COVID-19 & Consumer Protections

The COVID-19 pandemic is creating upheaval in people’s lives, especially the most vulnerable, and NCLC is working with allies, government officials, and businesses, to help. This list of resources, which will be updated as new information is available, is a guide to help families navigate their financial lives during these turbulent times. It also includes best ways to connect with NCLC while our staff works from home to avoid community spread.

2021 Consumer Protection Priorities for a COVID Stimulus Package

Stimulus Payments

General Consumer Protections

- Autos
- Banks and Prepaid Card Accounts
- Bankruptcy
- Credit and Debt
- Credit Reporting
- Criminal Justice
- Housing
- Older Consumers
- Racial and Immigrant Equity
- Robocalls & Telemarketing
- Student Loans
- Utilities and Bridging the Digital Divide

Training & Conferences

Additional Resources

Archived Letters, Statements, Briefs, etc.

Stimulus Payments

- Joint Consumer and Banking Group Letter to Congress urging them to protect economic impact payments from garnishment, Mar. 8, 2021
- Joint Consumer and Banking Organization Letter to Congressional Leadership Urging Protection of New Stimulus Payments Against Garnishment, Feb. 23, 2021
- The EIP Stimulus Payment Prepaid Card: Not a Scam; How to Avoid Fees (sample card and mailer), January 2021
- NCLC FAQs on Stimulus Payments

General Consumer Protections

- Share your COVID-19 Financial Complaint
- NCLC Major Consumer Protections Announced in Response to COVID-19 (Federal and State), August 2020
- Group letter to President Biden re: Consumer Protection Priorities for Next Covid Economic Recovery Package, February 1, 2021
Autos

- State Protections Against Repossession
- Auto Finance and the Coronavirus Crisis: What States Should Do to Help, March 2020

Bank and Prepaid Card Accounts, Bank Fees

- States, including New York, have ordered or encouraged relief affecting overdraft, ATM and credit card late fees.
- Banks and credit unions that offer safe checkless checking accounts that meet the Bank On National Account Standards (including no overdraft or NSF fees) can be opened online, and are available to people with blemished account screening histories, can be found at JoinBankOn.org.

Bankruptcy

- Summary of Covid-19 Bankruptcy Relief Provisions, March 31, 2021
- Group letter urging Congress to adopt amendments to the Bankruptcy Code in response to the COVID-19 pandemic, March 24, 2020

Credit and Debt

Federal Relief

- Feed Families, Not Debt Collectors: Protect New Stimulus Payments and Child Tax Credits from Garnishment, March 2021
- A Free Stimulus to Support Struggling Families and the Economy: First Suspend, then Reform, Wage and Bank Account Garnishment, January 2021
- The federal banking agencies have issued guidance encouraging institutions to work with affected customers.
- Support debt collection provisions of HEROES Act to give small businesses, nonprofits and consumers a path to recovery
- The CFPB Must Issue Emergency Guidance on Debt Collection during the Pandemic, December 2020
- Wage Garnishment for Consumer Debts: Reforms Needed in the Current Crisis and Beyond, November 2020
- Remote Court Appearances in the Covid-19 Era: Protecting Consumers in Collection Lawsuits, June 2020

State & Local Relief

NCLC is tracking state and local government responses to the coronavirus that are relevant to the collection of non-mortgage consumer debts, including:

- For state advocates working with their state legislators to protect people impacted by income losses due to COVID-19, NCLC’s report may be of help. No Fresh Start in 2019: How States Still Let Debt Collectors Push Families into Poverty surveys all 50 states and has a number of charts and maps assessing the extent to which state laws protect basic income and assets needed for survival: wages, home, car, bank account, household goods.
- Covid-19 Related State Protections for Wages and Cash in Bank Accounts
Sample letters urging a halt to bank account garnishments and/or debt collection from advocates in California (includes sample order), Ohio, Texas

Prohibition of Certain Collection Practices – Entries track practices in the collection of civil, non-mortgage debts by debt collectors or creditors that have been temporarily prohibited due to the coronavirus.

Can Debt Collectors Work from Home? – Entries track orders and guidance related to whether debt collectors can work from home. Only highlights guidance that has been issued in relation to the coronavirus. Some jurisdictions may have had prior guidance.

Bar on Collection of Debts Owed to State/Local Government – Entries track state and city temporary orders that have been enacted to bar the collection of debt owed to the government.

Suspension of Certain Court Proceedings Related to Debt Collection – Entries include a non-comprehensive list of courts that have suspended certain judicial proceedings or activities related to the collection of civil, non-mortgage debts. For more about state court closures see the National Center for State Courts website.

Calls to Action – Entries track calls to action from legislators, attorneys general, businesses, and advocates to state governments and industry leaders calling for collection moratoriums and other debt collection related consumer protections.

Legislative Responses – Entries track legislation introduced at state and municipality level that includes prohibitions on certain debt collection practices. Entries track status of bills.

Other Debt Collection Responses – Entries include responses by states that do not fall into one of the other categories, such as new legislation relating to debt collection during the coronavirus pandemic and recommendations for collection practices from state agencies.

Credit Reporting

- The Credit Score Pandemic Paradox and Credit Invisibility, February 2021
- 2021 Credit & Consumer Reporting Priorities to Promote Economic Recovery, December 2020
- Salt in the Wound: How Eviction Records and Back Rent Haunt Tenant Screening Reports and Credit Scores, August 2020
- Enforcing the CARES Act Credit Reporting Protections, May 2020
- Protecting Credit Reports During the Covid-19 Crisis, April 2020
- Credit Reports and the Covid-19 Crisis: What States Should Do to Help Consumers, March 2020

Criminal Justice

- Fines and Fees Justice Center’s COVID-19 Policy Recommendations urging state and local governments to make immediate changes to their criminal, traffic and municipal ordinance fines and fees policies to protect public health and ensure that fines and fees are not a barrier to people’s basic needs throughout this emergency.

Housing

Federal Relief

- Press release: CFPB Will Hold Debt Collectors Accountable to Tenants for Illegal Evictions, April 19, 2021
- Using the Homeowner Assistance Fund to Prevent Reverse Mortgage Foreclosures: What Treasury and the States Can Do, April 2021
- Group Letter to HUD re: Mortgagee Letter 2021-05, March 18, 2021
- Homeowner Assistance Fund Overview and FAQs, March 17, 2021
- Americans for Financial Reform Coalition Recommendations on Housing Assistance Fund Implementation, March 17, 2021
- Joint Letter to CFPB Proposing a Framework for Streamlined Modifications, March 12, 2021. Exhibit A. Exhibit B.
- Coalition letter to FTC and CFPB Urging Action on Eviction and Foreclosure Moratorium, March 3, 2021
- Civil Rights, Consumer and Industry Coalition Letter to Congressional Leadership Supporting Inclusion of Homeowner Relief in the Covid-19 Stimulus Relief Package, February 8, 2021
- Homeowners Need a Homeowner Assistance Fund and Additional Relief to Prevent a Coming Foreclosure Crisis, January 2021
- Group Letter to President-Elect Biden Asking for Expansion of Homeowner Relief in Covid Stimulus Package, January 16, 2021
- How to Get Help with Your Mortgage During COVID-19, July 9, 2020; Spanish, Korean, Chinese, Vietnamese, and Bangla
- NCLC issue brief: A Looming Crisis: Black Communities at Greatest Risk of Covid-19 Foreclosure, July 2020
  **NCLC sponsored a series of free webinars for advocates in May 2020. Listen to archived webinars and access materials:**

  **COVID-19 and Mortgage Relief for Homeowners: CARES Act Protections, May 7, 2020. Webinar recording and materials.** This webinar will provide an overview of the forbearance and post-forbearance options for federally-backed mortgages, including an explanation of what the CARES Act requires and a discussion of the servicing policies of Fannie Mae, Freddie Mac, FHA, VA, and USDA (Andrea Bopp Stark- NCLC, Sarah Bolling Mancini-NCLC)

  **Forbearance Options and CARES Act Requirements, May 14, 2020. Webinar recording and materials.** In this session, we will go into more depth about the language of the CARES Act and the ways different government entities are implementing its requirements. We will also touch on how servicers are handling forbearance requests, and strategies to deal with servicer noncompliance. (Tara Twomey-NCLC, Steve Sharpe-NCLC, John Rao-NCLC).

  **Reverse Mortgage Foreclosure Issues in the Covid-19 Pandemic, May 21, 2020. Webinar recording and materials.** This webinar will discuss the home-saving options for reverse mortgage borrowers and non-borrowing spouses, including specific updates about Covid-19 related protections. (Sarah Bolling Mancini-NCLC, Odette Williamson, NCLC)

  **An Introduction to CARES Post-Forbearance Options, May 28, 2020. Webinar recording and materials.** This session will provide an introduction to post-forbearance options for borrowers obtaining mortgage relief under the CARES Act. The program will review options available through FHA and the GSEs based on the most recent guidance and information available. (Tara Twomey - NCLC, Andrea Bopp Stark - NCLC, Geoff Walsh – NCLC).

- Video Explainer: Coronavirus Crisis: What Consumers Need to Know About Mortgage Relief, April 29, 2020
- Mortgage Relief for Homeowners Affected by COVID-19, April 27, 2020; related chart.
- Coronavirus Pandemic Prompts Temporary Relief in Reverse Mortgage Foreclosures, April 27, 2020

- Appraisal Changes for Government-Backed Mortgages:
  - Fannie Mae, Freddie Mac, FHA, and VA to allow appraisals without interior inspections
  - The Appraisal Institute and the Appraisal Foundation have extensive information on how COVID-19 is affecting appraisers
  - The USDA has waived or relaxed certain parts of the application process for Single-
Family Housing Direct Loans, including site assessments, and has extended the time period that certificates of eligibility are valid.

- For mortgage borrowers facing difficulties as a result of the pandemic, Fannie Mae, Freddie Mac, FHA, FHFA, and the VA have issued guidance for borrowers and reminders to loan servicers about options available for borrowers in hardship.
- HUD issued a foreclosure and eviction moratorium for all FHA-insured Single Family mortgages for 60 days, effective March 18, 2020.

State & Local Relief

- COVID-19 Related State Foreclosure Moratoriums and Stays
- Building a California Seawall against the Tsunami of Debt Collection Caused by COVID-19: Mortgage Relief, November 2020
- Coronavirus Emergency: Mortgage Relief for Consumers - How States Can Help, October 2020

Older Consumers

- Using the Homeowner Assistance Fund to Prevent Reverse Mortgage Foreclosures: What Treasury and the States Can Do, April 2021
- Group Letter to the FHA addressing COVID-related issues for HECM (reverse mortgage) borrowers and spouses, Oct. 13, 2020
- Federal, State and Private Protections for Older Consumers Impacted by the COVID-19 Pandemic, April 2020

Racial and Immigrant Equity

- NCLC issue brief: A Looming Crisis: Black Communities at Greatest Risk of Covid-19 Foreclosure, July 2020
- Leadership Conference on Civil and Human Rights Civil rights urging Congress to enact health and economic policies to protect low- and middle-income households, (especially households of color), April 16, 2020

Robocalls & Telemarketing

- NCLC & American Bankers’ Association Ex-Parte joint comments to the FCC requesting quick action to interpret the TCPA’s emergency exception to apply to automated calls from creditors during the COVID-19 emergency when informing consumers of forbearance and payment deferral options for loans secured by homes and vehicles, April 23, 2020
- Group Ex Parte Comments to the FCC supporting the American Banker Asso. and other lenders petition on pandemic calls during declared national emergency, limited numbers of automated calls from the described institutions to alert their customers to the callers’ offers of the specified kinds of relief related to the COVID-19 pandemic, April 9, 2020; Related press release

Student Loans
NCLC Litigation

- Barber, Jenkins et al vs Devos and U.S. Department of Education, Case 1:20-cv-01137, May 7, 2020. Amended Complaint and Press Release. Share your story if you have had wages garnished in 2020 for a student loan. NCLC and Student Defense, with support of the Student Borrower Protection Center, filed an emergency APA lawsuit in the D.C. District Court against the U.S. Department of Education seeking to stop its garnishment of wages from defaulted student loan borrowers and to force the agency to immediately comply with Sec. 3513 (e) of the CARES Act that mandates that all such collections be ceased until at least next September. A motion for injunctive relief class certification has also been filed.

NCLC Articles, Briefs, Fact Sheets, Reports, Videos & Webinars

- Borrowing From Our Future: The Case for Cancelling Student Debt, Aug. 10, 2020
- Video Explainer: What the CARES Act Means for Repayment of Federal Student Loans, April 21, 2020
- Coronavirus Crisis: What Borrowers Need to Know About Student Loan Relief, April 2020
- What the CARES Act Means for Repayment of Federal Student Loans, March 28, 2020
- Student Loan Cancellation is a Critical COVID-19 Equity Issue, March 23, 2020

Utilities and Bridging the Digital Divide

Federal Relief

- NCLC & United Church of Christ, OC, Inc. Comments to the FCC re: Emergency Broadband Connectivity Fund Assistance, January 25, 2021
- FCC order that no current Lifeline customer lose their service during this crisis and preserves Lifeline service for existing customers by waiving certain rules that are popular reasons for loss of Lifeline service, March 30, 2020

State & Local Relief

- Comments on behalf of the Mass. Union of Public Housing Tenants and the Mass. Energy Directors Association, urging the Department of Public Utilities to create new post-moratorium consumer protections for utility credit and collections, April 10, 2020
- MA DPU opens investigation into post-moratorium credit & collection policies, Mar. 31, 2020; additional Massachusetts moratorium order through April 1, 2021.
- NCLC filed formal requests with utility regulators to impose a moratorium on all utility shut-offs during the COVID-19 crisis in California (moratorium imposed) and Massachusetts (moratorium imposed). For a regularly updated list of moratoriums and other state responses, please see the National Association of Regulatory Utility Commissioners website.
- MA (and MA update), PA, and IL (electricity and gas) requesting halt of door-to-door marketing by Competitive Energy Suppliers.

NCLC Articles, Briefs, Fact Sheets, Reports, Videos & Webinars

- Implementing a Roadmap to Utility Service as a Human Right, April 2021
Training and Conferences at NCLC

All information will be updated on our Conferences or Webinars pages.

Additional Resources

Consumers

• For consumers needing legal help, please visit NCLC’s website for a list of resources on how to get legal assistance.
• NCLC’s Covid-19 Publications.
• NCLC’s free articles on Consumer Debt Advice.
• Surviving Debt: Expert Advice For Getting Out of Financial Trouble As many Americans grapple with the fallout from this unprecedented crisis, NCLC’s 50th anniversary edition of Surviving Debt is an invaluable resource for consumers and consumer advocates. We have made the digital edition of Surviving Debt free to all during the COVID-19 crisis. Read and download, print, or email content on debt issues. Print books are also available with bulk discounts at NCLC’s Digital Library bookstore.
• The National Digital Inclusion Alliance website includes a list of free and low-cost broadband internet plans.
• Consumer Financial Protection Bureau (CFPB): Protecting Your Finances During the Coronavirus Pandemic.
• CFPB: How to stop automatic payments from your bank or credit union account