

HOUSE No. 4883

The Commonwealth of Massachusetts

PRESENTED BY:

David Henry Argosky LeBoeuf and Michael O. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a COVID-19 homeowner protection act.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>4/1/2020</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>4/1/2020</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>4/2/2020</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>4/2/2020</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>4/2/2020</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>4/2/2020</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>4/2/2020</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>4/2/2020</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>4/2/2020</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>4/2/2020</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>	<i>4/2/2020</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>4/2/2020</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>4/2/2020</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>4/3/2020</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>4/3/2020</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>4/3/2020</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>4/3/2020</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>4/3/2020</i>

<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>4/3/2020</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>4/3/2020</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>4/6/2020</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>4/6/2020</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>4/7/2020</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>4/7/2020</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>4/8/2020</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>4/8/2020</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>4/8/2020</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>4/8/2020</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>4/8/2020</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>4/8/2020</i>

HOUSE No. 4883

By Representative LeBoeuf of Worcester and Senator Moore, a joint petition (subject to Joint Rule 12) of David Henry Argosky LeBoeuf, Michael O. Moore and others for legislation to establish homeowner protections due to COVID-19. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act establishing a COVID-19 homeowner protection act.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 35A of chapter 244, as appearing in the 2018 Official Edition, is
2 hereby amended by adding the following 4 subsections:-

3 (g) to mitigate the adverse financial impacts resulting from the outbreak of the 2019
4 novel coronavirus, also known as COVID-19, or the effects of the Governor’s March 10, 2020
5 declaration of a state of emergency, any mortgagor of residential real property located in the
6 commonwealth with a demonstrated financial hardship affecting their ability to make timely
7 payments shall have a 180-day right to forbear required payments as provided in such residential
8 mortgage or note secured by such residential real property, with the payments added to the end
9 of the term of the loan.

10 (h) The mortgagee shall not report such forbearance as late payments to credit rating
11 agencies or assess fees and/or penalties of any mortgagor or deny loan modifications, a new

12 residential or commercial loan/financing, loan refinancing and credit card services based on the
13 inclusion in this forbearance protection.

14 (i) Within 90 days of the termination of the forbearance, mortgagors shall work with the
15 mortgagees to maintain pre-forbearance monthly payments or enact loan modifications reducing
16 such monthly payments.

17 (j) A mortgagee shall not initiate foreclosure proceedings against the mortgagor from the
18 date of the emergency declaration issued by the Governor, dated March 10, 2020 and designated
19 as executive order number 591, until 90 days after the emergency declaration is rescinded by the
20 Governor.

21 SECTION 2. Section 1 shall expire 180 days after termination of the Governor's March
22 10, 2020 declaration of a state of emergency.