

119TH CONGRESS
1ST SESSION

S. _____

To provide forbearance assistance during a major disaster or emergency,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCHIFF (for himself and Mr. BENNET) introduced the following bill; which
was read twice and referred to the Committee on _____

A BILL

To provide forbearance assistance during a major disaster
or emergency, 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. SHORT TITLE.**

4 This Act may be cited as the “Mortgage Relief for
5 Disaster Survivors Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COVERED MORTGAGE LOAN.—The “covered
9 mortgage loan” means—

10 (A) a Federally backed mortgage loan; or

1 (B) a Federally backed multifamily mort-
2 gage loan.

3 (2) COVERED PERIOD.—The term “covered pe-
4 riod” means the period beginning on the date of the
5 declaration of a disaster and ending on the date on
6 which the declaration ends.

7 (3) DISASTER.—The term “disaster” means—

8 (A) any major disaster or emergency de-
9 clared by the President under section 401 or
10 501, respectively, of the Robert T. Stafford Dis-
11 aster Relief and Emergency Assistance Act (42
12 U.S.C. 5170, 5191); and

13 (B) any disaster or emergency declared by
14 the Governor of a State or the Chief Executive
15 of an Indian tribal government.

16 (4) DISASTER AREA.—The term “disaster area”
17 means, with respect to a disaster, any area that is
18 subject to the declaration of the disaster.

19 (5) FEDERALLY BACKED MORTGAGE LOAN.—
20 The term “Federally backed mortgage loan” in-
21 cludes any loan that is secured by a first or subordi-
22 nate lien on residential real property (including indi-
23 vidual units of condominiums and cooperatives) de-
24 signed principally for the occupancy of from 1- to 4-
25 families that is—

1 (A) insured by the Federal Housing Ad-
2 ministration under title II of the National
3 Housing Act (12 U.S.C. 1707 et seq.);

4 (B) insured under section 255 of the Na-
5 tional Housing Act (12 U.S.C. 1715z-20);

6 (C) guaranteed under section 184 or 184A
7 of the Housing and Community Development
8 Act of 1992 (12 U.S.C. 1715z-13a, 1715z-
9 13b);

10 (D) guaranteed or insured by the Depart-
11 ment of Veterans Affairs;

12 (E) guaranteed or insured by the Depart-
13 ment of Agriculture;

14 (F) made by the Department of Agri-
15 culture; or

16 (G) purchased or securitized by the Fed-
17 eral Home Loan Mortgage Corporation or the
18 Federal National Mortgage Association.

19 (6) **FEDERALLY BACKED MULTIFAMILY MORT-**
20 **GAGE LOAN.**—The term “Federally backed multi-
21 family mortgage loan” includes any loan (other than
22 temporary financing, such as a construction loan)
23 that—

24 (A) is secured by a first or subordinate lien
25 on residential multifamily real property de-

1 signed principally for the occupancy of 5 or
2 more families, including any such secured loan,
3 the proceeds of which are used to prepay or pay
4 off an existing loan secured by the same prop-
5 erty; and

6 (B) is—

7 (i) insured under section 255 of the
8 National Housing Act (12 U.S.C. 1715z–
9 20);

10 (ii) guaranteed under section 184 or
11 184A of the Housing and Community De-
12 velopment Act of 1992 (12 U.S.C. 1715z–
13 13a, 1715z–13b);

14 (iii) guaranteed or insured by the De-
15 partment of Veterans Affairs;

16 (iv) guaranteed or insured by the De-
17 partment of Agriculture;

18 (v) made by the Department of Agri-
19 culture; or

20 (vi) purchased or securitized by the
21 Federal Home Loan Mortgage Corporation
22 or the Federal National Mortgage Associa-
23 tion.

24 (7) GOVERNOR; INDIAN TRIBAL GOVERNMENT;
25 STATE.—The terms “Governor”, “Indian tribal gov-

1 ernment”, and “State” have the meanings given
2 those terms in section 102 of the Robert T. Stafford
3 Disaster Relief and Emergency Assistance Act (42
4 U.S.C. 5122).

5 **SEC. 3. FORBEARANCE OF LOAN PAYMENTS FOR BOR-**
6 **ROWERS OF PROPERTIES WITH FEDERALLY**
7 **BACKED LOANS IN DISASTER AREAS.**

8 (a) IN GENERAL.—With respect to any disaster, a
9 borrower with a covered mortgage loan that is secured by
10 a property located within the disaster area may request
11 a forbearance on the covered mortgage loan during the
12 covered period.

13 (b) REQUEST FOR FORBEARANCE.—A borrower de-
14 scribed in subsection (a) may request a forbearance on a
15 covered mortgage loan, regardless of the delinquency sta-
16 tus of the covered mortgage loan, by—

17 (1) submitting a request to the borrower’s
18 servicer in writing, over the phone, online, or
19 through any other notification method determined to
20 be eligible by the servicer; and

21 (2) affirming that the borrower is experiencing
22 a financial hardship.

23 (c) GRANT OF FORBEARANCE.—

24 (1) IN GENERAL.—Upon receiving a request for
25 a forbearance from a borrower described in sub-

1 section (a), the borrower's servicer shall promptly
2 and without unreasonable delay grant a forbear-
3 ance—

4 (A) for a duration of 180 days; and

5 (B) regardless of the delinquency status of
6 the covered mortgage loan.

7 (2) EXTENSION OF FORBEARANCE.—At any
8 time during the forbearance, a borrower may request
9 an extension, of not more than 180 days, of the du-
10 ration described in paragraph (1)(A).

11 (d) RIGHT TO DISCONTINUE.—A borrower described
12 in subsection (a) may request to discontinue a forbearance
13 granted under subsection (c) at any time.

14 (e) ACCRUAL.—During any forbearance granted
15 under subsection (c), no fees, penalties, or interest (be-
16 yond the amounts scheduled or calculated as if the bor-
17 rower made all contractual payments on time and in full
18 under the terms of the mortgage contract) shall accrue
19 on the borrower's account.

20 (f) APPLICATION.—This section shall apply to with
21 respect to any disaster declared on or after January 1,
22 2025.