

117TH CONGRESS
1ST SESSION

H. R. 162

To amend the CARES Act to provide for repayment terms for mortgages in forbearance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2021

Mr. SOTO introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the CARES Act to provide for repayment terms for mortgages in forbearance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REPAYMENT TERMS FOR MORTGAGES IN FOR-**
4 **BEARANCE.**

5 (a) IN GENERAL.—The CARES Act (Public Law
6 116–136) is amended by inserting after section 4022 the
7 following:

1 **“SEC. 4022A. REPAYMENT TERMS FOR MORTGAGES IN FOR-**
2 **BEARANCE.**

3 “(a) IN GENERAL.—With respect to a federally re-
4 lated mortgage loan with respect to which a forbearance
5 was granted during the COVID–19 emergency period (ei-
6 ther pursuant to this Act or any other Federal law or vol-
7 untarily by the servicer of such mortgage loan), the
8 servicer of such mortgage loan shall modify the borrower’s
9 loan to extend the term for the same period as the length
10 of the forbearance, with all payments that were not made
11 during the forbearance distributed at the same intervals
12 as the borrower’s existing payment schedule and evenly
13 distributed across those intervals, with no penalties, late
14 fees, additional interest accrued beyond the amounts
15 scheduled or calculated as if the borrower made all con-
16 tractual payments on time and in full under the terms of
17 the mortgage contract in effect at the time the borrower
18 entered into the forbearance, and with no modification fee
19 charged to the borrower.

20 “(b) ENFORCEMENT.—The enforcement authority
21 provided under the Real Estate Settlement Procedures Act
22 of 1974 (12 U.S.C. 2601 et seq.) shall apply to this sec-
23 tion.

24 “(c) DEFINITIONS.—In this section:

25 “(1) FEDERALLY RELATED MORTGAGE LOAN.—

26 The term ‘federally related mortgage loan’ has the

1 meaning given that term under section 3 of the Real
2 Estate Settlement Procedures Act of 1974 (12
3 U.S.C. 2602).

4 “(2) COVID–19 EMERGENCY PERIOD.—The
5 term ‘COVID–19 emergency period’ means the pe-
6 riod between—

7 “(A) March 13, 2020, the date on which
8 the President declared a national emergency
9 concerning the novel coronavirus disease
10 (COVID–19) outbreak under the National
11 Emergencies Act (50 U.S.C. 1601 et seq.); and

12 “(B) December 31, 2021.”.

13 (b) CLERICAL AMENDMENT.—The table of contents
14 for the CARES Act is amended by inserting after the item
15 relating to section 4022 the following:

“Sec. 4022A. Repayment terms for mortgages in forbearance.”.

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