

Governor Baker extends moratorium on evictions and foreclosures to October 17

Today, Governor Charlie Baker extended the pause on evictions and foreclosures for 60 days, until October 17, 2020, through the authority granted to the governor by Chapter 65 of the Acts of 2020, An Act providing for a moratorium on evictions and foreclosures during the COVID-19 Emergency, which was signed into law on April 20, 2020. This law's limitations on evictions and foreclosures have allowed many tenants and homeowners impacted by COVID-19 to remain in their homes during the state of emergency, and this extension provides residents of the Commonwealth with continued housing security as businesses cautiously re-open, more people return to work, and the state collectively moves toward a "new normal." The moratorium was set to expire on August 18, 2020.

Tenants are strongly encouraged to continue to pay rent, and homeowners to make their mortgage payments, to the extent they are able. To assist low-income households in making rent and mortgage payments, as well as support landlords needing these rent payments to pay expenses, the Baker-Polito Administration launched a new \$20 million, statewide fund, the Emergency Rental and Mortgage Assistance (ERMA) program, on July 1st.

This funding complements the \$18 million currently available through the Residential Assistance for Families in Transition (RAFT) homeless prevention program, which can also be used for rent or mortgage payments. In each program, landlords or mortgage lenders receive payments directly from the RAFT administering agencies.

During this 60 day extension, the Administration will consult with the court administrators and other stakeholders regarding

programs and policies to help tenants avoid eviction when proceedings resume.

The law suspends most residential and small business commercial evictions, as well as residential foreclosures. It does not relieve tenants or homeowners of their obligation to pay rent or make mortgage payments. The law also:

Prevents landlords from sending notifications to residential tenants that threaten eviction or terminating of a lease;

Limits court actions on non-essential evictions;

- Relieves tenants, both residents and small commercial, from late fees and negative credit reporting;

- Allows landlords to use “last month’s rent” to pay for certain expenses, though not as a replacement rent payment, and only with proper notification of tenant;

- Requires lenders to grant a forbearance for up to 180 days if a homeowner experiencing financial hardship due to COVID-19 submits such a request; and

- Allows for alternative payment agreements between lenders and borrowers regarding forbearance payments.

Since the beginning of the State of Emergency, the Administration has supported housing stability for households across the Commonwealth. The Executive Office of Housing and Economic Development (EOHED) has drafted emergency regulations to implement the notice provisions of the eviction and foreclosure moratoriums. The Department of Housing and Community Development (DHCD) supported our state-aided public housing and affordable housing operators with guidance, and worked with stakeholders across the state to coordinate resources. Additional resources and information can be found on DHCD’s COVID-19 Resource Page.