

Foreclosure Suspension Extensions

SUSPENSION OF ADDITIONAL DEBT COLLECTION PROVISIONS. On April 27, Governor Reynolds issued a proclamation that contains restrictions relative to certain debt collection practices. These provisions are included here and are effective through May 27:

SECTION ONE HUNDRED. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code chapter 643 concerning actions of replevin, to the extent that the basis of the replevin action is to recover collateral for nonpayment of a debt. Suspension of these provisions includes the commencement or ongoing prosecution of a replevin action and all relevant service or notice requirements for a replevin action to recover collateral for nonpayment of a debt, and does not include an action to recover personal property under chapter 643 for any other purpose. Nothing in this section shall be construed as relieving any individual of their obligation to make promissory note or contractual payments, or to comply with any other obligation that an individual may have under a promissory note or contract. Iowans should not expect that I will issue any further extensions of this suspension past May 27, 2020.

SECTION ONE HUNDRED ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions authorizing the commencement of proceedings or the prosecution of ongoing proceedings subject to mandatory mediation under Iowa Code §654A.6 (proceedings to enforce a debt against agricultural property which is real estate under chapter 654, to forfeit a contract to purchase agricultural property under chapter 656, to enforce a secured interest in agricultural property under chapter 554, or to otherwise garnish, levy on, execute on, seize, or attach agricultural property). Nothing in this section shall be construed as relieving any individual of their obligation to make promissory note or contractual payments, or to comply with any other obligation that an individual may have under a promissory note or contract. Iowans should not expect that I will issue any further extensions of this suspension past May 27, 2020.

SECTION ONE HUNDRED TWO. Pursuant to Iowa Code § 29C.6(6) and § 135.144(3), and in conjunction with the Iowa Department of Public Health, I hereby temporarily suspend the provisions of Iowa Code Chapter 642 authorizing garnishment and the provisions of Iowa Code Chapter 626 allowing execution of garnishment, except for those provisions relating to enforcement of domestic support orders. Iowans should not expect that I will issue any further extensions of this suspension past May 27, 2020.

SUSPENSION OF FORECLOSURES. The suspension on foreclosure of any residential, commercial or agricultural property remains effect through May 27. Here is the actual language from her April 27 proclamation:

SECTION NINETY-NINE. Pursuant to Iowa Code §§ 29C.6(6) and 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code chapters 646, 654, 655A, and 656 allowing for the commencement of foreclosure proceedings, or the prosecution of ongoing foreclosure proceedings, on residential, commercial, and agricultural real property located in the state of Iowa. Suspension of these provisions shall apply during the duration of this Proclamation or any future extension of this suspension. Iowans should not expect that I will issue any further extensions of this suspension past May 27, 2020.

A. Nothing in this section shall be construed as relieving any individual of their obligation to make mortgage payments, or to comply with any other obligation that an individual may have under a mortgage.

B. The Iowa Division of Banking and the Iowa Division of Credit Unions are hereby directed to immediately engage with banks, credit unions, mortgage bankers, and mortgage services to identify any tools, means, or methods that could be used to relieve Iowans from the threat of foreclosure.