



From: The National Housing Law Project

To: Housing Justice Network and other resident advocates, tenants, public housing authorities, judges handling landlord tenant cases, attorneys, and owners and managers of residential units.

Date: May 28, 2009

Re: **NEWLY ENACTED PROTECTIONS FOR TENANTS IN RESIDENTIAL PROPERTIES UNDERGOING FORECLOSURE: Effective May 20, 2009**

727 Fifteenth Street, NW
6th Floor
Washington, DC 20005
Telephone: 202-347-8775
Fax: 202-347-8776
nhlp@nhlp.org
www.nhlp.org

The Protecting Tenants in Foreclosure Act, which is Title VII of the Helping Families Save Their Homes Act of 2009, became effective May 20, 2009. It protects tenants from immediate eviction by persons or entities that became owners of residential property through the foreclosure process. Public Law No. 111-22 (Senate Bill 896). With limited exceptions, tenants with leases must be permitted to occupy the property until the end of their lease terms. At a minimum, tenants must receive 90 days' notice prior to eviction. The law also addresses the rights of Section 8 tenants living in properties undergoing foreclosure.

The National Housing Law Project (NHLP) has developed the attached series of letters and fact sheets to assist all parties in implementing, as quickly as possible, federal protections for tenants in properties undergoing foreclosure.

We encourage all advocates and participants in matters related to residential real property, including owners, managers, public housing authorities, judges, lawyers, advocates and tenants, to disseminate the attached sample letters and notices to the fullest extent possible, to adapt them to state and local law, and to use them as the foundation of local and statewide educational campaigns.

Please note that the new law specifically does *not* affect any state or local law that provides longer time periods or other additional protections for tenants.

Any questions may be addressed to David Rammler in the NHLP Washington, D.C (202-347-8775, drammler@nhlp.org) or Catherine Bishop in the NHLP Oakland, California office (510-251-9400 ext. 3105, cbishop@nhlp.org).

Attachments:

- Ltr from §8 Tenant to LL
- Ltr from non-Sec 8 tenants to LL
- Sample Notice for All Tenants
- Sample Notice for Section 8 Voucher Holders that a PHA could send
- Sample letter to send to Public Housing and Section 8 HCV Administrators
- Sample letter to send to Judges who handle landlord tenant cases
- §§ 701-704, Public Law 111-22