PLAINTIFF		§ 8	IN THE	E JUSTICE COU	RT	
		\$ {				
V.		§ §	PRECI	NCT NO.		
		\$ \$ \$ \$ \$ \$ \$				
		§				
DEFENDANT		§			_ COUNTY	, TEXAS
	<u>VERIFIC</u> WITH SECTIONS 40	ATON OF CO 023 AND 40				
My name is:						
<i>y</i>	First		Middle	Las	st	
I am (check one)	the Plaintiff or	an authoriz	ed agent	of the Plaintiff	in the evic	ction
case described at	t the top of this page. I	am capable	of makir	ng this affidavit	t. The fact	s stated
in the affidavit ar	re within my personal	knowledge	and are t	rue and correc	t.	
4 17 'C' '						
a. Plaintiff is so	eeking to recover posse	ssion of the f	following	property:		
Name of Apar			Following	property: County	State	ZIP

	(If the property does not have a federally backed mortgage loan or federally backed multifamily mortgage loan, please state whether or not: (1) the property is a Low Income Housing Tax Credit (LIHTC) property, (2) the property is federally subsidized under any HUD program, or (3)							
	the property leases to persons with Section 8 v							
C.	I verify that plaintiff (select the one that appli a "multifamily borrower" currently under for	=	is no er Section 4023					
d.	I verify that plaintiff (select the one that applies): has provided the defendant with 30 days' notice to vacate as required under Section 4024(c) and 4023(e) of the CARES Act. has not provided the 30 days' notice, because the property is not a "covered dwelling."							
2. De	eclaration or Notary: Complete only one of th	e two followir	ng sections:					
a.	Declaration: I declare under penalty of perjand correct. My name is: First My birthdate is: Month Day Year My address is:	ury that every Middle	thing in this ve	rification is true Last				
	Street Address & Unit No. (if any) Signed on/ in in	City	County Cour	State ZIP aty, Texas.				
OR		Your Sign	ature					
	. <u>Notary</u> : I declare under penalty of perjury the correct	hat everything	; in this verifica	tion is true and				
	Your Printed Name	Your Sign	ature (sign only	y before a notary)				
	Sworn to and subscribed before me this	day of	·	, 20				
	CLERK OF THE COURT OR NOTARY							

CARES Act Public Law 116-136

SEC. 4023. FORBEARANCE OF RESIDENTIAL MORTGAGE LOAN PAYMENTS FOR MULTIFAMILY PROPERTIES WITH FEDERALLY BACKED LOANS.

- (a) In General.—During the covered period, a multifamily borrower with a Federally backed multifamily mortgage loan experiencing a financial hardship due, directly or indirectly, to the COVID-19 emergency may request a forbearance under the terms set forth in this section.
- (b) REQUEST FOR RELIEF.—A multifamily borrower with a Federally backed multifamily mortgage loan that was current on its payments as of February 1, 2020, may submit an oral or written request for forbearance under subsection (a) to the borrower's servicer affirming that the multifamily borrower is experiencing a financial hardship during the COVID-19 emergency.
 - (c) FORBEARANCE PERIOD.—
- $(1) \ IN \ GENERAL. Upon \ receipt \ of \ an \ or all \ or \ written \ request for forbearance from \ a \ multifamily \ borrower, a \ servicer \ shall$
 - (A) document the financial hardship;
 - (B) provide the forbearance for up to 30 days; and
- (C) extend the forbearance for up to 2 additional 30 day periods upon the request of the borrower provided that, the borrower's request for an extension is made during the covered period, and, at least 15 days prior to the end of the forbearance period described under subparagraph (B).
- (2) RIGHT TO DISCONTINUE.—A multifamily borrower shall have the option to discontinue the forbearance at any time.
- (d) RENTER PROTECTIONS DURING FORBEARANCE PERIOD.—A multifamily borrower that receives a forbearance under this section may not, for the duration of the forbearance—
- (1) evict or initiate the eviction of a tenant from a dwelling unit located in or on the applicable property solely for nonpayment of rent or other fees or charges; or
 - (2) charge any late fees, penalties, or other charges to a tenant described in paragraph (1) for late payment of rent.
 - (e) NOTICE.—A multifamily borrower that receives a forbearance under this section—
- (1) may not require a tenant to vacate a dwelling unit located in or on the applicable property before the date that is 30 days after the date on which the borrower provides the tenant with a notice to vacate; and
 - (2) may not issue a notice to vacate under paragraph (1) until after the expiration of the forbearance.
 - (f) DEFINITIONS.—In this section:
- (1) APPLICABLE PROPERTY.—The term "applicable property", with respect to a Federally backed multifamily mortgage loan, means the residential multifamily property against which the mortgage loan is secured by a lien.
- (2) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term "Federally backed multifamily mortgage loan" includes any loan (other than temporary financing such as a construction loan) that—
- (A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and
- (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.
- (3) MULTIFAMILY BORROWER.—the term "multifamily borrower" means a borrower of a residential mortgage loan that is secured by a lien against a property comprising 5 or more dwelling units.
- (4) COVID-19 EMERGENCY.—The term "COVID-19 emergency" means the national emergency concerning the novel coronavirus disease (COVID-19) outbreak declared by the President on March 13, 2020 under the National Emergencies Act (50 U.S.C. 1601 et seq.).
- (5) COVERED PERIOD.—The term "covered period" means the period beginning on the date of enactment of this Act and ending on the sooner of—
- (A) the termination date of the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020 under the National Emergencies Act (50 U.S.C. 1601 et seq.); or
 - (B) December 31, 2020.

Sec. 4024 TEMPORARY MORATORIUM ON EVICTION FILINGS.

- (a) DEFINITIONS.—In this section:
 - (1) COVERED DWELLING.— The term "covered dwelling" means a dwelling that—
 - (A) is occupied by a tenant—
 - (i) pursuant to a residential lease; or
 - (ii) without a lease or with a lease terminable under State law; and
 - (B) is on or in a covered property.
 - (2) COVERED PROPERTY.—The term "covered property" means any property that—
 - (A) participates in—
 - (i) a covered housing program (as defined in section 41411(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a)));
 - (ii) the rural housing voucher program under section 542 of the Housing Act of 1949 (42 U.S.C. 1490r); or
 - (B) has a—
 - (i) Federally backed mortgage loan; or (ii) Federally backed multifamily mortgage loan.
 - (3) DWELLING.—The term "dwelling"—
 - (A) has the meaning given the term in section 802 of the Fair Housing Act (42 U.S.C. 3602); and (B) includes houses and dwellings described in section 803(b) of such Act (42 U.S.C. 3603(b)).
 - (4) FEDERALLY BACKED MORTGAGE LOAN.—The term "Federally backed mortgage loan" includes any loan (other than temporary financing such as a construction loan) that
 - (A) is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and
 - (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.
 - (5) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term "Federally backed multifamily mortgage loan" includes any loan (other than temporary financing such as a construction loan) that—
 - (A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and
 - (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.
- (b) MORATORIUM.—During the 120-day period beginning on the date of enactment of this Act, the lessor of a covered dwelling may not-
 - make, or cause to be made, any filing with the court of jurisdiction to initiate a legal action to recover possession
 of the covered dwelling from the tenant for nonpayment of rent or other fees or charges; or
 - (2) charge fees, penalties, or other charges to the tenant related to such nonpayment of rent.
- (c) NOTICE.—The lessor of a covered dwelling unit-
 - (1) may not require the tenant to vacate the covered dwelling unit before the date that is 30 days after the date on which the lessor provides the tenant with a notice to vacate; and
 - (2) may not issue a notice to vacate under paragraph (1) until after the expiration of the period described in subsection (b).