

Kansas Legal Services

A non-profit law firm and community education organization helping low and moderate income people in Kansas



www.kansaslegalservices.org

Homeowner Rights Under the CARES Act - Foreclosure Prevention

If you are a homeowner and unable to fully pay your mortgage at this time, parts of the CARES Act may allow you to request a delay in payments (a forbearance). This applies to any loan covered by VA, Fannie Mae or Freddie Mac, USDA or FHA. Since this loan servicing decision is made by your lender, you may be eligible and not know it.

You need to look up your address on both websites, as they operated independently.

To know if Freddie Mac owns your loan, you can search here:

<https://www3.freddie.mac.com/loanlookup/>

To know if Fannie Mae services your loan, you can search here:

<https://www.knowyouroptions.com/loanlookup>

If you have a VA, USDA or FHA serviced loan, this was made clear at closing, as you had to opt in to that loan servicing option. You can contact those lenders directly.

If your loan is serviced by one of these entities, you are protected by a national moratorium at this time. You may get at least one 6 month delay in making payments,

BUT YOU MUST ASK FOR IT BY OCTOBER 30, 2020!!!

(USDA requests can be made until Dec 31.)

You request a forbearance by calling your loan servicer. Tell them the direct or indirect COVID-19 related reason that you cannot pay your mortgage. They can approve the forbearance immediately. Ask them to send you written confirmation.

Before the end of the initial 6 months (180 days), decide if you need another forbearance. You can get a second 180 day forbearance, but you have to request it again.

You can make payments during your forbearance, but the forbearance still ends on the date initially set.

This request can be made, even if you are delinquent on payments at the time you make the request.

You will not owe a lump sum payment at the end of the forbearance. They will work with you and MAY move the payments to the end of the loan.

This doesn't apply to abandoned property.

More information here: <https://www.consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/cares-act-mortgage-forbearance-what-you-need-know/>

 [HOMEOWNER RIGHTS UNDER THE CARES ACT FORECLOSURE MORATORIUM.pdf](#)

Printed: October 24, 2020

<http://www.kansaslegalservices.org/node/2383/homeowner-rights-under-cares-act-foreclosure-prevention>

©Kansas Legal Services