

Washington D.C. Commercial Mortgage Relief

During a Public Emergency and for 60 days thereafter, any person that makes or holds a **commercial mortgage loan** in the District should have developed a deferment program for the person paying the mortgage. If you entered into such a plan, you and your mortgage lender must follow the rules below.

Eligible Mortgage Holders

- ⇒ Any person who owns a commercial mortgage loan in the District, with the exception of the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, or the Government National Mortgage Association
- ⇒ A **commercial mortgage loan** includes a loan for the acquisition, construction, or development of real property, or a loan secured by collateral in such real property, that is owned or used by a person, business, or entity for the purpose of generating profit, and includes real property used for single-family housing, multifamily housing, retail, office space, and commercial space that is made, owned, or serviced by a mortgage lender
- ⇒ Does not apply to property that, as of March 11, 2020, a mortgage lender initiated a foreclosure action or exercised its right to accelerate the balance and maturity date of the loan on or before March 11

Payment Plan Terms

Mortgage lenders must have established application criteria and procedures for mortgage owners to apply for the deferment program, and the application must have been available online or by telephone.

The deferment plan, at a minimum, must:

- ⇒ Grant at least a 90-day deferment of the mortgage owner's monthly payment of the mortgage
- ⇒ Waive any late fee, processing fee, or any other fee accrued between March 11th, 2020 and May 15th, 2020.
- ⇒ The Mortgage Lender must not report the Mortgage Holder as delinquent to a credit reporting agency because of the deferral

Lender's Obligations

- ⇒ Mortgage Lenders who receive applications must retain the application, whether approved or denied, for at least 3 years after final payment on the mortgage or the mortgage is sold, whichever comes first.
- ⇒ Mortgage Lenders must make the application available to the Commissioner (Commissioner of the Department of Insurance, Securities, and Banking)
- ⇒ Mortgage Lenders are prohibited from requesting or requiring a lump sum payment from any Mortgage Holder making payments under the program.

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