

ORLANS PC

MID-YEAR EXECUTIVE SUMMARY

Guide to Which Files Can Move Forward and When

Orlans PC handles default matters in 8 jurisdictions [DC, DE, MA, MD, MI, NH, RI, VA]. Government loans are covered by both the CARES ACT and the individual government investor/insurer guidelines as well as state guidelines. Conventional loans are governed by the individual state, court and executive guidelines. The guide below indicates the current ability to move files or begin moving files in our jurisdictions.

CARES ACT

Foreclosure (“FC”) moratorium (except vacant/abandoned) expired May 17, 2020.

Eviction filings/completions moratorium effective March 27, 2020 – July 25, 2020.

FHA – FC moratorium (except vacant/abandoned) extended until August 31, 2020.

VA – FC moratorium extended until August 31, 2020.

Fannie/Freddie – FC moratorium (except vacant/abandoned) extended until August 31, 2020.

USDA – FC moratorium (except vacant/abandoned) extended until August 31, 2020.

STATES/JURISDICTIONS

WASHINGTON, DC

Emergency Legislation (A23-0318) effective May 27, 2020 would prohibit residential mortgage FC (initiation/completion) while a public health emergency is in effect and for 60 days thereafter. The emergency legislation expires August 25, 2020.

DELAWARE

Governor’s Sixth Modification State of Emergency prohibits new residential FC filings (except vacant/abandoned) during State of Emergency (current end date July 6, 2020)

MARYLAND

Governor’s Executive Order 20-04-03-01 directs the Commissioner of Financial Regulation to cease accepting pre-FC NOI’s until the State of Emergency is lifted.

Maryland Court of Appeals – May 22, 2020 Order lifts the current FC and eviction moratorium effective July 25, 2020. Cases that have a valid NOI may be filed [1st Legal] but will be placed on hold until July 25, 2020.

VIRGINIA

Governor’s Executive Order EO55 Stay at Home Order would prevent FC auctions until after June 10, 2020. File movement has resumed.

MICHIGAN

Governor’s Executive Order 2020-100 Extended Stay at Home Order would prevent FC auctions until after June 12, 2020. File movement has resumed in most counties.

MASSACHUSETTS

Ch. 65 of the Acts of 2020 prohibits FC (initiation/completion) on owner occupied property until the sooner of August 18, 2020 or 45 days after the State of Emergency is lifted.

NEW HAMPSHIRE

Governor's Executive Order 2020-04, Extended by Emergency Order #51 would prevent foreclosure auctions until after July 1, 2020.

RHODE ISLAND

Governor's Executive Order 20-32 – Stay at Home Order expired May 8, 2020. Current restrictions prohibit public gatherings of 15 or more allowing most foreclosure auctions to resume.

We look forward to working with you to advance these files as permitted in a timely and efficient manner. Updates can also be found at <https://orlans.com/corona-virus/>.

If you have specific legal questions about your files, please feel free to contact our attorneys referenced below.

Mid-Atlantic Jurisdictions: Virginia, Maryland, Delaware, District of Columbia

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Northeast/Midwest Jurisdictions: Michigan, Massachusetts, New Hampshire, Rhode Island

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