

To: All Policy Issuing Agents of WFG National Title Insurance Company
From: Underwriting Department
Date: February 7, 2018
Bulletin No: National 2018-01

Subject: Servicemembers’ Civil Relief Act (SCRA) following Foreclosure of Mortgage/Deed of Trust

In response to the foreclosure crisis, in 2008, the Servicemembers’ Civil Relief Act was amended to restrict foreclosures for first 9 months, then 1 year following the end of military service. This was a change from the original 90 day protection after leaving the military. Thinking things would revert to a more normal state, Congress included a “sunset” provision that caused the law to automatically revert back to 90 days after a period of years. Congress has periodically pushed out the sunset date (sometimes after it has reverted).

The Sunset provision triggered again on January 1, 2018, reverting the test period back to 90 days. A bill is currently pending to change it back to 1 year. WFG’s underwriting standard is that (regardless of where we are in the “sunset and extension” cycle, if a foreclosed owner was in the service at any time within one year prior to completion of a foreclosure, you must confirm compliance with the Act. Other requirements of the Act and in the attached bulletin remain unchanged.