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MEMORANDUM

CONFIDENTIAL ATTORNEY - CLIENT PRIVILEGE

TO: TRIBAL HOUSING CLIENTS
FROM: MIKE NOVOTNY & LISA DECORA

DATE: MARCH 23, 2020
RE: HOUSING PROGRAM GUIDANCE

On March 18, 2020, President Trump announced that the Department of Housing and Urban Development (HUD) will suspend evictions and foreclosures through April 2020 due to the Coronavirus (COVID-19) pandemic. The eviction and foreclosure moratorium are applicable to Federal Housing Administration (FHA) backed mortgages only. The HUD press release is available at: https://www.hud.gov/press/press_releases_media_advisories/HUD_No_20_042

While the recent White House announcement on evictions and foreclosures is not applicable to Native American Programs, the HUD website provides helpful resources and information regarding the COVID-19 pandemic at: <https://www.hud.gov/coronavirus>.

The COVID-19 FAQs provides guidance for Indian Housing Block Grant (IHBG) programs and residents who may be negatively affected and cannot meet rent obligations due to loss of income. If Tribes and Tribally Designated Housing Entities (TDHEs) administering the IHBG program have residents who cannot pay their rent, they are encouraged to use their discretion and best judgment to provide relief to any residents under the current circumstances. See Page 4 of the COVID-19 FAQs for the Public Housing, Housing Choice Voucher (HCV) (including the Project-based Voucher Program (PBV)) and Native American Programs.

On March 16, 2020, the Office of Public and Indian Housing issued a Dear Lender Letter (DLL-2020-02) reminding Section 184 Program Lenders about loss mitigation program options and that all lenders and servicers must “ensure that all lost mitigation tools are offered to all distressed borrowers, when appropriate.” The letter is found at: <https://www.hud.gov/sites/dfiles/Main/documents/Loss-Mitigation-Reminder-Covid-19.pdf>

Big Fire Law and Policy is ready to assist you with any housing issues during this extraordinary time.

TRIBAL ADVOCACY WITH INTEGRITY