

COVID-19 | Understanding the Moratorium on Evictions and Foreclosures for Renters and Homeowners

Frequently Asked Questions

The Pandemic Response law passed by Congress – The Coronavirus Aid, Relief, and Economic Security Act, (CARES Act - H.R. 748) – made a number of changes to protect families from eviction and foreclosure. In addition, on March 29, 2020, Governor Sisolak declared a State of Emergency in response to the COVID-19 pandemic. While the State of Emergency is in effect, evictions and foreclosures processed after March 12, 2020 are prohibited in Nevada.

If you cannot pay your rent or mortgage, you will need to contact your landlord or mortgage provider to request a payment delay. During the moratorium, you cannot be charged late fees, be evicted from your home or have your lender foreclose on your home. The length of the moratorium varies based on the type of financing for the rental property or mortgage. Some families might have to pay their landlord immediately and in full upon the end of the State of Emergency; others may have longer to repay.

Renters

Nevada’s moratorium does not waive your rent. It is temporary immunity from eviction if you cannot pay right now – once the moratorium is over, you will likely have to pay all the rent you did not pay. However, a landlord can evict someone who is considered dangerous to other residents, the public or the landlord’s property; having a COVID-19 diagnosis or exposure to coronavirus does not qualify as being dangerous.

Where Do You Rent?	Guidelines
<p>A property owner/landlord with no federal government financing and that does not “participate in” a “covered housing program” as defined in the Violence Against Women Act.</p>	<ul style="list-style-type: none"> • If you cannot pay your rent, contact your landlord in writing and request additional time to pay your rent. • The landlord cannot charge late fees or penalties. • The landlord still has to provide service and maintenance to your home. • The landlord may provide you with a written notice of delinquency due to nonpayment of rent which may help you qualify for rental assistance. • When Nevada’s State of Emergency is lifted, all your rent including your back rent will be due unless you work out a repayment plan within 30 days after the State of Emergency has concluded. • Tenants at weekly rentals must have stayed at the property for 30 days prior to March 29.
<p>A multifamily property with a federally-backed loan or that “participates in” a “covered housing program” as defined in the Violence Against Women Act.</p>	<ul style="list-style-type: none"> • If you cannot pay your rent, contact your landlord and request additional time to pay your rent. • The landlord cannot charge late fees or penalties. • Landlords cannot initiate eviction for nonpayment of rent between March 27 and July 24, 2020 (120 days) or until the Nevada State of Emergency lasts, whichever is later. • Owners may not issue a notice to vacate until after July 24, 2020 and then must provide 30 days to vacate the unit unless state law prohibits evictions.

<p>A multifamily property with a federally-backed loan or financing or that “participates in” a “covered housing program” as defined in the Violence Against Women Act and has a loan in forbearance.</p>	<ul style="list-style-type: none"> • If you cannot pay your rent, contact your landlord and request additional time to pay your rent. • The landlord cannot charge late fees or penalties. • Landlords cannot initiate eviction between as long as the landlord’s mortgage is in forbearance. A landlord can apply for forbearance under this program until the earlier of: the end of the COVID-19 emergency or December 31, 2020. • The landlord may send you a notice to evict 30 days after the forbearance on the landlord’s mortgage has ended.
<p>A property that is public housing, receives assistance from HUD programs, USDA rural housing programs, or Low Income Housing Tax Credits, or participates in another federal program; has a mortgage issued or guaranteed by the federal government or “participates in” a “covered housing program” as defined in the Violence Against Women Act.</p>	<ul style="list-style-type: none"> • If you cannot pay your rent, contact your landlord and request an update of your income assessment. • Reach out to your landlord and request additional time to pay your rent. • The landlord cannot charge late fees. • Landlords cannot initiate eviction between March 27 and July 24, 2020 (120 days). • Owners may not issue a notice to vacate until after July 24, 2020 and then must provide 30 days to vacate the unit unless state law prohibits evictions.

For assistance in paying your rent, contact the U.S. Department of Housing and Urban Development at <https://www.hud.gov/states/nevada/renting> or <https://www.hud.gov/states/nevada/renting/otherprgms>.

If you are or are working with a non-profit organization or government agency, visit the Housing Preservation Database to learn which properties may be subject to protections under the CARES Act: <https://preservationdatabase.org/>.

Homeowners

Homeowners who face financial hardship, either directly or indirectly from coronavirus, and may need to delay or reduce their mortgage payments should reach out to their mortgage servicer – the company they make monthly payments to – as soon as possible.

Nevada instituted a 90-day grace period (until June 27, 2020) on making payments and a waiver on late fees *if* you reach out to your lender and request forbearance. You cannot be evicted from your home during this time period unless an eviction or foreclosure was underway prior to March 12. While Nevada’s directive affects all loans, many government-guaranteed loans offer longer forbearance periods; under the CARES Act, homeowners with mortgages backed by the FHA, USDA, VA, HUD Section 184, Fannie Mae, or Freddie Mac are eligible for loan forbearance for up to one year without fees, penalties, or additional interest.

In addition, consumers who request forbearance or modified payments from lenders shall not be reported as late to Credit Reporting Agencies. Instead, furnishers will report loans as current or as the status reported prior to requested accommodation. This accommodation runs through April 30 or 120 days after the national emergency ends.

Who Owns/Guarantees Your Mortgage?	Guidelines
<p>Government-Guaranteed Mortgage:</p> <ul style="list-style-type: none"> • Federal Housing Administration (FHA) • Fannie Mae and Freddie Mac • Department of Veterans Affairs • U.S. Department of Agriculture • Section 184 (tribal housing) 	<ul style="list-style-type: none"> • Reach out to your mortgage servicer over the phone or in writing stating that you have a financial hardship due, directly or indirectly, to the COVID-19 emergency. • The forbearance period is up to 180 days (6 months), and during the covered period the borrower can request an extension for an additional period of 180 days (6 months). • At the borrower's request, either the initial or extended forbearance period may be shortened. • During the forbearance period, no fees, penalties or interest, beyond the amounts scheduled or calculated as if the borrower made all contractual payments on time and in full under the terms of the mortgage contract, may accrue on the borrower's account. • A servicer must not require additional documentation from the borrower beyond request and affirmation and must reinstate the loan following the forbearance period. • The months you did not pay your mortgage will be added to the length of your loan.
<p>Non-government entity</p>	<ul style="list-style-type: none"> • Call your servicer to discuss your options for your mortgage. • Make sure you have a copy of your last mortgage statement, and if possible, documentation of unemployment or reduced hours and any housing assistance or financial assistance resources you may have accessed. • Under the Nevada moratorium, you can request a 90-day deferment of payments. • Work with your lender to ensure you will not owe the entire balance immediately at the end of the 90 days.

To determine who owns or guarantees your mortgage:

To determine if your mortgage is owned by Fannie Mae, call **1-800-2FANNIE** or visit [KnowYourOptions.com/loanlookup](https://knowyouroptions.com/loanlookup).

To determine if your mortgage is owned by Freddie Mac, call **1-800-FREDDIE** or visit [FreddieMac.com/mymortgage](https://freddiemac.com/mymortgage).

If neither Fannie nor Freddie guarantees your mortgage, check your mortgage loan documents. If your loan is insured or guaranteed by a federal program, there should be a document indicating that it is covered under that program (FHA, VA, USDA, or HUD 184). You can also reach out to your servicer to find out. Contact information for a mortgage servicer can be found in monthly mortgage statements or coupon book.

If you would like to see your servicer's mortgage assistance response, the Governor's Office compiled this listing of COVID-19 mortgage responses for financial institutions in Nevada: https://nvhealthresponse.nv.gov/wp-content/uploads/2020/03/Mortgage-Assistance-COVID019_Updated.pdf.

The nearest HUD-certified housing counselor can be found at www.consumerfinance.gov/find-a-housing-counselor or by calling (800) 569-4287. The Nevada State Coronavirus website has more details including the Declaration of Emergency Directive 008 – the Eviction and Foreclosure Moratorium: <https://nvhealthresponse.nv.gov/>.

Utilities

The CARES Act provided additional resources for the Low-Income Home Energy Assistance Program (LIHEAP), which helps fund the Nevada Energy Assistance Program (EAP). The EAP provides qualifying households with assistance for their home energy costs. Should you require assistance paying your energy bills, contact the Nevada Department of Welfare and Supportive Services.

Additionally, many Nevada utilities have temporarily suspended disconnections for nonpayment and are offering flexible payment options for households affected by COVID-19. It is important to note that the suspension of shut offs does not necessarily waive rates and fees. Once a utility lifts its suspension on shut offs, you will likely have to pay the balance accrued. To confirm the status and billing expectations for your utility providers, be sure to contact your providers directly.