

RESCINDED

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Protecting Tenants at Foreclosure Act of 2009: Revised Examination Procedures

Replaced – See OCC 2020-9

The Office of the Comptroller of the Currency (OCC) has issued revised examination procedures for the Protecting Tenants at Foreclosure Act (Tenants Protection Act). The Tenants Protection Act, which is part of the Helping Families Save Their Homes Act of 2009, became effective on May 20, 2009.

The Tenants Protection Act provides protections to bona fide tenants in the case of any foreclosure on a federally related mortgage loan or on any dwelling or residential real property. These protections provide that any immediate successor in interest in such a foreclosed property, including a bank that takes title to a house after foreclosure, will assume the interest subject to the rights of any bona fide tenant and must comply with certain notice requirements.

The Dodd–Frank Wall Street Reform and Consumer Protection Act revised the Tenants Protection Act by adding a definition for the date of a notice of foreclosure and by extending its expiration date to December 31, 2014.

These revised procedures replace the Tenants Protection Act procedures that were distributed via OCC Bulletin 2010-2, which this issuance rescinds. See Protecting Tenants at Foreclosure Act of 2009 for the revised procedures.

If you have questions, please contact your supervisory office or the Compliance Policy Department at (202) 649-5470.

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Deputy Comptroller for Compliance Policy

To

Chief Executive Officers and
Compliance Officers of All
National Banks, Federal
Branches and Agencies,
Department and Division Heads,
and All Examining Personnel