



STEVE SISOLAK
Governor

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF MORTGAGE LENDING
3300 West Sahara Avenue, Suite 285
Las Vegas, NV 89102
(702) 486-0782 Fax (702) 486-0785
<http://mld.nv.gov>

TERRY REYNOLDS
Director

CATHY SHEEHY
Commissioner

March 30, 2020

In order to align with the most recent Directive 008, Governor Sisolak, Attorney General Ford, State Treasurer Conine announced housing stability measures amid COVID-19 public health crisis dated 3-29-2020, therefore, I hereby amend this memorandum as follows:

- As of the mortgage payment due date – **90** days mortgage payment forbearance.
- No reporting of late payments to major credit reporting agencies for period of **90** days.
- Regarding current loan modifications – provide options for additional **90** days grace period to address modifications and refrain from allowing COVID-19 issues harming current modification efforts.
- Waiving of late payment fees and any transactional fees for period of **90** days.
- Refrain from foreclosures for period of **90** days.

<https://nvhealthresponse.nv.gov/wp-content/uploads/2020/03/Directive-008-Guidance-Release-Directive-Final.pdf>

March 27, 2020

In order to minimize the spread of COVID-19 pandemic virus, federal, state, and local governments are taking actions to address mortgage companies, mortgage servicers, licensed person, and mortgage industry itself.

The purpose of this correspondence is to provide guidance to Nevada non-depository mortgage servicers licensed pursuant to Chapter 645F of NRS and those that are authorized to conduct mortgage servicing activity under licensure of a Mortgage Company pursuant to Chapter 645B of NRS and NAC.

To: The Chief Executive Officers and Control Persons or the Equivalents Nevada State regulated Mortgage Servicers and Mortgage Companies.

On the evening of March 12, 2020, Governor, Steve Sisolak declared state of emergency for Nevada as a result and impact of COVID-19 virus pandemic. The economic impact to consumers is significant and the pandemic outbreak will continue to cause financial suffering for citizens especially those that may experience loss of income.

As the entire nation and Nevada is living in this unprecedented time while the number of outbreaks is continuing to increase, businesses have seen impacts of the pandemic to their financial standing and/or outlook.

Furthermore, federal government agencies, Fannie Mae, Freddie MAC, HUD, VA, and USDA, have all enacted foreclosure moratorium for period of 60 days on single family residential properties which are backed by those agencies. In addition, Division issued guidance dated 3-13-2020 to allow for temporary work from home for Mortgage Loan Originators.

As this is very fluid times, Division is issuing additional guidance to encourage all Mortgage Servicers and Mortgage Companies to contribute to the national efforts by assisting consumers who were adversely affected by COVID-19 pandemic outbreak. Moreover, Division recommends that Mortgage Servicers and Mortgage Companies work with consumers as best as they can with empathy and care in order to meet their specific needs for those that have been adversely impacted by the COVID-19 pandemic outbreak.

In aligning with federal government, Division urges Mortgage Servicers and Mortgage Companies to assist Nevadans by considering following actions:

- As of the mortgage payment due date - 60 days mortgage payment forbearance.
- No reporting of late payments to major credit reporting agencies for period of 60 days.
- Regarding current loan modifications – provide options for additional 60 days grace period to address modifications and refrain from allowing COVID-19 issues harming current modification efforts.
- Waiving of late payment fees and any transactional fees for period of 60 days.
- Refrain from foreclosures for period of 60 days.
- If office closures occur, ensure that consumers are provided information and/or alternative services online so that the mortgage servicing functions are operational.
- Inform, educate, and advise consumers via online platforms, email, telephone, mobile applications and etc.
- Ensure security of data and adequate supervision of processes in accordance to applicable state and federal laws and company disaster plans.

Division's mission is in safeguarding both the public and industry. With that being said, nothing in this guidance amends provisions of Chapters 645A, 645B, and 645F of NRS and NAC or any other applicable federal law.

Division recognizes the COVID-19 challenges presented to your business, and we are working closely with federal, state, and local governments in monitoring of the pandemic and addressing licensees and consumers. Please note that above outlined efforts will not be subject to examination criticism.

If you have any questions, please contact Division via (702) 486-0782 or mldinfo@mld.nv.gov.

Sincerely,


Cathy Sheehy
Commissioner



**NEVADA
HEALTH
RESPONSE**

Gov. Sisolak Guidance: Directive 008 – Evictions
March 29, 2020 Las Vegas, NV

Understanding Governor Sisolak's Directive for the moratorium on evictions

This directive is intended to keep people in their homes at a time when we are attempting to flatten the curve by encouraging all Nevadans to stay at home. As much as possible, people should NOT be out on the streets. Additionally, this is also not the time to come down hard on small businesses who have been forced to shut down and have been hit hard by the economic fallout of this pandemic. In order to keep Nevadans safe and stop the spread, the following directives will be in place as long as Nevada is in a state of emergency.

- Landlords cannot and should not change the locks or put notices on their tenants' doors or mailboxes to scare them into moving out.
- There is one key exception to this rule: evictions are still allowed if a tenant poses a danger to other tenants or the public, is engaging in criminal activity, or is damaging the property.
 - **NOTE:** A danger to others does NOT include people who are self-isolating because they have been diagnosed with COVID-19, or if they are healthcare and first responders who may be exposed to COVID-19 due to the nature of their work.
- All health care workers who are battling COVID-19 on the frontlines every day will be able to continue working without fear of eviction.
- These rules also apply to small businesses. Landlords should neither evict nor begin the process of eviction while Nevada is under this state of emergency.

This directive does not mean tenants are free of their rent or mortgage obligations. Landlords have bills to pay and providing housing involves many costs to them. Even with the issuance of this Directive, the following conditions still apply:

- This Directive does not end contractual obligations between landlords and tenants. Landlords, tenants, and property managers must still adhere to the terms of their contracts, and rent is still due for the time you occupy the property.
- plan to recover owed rent and mortgage payments.

- Landlords and property managers must continue adhering to the basic provisions of their contracts regarding maintenance and other required services. For example, if a pipe bursts in your home through no fault of your own, and if your landlord is responsible for the repair under your lease agreement, your landlord must fix that pipe.
- All fees associated with late rent payments must be waived during this period of emergency. We encourage landlords to work with their tenants to come up with a plan to help their tenants catch up on the rent they will continue to owe during this time.
- This Directive applies to all evictions, including those already filed in the courts, except if those previously filed evictions were initiated due to the tenant posing some (non-COVID related) danger to other tenants or the public, criminal activity, or property damage.

The overarching goal here is to keep people at home, and any attempt to get around this Directive will be dealt with harshly.

This Directive is not meant to transfer financial hardship from one group of individuals to another, but rather to have a positive impact on countless Nevadans. This is to keep people in their homes and temporarily shield small businesses during an incredibly difficult time as we all work to protect the public health and safety of Nevada citizens.