come.

3 (iii) REPORT ON RESIDENTIAL RENT-
4 AL PROPERTY OWNERS.—The Board of
5 Governors of the Federal Reserve System
6 shall issue a report to Congress containing
7 the following, with respect to each property
8 owner receiving a loan under this subpara-
9 graph:

10 (I) The number of borrowers that
11 received assistance under this sub-
12 paragraph.

13 (II) The average total loan
14 amount that each borrower received.

15 (III) The total number of rental
16 units that each borrower owned.

17 (IV) The average rent charged by
18 each borrower.

19 (iv) REPORT ON LARGE RESIDENTIAL
20 RENTAL PROPERTY OWNERS.—The Board
21 of Governors shall issue a report to Con-
22 gress that identifies any person or entity
23 that in aggregate owns or holds a control-
24 ling interest in any entity that, in aggre-
25 gate, owns—

1 (I) more than 100 rental units
2 that are located within a single metro-
3 politan statistical area;

4 (II) more than 1,000 rental units
5 in the United States; or

6 (III) rental units in 3 or more
7 States.

8 (C) MORTGAGE PERFORMANCE DATA.—
9 Section 4003(c) of the CARES Act (15 U.S.C.
10 9042(c)) is amended by adding at the end the
11 following:

12 “(4) MORTGAGE PERFORMANCE DATA.—

13 “(A) MONTHLY REPORT.—

14 “(i) IN GENERAL.—A servicer of a
15 residential mortgage loan receiving a loan,
16 loan guarantee, or any other investment
17 under this section shall, beginning in the
18 first month in which the loan, loan guar-
19 antee, or investment was received, collect
20 and provide loan-level data to the Bureau
21 of Consumer Financial Protection on a
22 monthly basis with respect all residential
23 mortgage loans serviced by the servicer.

24 “(ii) CONTENTS.—Each monthly re-
25 port required under this subparagraph

1 shall contain identifying information and
2 loan performance data for the most recent
3 month as well as cumulative data since the
4 servicer began reporting under this para-
5 graph.

6 “(iii) TIME PERIOD FOR REPORTS.—
7 Reports under this paragraph shall be pro-
8 vided by a servicer every month in which
9 a loan, loan guarantee, or any other invest-
10 ment under this section has been received
11 and for 2 years following such receipt.

12 “(B) IDENTIFYING INFORMATION.—Each
13 monthly report required under subparagraph
14 (A) shall include the following loan-level identi-
15 fying information:

16 “(i) Demographic data, for each bor-
17 rower, including race, ethnicity, sex, and
18 age.

19 “(ii) The location of the property, in-
20 cluding by State, metropolitan statistical
21 area, postal code, census tract, and metro-
22 politan division, if applicable.

23 “(iii) Loan origination information,
24 including original unpaid principal balance,
25 original interest rate, first payment date,

1 original loan term, and lien status (first or
2 subordinate).

3 “(iv) Loan type and type of loan pur-
4 chaser, as described in section 304 of the
5 Home Mortgage Disclosure Act of 1975
6 (12 U.S.C. 2803) and the rules issued to
7 carry out that section.

8 “(C) LOAN PERFORMANCE DATA.—Each
9 monthly report required under subparagraph
10 (A) shall include the following loan-level loan
11 performance data:

12 “(i) Current loan information, includ-
13 ing current actual unpaid principal bal-
14 ance, current interest rate, current loan
15 delinquency status (based on the number
16 of days the borrower is delinquent in pay-
17 ments based on the due date of the last
18 paid loan payment), loan performance sta-
19 tus (including current, forbearance, repay-
20 ment plan, referred to foreclosure, trial
21 modification, permanent modification, or
22 foreclosed), and the date of the event lead-
23 ing to such status.

24 “(ii) Loss mitigation information, in-
25 cluding—

1 “(I) whether the loan is currently
2 being evaluated for loss mitigation,
3 and if so the date upon which the cur-
4 rent loss mitigation process was initi-
5 ated and the date of complete applica-
6 tion, if any;

7 “(II) the disposition of any pre-
8 vious loss mitigation evaluation re-
9 ported pursuant to subclause (I) and
10 the date of disposition, including—

11 “(aa) denied;

12 “(bb) temporary or short-
13 term agreement, such as a repay-
14 ment agreement or forbearance,
15 and the length of such agreement
16 (in months);

17 “(cc) trial loan modification;

18 “(dd) permanent loan modi-
19 fication; or

20 “(ee) other type of loss miti-
21 gation; and

22 “(III) for each permanent modi-
23 fication—

1 “(aa) whether the perma-
2 nent modification included 1 or
3 more of—

4 “(AA) additions of de-
5 linquent payments and fees
6 to loan balances;

7 “(BB) interest rate re-
8 ductions and freezes;

9 “(CC) term extensions;

10 “(DD) reductions of
11 principal; or

12 “(EE) deferrals of prin-
13 cipal; and

14 “(bb) whether the total
15 monthly principal and interest
16 payment, as a result of the per-
17 manent modification—

18 “(AA) increased;

19 “(BB) remained the
20 same;

21 “(CC) decreased less
22 than 10 percent;

23 “(DD) decreased be-
24 tween 10 and 20 percent; or

1 “(EE) decreased 20
2 percent or more.

3 “(D) FORBEARANCE DATA.—Each monthly
4 report required under subparagraph (A) shall
5 include, with respect to each loan for which a
6 forbearance has been reported under subpara-
7 graph (C)(i), forbearance-specific data, includ-
8 ing—

9 “(i) the total months of total forbear-
10 ance granted to date; and

11 “(ii) the number of renewals of for-
12 bearance to date.

13 “(E) PUBLIC AVAILABILITY OF AGGRE-
14 GATE DATA.—

15 “(i) IN GENERAL.—Using data sub-
16 mitted by servicers under this paragraph,
17 the Director of the Bureau of Consumer
18 Financial Protection shall make available
19 aggregate data by servicer for each State,
20 metropolitan statistical area, and metro-
21 politan division, as defined by the Office of
22 Management and Budget. Such aggregate
23 data shall be provided monthly by the Di-
24 rector to Congress and posted on the

1 website of the Bureau of Consumer Finan-
2 cial Protection.

3 “(ii) EXCEPTION FOR CERTAIN PER-
4 SONALLY IDENTIFIABLE DATA.—If aggre-
5 gate data described under clause (i) is
6 nonetheless reasonably personally identifi-
7 able, the Director may report the aggre-
8 gate data by servicer on the next larger ge-
9 ographic unit (such that, for example, data
10 would not be reported by municipal divi-
11 sion but only by metropolitan statistical
12 area and State).

13 “(F) IMPLEMENTATION.—The Director of
14 the Bureau of Consumer Financial Protection
15 shall, within 60 days of the date of enactment
16 of this paragraph, and in consultation with the
17 Director of the Federal Housing Finance Agen-
18 cy and the Comptroller of the Currency, pre-
19 scribe the format and method of submission of
20 the data required under this paragraph. The
21 Director of the Bureau may prescribe rules for
22 the collection of the data in order to ensure ac-
23 curacy, transparency, and complete data collec-
24 tion, including the collection and reporting of
25 additional data elements, but may not require

1 reporting of fewer data elements than pre-
 2 scribed by this paragraph nor less frequent re-
 3 porting than required by this paragraph.

4 “(G) DEFINITIONS.—In this paragraph:

5 “(i) RESIDENTIAL MORTGAGE
 6 LOAN.—The term ‘residential mortgage
 7 loan’ has the meaning given the term in
 8 section 103 of the Truth in Lending Act
 9 (15 U.S.C. 1602).

10 “(ii) SERVICER.—The term ‘servicer’
 11 has the meaning given the term in section
 12 6 of the Real Estate Settlement Proce-
 13 dures Act of 1974 (12 U.S.C. 2605).”.

14 (14) SMALL PROPERTY OWNER GRANT PRO-
 15 GRAM.—

16 (A) DEFINITIONS.—In this paragraph:

17 (i) COVID–19 EMERGENCY PE-
 18 RIOD.—The term “COVID–19 emergency
 19 period” means the period in which the na-
 20 tional emergency concerning the novel
 21 Coronavirus disease (COVID–19) outbreak
 22 declared by the President on March 13,
 23 2020, under the National Emergencies Act
 24 (50 U.S.C. 1601 et seq.) is in effect.

1 (ii) SECRETARY.—The term “Sec-
2 retary” means the Secretary of Housing
3 and Urban Development.

4 (iii) SMALL PROPERTY OWNER.—The
5 term “small property owner” means an
6 owner of not more than 10 residential
7 properties.

8 (B) GRANT PROGRAM.—The Secretary
9 shall establish a program to award grants to
10 State and local housing finance agencies to pro-
11 vide assistance to small property owners.

12 (C) ELIGIBLE SMALL PROPERTY OWN-
13 ERS.—To be eligible for assistance provided
14 under this paragraph, a small property owner
15 shall submit proof of hardship to the State or
16 local housing finance agency, as applicable,
17 which shall provide that, during the COVID–19
18 emergency period—

19 (i) tenants of dwelling units in the
20 residential properties owned by the small
21 property owner have been unable to pay
22 rent; and

23 (ii) the small property owner has not
24 evicted any such tenants.

25 (D) PROHIBITIONS.—

1 (i) PRIVATE EQUITY, REAL ESTATE,
2 OR VENTURE CAPITAL FIRMS.—Any pri-
3 vate equity firm, real estate firm, or ven-
4 ture capital firm that has accepted funding
5 from an investment company, as such term
6 is defined in section 3(a) of the Investment
7 Company Act of 1940 (15 U.S.C. 80a-
8 3(a)), shall not be eligible for—

9 (I) a grant under this section; or

10 (II) a loan, loan guarantee, or
11 other investment made by the Sec-
12 retary of the Treasury under section
13 4003 of the CARES Act (15 U.S.C.
14 9042), as amended by this section.

15 (ii) UNDEVELOPED OR UNINHABITED
16 PROPERTIES.—A small property owner
17 may not receive any funds under this para-
18 graph with respect to any undeveloped
19 property, plot of land, or uninhabited prop-
20 erty owned by the small property owner.

21 (iii) RENT PAYMENTS.—A small prop-
22 erty owner that receives a grant with re-
23 spect to a property under this paragraph
24 may not require tenants of the property to

1 make rental payments for the duration of
2 the grant.

3 (E) AUTHORIZATION OF APPROPRIA-
4 TIONS.—There is authorized to be appropriated
5 to the Secretary \$1,000,000,000 for fiscal year
6 2020, to remain available until September 30,
7 2021, to carry out this paragraph.

8 **SEC. 3. EXPANDED EVICTION RELIEF FOR RENTERS UNDER**
9 **THE CARES ACT.**

10 Section 4024 of the CARES Act (15 U.S.C. 9058)
11 is amended—

12 (1) in subsection (a)—

13 (A) by amending paragraph (1) to read as
14 follows:

15 “(1) COVERED DWELLING.—The term ‘covered
16 dwelling’ means a dwelling that is occupied by a ten-
17 ant—

18 “(A) pursuant to a residential lease; or

19 “(B) without a lease or with a lease ter-
20 minable under State law.”;

21 (B) by striking paragraphs (2), (4), and
22 (5);

23 (C) by redesignating paragraph (3) as
24 paragraph (2); and

1 (D) in paragraph (2)(B), as so redesignated—
2 nated—

3 (i) by striking “includes houses” and
4 inserting the following: “includes—

5 “(i) houses”;

6 (ii) in clause (i), as so designated, by
7 striking the period at the end and inserting
8 a semicolon; and

9 (iii) by adding at the end the fol-
10 lowing:

11 “(ii) a manufactured home, as defined
12 in section 4022; and

13 “(iii) a covered recreational vehicle, as
14 defined in section 4022.”; and

15 (2) in subsection (b), by striking “120-day pe-
16 riod” and inserting “365-day period.”.

17 **SEC. 4. RENTER’S AND HOMEOWNER’S RIGHTS.**

18 (a) **DEFINITIONS.**—In this section:

19 (1) **COVERED DWELLING.**—The term “covered
20 dwelling” has the meaning given the term in section
21 4024 of the CARES Act (15 U.S.C. 9058).

22 (2) **COVID–19 EMERGENCY PERIOD.**—The
23 term “COVID–19 emergency period” means the pe-
24 riod in which the national emergency concerning the
25 novel Coronavirus disease (COVID–19) outbreak de-

1 clared by the President on March 13, 2020, under
2 the National Emergencies Act (50 U.S.C. 1601 et
3 seq.) is in effect.

4 (3) SECRETARY.—The term “Secretary” means
5 the Secretary of Housing and Urban Development.

6 (4) STATE.—The term “State” means any
7 State of the United States, the District of Columbia,
8 any territory of the United States, the Common-
9 wealth of Puerto Rico, Guam, American Samoa, the
10 Virgin Islands, and the Commonwealth of the North-
11 ern Mariana Islands.

12 (b) GRANT PROGRAM TO PROVIDE TENANTS WITH
13 RIGHT TO ATTORNEY.—

14 (1) IN GENERAL.—The Secretary shall provide
15 grants to States that provide a right to legal assist-
16 ance for tenants facing eviction in housing courts in
17 violation of the eviction moratorium described in sec-
18 tion 4024 of the CARES Act (15 U.S.C. 9058).

19 (2) REPORT.—A State that receives a grant
20 under this section shall provide to the Secretary
21 periodic reports on the use of funds under the grant.

22 (3) RULE OF CONSTRUCTION.—Nothing in this
23 subsection shall be construed as modifying, limiting,
24 or superseding the operation of any provision of an
25 enumerated Federal consumer law that relates to the

1 authority of a State attorney general or State regu-
2 lator to enforce such Federal law.

3 (4) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated to the Sec-
5 retary \$25,000,000 for fiscal year 2020, to remain
6 available until expended, to make grants under this
7 subsection.

8 (c) PRIVATE RIGHT OF ACTION.—A tenant that re-
9 sides in any covered dwelling may bring a civil action
10 against a landlord or managing agent for injunctive relief,
11 direct money damages, or other relief if the landlord or
12 managing agent is in violation of Federal, State, or local
13 eviction moratorium laws, including under section 4024 of
14 the CARES Act (15 U.S.C. 9058).

15 (d) REPAYMENT.—A residential tenant of a covered
16 dwelling unit or a commercial tenant may repay any un-
17 paid rent during the COVID–19 emergency period—

18 (1) over an 18-month period, with respect to a
19 residential tenant, beginning on the date of enact-
20 ment of this Act; or

21 (2) over a 3-month period, with respect to a
22 commercial tenant, beginning on the date of enact-
23 ment of this Act.

24 (e) CREDIT REPORTING.—The Fair Credit Reporting
25 Act (15 U.S.C. 1601 et seq.) is amended—

1 (1) in section 605(a), by adding at the end the
2 following:

3 “(9) Any eviction, unpaid rent, or other debt
4 with respect to a consumer occurring during the cov-
5 ered period, as defined in section 623(a)(1)(G).”;
6 and

7 (2) in section 623(a)(1) (15 U.S.C. 1681s–2),
8 by adding at the end the following:

9 “(G) REPORTING OF EVICTIONS OR UN-
10 PAID RENT DURING COVID–19 PANDEMIC.—

11 “(i) DEFINITIONS.—In this subpara-
12 graph, term ‘covered period’ has the mean-
13 ing given the term in subparagraph (F).

14 “(ii) PROHIBITION ON REPORTING.—
15 A landlord of any residential dwelling, in-
16 cluding a manufactured home or a covered
17 recreational vehicle (as those terms are de-
18 fined in section 4022 of the CARES Act
19 (15 U.S.C. 9056)) shall not report any
20 eviction, unpaid rent, or other debt occur-
21 ring during the covered period with respect
22 to a consumer to any furnisher or con-
23 sumer reporting agency.”.

24 (f) RENT INCREASES.—The owner or management
25 company of a covered dwelling (as defined in section 4024

1 of the CARES Act (15 U.S.C. 9058) or any servicer of
2 a covered mortgage loan (as defined in section 4022 of
3 the CARES Act (15 U.S.C. 9056)) shall not, during the
4 1-year period following the date of enactment of this Act,
5 increase the rent on any dwelling unit of such a covered
6 dwelling in an amount that is more than the rate of infla-
7 tion.

8 (g) ALLOCATION OF FUNDS FOR HOUSING LEGAL
9 AID AND HOUSING COUNSELING.—

10 (1) HOUSING LEGAL AID.—

11 (A) IN GENERAL.—The Secretary shall
12 provide grants to housing legal aid organiza-
13 tions that target services to minority and low-
14 and moderate-income (as defined by the Sec-
15 retary) homeowners, renters, individuals experi-
16 encing homelessness, and individuals at risk of
17 experiencing homelessness or provide those
18 services in neighborhoods in the United States
19 with high concentrations of those individuals.

20 (B) REPORT.—A housing legal aid organi-
21 zation that receives a grant under this sub-
22 section shall provide to the Secretary periodic
23 reports on the use of funds under the grant.

24 (C) AUTHORIZATION OF APPROPRIA-
25 TIONS.—There is authorized to be appropriated

1 to the Secretary for fiscal year 2020, to remain
2 available until expended, \$500,000,000 for
3 grants provided under this paragraph for hous-
4 ing legal aid services.

5 (2) HOUSING COUNSELING.—

6 (A) AUTHORIZATION OF APPROPRIA-
7 TIONS.—There is authorized to be appropriated
8 to the Neighborhood Reinvestment Corporation
9 established under the Neighborhood Reinvest-
10 ment Corporation Act (42 U.S.C. 8101 et seq.)
11 \$700,000,000 for fiscal year 2020, which shall
12 remain available until September 30, 2023, to
13 provide funds to counseling organizations for
14 housing counseling services.

15 (B) ELIGIBLE USES.—Subject to subpara-
16 graph (C), amounts made available under sub-
17 paragraph (A) may be used in such amounts as
18 the Neighborhood Reinvestment Corporation
19 determines for the costs of—

20 (i) public education and outreach;

21 (ii) direct services, including the full
22 range of services provided by housing
23 counselors to assist homeowners, including
24 manufactured homeowners, regardless of
25 financing type, renters, individuals experi-

1 encoring homelessness, and individuals at
2 risk of homelessness, including the prac-
3 tices, tools, and innovations in foreclosure
4 mitigation that were utilized in the Na-
5 tional Foreclosure Mitigation Counseling
6 Program, and financial capability, credit
7 counseling, homeless counseling, and rental
8 counseling;

9 (iii) equipment and technology, includ-
10 ing broadband internet and equipment up-
11 grades needed to ensure timely and effec-
12 tive service delivery;

13 (iv) training, including capacitating
14 housing counseling staff in various modes
15 of counseling, including rental and fore-
16 closure, delivery of remote counseling uti-
17 lizing improved technology, enhanced net-
18 work security, and supportive options for
19 the delivery of client services; and

20 (v) administration and oversight of
21 the grant program in accordance with the
22 rate of the Corporation for program ad-
23 ministration.

24 (C) PRIORITIZATION OF HOUSING COUN-
25 SELING SERVICES.—Of amounts made available

1 under subparagraph (A), not less than 40 per-
2 cent shall be provided to counseling organiza-
3 tions that target counseling services to minority
4 and low-income homeowners, renters, individ-
5 uals experiencing homelessness, and individuals
6 at risk of homelessness or provide such services
7 in neighborhoods with high concentrations of
8 minority and low-income homeowners, renters,
9 individuals experiencing homelessness, and indi-
10 viduals at risk of homelessness.

11 (h) NOTICE OF EVICTION AFTER THE CONCLUSION
12 OF THE MORATORIUM.—On and after the date on which
13 the eviction moratorium under 4024 of the CARES Act
14 (15 U.S.C. 9058) expires, the owner of a covered dwelling
15 (as defined in that section) shall provide notice to a tenant
16 not less than 120 days before filing an eviction against
17 the tenant.

18 (i) TAXABILITY.—For purposes of the Internal Rev-
19 enue Code of 1986, any amount which (but for a provision
20 of this Act or an amendment made by this Act) would
21 be includible in gross income of a person by reason of for-
22 givenness of a required rent or mortgage payment shall be
23 excluded from gross income.

1 **SEC. 5. ASSISTANCE FOR HOME ENERGY SERVICE AND**
2 **HOUSEHOLD DRINKING WATER AND WASTE-**
3 **WATER SERVICES.**

4 (a) DEFINITIONS.—In this section:

5 (1) HOME ENERGY SERVICE.—The term “home
6 energy service” means a service to provide home en-
7 ergy, as such term is defined in section 2603 of the
8 Low-Income Home Energy Assistance Act of 1981
9 (42 U.S.C. 8622), and electric service, as that term
10 is used in the Public Utility Regulatory Policies Act
11 of 1978 (16 U.S.C. 2601 et seq.).

12 (2) HOUSEHOLD DRINKING WATER AND WASTE-
13 WATER SERVICES.—The term “household drinking
14 water and wastewater services” has the meaning
15 given that term in section 1459A(a)(2) of the Safe
16 Drinking Water Act (42 U.S.C. 300j–19a(a)(2)).

17 (3) INDIAN TRIBE.—The term “Indian
18 Tribe”—

19 (A) used with respect to assistance for
20 home energy, means—

21 (i) an Indian tribe within the meaning
22 of section 2604(d) of the Low-Income
23 Home Energy Assistance Act of 1981 (42
24 U.S.C. 8623(d)); and

1 (ii) an entity that is eligible to receive
2 funds under that section on behalf of an
3 Indian tribe described in clause (i); and

4 (B) used with respect to assistance for
5 household drinking water and wastewater serv-
6 ices, means any Indian Tribe, band, group, or
7 community recognized by the Secretary of the
8 Interior and exercising governmental authority
9 over a Federal Indian reservation, as defined in
10 section 518(h) of the Federal Water Pollution
11 Control Act (33 U.S.C. 1377).

12 (4) MUNICIPALITY.—The term “municipality”
13 has the meaning given such term in section 502 of
14 the Federal Water Pollution Control Act (33 U.S.C.
15 1362).

16 (5) PUBLIC HEALTH EMERGENCY.—The term
17 “public health emergency” means the public health
18 emergency described in section 1135(g)(1)(B) of the
19 Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)).

20 (6) PUBLIC HEALTH EMERGENCY PERIOD.—
21 The term “public health emergency period” has the
22 meaning given the term “emergency period” in that
23 section 1135(g)(1)(B).

24 (7) PUBLIC WATER SYSTEM.—The term “public
25 water system” has the meaning given that term in

1 section 1401 of the Safe Drinking Water Act (42
2 U.S.C. 300f).

3 (8) SECRETARY.—The term “Secretary” means
4 the Secretary of Health and Human Services.

5 (9) STATE.—The term “State” means—

6 (A) any of the 50 States, and the District
7 of Columbia; and

8 (B) the Commonwealth of Puerto Rico, the
9 Virgin Islands of the United States, Guam,
10 American Samoa, and the Commonwealth of
11 the Northern Mariana Islands.

12 (b) ASSISTANCE FOR LOW-INCOME HOUSEHOLDS.—
13 The Secretary shall make grants from allotments and pay-
14 ments described in subsection (d) to States and Indian
15 Tribes to assist low-income households, particularly those
16 with the lowest incomes, that pay a high proportion of
17 household income for home energy service and household
18 drinking water and wastewater services. Half of the funds
19 for each such grant shall be made available from funds
20 appropriated under subsection (k)(1), and half from funds
21 appropriated under subsection (k)(2).

22 (c) USE OF LIHEAP RESOURCES.—In carrying out
23 this section, the Secretary, States, and Indian Tribes, as
24 applicable, shall use the existing (as of the date of imple-
25 mentation) systems in place to carry out the Low-Income

1 Home Energy Assistance Act of 1981 (42 U.S.C. 8621
2 et seq.) as the Secretary determines appropriate.

3 (d) ALLOTMENTS.—

4 (1) STATES.—The Secretary shall allot to each
5 State an amount that bears the same relationship to
6 the funds appropriated under this section and avail-
7 able for carrying out this subsection as the number
8 of individuals with a household income of less than
9 200 percent of the poverty line in that State bears
10 to the total number of such individuals in all States.

11 (2) INDIAN TRIBES.—At the request of an In-
12 dian Tribe in a State, the Secretary shall reserve,
13 from the amount that would otherwise be payable to
14 such State from the allotment under paragraph (1)
15 for the fiscal year involved, a payment for the Indian
16 Tribe in a sum determined to be appropriate by the
17 Secretary.

18 (3) NOTIFICATION TO CONGRESS.—Not later
19 than 15 days after determining the amounts of allot-
20 ments and payments for States and Indian Tribes
21 pursuant to this subsection, and prior to making
22 grants under this section, the Secretary shall notify
23 Congress of such amounts.

24 (e) REQUIREMENTS.—Each State or Indian Tribe de-
25 siring to receive a grant under this section shall agree to—

1 (1) establish or maintain in effect a moratorium
2 policy to ensure that no home energy service, house-
3 hold drinking water service, or wastewater service to
4 an individual or household, that is regulated or pro-
5 vided by the State or Indian Tribe or subrecipient
6 of grant funds from the State or Tribe, shall be or
7 remain disconnected (including interrupted) until the
8 end of the period of the applicable repayment plan
9 described in paragraph (2)(B); and

10 (2) ensure that the moratorium policy provides,
11 and requires a subrecipient of grant funds to pro-
12 vide—

13 (A) for a waiver of applicable interest or
14 penalties on a late payment for home energy,
15 household drinking service, or wastewater serv-
16 ice, if the late payment is related to an arrear-
17 age that occurred during the public health
18 emergency period; and

19 (B) for a repayment plan of at least 18
20 months in duration, beginning on the last date
21 of the public health emergency period, based on
22 the household income of the household involved,
23 for any remaining late payment described in
24 subparagraph (A) that is not covered by fund-
25 ing provided under this section.

1 (f) USE OF FUNDS.—A State or Indian Tribe that
2 receives a grant under this Act shall use the grant funds
3 to assist low-income households by paying for late home
4 energy service payments and late household drinking
5 water and wastewater services payments, and reconnection
6 fees for households who have been disconnected from any
7 type of service specified in this subsection due to non-
8 payment, if the related arrearages and disconnections oc-
9 curred during the public health emergency period.

10 (g) STATE AGREEMENTS.—

11 (1) HOME ENERGY SERVICE PROVIDERS.—To
12 the maximum extent practicable, a State that re-
13 ceives a grant under this section shall enter into
14 agreements with home energy service providers, local
15 governments, nonprofit organizations associated with
16 providing home energy services to rural and small
17 communities, and Indian Tribes, to assist in identi-
18 fying low-income households and to carry out this
19 section.

20 (2) HOUSEHOLD DRINKING WATER AND WASTE-
21 WATER SERVICES PROVIDERS.—To the maximum ex-
22 tent practicable, a State that receives a grant under
23 this section shall enter into agreements with public
24 water systems, municipalities, nonprofit organiza-
25 tions associated with providing household drinking

1 water and wastewater services to rural and small
2 communities, and Indian Tribes, to assist in identi-
3 fying low-income households and to carry out this
4 section.

5 (h) DETERMINATION OF LOW-INCOME HOUSE-
6 HOLDS.—In determining whether a household in a State
7 or under the jurisdiction of an Indian Tribe is considered
8 low-income for the purposes of this Act, the State or In-
9 dian Tribe shall—

10 (1) ensure that, at a minimum, all households
11 with a household income at or below 200 percent of
12 the Federal poverty line are included as low-income
13 households;

14 (2) ensure that households already eligible for
15 assistance under the Low-Income Home Energy As-
16 sistance Act of 1981 (42 U.S.C. 8621 et seq.) are
17 included as low-income households; and

18 (3) consider households that have not previously
19 received assistance under the Low-Income Home
20 Energy Assistance Act of 1981 in the same manner
21 as households that have previously received such as-
22 sistance.

23 (i) AUDITS.—The Secretary shall require each State
24 and Indian Tribe receiving a grant under subsection (b)
25 to undertake periodic audits and evaluations of expendi-

1 tures made by such State or Indian Tribe pursuant to this
2 section.

3 (j) REPORTS TO CONGRESS.—The Secretary shall
4 prepare reports on the results of activities carried out pur-
5 suant to this section and submit the reports to Congress—

6 (1) not later than 1 year after the date of en-
7 actment of this Act; and

8 (2) upon disbursement of all funds appropriated
9 to carry out this section.

10 (k) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) IN GENERAL.—There is authorized to be
12 appropriated to the Secretary to carry out this sec-
13 tion—

14 (A) \$10,000,000,000 for grant funds and
15 administration relating to assistance for home
16 energy service; and

17 (B) \$10,000,000,000 for grant funds and
18 administration relating to assistance for house-
19 hold drinking water and wastewater services.

20 (2) AVAILABILITY.—Sums appropriated under
21 paragraph (1) shall remain available until expended.

22 **SEC. 6. BUSINESS LANDLORD OVERSIGHT.**

23 (a) CONGRESSIONAL OVERSIGHT COMMISSION.—Sec-
24 tion 4020 of the CARES Act (15 U.S.C. 9055) is amend-
25 ed—

1 (1) in subsection (b)(2)(A), by adding at the
2 end the following:

3 “(v) The use of rental property assist-
4 ance received by entities under section
5 7(a)(36) of the Small Business Act (15
6 U.S.C. 636(a)(36)) or other Federal Gov-
7 ernment relief assistance under this sub-
8 title.”; and

9 (2) in subsection (c)—

10 (A) in paragraph (1)—

11 (i) in the matter preceding subpara-
12 graph (A), by striking “5” and inserting
13 “9”; and

14 (ii) in subparagraphs (A) through
15 (D), strike “1” each place the term ap-
16 pears and insert “2”; and

17 (B) by adding at the end the following:

18 “(8) QUALIFICATIONS.—Not fewer than 2 of
19 the 8 members appointed under subparagraphs (A)
20 through (D) shall be from a group that has been
21 historically underrepresented or disproportionately
22 negatively impacted by the Coronavirus disease 2019
23 (COVID–19), and not fewer than 1 of those 8 mem-
24 bers shall be a woman.”.

1 (b) PROHIBITION ON USE OF FEDERAL COVID-RE-
2 LIEF LOANS OR GRANTS TO BUY DISTRESSED MORT-
3 GAGES, FORECLOSED PROPERTIES, OR REAL-ESTATE-
4 OWNED PROPERTIES.—Except with respect to a nonprofit
5 organization or a local, mission-focused affordable housing
6 developer, a business entity shall not use the proceeds of
7 any loan or grant received under this Act or the CARES
8 Act (Public Law 116–136), or any amendments made
9 under those Acts, to purchase distressed mortgages, fore-
10 closed properties, or real-estate-owned properties.

11 (c) RENT ARREARS.—If a landlord receives Federal
12 funds under subtitle IV of the CARES Act (Public Law
13 116–136) that are used to cover rent arrears during the
14 period beginning on March 27, 2020, and ending on De-
15 cember 31, 2020, the landlord may not collect rent arrears
16 from tenants that were received upon the expiration of ap-
17 plicable Federal and State eviction and foreclosure mora-
18 toriums relating to the COVID–19 pandemic, including
19 under sections 4022 and 4024 of the CARES Act (15
20 U.S.C. 9056, 9058).

○