What will it take to implement fair forbearances on mortgages in times of disasters?

The hurricanes that hit Puerto Rico in 2017 gravely affected the homes of thousands of families in the Island. The local and federal government’s inadequate response to the disaster was accompanied by a disastrous handling of many of the forbearances granted to mortgaged homeowners causing some of them to lose their homes in foreclosure proceedings. The earthquakes that affected the south of the Island and the global crisis due to COVID-19 not only reopened emotional trauma but also aggravated socioeconomic inequalities. **Crises do not affect all people equally.**

We demand fair and transparent mortgage forbearance for people affected by disasters. The principles included here are essential to protect the housing rights of these individuals and families.

1. Implement internal protocols so that the employees in charge of servicing the affected people provide uniform, clear and accurate information on the options available to meet individual’s respective needs.
2. Inform people in an adequate, correct, and timely manner about the characteristics of the type of forbearance available and its short and long term effects on their mortgage loans.
3. Recognize everyone’s right to freely accept or reject a forbearance, regardless of the status of their mortgage loan.
4. Suspend or halt foreclosure actions filed against people affected by a disaster.
5. Establish alternative means of communication, as permitted by the emergency, so that the institutions can promptly inform those affected of their forbearance alternatives and provide document delivery mechanisms that take into account the difficulties that survivors will face when attempting to deliver any required document.
6. Offer and provide extensions for the delivery of documents in loss mitigation, mediation, or other procedures related to the mortgage loans of those affected by a disaster.
7. Prioritize, before ending the forbearance, the evaluation of loss mitigation alternatives that allow the conservation of the homes of people affected by a disaster over other alternatives.
8. Provide customers that have lost their documents due to the disaster, a copy of their mortgage loan file and any other related document they may need.
9. Provide all clients affected by a disaster a list detailing contact information of agencies and entities that provide support services during emergencies.
10. Allocate more resources to customer service hotlines, particularly those that serve consumers affected by a disaster and those who are fluent in languages other than English.

More information at www.ayudalegalpuertorico.org