CFPB FinEx Webinar: Helping Clients Who Are Experiencing Housing Insecurity

August 18, 2021 at 2-3:30 pm ET

CFPB FinEx Program | Wednesday, August 18, 2021

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The Consumer Financial Protection Bureau (CFPB) is a 21st century agency that helps consumer finance markets work by making rules more effective, by consistently and fairly enforcing those rules, and by empowering consumers to take more control over their economic lives.
Rapid response—Financial protection during the coronavirus pandemic

cf.gov/coronavirus

Protecting your finances during the coronavirus pandemic
The CFPB is committed to providing consumers with up-to-date information and resources to protect and manage their finances during this difficult time.

Resources to help you make financial decisions

- Mortgage and housing assistance
  If you're concerned about how to pay your mortgage or rent, we have information on what to do now, and what your options are for mortgage and rental relief.
  Learn about mortgage and housing assistance.

- Student loans
  Student loan borrowers now have more benefits to consider when planning for the potential financial impact from coronavirus.
  Find resources for student loan borrowers.

- Managing your finances
  We have resources to help you protect and manage your finances if you are facing financial difficulties as a result of the pandemic.
  See resources to help manage your finances.

- Avoiding scams
  Scammers are taking advantage of the coronavirus pandemic to con people into giving up their money.
  Learn how to protect yourself from scams.

FEDERAL CORONAVIRUS RESOURCES

White House Coronavirus Task Force
Information about COVID-19 from the White House Coronavirus Task Force in conjunction with CDC, HHS, and other agency stakeholders.
Visit coronavirus.gov

Centers for Disease Control and Prevention
The latest public health and safety information for United States consumers and the medical and health provider community on COVID-19.
Visit the CDC COVID-19 page

USA.gov
Information on what the U.S. Government is doing in response to COVID-19.
Visit usa.gov (English)
Visit usa.gov (Spanish)

FURTHER READING

consumerfinance.gov/coronavirus
Resources for financial educators

Find it at: https://www.consumerfinance.gov/consumer-tools/educator-tools/adult-financial-education/
Key links for you

- Protecting Your Finances During the Coronavirus Pandemic:
  consumerfinance.gov/coronavirus

- To order free, bulk copies of CFPB publications:
  http://promotions.usa.gov/cfpbpubs.html

- To sign up for the CFPB Financial Education Exchange:
  CFPB_FinEx@cfpb.gov

- To sign up for the CFPB Financial Education Discussion Group:
  linkedin.com/groups/5056623

- CFPB Resources for Financial Educators webpage:
  consumerfinance.gov/adult-financial-education
AN OVERVIEW OF

Emergency Rental Assistance

Overview and Resources

July 2021
Disclaimer

This presentation is designed to give an overview of the Emergency Rental Assistance program for educational purposes. It should not be construed as legal advice or a statement of binding policy guidance from the Treasury.

For official Treasury guidance, go to: www.treasury.gov/ERA.
Overview

The Emergency Rental Assistance (ERA) program makes funding available to assist households that are unable to pay rent or utilities.

Key objectives of this funding:

• Support urgent COVID-19 response efforts to continue to decrease spread of the virus and bring the pandemic under control

• Assist renters most in need to avoid evictions and secure housing stability

• Alleviate the deep financial distress of countless landlords who rely on rental income to support their families
Supporting Housing Stability for Renters at Risk of Eviction

The ERA program affords certain flexibilities for recipients to tailor their rental assistance programs to the needs of their local communities (while complying with the core program requirements).

Recent Treasury Guidance Highlights

• Strongly encourages partnerships with courts to actively prevent evictions and develop eviction diversion programs
• Help families experiencing homelessness gain access to assistance
• Drive toward equal access by removing language and cultural barriers in securing assistance
• Provide a streamlined payment option for utility providers and large landlords to make accessing emergency rental assistance on behalf of multiple tenants easier and more attractive.

Prior to this year, few governments had robust programs for delivering this type of rental assistance and none were operating at the scale now made possible by ERA resources.
Helping Households: Eligible Expenses

Eligible expenses may vary depending upon the grantee’s program design.

In general terms, the federal program guidance allows:

Rental assistance
- Up to 18 months of rental assistance
- Assistance may cover back rent or prospective rent

Utilities and Home Energy Costs
- May include separately stated electricity, gas, water and sewer, trash removal, and energy costs, such as fuel oil; payments to public utilities are permitted.
Helping Households: Eligible Expenses

Other Expenses

• Internet service (grantees should adopt policies about when this is appropriate).
• Reasonable accrued late fees (if not included in rental or utility arrears).
• Relocation expenses (including prospective relocation expenses), rental security deposits, and rental fees (may include application or screening fees).
• Hotel stay (under certain circumstances)

Recent Guidance Update: Re-location Expenses

In cases where a tenant may not yet have a rental obligation, Treasury encourages grantees to provide otherwise eligible households with an official document specifying the amount of financial assistance the grantee will pay a landlord on behalf of the household if the landlord and the household enter into a qualifying lease of at least six months
Helping Households: Eligible Expenses

A limited amount of ERA funds may be used for housing stability services.

Such services may include, among other things:

- eviction prevention and eviction diversion programs;
- mediation between landlords and tenants;
- housing counseling;
- fair housing counseling;
- housing navigators or *promotoras* that help households access ERA programs or find housing;
- case management related to housing stability;
- housing-related services for survivors of domestic abuse or human trafficking;
- legal services or attorney’s fees related to eviction proceedings and maintaining housing stability;
- and specialized services for individuals with disabilities or seniors that support their ability to access or maintain housing.
Eligible Households

Applicant eligibility may vary depending upon the grantee’s program design.

In *general terms*, applicants must meet the following eligibility requirements:

- The applicant must be obligated to pay rent
- The applicant must demonstrate:
  - Financial hardship during the pandemic
  - Risk of experiencing homelessness or housing instability; and
  - The household is a “low-income family” (incomes do not exceed 80% of the area median income)

Prioritization

The program requires that grantees prioritize assistance for households with incomes less than 50% of area median income or households with one or more individuals that have not been employed for the 90-day period preceding the date of application.
Opportunities for Simplifying Income Documentation

Treasury’s guidance allows grantees to establish policies and procedures for documenting eligibility requirements that will ease access for vulnerable populations.

- **Partnership with administrators of federal benefits, for example:**
  - state unemployment departments
  - entities that administer federal benefits with income requirements

- **Categorical Eligibility:** Grantees are permitted to rely on a determination letter from the government agency that verified the applicant’s household income or status as a low-income family.

- **Fact-specific proxy:** A grantee may rely on a written attestation from the applicant as to household income if the grantee also uses any reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household’s geographic area.
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Online Resources for ERA Stakeholders

www.treasury.gov/ERA
Online Resources for ERA Stakeholders
Examples of Promising Practices

PROMISING PRACTICES

Recent updates

On August 4, 2021, Treasury updated promising practices around eviction diversion including the addition of a maturity model and example self-attestation forms.†

- Partnerships in Program Implementation
- Culturally and Linguistically Competent Outreach
- Intentional Landlord Engagement
- Partnerships with Broader Eviction Diversion Programs
- Collaboration with Local Utility Companies
- Adjusting Program Strategies to Meet Local Needs
- Making the Application Process Simple and User Friendly
- Using Fact-Specific Proxies to Establish Applicant Income
- Automation Supporting Application Prioritization
- Data-Driven Program Strategies
- Program Web sites

Example self-attestation forms

View example self-attestation forms currently used by ERA grantees.

View example forms

www.treasury.gov/ERAPromisingPractices
Promising Practices: Culturally and Linguistically Competent Outreach

Across the country, grantees are identifying strategies to reach communities where residents were disproportionately affected by the COVID-19 pandemic.

• Translation of application into multiple languages
• Multiple application channels for residents to apply (phone, in-person, call center, 211 partnerships, engaging housing counselors, etc.)
• Partnership with trusted community organizations with high levels of cultural and linguistic competencies.

EXAMPLES
• San Antonio, TX
• The State of Maine
• The State of Illinois
• The State of North Carolina
• Richland County, SC
Promising Practices: Partnerships with Broader Eviction Diversion Efforts

Many grantees have found that partnerships with their local court systems and legal services organizations are critical tools for preventing housing insecurity and helping landlords recover from rental arrearages.

- Tenant interventions
- Landlord & property manager interventions
- Mediation
- Data sharing with local courts
- Multi-faceted approaches
Online Resources for Renters/Landlords

Find help for your situation

Help for homeowners
Learn about options to help your situation, like repaying any amount not paid during forbearance, avoiding foreclosure, and maintaining your reverse mortgage.
See your next steps

Help for renters
Federal, state, and local governments are offering relief. See options to avoid eviction, get rental assistance, and understand your rights.
Get the help you’re entitled to
Learn what this means for you

Help for landlords
If you’ve lost rental income, you may be struggling to pay your mortgage and other costs. See alternatives to eviction and get help.

Rental assistance helps renters and landlords make ends meet

State and local programs are distributing billions of dollars in rental assistance to help renters stay housed during the pandemic.

Housing insecurity media toolkit

This shareable content is designed to help you spread important information about the CFPB’s tools and resources related to housing insecurity during the coronavirus pandemic.

- Email
- Social Media
- Handouts

The CFPB is committed to providing up-to-date information and resources to help consumers protect and manage their finances in the wake of the coronavirus pandemic. Thank you for helping us spread timely and important information for renters, homeowners and other consumers who’ve been affected by these difficult financial times. By collaborating with partners like you, we can provide consumers with the facts and tips they need to understand their rights, beware of scams, and learn how to access financial assistance programs such as forbearance, mortgage relief, and eviction help.

www.consumerfinance.gov/housing
Online Resources for Renters/Landlords: ERA Look-Up Tool

Find help with rent and utilities

If you’re looking for help with housing costs, you’re not alone.

State and local organizations are distributing federal rental assistance in their communities. The money can help landlords and renters who are struggling to keep up with rent and other bills.

Many programs take applications from both landlords and renters.

Search below to find your local program. If you find more than one program, start with the closest one to you.

- See who qualifies and how the money can be used
- Need help applying? Find a housing counselor

Find rental assistance programs

For your state or territory

Select your state or territory

For your tribe or the tribal lands where you live (If applicable)

Only tribes with rental assistance programs are listed.

Select the tribe or tribal lands

consumerfinance.gov/renthelp
Call to Action

Today the federal government is conducting an all-out push to make sure tenants and landlords take advantage of the historic funding for emergency rental assistance to help cover rent, utilities, and other housing costs and keep people in their homes.

We encourage you to join the national surge in messaging to promote either these national materials or your local ERA program.

consumerfinance.gov/renthelptoolkit
Thank you.

For More Information:
Please visit Treasury’s ERA website at www.treasury.gov/ERA

For Media Inquiries:
Please contact the U.S. Treasury Press Office at (202) 622-2960
Housing insecurity remains a critical challenge

- As certain legal protections expire in the months ahead, over 8 million families are at risk of eviction and foreclosure.
- Black and Hispanic families are more than twice as likely to report being behind on their housing payments than white families.
- An estimated 6.7 million tenant households are behind on their rent.
- We have very little time to prevent millions from losing their homes to unlawful eviction or avoidable foreclosure.
Consumers lack awareness of their options

- Protections exist for homeowners and renters who are struggling during the COVID-19 pandemic.
- Not all protections are automatic – homeowners and renters may need to take action. Some steps can be complex.
- Many are still unaware of their rights and how to find help.
- The CFPB and our interagency partners have plain-language resources.

We need your help to boost awareness.
Differential Impact by Race and Ethnicity

Black and Hispanic households were more than twice as likely to report falling behind on housing payments than white households as of June.

Source: CFPB analysis of Census Household Pulse Survey, Week 33 (June 23 – July 5)
Help for Homeowners
Homeowner Protections

- **Forbearance:** Most homeowners can temporarily pause their mortgage payments if they are affected by the pandemic.

- **Foreclosure Protections:** CFPB issued a final rule, which amends Regulation X, and establishes temporary procedural safeguards to help ensure that borrowers have a meaningful opportunity to be reviewed for loss mitigation before the servicer can make the first notice or filing required for foreclosure on certain mortgages. Under the rule, these protections are effective from August 31, 2021, through December 31, 2021. These protections have already been implemented for Government Sponsored Enterprise (GSE) backed mortgages.

- **Homeowner Assistance Fund (HAF):** Congress authorized nearly $10 billion for assistance with mortgage payments, homeowner’s insurance, utility payments, and other purposes. As of May, $742 million has been disbursed with the remaining funds targeted to be disbursed by the end of the year.
Homeowner Protections: Forbearance

- Borrowers can still request a **COVID hardship forbearance** if they experienced a hardship due to the coronavirus pandemic. Some federally backed mortgage loans have a **September 30, 2021 deadline for requesting an initial forbearance**.
  - Forbearance is not automatic. Borrowers must request it.
  - Most mortgages are eligible.
    - Borrowers with GSE and govt-backed loans are eligible for COVID hardship forbearance.
    - Other borrowers with non-government backed loans may still qualify for forbearance.
  - The initial forbearance plan will typically last 3 to 6 months, and borrowers can request extensions. For most loans, forbearance can be extended up to 12 months, and many are eligible for up to 18 months of forbearance, depending on when the initial forbearance started.
Recent Market Data: Active Forbearance Plans

Of the more than 7 million homeowners that have entered forbearance plans since the beginning of the pandemic, about 1.8 million borrowers remain as of Aug 3.

Source: McDash Flash via Black Knight
*Figures in this report are based on observations from Black Knight’s McDash Flash data set and are extrapolated to estimate the full mortgage market
** Other category includes held in portfolios, private labeled securities, or by other entities
Homeowner Protections: Exiting Forbearance

▪ A significant number of borrowers will exit forbearance in Fall 2021.

▪ Borrowers generally have a few options when exiting:
  □ Deferral or partial claim
  □ Modification
  □ Repayment plan
  □ Reinstatement (lump sum) - rarely required. If this is the only option offered, ask the servicer about other options.

▪ Borrowers concerned about losing their home should contact a HUD-approved housing counseling agency.

▪ Help is free. Remind borrowers: you don’t have to pay anyone to help you avoid foreclosure.
Homeowner Protections: Amendments to Reg X

- On June 28, 2021, the Bureau issued a mortgage servicing final rule to assist mortgage borrowers affected by the COVID-19 emergency. The final rule* aims to facilitate a smooth transition as federal foreclosure protections expire.
- All of the amendments are temporary.
- None of the amendments apply to small servicers.
- The final rule takes effect on **August 31, 2021**.
- Servicers may voluntarily comply with the new requirements early.

*86 FR 34848.
Homeowner Protections: Amendments to Reg X

- The Rule has four main components:
  - The rule establishes temporary procedural safeguards to help ensure that borrowers have a meaningful opportunity to be reviewed for loss mitigation before the servicer can make the first notice or filing required for foreclosure on certain mortgages.
  - The rule temporarily permits mortgage servicers to offer certain streamlined loan modifications.
  - The rule temporarily requires expanded early intervention messages.
  - The rule also amends reasonable diligence timing.
The CFPB’s housing portal helps consumers act

Help for homeowners and renters during the coronavirus national emergency

Find help for your situation

Help for homeowners

Help for renters

Help for landlords

The Consumer Financial Protection Bureau (CFPB), Federal Housing Finance Agency (FHFA), U.S. Department of Housing and Urban Development (HUD), U.S. Department of Veterans Affairs (VA), and U.S. Department of Agriculture (USDA) are working together to help homeowners and renters during the coronavirus pandemic.
Housing Portal: Resources for Homeowners

Help for homeowners

Español | 繁體中文 | Tiếng Việt | 한국어 | Tagalog | العربية

If you’ve had trouble making mortgage payments because of a COVID-19 related hardship, we have information to help. Whether you’re entering forbearance, need more time, or are ready to exit, we have information on what to do next.

Action steps

- Learn about forbearance
- Find your servicer
- Request forbearance
- Extend your forbearance
- Exit your forbearance
- Avoid foreclosure

consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/help-for-homeowners/
Housing Portal: Resources for Homeowners

Get expert help

Talk to a housing counselor

For help talking to your mortgage servicer or understanding your options, contact a HUD-approved housing counseling agency in your area. Housing counselors can develop a tailored plan of action and help you work with your mortgage company, at no cost to you.

Talk to a housing counselor

Talk to a lawyer

If you need a lawyer, there may be resources to assist you, and you may qualify for free legal services through legal aid. If you’re a servicemember, you should consult with your local Legal Assistance Office.

Find a lawyer in your state

Submit a complaint

If you have a complaint with your mortgage or forbearance plan, tell us about your issue—we’ll forward it to the company and work to get you a response, generally within 15 days.

Submit a complaint

consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/help-for-homeowners/
Avoid foreclosure

If you are concerned about losing your home, you don’t have to face it alone. Contact a HUD-approved housing counseling agency to get free, expert assistance on avoiding foreclosure.

Foreclosure is when the lender takes back the property after the homeowner fails to make required payments on a mortgage.

Foreclosure processes differ by state. In some states, the lender has to go to court to foreclose on your property (judicial foreclosure), but other states do not require a court process (non-judicial foreclosure). Generally, borrowers must be notified if the lender or servicer begins foreclosure proceedings. Under federal law, a servicer generally cannot start the foreclosure process until your loan is more than 120 days past due. There can be exceptions depending on your forbearance or other mortgage relief (often called “loss mitigation programs”).

4 Steps to Avoid Foreclosure ⇒

consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/help-for-homeowners/
Housing Portal: Resources for Homeowners

Protections for reverse mortgage borrowers

If the COVID-19 pandemic has made it harder for you to meet your reverse mortgage loan responsibilities, you're not alone. Fortunately, there are options and resources available to you.

SHARE & PRINT   

The responsibilities for Home Equity Conversion Mortgages (HECMs), the most common type of reverse mortgages, include occupying your home as your primary residence, paying your property taxes or homeowners' insurance on-time, and keeping your home in good condition.

Usually, if you are unable to meet these loan obligations your lender or loan servicer will notify you that your loan is “due and payable,” meaning it may be in default and foreclosed upon. The lender or loan servicer may also call a reverse mortgage loan due and payable when the reverse mortgage borrower dies.

consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/help-for-homeowners/
Help for Renters
Help for Renters

▪ Eviction moratoriums
▪ Emergency rental assistance
▪ CFPB debt collection rule
▪ Federal laws against housing discrimination
▪ State and local tenant protections
Housing Portal: Resources for Renters

Step-by-step instructions to help renters:

▪ Avoid eviction
▪ Get rental assistance
▪ Talk about repayment
▪ Know their rights
▪ Find help

Help for renters

If you’re having trouble making rent payments as a result of the coronavirus pandemic, you’re not alone.

Federal, state, and local governments are offering help with housing expenses and avoiding eviction. Find out what this means for you, and what you can do.

Action Steps

▪ Take action to avoid eviction
▪ Get help paying rent and utilities
▪ Talk to your landlord about a payment agreement
▪ What to do if you’re worried about eviction
▪ Know your tenant and debt collection rights
▪ Talk to a local expert

consumerfinance.gov/covidrent
Housing Portal: Resources for Renters

Explains tenant rights

▪ Freedom from harassment and false or misleading statements by a debt collector
▪ Common state or local rights
▪ Rights of domestic violence survivors
▪ Freedom from housing discrimination

consumerfinance.gov/covidrent
Housing Portal: Resources for Landlords

Help for landlords

The COVID-19 pandemic has caused money struggles for both renters and landlords. You’re an important part of the rental economy. If your rental income has fallen, you can take advantage of options to keep you in control of your property and your financial situation.

Know your options

- Recover back rent - apply for rental assistance
- Stay in control by working through all your options
- Explore forbearance to pause your mortgage payments

consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/help-for-landlords/
Federal emergency rental assistance (ERA)

▪ $45+ billion in two phases (ERA1, ERA2)
▪ Distributed by local programs
▪ Most take landlord applications, fewer for tenants
▪ Money can be used for unpaid rent, utilities
▪ Money may also cover future rent or moving costs
▪ Payments usually go directly to landlords and utility companies

Find a local rental assistance program
Housing Portal: Emergency Rental Assistance

Federal help with paying your rent

State and local programs are distributing billions of dollars in rental assistance to help renters stay housed during the pandemic. Rental assistance helps renters and landlords make ends meet.

Questions and answers about federal rental assistance

- How do I apply for emergency rental assistance?
- What does emergency rental assistance cover?
- Am I eligible for emergency rental assistance?
- How can I show that I am eligible?
- How are rental assistance payments made?
- Special living situations

Leer en Español

cfpb.consumerrfinance.gov/coronavirus/mortgage-and-housing-assistance/renter-protections/emergency-rental-assistance-for-renters/
Housing Portal: Rental Assistance Finder

Find help with rent and utilities

If you’re looking for help with housing costs, you’re not alone.

State and local organizations are distributing federal rental assistance in their communities. The money can help landlords and renters who are struggling to keep up with rent and other bills.

Many programs take applications from both landlords and renters.

Search below to find your local program. If you find more than one program, start with the closest one to you.

- See who qualifies and how the money can be used
- Need help applying? Find a housing counselor

Find rental assistance programs

For your state or territory

Select your state or territory

For your tribe or the tribal lands where you live (if applicable)

Only tribes with rental assistance programs are listed.

Select the tribe or tribal lands

consumerfinance.gov/renthelp
Housing Portal: Rental Assistance Finder

Find rental assistance programs

For your state or territory

Colorado

Narrow results by county (optional)
If your county is not listed below, you may still qualify for other programs.

Select your county

- My county is not listed
- Adams County
- Arapahoe County
- Douglas County
- Jefferson County
- Weld County

Showing 6 rental assistance programs that match your search
Housing Portal: Rental Assistance Finder

Showing 2 rental assistance programs that match your search

Colorado
STATE/TERRITORY: Colorado
PROGRAM NAME: Colorado Emergency Rental Assistance Program (ERAP)
PROGRAM TYPE: State
GET STARTED: https://cdola.colorado.gov/rental-mortgage-assistance

Douglas County
STATE/TERRITORY: Colorado
PROGRAM NAME: Douglas County Emergency Rental Assistance
PROGRAM TYPE: County
GET STARTED: https://www.douglas.co.us/rent-assistance/
Housing Portal: Videos in English and Spanish

- Visit our YouTube playlists for the latest videos.

consumerfinance.gov/es/coronavirus/asistencia-hipotecas-y-viviendas/

5 STEPS TO ASK FOR MORTGAGE FORBEARANCE DUE TO THE CORONAVIRUS

5 PASOS PARA QUE SOLICITE UN APLAZAMIENTO DE HIPOTECA POR CAUSA DEL CORONAVIRUS
Resources are available in seven languages

- Spanish, Traditional Chinese, Vietnamese, Korean, Tagalog, and Arabic language materials are available online.

- Include:
  - Housing portal pages
  - Other COVID-19 resources

- Spanish language videos are also available online:
  - Aplazamientos de hipotecas en la Ley CARES
  - 5 Pasos para que solicite un aplazamiento de hipoteca por causa del coronavirus
  - Tres pasos que inquilinos en problemas pueden tomar para retrasar el desalojo
Other COVID-19 Resources

Protecting your finances during the coronavirus pandemic

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Resources to help you make financial decisions

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  If you’re concerned about how to pay your mortgage or rent, we have information on what to do now, and what your options are for mortgage and rental relief.
  [Learn about mortgage and housing assistance](#)

- Managing your finances
  We have resources to help you protect and manage your finances if you are facing financial difficulties as a result of the pandemic.
  [See resources to help manage your finances](#)

- Student loans

- Avoiding scams

FEDERAL CORONAVIRUS RESOURCES

White House Coronavirus Task Force

Information about COVID-19 from the White House Coronavirus Task Force in conjunction with CDC, HHS, and other agency stakeholders.

[Visit coronavirus.gov](http://coronavirus.gov)

Centers for Disease Control and Prevention

The latest public health and safety information for United States consumers and the medical and health provider community on COVID-19.

[Visit the CDC COVID-19 page](http://CDC COVID-19 page)
Use our digital toolkit

Housing insecurity media toolkit

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- Handouts

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consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/housing-insecurity-media-toolkit/
Questions?

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- CFPB Resources for Financial Educators webpage:
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