

20 OCTOBER 2009

## INFORMATION PAPER

SUBJECT: Protecting Tenants Against Foreclosures

1. Purpose. To summarize an important new Federal Law (Public Law 111-22) that protects certain tenants of residential properties from losing their leases when the property is in foreclosure.
2. Under this law:
  - All tenants must receive a 90 day notice before being evicted as the result of a foreclosure;
  - In most cases following a foreclosure, the new owner of must abide by the terms of the existing lease. This means that the tenant can remain in the property until the expiration of the lease (and must pay rent). Exceptions include tenants without a lease, tenants with a lease that can be terminated at will, and cases in which the new owner intends to occupy the property as his primary residence;
  - These protections end on 31 December 2012.
3. Please visit your Fort Belvoir legal assistance office with any questions regarding this important issue.

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