

## WFG Underwriting Bulletin



To: All New York Policy Issuing Agents of WFG National Title Insurance Company  
From: New York Underwriting Department  
Date: October 26, 2020  
Bulletin No: NY 2020-36  
Subject: Revised Procedures for Foreclosure Proceedings–NYS Unified Court System Memo

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On October 22, 2020, the Chief Administrative Judge for the Unified Court System of the State of New York issued a Memorandum on Revised Procedure for Addressing Foreclosure Proceedings. [I have attached a copy for your review.](#)

Pursuant to the Memorandum, effective October 22, 2020, all foreclosure matters may resume statewide, with several important caveats:

- No default judgment may be entered upon the failure of a respondent to answer a complaint or petition in a foreclosure matter.
- There is a requirement of a status or settlement conference in all foreclosure matters except where the foreclosing lender submits an affirmation to the court, that following diligent inquiry, it has knowledge that the property issued is currently abandoned or vacant. Please be aware that this requirement effects continuing matters initiated before March 17, 2020, as well.

It is important to note that pursuant to legislation and executive orders in place that a foreclosure proceeding shall not continue where residential mortgagors are experiencing financial hardship due to COVID-19 and Fannie Mae and Freddie Mac have extended moratoriums on single-family foreclosures until at least December 31, 2020.

In addition, the moratorium on commercial foreclosures for nonpayment has been extended until January 1, 2021. These provisions along with the prohibition continuing residential foreclosures on default will make it very difficult for us to insure out of most foreclosure proceedings at this time. Please contact our office if you have any questions or concerns.

**NOTE: The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department.**

**The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.**