

# DOCUMENTATION REFERENCES

## Document #1

A memorandum by the Democrats.

The following language is a direct quote from their memorandum.

“Foreclosure Moratorium, **Repossession Ban**, Forbearance for All Homeowners and Multi-family Property Owners.”

“This provision would also **ban repossession** of manufactured homes, RVs, and **automobiles** as a significant number of people live in such units and could be left homeless if repossessed.”

“Prohibition of Debt Collection. This provision would prohibit debt collectors from taking any adverse action such as filing litigation or garnishing wages, against consumers **during the pandemic period, and for the following 120 days.**”

## Document #2

Bill S.3565 is legislation in progress to amend the FDCPA to provide additional protections for consumers and small business owners from debt collection during a major disaster or emergency,

The following language is a direct quote from S.3565.

Page 7, lines 7 through 11

“PROHIBITION. (1) In general. Notwithstanding any other provision of law, no debt collector may during a covered period, relating to a debt owed by a consumer or small business –

Page 8, lines 1 through 6

(G) enforce a security interest through repossession, limitation of use, or foreclosure:

(H) take or threaten to take any action to enforce collection, or any adverse action for nonpayment of a debt, or for nonappearance at any hearing relating to a debt;

Page 11, lines 4 through 11

(e) VIOLATION. Any person who violates this section shall—

(1) except as provided in paragraph (2) be subject to civil liability in accordance with the section 813 as if the person is a debt collector for purposes of that section; and

(2) be liable in an amount not greater than 10 times the amounts described in section 813,

### **Document #3**

Stafford Act is referred to in Bill S.3565 and H.R.6379 provides the definitions for terms used in Bill S.3565.

The following is a direct quote from Sec. 102 Definitions (42 U.S.C. 5122).

1. **EMERGENCY** “Emergency” means any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.
2. **MAJOR DISASTER** “Major disaster” means any natural catastrophe (including any hurricane, tornado, storm, high water, winddriven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of States, local governments, and disaster relief organization in alleviating the damage, loss, hardship, or suffering caused thereby.