



# *Council of the* **DISTRICT OF COLUMBIA**

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## Code of the District of Columbia

### § 42–851.01. Foreclosure moratorium.

\*NOTE: This section was created by emergency legislation that will expire on April 5, 2022.\*

**(a)(1)** Notwithstanding any other provision of District law, during the time period from March 11, 2020, to June 30, 2022, no:

**(A)** Residential foreclosure may be initiated or conducted under [§ 42-815](#) or [§ 42-816](#);

**(B)** Sale may be initiated or conducted under [§ 42-1903.13\(c\)](#); and

**(C)** Judgment foreclosing the right of redemption shall be entered under [§ 47-1378](#).

**(2)** From July 1, 2022, through September 30, 2022, no residential foreclosure may be initiated or conducted under [§ 42-815](#) or [§ 42-816](#), no sale may be initiated or conducted under [§ 42-1903.13\(c\)](#), and no judgment foreclosing the right of redemption shall be entered under [§ 47-1378](#), if:

**(A)** A homeowner or their representative applies for financial assistance to cure a debt or default with funds from the Department of Housing and Community

Development's Homeowner Assistance Fund ("Homeowner Assistance Funds") or a similar government fund established to assist homeowners impacted by the COVID-19 public emergency or public health emergency declared pursuant to [Chapter 23 of Title 7](#) ("financial assistance application");

**(B)** The financial assistance application is pending approval, pending payment, or under appeal;

**(C)** Proof of the financial assistance application status described in subparagraph (B) of this paragraph is presented, as a paper copy or through an electronic medium, to the mortgage lender, condominium association, homeowners association, or tax sale purchaser, or to an agent acting as a representative for any housing or financing entity to which a homeowner is indebted; and

**(D)** The actions taken pursuant to subparagraphs (A) and (C) of this paragraph occur no later than 60 calendar days after July 1, 2022.

**(3)** The Mayor, or a designee, shall ensure that a homeowner applying for Homeowner Assistance Funds, or for similar government funds established to assist homeowners impacted by the COVID-19 public emergency or public health emergency declared pursuant to [Chapter 23 of Title 7](#), is provided with documentation in a timely manner that will enable the applicant to present proof of the financial assistance application status as described in paragraph (2) of this subsection.

**(b)** This section shall not apply to a residential property at which neither a record owner nor a person with an interest in the property as heir or beneficiary of a record owner, if deceased, has resided for at least 275 total calendar days during the 12 months period immediately preceding October 1, 2021.

[\(Feb. 3, 2022, D.C. Act 24-320, § 2, 0 DCR 0.\)](#)

### **Emergency Legislation**

[For temporary \(90 days\) amendment of this section, see § 2 of Foreclosure Moratorium Extension Emergency Amendment Act of 2022 \(D.C. Act 24-320, Feb. 3, 2022, 0 DCR 0\).](#)

### **PUBLICATION INFORMATION**

#### **Current through**

Feb. 22, 2022

#### **Last codified Emergency Law:**

[Act 24-332 effective Feb. 22, 2022](#)

#### **Last codified D.C. Law:**

[Law 24-53 effective Feb. 18, 2022](#)

#### **Last codified Federal Law:**

[Public Law 116-283 approved Jan. 1, 2021](#)

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