
Covid-19 Forbearance Post-Forbearance Options

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NCLC's CARES Act Mortgage Webinar Series

COVID-19 and
Mortgage Relief for
Homeowners: CARES
Act Protections
May 7, 2020

Forbearance Options
and CARES Act
Requirements
May 14, 2020

Reverse Mortgage
Foreclosure Issues in
the COVID-19
Pandemic
May 21, 2020

An Overview of
Post-Forbearance
Options
May 28, 2020

Post-Forbearance Options for Government Sponsored Enterprise (GSE) Loans: Fannie Mae and Freddie Mac



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Fannie Mae and Freddie Mac

- Suspension of foreclosure-related activities through June 30, 2020.
- Borrowers must repay the payments that came due while in forbearance plan
- [Never required to repay them all at once.](#)
- When the forbearance ends, servicer must work with the homeowner to determine how they will repay missed payments.
- Even though not a “disaster” per Servicing Guide, extending the availability of post-disaster forbearance loan modifications to borrowers impacted by COVID-19.

Servicer Duties

- Must follow GSE hierarchy to determine which modification is most appropriate for the borrower after to analyzing each case and the requirements of each option
- must begin attempts to contact the borrower 30 days prior to the expiration of the forbearance
- must continue outreach attempts until either contact is achieved or the forbearance plan term has expired

Prior to July 1, 2020: **Extend Modification**

- Existing rate remains unchanged
- Extends the mortgage loan term in monthly increments to match the number of delinquent payments including forbearance period, not exceeding 12 months.
- Must pay escrow advances over 60 months
- Designed for borrowers who were current or less than 31 days delinquent on March 1, 2020
- First lien mortgages only

Servicer Must:

- Establish contact with borrower(s) about resolution of the delinquency during the forbearance plan
- Not require Borrower Response Package (BRP) or a property valuation

Who Can Qualify for Extend Mod?

- Borrower can maintain current contractual PITI payment
- Borrower can afford to repay escrow advances and shortage over 60 months

Prior to July 1, 2020: Cap and Extend Modification

- Accrued interest and escrow advances and other advances are capitalized
- Interest rate remains the same-could include ARM or step-rate (based on Fannie/Freddie req'ts)
- Re-amortize loan:
 - over current term if results in lower P&I or
 - up to 480 months so that P&I is less than current P&I

Who Is Eligible?

- Borrower can maintain the current contractual monthly PITI payment, but
- Cannot manage the additional escrow repayment obligation to cover amounts disbursed by the servicer during the forbearance plan term
- Borrower(s) must have contact with servicer

Fannie and Freddie Payment Deferral

- Beginning July 1, 2020
- [Fannie Link](#); [Freddie Link](#)
- For borrowers who have resolved a temporary hardship and resumed their monthly contractual payments but cannot afford either a full reinstatement or repayment plan to bring the loan current.

Terms

- Defer the past-due **P&I** as a non-interest bearing balance
- Due at maturity of loan, sale, transfer, refinance, or payoff
- All other terms of the mortgage loan must remain unchanged.

Requirements

- No Borrower Response Package (BRP)
- Loan must be:
 - Conventional first lien
 - Originated 12+ months prior
 - No prior deferral
 - 30 or 60 days delinquent
- Need to make full monthly payment due the month of the evaluation -rolling delinquency requirement

Fannie and Freddie COVID-19 Payment Deferral

- Beginning July 1, 2020
- Designed to assist borrowers who became delinquent due to a short-term hardship due to COVID-19 that has since been resolved.
- Fannie Mae Lender Letter LL-2020-07
- Freddie Mac Bulletin 2020-15
- [Fannie Link](#); [Freddie Link](#)

Differences of COVID-19 Payment Deferral with Standard Payment Deferral

- Delinquency caused by COVID-19 related hardship
- Must have been current or less than 31 days delinquent as of March 1, 2020
- May be up to 12 months delinquent as of the evaluation date
- Not required to make consecutive payments immediately prior to executing – no rolling delinquency up to 12 months
- Can solicit without contact
- Must defer all delinquent P&I payments missed

Escrow

- Escrow advances can be deferred
- Escrow shortage cannot be deferred but can be paid over 60 months as part of monthly payment
- Escrow analysis not required to be done at time of analysis

Waterfall *if can't reinstate*

- 1. COVID-19 Payment Deferral
- 2. Flex Modification (in accordance with the requirements described in Bulletin 2020-7, if applicable)
- 3. Standard Short Sale
- 4. Standard Deed-in-Lieu of Foreclosure

How COVID-19 payment deferral works

- P&I delinquency and accrued escrow advances moves into a non-interest bearing balance, due at maturity of the loan, refinance, transfer or payoff;
- all other terms remain unchanged
 - Remaining term, Monthly P&I, Interest Rate, Maturity Date
- no trial period
- automated process with underwriting software
- accrued and unpaid late fees waived upon completion deferral plan

Who Is Eligible COVID-19 payment deferral?

- Borrower must:
 - Have experienced financial hardship resulting from COVID-19 that impacted ability to make full monthly payment
 - Have resolved the COVID-19 hardship
 - Be able to continue making the full monthly payment, and
 - Be unable to reinstate or afford a repayment plan

Effect on HAMP

****** If in good standing in a HAMP when enter forbearance and transitions directly to COVID-19 Payment Deferral, will not lose good standing

Requirements

- Loan must be:
 - current or < 31 days delinquent as of Mar. 1, 2020
and
 - 31 or more days delinquent but less than or equal to 360 days delinquent as of the date of evaluation.
 - Not subject to a previous COVID-19 Payment Deferral
- Can seek exception
- The property may be a Primary Residence, second home or Investment Property and may be vacant or condemned.

Servicer Duties

- Determine reason for delinquency and whether it is temporary or permanent;
- Determine if borrower can reinstate or repay the debt;
- Educate the borrower on the availability of workout options;
- Obtain commitment to resolve the delinquency; and
- Ensure borrower has resolved hardship

RESPA Issues?

- Do “loss mitigation application” rules under 12 CFR 1024.41 kick in?
 - Review for all loss mit options
 - Notify within 5 days of receipt and docs needed

Solicitation Timelines

- If no contact with borrower:
 - Must solicit the Borrower to offer a COVID-19 Payment Deferral **within 15 days after the expiration of the forbearance plan** if:
 - mortgage was current or < 31 days delinquent as of March 1, 2020 and
 - not otherwise excluded
- Could raise an issue with Reg. X if considered “complete application”
 - Can servicer initiate a foreclosure if 120 days delinquent?

Timelines

Servicer:

- Must complete COVID-19 Payment Deferral in the same month it determines the Borrower is eligible.
- Must send Agreement **within 5 days of approval.**
- If borrower is 12 months behind when applies, must make payment or go to Flex Mod – only 12 months can be deferred
- If not eligible, must review for all loss mit. Options – Flex Mod

Credit Reporting

- Servicer must provide a “full file” status report describing the status of the Mortgage to each CRA subject to applicable law (e.g. the CARES Act, FCRA)
- CARES Act: If current on their mortgage at the time a COVID-19 related forbearance is offered, report as current during forbearance

Credit Reporting

- Effective during the period beginning January 21, 2020 and ends on the later of 120 days after March 27, 2020, or 120 days after the date on which the COVID-19 National Emergency terminates
- Equifax, Experian, and TransUnion are now offering free weekly online reports through April 2021.
- <https://www.annualcreditreport.com/index.action>

Flex Modification

- Uniform terms (program uses same fixed interest rate for all mods; same repayment term extension for all mods)
- Minimal reliance on individual borrower information
- One basic waterfall (five steps)
- Just one variation in part of 5th step: for borrowers who submit an application before loan is 90 days delinquent

Basic Flex Mod Waterfall

- **Five Steps** (See Fannie Mae LL 2016-06 pp. 4-6)
 1. Capitalize arrears
 2. Set fixed interest rate
 - Generally set at current Standard GSE Mod Rate (3.375% as of 5/14/20) unless below 80% LTV
 3. Extend term to 480 months - always
 4. Principal forbearance (in two stages)

Flex Mod Principal Forbearance

Two stages of principal forbearance

- First, forbear enough UPB to set UPB at **100% of property's fair market value**
- Second, if doesn't **reduce P&I payment by 20%**, then forbear enough principal (subject to program cap) to reach **20% reduction in P&I payment.**
- Can reduce interest bearing principal to as low as 80% of FMV.

Getting a Flex Mod

- Two methods:
 - Borrower submits a “Borrower Review Package” or “BRP” with 710 Form
OR
 - Servicer finds borrower eligible based on servicer’s unilateral proactive review of loan file- solicits borrower

Who is Eligible for Flex Mod?

- Borrower cannot maintain the current contractual monthly PITI payment
- Conventional first lien mortgage loan
 - Originated 12+ months prior
 - At least 60 days delinquent or imminent default

Streamlined Flex Modification Evaluations for Borrowers with a COVID-19 Related Hardship

- COVID-19 related hardship
- Current or less than 31 days delinquent as of March 1, 2020
- At least 90 days delinquent
- Not eligible for COVID-19 Payment Deferral
- Must also evaluate for Flex Mod if:
 - cannot establish contact and borrower is ineligible for COVID-19 payment deferral –Or
 - If approved for COVID-19 payment deferral but does not respond to offer

Documentation Requirements

- If < 90 days behind
 - Complete BRP, Form 710
- If > 90 days behind or previously modified with interest rate adjustment and became delinquent after adjustment:
 - Servicer may solicit without BRP required – no prior contact necessary
- No documentation required to show COVID-19 hardship

Reduced Eligibility Criteria

- Typically, loan must not have been modified > 3 times previously BUT
- A COVID-19 payment deferral does not count as a modification when determining the number of times the loan has been modified

Soliciting Borrower for Flex Mod

- The servicer must **not** solicit a borrower for a Flex Modification if the property has a scheduled foreclosure sale date within
 - **60 days** of the evaluation date if the property is in a **judicial state**, or
 - **30 days** of the evaluation date if the property is in a **non-judicial state**.

Timing of Offer of Flex Mod

- If no response to deferral offer, solicit the borrower for a Flex Modification *within 15 days after the expiration of the COVID-19 Payment Deferral offer*
- If approved, send within *15 days after the expiration of the forbearance plan* – dual tracking issue again
- If failed a COVID-19 Payment Deferral, must be evaluated and if eligible, offered mod **no later than *the 75th day of Delinquency***

Standard Short Sale

- Must have eligible hardship
- Arm's length transaction
- Listed for sale with licensed agent for at least 5 days
- If > 31 days delinquent:
 - Must occupy property
 - 55% DTI

Deed-in-lieu

- Unable to sell at fair market value
- must submit a complete Borrower Response Package if < 90 days delinquent
- Must be able to convey clear and marketable title to the property
- May be eligible for relocation assistance

Consumer Resources



Coronavirus Emergency: What Consumers Need to Know About Mortgage Relief
April 2020

Federal and states government have announced measures to help consumers facing an inability to make their monthly mortgage payments.

You should pay your mortgage if you can afford it.

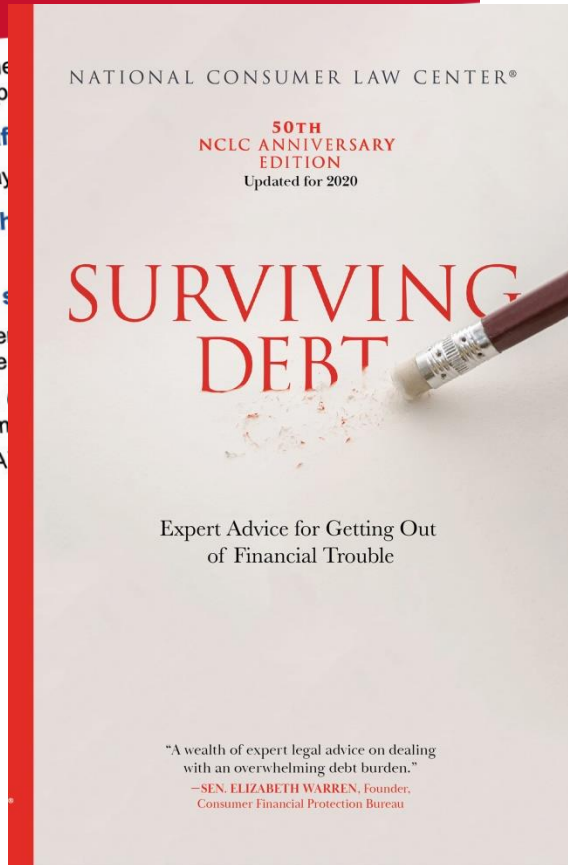
If you cannot make a mortgage payment, relief may be available.

Under federal law, a servicer cannot start foreclosure if a loan is more than 120 days past due.

But, not all mortgage loans qualify for the same relief.

The federal government's [CARES Act](#) provides temporary relief for "backed mortgage loans," which are loans that are

- **Federal Housing Administration (FHA)** the Indian Home Loan Guarantee program
- **U. S. Department of Agriculture (USDA)**



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Consumer Financial Protection Bureau



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Advocate Resources

Share your experiences

<https://www.nclc.org/special-projects/covid-19-consumer-protections.html>

Mortgage Relief for Homeowners Affected By COVID-19

Andrew Pizor April 26, 2020 Print/Download Email link to this article

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- Tips for Homeowners
- To Request Forbearance or Not?
- Other Resources



Summary of Foreclosure Alternatives for Borrowers with COVID-19 Hardships

April 21, 2020

This chart provides a summary of relief options available for borrowers facing a COVID-19 related hardship. The options that they can access depend on the loan investor. For loans it covers, section 4022 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act requires forbearance for borrowers with COVID-19 hardships and some investors have expanded on those provisions. For more detailed analysis, read "[Mortgage Relief for Homeowners Affected by COVID-19](#)" on the NCLC Digital Library.

The COVID-19 pandemic has made it harder for millions of homeowners to p widespread foreclosures, Congress recently passed the Coronavirus Aid, Rel Pub. L. No. 116-136 (Mar. 27, 2020). The CARES Act gives some borrowers about a third of all borrowers are not covered. This article explains who is c help those who are covered, and how to help those who are not.

Homeowners Protected by the CARES Act

The CARES Act mortgage relief provisions apply to "federally backed mortg on 1-4 family homes (including cooperative and condominium units) issue agencies:

- Fannie Mae or Freddie Mac;
- U.S. Department of Veterans Affairs (VA);
- Federal Housing Administration (FHA), including home equity conversion (HECM) reverse mortgages, and mortgages under the Indian Home Loan Guarantee program; and

Loan Type (how to identify)	CARES Act Apply?	Applicable Guidance	Significant Forbearance Provisions beyond CARES Act	Post-forbearance Options
Fannie Mae		<ul style="list-style-type: none"> ▪ Fannie Mae Lender Letter 2020-02 ▪ Fannie Mae Servicer Script ▪ Fannie Mae Servicing Guide – Forbearance 	<ul style="list-style-type: none"> ▪ Explicit that no documentation required ▪ Initial forbearance of up to 180 days may be provided in separate, shorter terms ▪ More than two forbearance terms explicitly allowed 	<ul style="list-style-type: none"> ▪ For a borrowers who can afford their pre-crisis payment <ul style="list-style-type: none"> ▪ Extend Modification (for borrowers who can afford repaying escrow shortage over 60 months)

Advocate Resources

Summary of Foreclosure Alternatives for Borrowers with COVID-19 Hardships:

https://www.nclc.org/images/pdf/special_projects/covid-19/COVID19_Mortgage_Chart.pdf

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June 15-17, 2020



- Intro to TILA/RESPA Servicing Claims
- COVID-19 Mortgage Relief: Forbearance and Loan Mod Options for Federally Backed Mortgages
- Home Equity Theft and Foreclosure Rescue Scams 101
- Home Purchase Scams: Investigation, Funding Structure, Claims and Defenses
- FCRA Issues in Mortgage Cases
- Multi-Servicer Cases
- Strategic Advocacy on Home Scams: Working with Local Government, Effective Outreach

Post-Forbearance Options for Federally Insured Home Loans



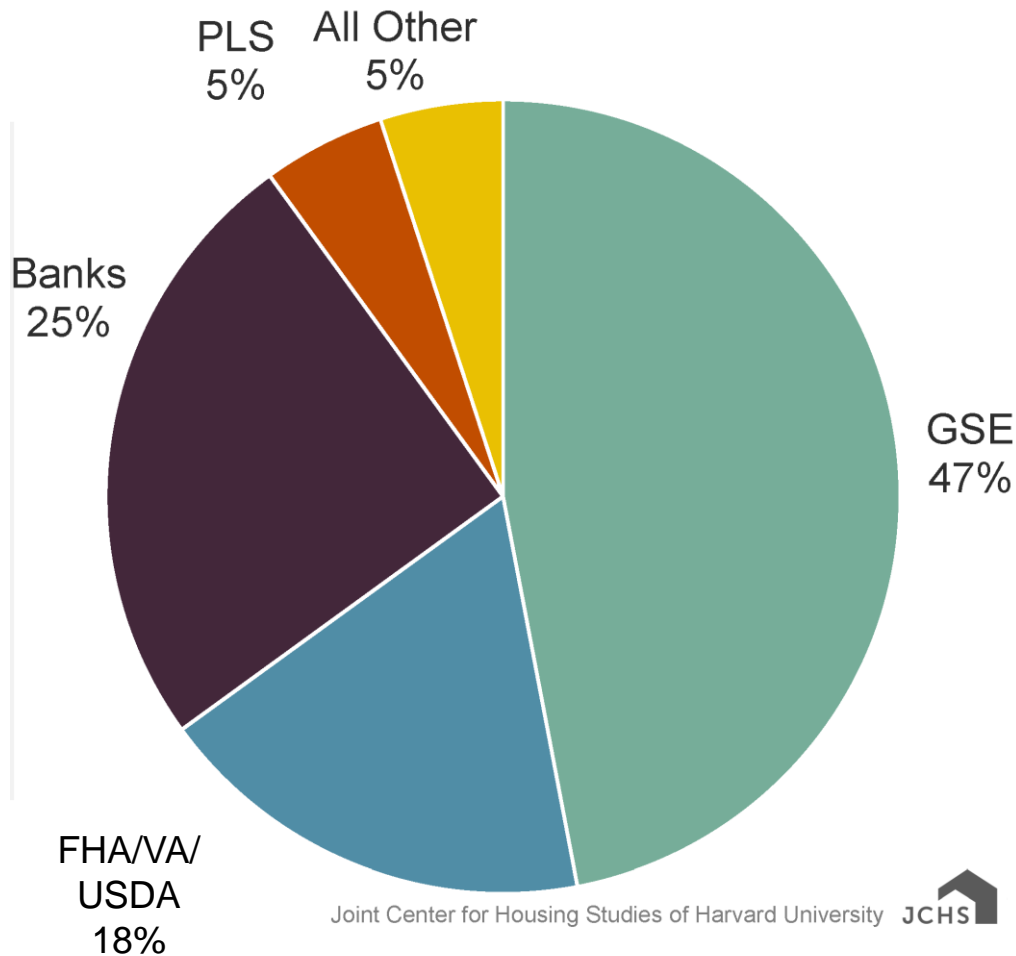
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THREE FEDERAL AGENCIES

- HUD – manages FHA single-family insured loan program
- VA – manages VA single-family guaranteed loan program
- USDA – manages two distinct programs:
 - USDA guaranteed single-family home loan program
 - USDA direct loan program (purchase and home repair loans)
- All are “federally backed mortgage loans” under CARES Act § 4022(a)(2)

“Federally Backed Mortgage Loan”



Three Federal Agencies: Important Common Policies

- Joint CARES Act Forbearance Fact Sheet
 - Impacted borrowers entitled to request 180 days forbearance and 180 days extension
 - “Servicers must approve the forbearance for the amount and time that the borrower requests.”
 - No lump sum repayment at end of forbearance
 - Servicers must educate borrowers about post-forbearance repayment options
 - https://www.hud.gov/sites/dfiles/SFH/documents/IACOV1D19FB_FactSheetServicers.pdf
 - All have extended moratorium to June 30, 2020

Structural Similarities - Authority

- Federal statute
- Codified regulations (C.F.R.)
- Agency handbook
- Administrative updates (on website)
- Court decisions
- These insured loan programs still offer modification protocols that target affordable payment (based on % of income)

FHA LOSS MITIGATION AUTHORITY

- Statute: 12 U.S.C. § 1715u
- HUD Regulations: 24 C.F.R. § 203.500, *et seq.* and §203.600, *et seq.*
- HUD Mortgagee Letters
- HUD Handbook 4000.1
- Court Decisions
- NCLC *Mortgage Servicing* Ch. 8, *Home Foreclosures* Ch. 6
- HUD/FHA website:
https://www.hud.gov/program_offices/administration/hudclips/
(contains HUD Mortgagee Letters, Handbooks)

FHA Loss Mitigation Options

- FHA loss mitigation home retention options described in HUD Handbook 4000.1:
 - Repayment and forbearance
 - “Special forbearance”
 - FHA HAMP, includes:
 - Income-based modification and
 - “Partial Claim” (used to implement principal forbearance)
 - Important summary chart: “FHA Loss Mitigation Home Retention Option Priority Order Waterfall” in HUD Handbook 4000.1 § III.A.2.j

FHA Covid 19 Options

- HUD Mortgagee Letter 2020-06 (4/1/2020)
- Implements CARES Act for FHA loans
- Mandates forbearance for impacted FHA borrowers
- Introduces “Covid-19 National Emergency Standalone Partial Claim” as post-forbearance option
 - To be Implemented no later than April 30, 2020
 - An initial Covid-19 forbearance can be approved up to October 30, 2020

FHA Standalone Partial Claim

- “Covid-19 National Emergency Standalone Partial Claim”
- Two distinct borrower eligibility requirements:
 - Must have been current or less than 30 days past due as of 3/1/2020 *and*
 - Now able to resume pre-forbearance payments

FHA COVID-19 Standalone Partial Claim

- Includes arrears of principal, interest, taxes, and insurance that were subject to forbearance.
- Payment due at maturity, sale, payoff
- Late fees waived
- Amount cannot exceed the “maximum statutory value of all partial claims” for the loan
 - Maximum can't exceed 30% of UPB as of date of default for first partial claim
- A trial payment plan (TPP) is not required

Evaluation for FHA Covid-19 Standalone Partial Claim

- For borrowers who received Covid-19 forbearance:
 - Servicer must evaluate for Covid-19 Standalone Partial Claim “no later than the end of the forbearance period(s)”
 - Borrower must “indicate” able to resume pre-forbearance payments
 - Complete application required?

GSE Deferral and FHA Covid-19 Partial Claim - Similarities

- Non-interest bearing lien for forborne PITI
- Limited to borrowers:
 - Current or less than 30/31 day past due as of 3/1/2020
 - Able to resume pre-forbearance payment
- Reinstates first lien loan to current status
- First lien loan terms remain the same
- No TPP
- Doesn't affect future eligibility for non-Covid-19 loss mitigation options (*i.e.* FHA-HAMP)

GSE Deferral and FHA Covid-19 Partial Claim - Differences

- For FHA Covid-19 Partial Claim:
 - No streamline proactive offers for Partial Claim or FHA-HAMP
 - Borrower must sign Partial Claim docs
 - % of UPB limit on total amount of Partial Claim(s)
 - Owner occupancy required
 - Servicers to implement by 4/30/2020

Other FHA Post-Forbearance Options

- Borrowers completing Covid-19 forbearance are eligible to move into evaluation for FHA loss mitigation waterfall (FHA-HAMP), including borrowers who are:
 - More than 30 days past due March 1, 2020
 - Borrowers who can't resume pre-forbearance payment and need payment reduction
 - Borrowers who have reached FHA Partial Claim total limit

FHA-HAMP: The Basic Concept

- Allows combination of a partial claim with a loan modification, or either option alone
- Partial claim can be used to reach a target modified payment based on
 - Percentage of income or
 - Percentage payment reduction
- Partial claim always subject to limit of 30 percent of unpaid principal balance.
- No NPV test.
- Waterfall chart: “FHA Loss Mitigation Home Retention Option Priority Order Waterfall” in HUD Handbook 4000.1 § III.A.2.j

FHA–HAMP – Modification Terms

- Two fixed terms for FHA-HAMP modification
- **Loan term** extended to 360 months from date of modification
- **Interest rate** reduced to 25 basis points over the Freddie Mac PMMS rate
 - PMMS Rate at <http://www.freddiemac.com/pmms/> (3.24% as of 5/21/2020)
- Then **Partial Claim** is forbearance option to reach target payment

FHA National Servicing Center

Oklahoma City Office

U.S. Department of HUD
301 NW 6th Street, Ste 200
Oklahoma City, OK 73102

Fax: (405) 609-8405 or
(405) 609-8421

www.hud.gov/offices/hsg/sfh/nsc/nschome.cfm

E-mail: hsg-lossmit@hud.gov

1-877-622-8525

VA Loans - Introduction

- VA guarantees loans by private lenders
- Available for eligible veterans
- Can be for purchase, construction, refinance
- Relatively low interest rate, no down payment

VA Loans Resources

- Regulations: 38 C.F.R. § 36.4800-4893 & 38 C.F.R. § 4316-19
- VA Handbook M26-4 (Ch. 5, Feb. 2019)
https://www.benefits.va.gov/WARMS/M26_4.asp
- NCLC *Mortgage Servicing* Ch. 9, *Home Foreclosures* Ch. 6
- Help from regional servicing centers
https://www.benefits.va.gov/homeloans/contact_rlc_info.asp

VA Loans and Covid-19

- VA loans are subject to CARES Act's forbearance and moratorium terms
- VA Circular 26-10-12 (4/8/2020)
 - Servicer must grant forbearances upon borrower's attestation of Covid 19 hardship
 - Borrower determines length (up to total 360 days)
 - End of forbearance: servicer must consider "all possible" regular VA options, including "extend" disaster modification
 - Demand for lump sum repayment prohibited

What are the VA Options?

- Repayment Plan
- Special Forbearance
- Loan Modification – traditional and streamline
- “VA Affordable Modification” (31% DTI target)
- Disaster modifications (with extend feature)
- Compromise (short) sale
- Deed-in-Lieu of foreclosure
- Refinance
- Assumption
- Refunding- VA takes over loan

RURAL HOUSING LOANS

- USDA's Rural Housing Service ("RHS," formerly "FmHA") manages two single-family home loan programs for borrowers in rural areas:
 - *Guaranteed Loan Program*: private lender, RHS guarantees loan, not obvious from mortgage and note (see closing documents)
 - *Direct Loan Program*: The United States is the lender and this is obvious

RHS RESOURCES

Guaranteed Loans:

42 U.S.C. § 1472, et seq.

USDA Regulations: 7 C.F.R. § 3555.301, *et seq.*

RHS Handbook HB-1-3555 SFH Guaranteed Loan Program
Technical Handbook

<https://www.rd.usda.gov/resources/directives/handbooks>

Handbook Chapter 18 – Loss Mitigation

NCLC *Mortgage Servicing* Ch. 9, *Home Foreclosures* Ch. 6

RHS Guaranteed Loan Program

- RHS Guaranteed Loans: Loss Mitigation obligation: 42 U.S.C. § 1472(h)(13)
- Options for RHS Guaranteed Loans
 - Special Forbearance
 - Loan Modification (“standard”)
 - Loan Modification (“special loan servicing”)
 - Pre-Foreclosure Sale
 - Deed-in-Lieu

RHS Guaranteed Loans Covid-19 Options

- USDA “Stakeholder Announcement” April 8, 2020
 - https://www.rd.usda.gov/sites/default/files/USDA_RD_SA_COVID19_ProgramImmediateActions04082020.pdf
- RHS Guaranteed Loans:
 - Implements CARES Act forbearance, can be twelve months at impacted borrower’s option (apply by 10/30/2020)
 - At end of forbearance:
 - If able to resume pre-forbearance payments, offer loan term extension at least equal to length of forbearance, at borrower’s option
 - If unable to resume payments, other standard RHS Guaranteed loss mitigation options available, including modification targeting affordable payment

RHS Direct Loans

These are loans directly from the United States government (USDA) to the borrower for purchase or construction of residence

- “Section 502” loans under U.S. Housing Act
 - Regulations: 7 C.F.R. Part 3550
 - Handbook HB-2-3550 (Centralized Servicing Center):
 - <https://www.rd.usda.gov/resources/directives/handbooks>
 - Chapter 5 “Special Servicing”
 - NCLC *Mortgage Servicing* Ch. 9, *Home Foreclosures* Ch. 6

RHS Direct Loans

- Direct Loans Special Features:
- Interest credit/payment assistance reduces monthly payment toward interest based on household income
- Periodic payment adjustments and review
- Forborne interest is subject to “recapture”
- “Moratorium” relief, 42 U.S.C. § 1475

RHS Direct Loans Covid-19 Options

- USDA “Stakeholder Announcement” April 8, 2020
- https://www.rd.usda.gov/sites/default/files/USDA_RD_SA_COVID19_ProgramImmediateActions04082020.pdf
- RHS Direct Loans:
 - Refers to existing payment assistance and moratorium options
 - Can request “moratorium” verbally from national servicing center
 - CARES Act impact on moratorium eligibility not clear, Agency needs to clarify

Non Federally-Backed Loans

- Use RFI to learn options
- Possible coverage under state laws
 - Massachusetts, D.C., pending bills elsewhere
- Chapter 13 bankruptcy option
 - Can cure arrearage under plan over 3-5 years
 - Litigate claims
 - Must file chapter 13 petition for relief before completion of foreclosure sale under state law.



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