



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

ASSISTANT SECRETARY FOR HOUSING-
FEDERAL HOUSING COMMISSIONER

Date: November 2, 2023

Mortgagee Letter 2023-19

To: All FHA-Approved Mortgagees
All Direct Endorsement Underwriters
All Eligible Submission Sources for Condominium Project Approvals
All FHA Roster Appraisers
All FHA-Approved 203(k) Consultants
All HUD-Approved Housing Counselors
All HUD-Approved Nonprofit Organizations
All Governmental Entity Participants
All Real Estate Brokers
All Closing Agents

Subject Extension of the Foreclosure Moratorium in Connection with the
Presidentially-Declared Major Disaster Area in Maui County, Hawaii

Purpose This Mortgagee Letter (ML) extends the foreclosure moratorium in Maui
County, Hawaii.

Effective Date The provisions of this ML are effective immediately. The moratorium will
remain in effect through May 6, 2024.

Affected Programs The provisions of this ML apply to all FHA Title II Single Family forward
and Home Equity Conversion Mortgage (HECM) programs.

Background HUD provides an automatic 90-Day foreclosure moratorium beginning on
the date of any Presidentialy-Declared Major Disaster Area declaration. On
August 10, 2023, President Joseph R. Biden declared Maui County, Hawaii
a major disaster area due to the wildfires that decimated the county. HUD's
automatic foreclosure moratorium is set to expire on November 8, 2023.
Due to the extent of the devastation from the wildfires and the unique
geographic location of Maui, making recovery more difficult, HUD is
extending the foreclosure moratorium. HUD believes that Borrowers need
the additional time provided by the moratorium to access federal, state, or

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local housing resources and consult with HUD-approved housing counselors.

Summary of Changes

This ML:

- extends the automatic foreclosure moratorium in III.A.2.n.ii Moratorium on Foreclosures for Properties located in Maui County, Hawaii; and
 - provides relief for FHA-insured HECMs.
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FHA-Insured Forward Mortgages - Extension of Foreclosure Moratorium for Maui County, Hawaii

Properties secured by FHA-insured Single Family forward mortgages are subject to a moratorium on foreclosure through May 6, 2024. The moratorium applies to the initiation of foreclosures and to the completion of foreclosures in process.

Deadlines for the first legal action and Reasonable Diligence Time Frame are extended by 180 Days from May 6, 2024.

Home Equity Conversion Mortgages (HECM) - Foreclosure Moratorium for Maui County, Hawaii

The Mortgagee must observe a moratorium on foreclosures of FHA-insured HECMs secured by Properties located in Maui County, Hawaii through May 6, 2024. The foreclosure moratorium is applicable:

- only if the HECM is Due and Payable for reasons other than the death of the last remaining Borrower and is not subject to a Deferral Period; and
- to the initiation of foreclosures and foreclosures already in process.

During the foreclosure moratorium, Mortgagees are granted an automatic 180-Day extension for all servicing deadlines, including the deadlines for requesting to call a HECM Due and Payable and providing notice to HUD of loans which have automatically become Due and Payable.

Mortgagees are granted an automatic 180-Day extension from the date of the moratorium expiration date to commence or recommence foreclosure action or evaluate the Borrower for loss mitigation. Where foreclosure has not been initiated, the Mortgagee may submit a request for an extension to HUD's foreclosure-related deadlines through Home Equity Reverse Mortgage Information Technology ([HERMIT](#)) when prohibited from performing a required activity due to the foreclosure moratorium.

**Paperwork
Reduction Act**

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520) and assigned OMB control numbers 2502-0005; 2502-0059; 2502-0117; 2502-0189; 2502-0302; 2502-0306; 2502-0322; 2502-0358; 2502-0404; 2502-0414; 2502-0429; 2502-0494; 2502-0496; 2502-0524; 2502-0525; 2502-0527; 2502-0538; 2502-0540; 2502-0556; 2502-0561; 2502-0566; 2502-0570; 2502-0583; 2502-0584; 2502-0589; 2502-0595; 2502-0600; 2502-0610; and 2502-0611. In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

**Feedback or
Questions**

HUD welcomes feedback from interested parties and will consider the feedback in determining the need for future updates. Any feedback or questions regarding this ML may be directed to the FHA Resource Center at 1-800-CALL FHA (1-800-225-5342), answers@hud.gov, or www.hud.gov/answers. The FHA Resource Center is prepared to accept calls from persons who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. Information on how to make an accessible phone call is available at <https://www.fcc.gov/consumers/guides/telecommunications-relay-services>.

Signature

Julia R. Gordon
Assistant Secretary for Housing -
FHA Commissioner
