

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6823

To expand the housing choice voucher program of the Department of Housing and Urban Development to provide temporary housing during the COVID-19 health crisis, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2020

Mr. HUFFMAN (for himself, Ms. JOHNSON of Texas, and Mr. HASTINGS) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To expand the housing choice voucher program of the Department of Housing and Urban Development to provide temporary housing during the COVID-19 health crisis, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “COVID-19 Serving the  
5 Homeless by Expanding the List of Tenant Eligible Resi-  
6 dences Act of 2020” or the “SHELTER Act of 2020”.

1 **SEC. 2. COVID-EMERGENCY HOUSING VOUCHER PROGRAM.**

2 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is  
3 authorized to be appropriated such sums as may be nec-  
4 essary for fiscal year 2020 to fund 500,000 incremental  
5 vouchers for tenant-based assistance under the housing  
6 choice voucher program under section 8(o) of the United  
7 States Housing Act of 1937 (42 U.S.C. 1437f(o)), to be  
8 made available in accordance with such section 8(o) except  
9 to the extent otherwise provided in this section.

10 (b) **ELIGIBLE FAMILIES.**—Housing voucher assist-  
11 ance under this section may be provided on behalf only  
12 of low-income families who, as of the creating a disaster  
13 recovery voucher recovery program for individuals who  
14 were unsheltered or living in shelters as of the declaration  
15 on March 13, 2020, by the President under the Robert  
16 T. Stafford Disaster Relief and Emergency Assistance Act  
17 (42 U.S.C. 4121 et seq.) of the emergency relating to the  
18 Coronavirus Disease 2019 (COVID-19) pandemic.

19 (c) **ELIGIBLE DWELLING UNITS.**—In addition to  
20 dwelling units eligible to be rented using assistance under  
21 section 8(o) of the United States Housing Act of 1937,  
22 rental assistance under this section may be used to rent  
23 dwelling units that meet the following requirements:

24 (1) **TYPES OF HOUSING.**—The dwelling unit is  
25 of one of the following types:

1 (A) SPECIAL HOUSING TYPES.—All special  
2 housing types identified in section 982.601 of  
3 the Secretary's regulations (24 C.F.R.  
4 982.601).

5 (B) JUNIOR ACCESSORY DWELLING  
6 UNITS.—A dwelling unit that—

7 (i) does not exceed 500 square feet in  
8 size; and

9 (ii) is contained entirely within an ex-  
10 isting single-family structure.

11 Such a unit may include separate sanitation fa-  
12 cilities and or may share sanitation facilities  
13 with the existing structure.

14 (C) RECREATIONAL VEHICLES.—Rec-  
15 reational vehicles that are equipped with a  
16 bathroom and cooking facility.

17 (D) HOTEL AND MOTEL ROOMS.—Vacant  
18 rooms in hotels and motels, except that in the  
19 case of a hotel or motel that has an existing  
20 contract with a public housing agency providing  
21 rental assistance with respect to any rooms oc-  
22 cupied by eligible families under subsection  
23 (b)—

24 (i) the hotel or motel may, at its dis-  
25 cretion, extend its existing contract with

1           the applicable public housing agency to  
2           allow the families residing in the rooms to  
3           extend their occupancies under such con-  
4           tract using such voucher; or

5           (ii) in the case of a hotel or motel  
6           that elects not to extend such contract, at  
7           the discretion of the hotel or motel, the eli-  
8           gible family may use such a voucher to  
9           continue occupying such room.

10           (E) SHORT-TERM RENTAL UNITS.—A  
11           dwelling unit made available for short-term  
12           rental by the owner of the dwelling unit, includ-  
13           ing by an online marketplace such as Airbnb or  
14           HomeAway.

15           (F) TEMPORARY EMERGENCY SHELTER.—  
16           A temporary emergency shelter that under the  
17           10th proviso under the heading “Department of  
18           Housing and Urban Development—Community  
19           Planning and Development—Homeless Assist-  
20           ance Grants” in title XII of subtitle B of the  
21           CARES Act (Public Law 116–136) is eligible to  
22           be assisted with amounts made available under  
23           such heading.

24           (2) OWNER AGREEMENT.—The owner of the  
25           dwelling unit is an individual and voluntarily agrees

1 to rent the dwelling unit in connection with assist-  
2 ance under this section.

3 (3) KITCHEN.—The dwelling unit—

4 (A)(i) contains a kitchen or cooking facil-  
5 ity; or

6 (ii) has access to a communal kitchen or  
7 cooking facility; or

8 (B) is exempted from the requirement  
9 under subparagraph (A) on a case-by-case basis  
10 by the State or local government agency, public  
11 housing agency, or other entity administering  
12 such assistance.

13 (d) WAIVER OF ELIGIBILITY REQUIREMENTS.—In  
14 providing assistance under this section, the Secretary shall  
15 waive the requirements under the following provisions of  
16 section 8 of the United States Housing Act of 1937 (42  
17 U.S.C. 1437f)—

18 (1) TENANT RENT CONTRIBUTION.—Subsection  
19 (o)(2) of such section, relating to tenant contribu-  
20 tions towards rent, except that any such waiver shall  
21 expire on an individual's return to work.

22 (2) ELIGIBLE FAMILIES.—Subsection (o)(4) of  
23 such section, relating to the eligibility of individuals  
24 and families to receive assistance.

1           (3) VERIFICATION OF INCOME.—Subsections  
2           (k) and (o)(5), relating to verification of income.

3           (4) LEASE TERM.—Subsection (o)(7)(A), relat-  
4           ing to the requirement that leases shall be for a  
5           term of 1 year.

6           (5) PORTABILITY.—Subsection (r)(1)(B), relat-  
7           ing to restrictions on portability.

8           (e) USE OF FUNDS.—Notwithstanding any other pro-  
9           vision of law, funds available for assistance under this sec-  
10          tion—

11           (1) shall be available to cover the cost of—

12                   (A) rent;

13                   (B) security and utility deposits;

14                   (C) relocation expenses, including expenses  
15                   incurred in relocating back to an assisted fam-  
16                   ily's original area of residence; and

17                   (D) such additional expenses as the Sec-  
18                   retary determines necessary; and

19           (2) shall be used by the Secretary—

20                   (A) for payments to public housing agen-  
21                   cies, State or local government agencies, or  
22                   other voucher administrators for voucher assist-  
23                   ance under this section; and

24           (f) PAYMENT STANDARD.—For purposes of assist-  
25           ance under this section, the payment standard for each

1 size of dwelling unit in a market area may not exceed 150  
2 percent, or such higher percentage that the Secretary may  
3 approve, of the fair market rental established under sec-  
4 tion 8(c) of the United States Housing Act of 1937 for  
5 the same size dwelling unit in the same market area, and  
6 shall be not less than 70 percent of such fair market rent-  
7 al.

8 (g) AUTHORITY TO CONTRACT WITH PHAS AND  
9 OTHERS.—The Secretary may contract with any State or  
10 local government agency or public housing agency, or in  
11 consultation with any State or local government agency,  
12 with any other entity, to administer assistance payments  
13 under this section and ensure that such payments are pro-  
14 vided in an efficient and expeditious manner.

15 (h) NONDISCRIMINATION.—In selecting individuals  
16 or families for tenancy, a landlord or owner may not ex-  
17 clude or penalize an individual or family solely because any  
18 portion of the rental payment of that individual or family  
19 is provided under this section.

20 (i) DURATION.—A voucher under this subsection for  
21 rental assistance shall provide such assistance for a period  
22 of 24 months, except that such period may be extended  
23 if the Secretary considers necessary to respond to the pub-  
24 lic health emergency relating to Coronavirus Disease 2019  
25 (COVID-19) or for other reasons.

1           (j) ALLOCATION.—Amounts made available for as-  
2 sistance under this section shall be allocated to public  
3 housing agencies based on the Secretary’s most recent  
4 point-in-time count of the extent of homelessness in the  
5 area served by such public housing agencies.

6           (k) DIRECT ADMINISTRATION BY SECRETARY.—If  
7 the Secretary determines that a State or local government  
8 agency, public housing agency, or other entity is unable  
9 to implement this section due to the effects of the public  
10 health emergency relating to COVID-19, the Secretary  
11 may—

12                 (1) directly administer a voucher program  
13                 under this section for the area affected; and

14                 (2) perform the functions in connection with  
15                 such administration that are assigned by this sub-  
16                 section to a State or local agency, public housing  
17                 agency, or other entity.

18           (l) STUDY.—The Secretary shall conduct a study to  
19 determine the feasibility of permanently authorizing the  
20 types described in subparagraphs (B) through (D) of sub-  
21 section (c)(1) as special housing types for purposes of the  
22 housing choice voucher program under section 8(o) of the  
23 United States Housing Act of 1937 (42 U.S.C. 1437f(o))  
24 and identify permanent housing opportunities for families  
25 and individuals assisted under this section. Not later than

1 the expiration of the 12-month period beginning on the  
2 date of the enactment of this Act, the Secretary shall sub-  
3 mit a report to the Congress specifying the results of and  
4 recommendations from the study pursuant to this sub-  
5 section.

6 (m) NOTICE OF AVAILABILITY OF ASSISTANCE.—  
7 The Secretary shall establish procedures for State and  
8 local agencies, public housing agencies, and other entities  
9 administering assistance under this section to provide no-  
10 tice of the availability of assistance under this section to  
11 individuals or families that may be eligible for such assist-  
12 ance.

13 (n) DEFINITIONS.—For purposes of this Act, the fol-  
14 lowing definitions shall apply:

15 (1) COVID-19 EMERGENCY PERIOD.—The  
16 term“ COVID-19 emergency period” means the pe-  
17 riod beginning on the date of the enactment of this  
18 Act and ending upon the date of the expiration of  
19 the 18-month period that begins upon the termi-  
20 nation by the Federal Emergency Management  
21 Agency of the emergency declared on March 13,  
22 2020, by the President under the Robert T. Stafford  
23 Disaster Relief and Emergency Assistance Act (42  
24 U.S.C. 4121 et seq.) relating to the Coronavirus  
25 Disease 2019 (COVID-19) pandemic.

1           (2) PUBLIC HOUSING AGENCY.—The term  
2           “public housing agency” has the meaning given such  
3           term in section 3(b) of the United States Housing  
4           Act of 1937 (42 U.S.C. 1437a(b)).

5           (3) SECRETARY.—The term “Secretary” means  
6           the Secretary of Housing and Urban Development.

7 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR HOUS-**  
8 **ING CHOICE VOUCHERS.**

9           In addition to amounts authorized to be appropriated  
10          under section 2(a), there is authorized to be appropriated  
11          such sums as may be necessary for fiscal year 2020 to  
12          fund 200,000 incremental vouchers for tenant-based as-  
13          sistance under the housing choice voucher program under  
14          section 8(o) of the United States Housing Act of 1937  
15          (42 U.S.C. 1437f(o)).

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