



March 26, 2020

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On behalf of the undersigned organizations representing the financial services and housing industries, we are writing in regards to the ongoing COVID-19 pandemic. As your organizations work with government leaders to protect residents' health and economic well-being during this time of national emergency, we ask that you take steps to ensure that the financial services and housing sectors can support the critical needs of homeowners and borrowers.

We are in extraordinary times. The COVID-19 pandemic has become a health and economic crisis of nearly unprecedented proportions. As the virus continues to spread in the United States, state and local governments are responding with measures to slow the rate of transmission. We support those efforts and are practicing them in our workplaces. Increasingly, these efforts are being supplemented with much more dramatic steps, with state and local governments issuing mandatory stay-at-home orders.

These stay-at-home orders effectively mandate the closure of all non-essential businesses and governmental agencies, while allowing businesses and agencies providing “essential services” to continue operations. Given the scale of the public health crisis, we understand the need for such extreme measures. We support these efforts, but also urge your members to recognize that essential services go beyond grocery and healthcare and extend to businesses and governmental agencies providing and supporting the financial services and housing industries.

At the federal level, the Cybersecurity Infrastructure Security Agency (CISA), the agency within the United State Department of Homeland Security responsible for the protection of the country’s critical infrastructure has released guidance on what industries and employees should be designated as essential. This guidance provides state, local, tribal and territorial governments a roadmap to ensure that citizens have access to essential services. The definition¹ of “critical infrastructure” recognizes the important role of the financial services sector, as follows:

“The Financial Services Sector includes thousands of depository institutions, providers of investment products, insurance companies, other credit and financing organizations, *and the providers of the critical financial utilities and services that support these functions* (emphasis added).²

As explained in a recent Department of Treasury memorandum,³ the financial services sector of the CISA critical infrastructure includes “workers needed to process and maintain systems for processing financial transactions and services[.]”⁴ In addition to businesses that directly provide consumer access to mortgage credit, the housing finance system depends on the participation of settlement service providers as well as certain government agencies and offices that support mortgage transactions. We urge state and local governments to maintain these basic services – consistent with safe workplace hygiene practices – so as to ensure the continuity of consumer access to critical financial services.⁵

In addition, we urge that consideration also be given to housing industry needs, such as home construction, home sales, renovation and the businesses that support these activities. Essential

¹ See “Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response” (March 19, 2020) available at: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>.

² As of March 24, 2020, the following states have already adopted the CISA guidance as part of executive orders related to the COVID-19 crisis: California, Connecticut, Louisiana, Mississippi, Ohio, Oklahoma, West Virginia and Wisconsin.

³ The CISA guidance was reinforced recently in a Memorandum for Financial Services Sector, Secretary Steven T. Mnuchin (March 22, 2020) available at: https://content.govdelivery.com/attachments/USDHS/2020/03/22/file_attachments/1407892/Financial%20Services%20Sector%20Essential%20Critical%20Infrastructure%20Workers.pdf.

⁵ Statement by Secretary Steven T. Mnuchin on Essential Financial Services Workers (March 24, 2020) available at: <https://home.treasury.gov/news/press-releases/sm956>.

services related to housing include services such as title searches, appraisals, permitting, inspections, housing materials and improvement retailers, moving, as well as the recordation, legal, financial and other services necessary to complete the sale or construction of housing.

The housing and financial services industries are being called on to provide unprecedented support for the economy in this time of crisis, including providing critical economic stimulus for households impacted by the crisis. With interest rates at or near all time lows, the volume of mortgage refinancing has increased sharply, allowing families to reduce monthly payments and providing billions of dollars of additional disposable income to families in need. In addition, many families in recent months have taken advantage of low rates to purchase a home. Prior homes have been sold, landlords have been given notice and families need to move – housing and finance are critical infrastructure for these families.

We understand the urgency of the current situation. We stand ready to assist as you consider appropriate steps to protect residents during this crisis.

Sincerely,

American Land Title Association
Mortgage Bankers Association
National Association of Realtors
National Association of Home Builders