



NATIONAL LOW INCOME HOUSING COALITION

Protecting Tenants at Foreclosure Act

March 2015

Issue: Protecting Tenants at Foreclosure Act

NLIHC Position: Renew and make permanent PTFA protections that expired in 2014. Senators and Representatives should be urged to support PTFA legislation when it is reintroduced early this year.

Background: The Protecting Tenants at Foreclosure Act (PTFA) was the only federal protection for renters living in foreclosed properties. The law provided most renters with the right at least to 90 days' notice before being required to move after foreclosure. Today, just like before the 2009 enactment of the law, renters, who often have no idea that their landlords are behind on mortgage payments, can be evicted with just a few days' notice in many states. Even though the foreclosure crisis remains a problem in most parts of the country, the PTFA law expired on December 31, 2014.

According to data from the National Housing Law Project, based in part on data from the National Law Center on Homelessness and Poverty, most states have either no specific protections for renters in foreclosed properties or have weaker protections than those provided by the PTFA (see chart below).

State Law: Eviction Notice in Days	State Laws
No Specific Protection	(19) Alabama, Alaska, Colorado, Hawaii, Kansas, Indiana, Maine, Michigan, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Virginia
Immediate	(8) Arizona, Arkansas, Florida, Georgia, Kentucky, Mississippi, Wisconsin, Wyoming
3 Days	(1) Iowa
5 Days	(2) Delaware, Louisiana
10 Days	(3) Missouri, Montana, North Carolina
30 Days	(3) Oregon (60 for leases), Texas, West Virginia (90 for leases)
60 Days	(2) Nevada, Washington
90 days/PTFA or stronger	(10) California, Connecticut, District of Columbia (just cause), Illinois, Maryland, Massachusetts (just cause), Minnesota, New Jersey (just cause), New York, Rhode Island (just cause)