

## RECENT STATE OF FLORIDA GOVERNMENT ACTIONS

**Extension of Foreclosure and Eviction Tolling** | Executive Order [20-180](#) | With COVID-19 continuing to impact citizen's ability to pay for mortgages and tenancies, the Governor extended the suspension and tolling of all foreclosures and residential evictions. The extension, however, is more specific as to what mortgages and evictions are tolled.

The tolling is limited to single-family mortgages and residential tenancies. Many interpreted the previous executive order in this way, but the new order specifically calls out that it does not protect against foreclosure or eviction actions of any other type. Additionally, the mortgagor or tenant must be adversely affected by COVID-19. "Affected" is defined to mean a loss of employment, diminishment of wages or business income, or some other monetary loss due to COVID-19 that is directly impacting the mortgagor or tenant's ability to pay amounts owed.

The tolling does not prevent foreclosure or eviction for reasons other than non-payment and it clearly calls out that when the impacts of COVID-19 are no longer present, all payments are due. The order further specifies that it is referring to the impacts on ability to pay, not general impacts of COVID-19. The order also carefully carves out a tolling against any final action at the conclusion of a foreclosure or eviction proceeding, which suggests that these legal proceedings can start and carry on, they just cannot come to a conclusion during the tolling.

The tolling is set to expire September 1, 2020 at 12:01 am, so it is valid through August 31.