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## Protecting Tenants at Foreclosure

The [Protecting Tenants at Foreclosure Act](#) (PTFA) went into effect in May 2009. The PTFA provides protections to tenants in foreclosed properties.

The PTFA is found in the [Helping Families Save Their Homes Act of 2009](#) (a document of 1632 pages). Originally set to expire (or "sunset") on December 31, 2012, Dodd-Frank extended the expiration date of the PTFA to December 31, 2014.

Under this legislation, the immediate successor of interest (generally the purchaser) of a foreclosed property must provide all tenants with [at least 90 days notice](#) prior to eviction because of foreclosure.

Additionally, tenants must be permitted to stay in the residence until the end of the lease, with two exceptions:

- The property is sold after foreclosure to a purchaser who will occupy the property as a primary residence, or
- There is no lease or the lease is terminable at will under state law.

Even if these exceptions apply, the tenant must be given at least 90 days notice prior to eviction. The rights of Section 8 tenants are also protected under the PTFA.

In this newsletter, we should like to direct you to further information on the PTFA.

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### [Protecting Tenants at Foreclosure Act](#)

The Protecting Tenants at Foreclosure Act (PTFA) is Title VII of the Helping Families Save Their Homes Act of 2009.

We have extracted the relevant section and placed it in our [Library](#).

### [Dodd-Frank extends the PTFA](#)

The PTFA was extended and clarified by the Dodd-Frank Wall Street Reform and Consumer Protection Act.

We have extracted the relevant section and placed it in our [Library](#).

### [National Housing Law Project](#)

The National Housing Law Project (NHLP) has materials that can help housing counseling agencies understand the PTFA's provisions and help tenants exercise their rights under the law.

NHLP's materials include sample letters that tenants can use to inform their landlords, as well as sample letters that advocates can use to inform the courts and public housing authorities.

These materials are available on the [National Low Income Housing Coalition](#) website.

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Protecting Tenants at Foreclosure Act (PTFA)  
Title VII of the Helping Families Save Their Homes Act of 2009

PTFA Extension and Clarification -  
Dodd-Frank Wall Street Reform and Consumer Protection Act



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