



IMPORTANT SOUTH CAROLINA UPDATE

After recent discussions and communications with several of the Judicial Leaders of the Equity (mortgage foreclosure) Courts of South Carolina, and where allowed by the mortgage investor or insurer, **all new foreclosure referrals, first legals, service of process, etc. may proceed without further interruption (please see Guidance Directives below from Fannie Mae and Freddie Mac so instructing servicers)**. At this time and once the service of process milestone on all party-defendants has been completed, the foreclosure case will be temporarily placed on hold as the case may not be referred to the Equity Court for a final foreclosure hearing and judicial foreclosure sale during this “pause”. This temporary hold/pause will continue until such time as the Chief Justice of the South Carolina rescinds the Administrative Orders outlined below, but only as to *pausing* court hearings and court sales as well as evictions/ejectments from proceeding.

As an update to our recent Eblast this morning, the Chief Justice of the South Carolina Supreme Court has issued two (2) Administrative Orders today. Both Administrative Orders are included in the below hyperlinks. The Chief Justice has ordered that all previously scheduled terms of court (in all South Carolina courts) from March 23, 2020 through May 1, 2020 be canceled. Additionally and in line with the other

Order, the Chief Justice has also issued a moratorium in Master-in-Equity courts statewide on foreclosure hearings, foreclosure sales, writs of assistance, and writs of ejectment. The Order does, however, allow for case-by-case exceptions for evictions pertaining to matters that involve essential services and/or harm to person or property.

Most importantly and interpretatively as well as where allowed by mortgage investor or insurer (as discussed in further detail in our previous Eblast below and in the links herein), **all new foreclosure referrals, first legals, service of process, etc. may proceed without further interruption.**

[Chief Justice Admin Order 03-18-01 - CLICK HERE](#)

[Chief Justice Admin Order 03-18-02 - CLICK HERE](#)

[FNMA - CLICK HERE](#)

[FHLMC - CLICK HERE](#)

[HUD - CLICK HERE](#)

[US BKY COURT - CLICK HERE](#)

On March 18, 2020, the United States Department of Housing and Urban Development (HUD) announced that they have issued an immediate foreclosure and eviction moratorium for 60 days on single-family homes with FHA-insured mortgages. However and most importantly, Fannie Mae and Freddie Mac later announced that **only** foreclosure sales and evictions are suspended for 60 days, and *therefore, interpretatively, all new referrals and on-going proceedings may proceed in compliance with investor time guidelines, other than for foreclosure sales and evictions.* Therefore, singularly FHA-insured mortgage loans appear to be the only loans affected by a 60-day moratorium on all foreclosure and eviction actions. Attached below are hyperlinks with the Fannie Mae, Freddie Mac, and HUD instructions.

Additionally, the United States Bankruptcy Court, District of South Carolina, is proceeding with all cases, provided that hearings scheduled to occur before April 30, 2020, may be conducted by telephone or videoconference. The United States Bankruptcy Court Operating Order 20-03 (*In Re: Bankruptcy Court Operations In Response to COVID-19*), filed on March 17, 2020, is included within the below hyperlink.