

119TH CONGRESS  
1ST SESSION

# S. 2148

To prohibit owners of covered dwelling units from assessing or collecting certain fees from tenants, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 24, 2025

Mr. MERKLEY (for himself and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To prohibit owners of covered dwelling units from assessing or collecting certain fees from tenants, 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 “End Junk Fees for  
5       Renters Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) APPROPRIATE REGULATOR.—The term “ap-  
9       appropriate regulator” means—

1 (A) the Secretary of Housing and Urban  
2 Development, with respect to covered dwelling  
3 units described in—

4 (i) paragraph (2)(A);

5 (ii) paragraph (2)(B), to the extent  
6 the Federally backed mortgage loan re-  
7 ferred to in such paragraph is described in  
8 subparagraph (A), (B), or (C) of para-  
9 graph (3); or

10 (iii) paragraph (2)(B), to the extent  
11 the Federally backed mortgage loan re-  
12 ferred to in such paragraph is described in  
13 paragraph (4) and is made in whole or in  
14 part, or insured, guaranteed, supple-  
15 mented, or assisted in any way under or in  
16 connection with a housing or urban devel-  
17 opment program administered by the Sec-  
18 retary of Housing and Urban Develop-  
19 ment;

20 (B) the Secretary of Veterans Affairs, with  
21 respect to covered dwelling units described in  
22 paragraph (2)(B), to the extent the Federally  
23 backed mortgage loan referred to in such para-  
24 graph is described in—

25 (i) paragraph (3)(D); or

1 (ii) paragraph (4) and is made in  
2 whole or in part, or insured, guaranteed,  
3 supplemented, or assisted in any way, by  
4 the Secretary of Veterans Affairs or under  
5 or in connection with a housing or related  
6 program administered by Secretary of Vet-  
7 erans Affairs;

8 (C) the Secretary of Agriculture, with re-  
9 spect to covered dwelling units described in  
10 paragraph (2)(B), to the extent the Federally  
11 backed mortgage loan referred to in such para-  
12 graph is described in—

13 (i) subparagraph (E) or (F) of para-  
14 graph (3); or

15 (ii) paragraph (4) and is made in  
16 whole or in part, or insured, guaranteed,  
17 supplemented, or assisted in any way, by  
18 the Secretary of Agriculture or under or in  
19 connection with a housing or related pro-  
20 gram administered by Secretary of Agri-  
21 culture; and

22 (D) the Director of the Federal Housing  
23 Finance Agency, with respect to covered dwell-  
24 ing units described in paragraph (2)(B), to the

1 extent the Federally backed mortgage loan re-  
2 ferred to in such paragraph is described in—

3 (i) paragraph (3)(G); or

4 (ii) paragraph (4) and is purchased or  
5 securitized by the Federal Home Loan  
6 Mortgage Corporation or the Federal Na-  
7 tional Mortgage Association.

8 (2) COVERED DWELLING UNIT.—The term  
9 “covered dwelling unit” means a dwelling unit  
10 that—

11 (A) is provided assistance within the juris-  
12 diction of the Department, as defined in section  
13 102(m) of the Department of Housing and  
14 Urban Development Reform Act of 1989 (42  
15 U.S.C. 3545(m)); or

16 (B) is subject to, or is on or in a property  
17 that is subject to, a Federally backed single-  
18 family mortgage loan or a Federally backed  
19 multifamily mortgage loan.

20 (3) FEDERALLY BACKED SINGLE-FAMILY MORT-  
21 GAGE LOAN.—The term “Federally backed single-  
22 family mortgage loan” includes any loan that is se-  
23 cured by a first or subordinate lien on residential  
24 real property (including individual units of con-

dominiums and cooperatives) designed principally for the occupancy of from 1- to 4-families that is—

(A) insured by the Federal Housing Administration under title II of the National Housing Act (12 U.S.C. 1707 et seq.);

(B) insured under section 255 of the National Housing Act (12 U.S.C. 1715z–20);

(C) guaranteed under section 184 or 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a, 1715z–13b);

(D) guaranteed or insured by the Department of Veterans Affairs;

(E) guaranteed or insured by the Department of Agriculture;

(F) made by the Department of Agriculture; or

(G) purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(4) **FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.**—The term “Federally backed multifamily mortgage loan” includes any loan (other than temporary financing such as a construction loan) that—

1 (A) is secured by a first or subordinate lien  
2 on residential multifamily real property de-  
3 signed principally for the occupancy of 5 or  
4 more families, including any such secured loan,  
5 the proceeds of which are used to prepay or pay  
6 off an existing loan secured by the same prop-  
7 erty; and

8 (B) is made in whole or in part, or in-  
9 sured, guaranteed, supplemented, or assisted in  
10 any way, by any officer or agency of the Fed-  
11 eral Government or under or in connection with  
12 a housing or urban development program ad-  
13 ministered by the Secretary of Housing and  
14 Urban Development or a housing or related  
15 program administered by any other such officer  
16 or agency, or is purchased or securitized by the  
17 Federal Home Loan Mortgage Corporation or  
18 the Federal National Mortgage Association.

19 (5) OWNER.—The term “owner” means, with  
20 respect to a dwelling unit, any private person or en-  
21 tity, including a cooperative, an agency of the Fed-  
22 eral Government, or a public housing agency, having  
23 the legal right to lease or sublease the dwelling unit.

1 **SEC. 3. RENTAL JUNK FEES.**

2 (a) APPLICATION FEES.—The appropriate regulator  
3 shall prohibit the owner of a covered dwelling unit from  
4 assessing or collecting a fee or charge, from any household  
5 in connection with the submission of an application for  
6 rental of the dwelling unit.

7 (b) TENANT SCREENING FEES.—The appropriate  
8 regulator shall prohibit the owner of a covered dwelling  
9 unit from assessing to or collecting from any household  
10 applying to rent the dwelling unit any fee or charge for  
11 costs of conducting any criminal history, tenant screening,  
12 consumer report, or other background check of the house-  
13 hold.

14 (c) LATE FEES.—The appropriate regulator shall re-  
15 quire that owners of covered dwelling units—

16 (1) only impose fees or charges on tenants in  
17 connection with the late payment of rent for a cov-  
18 ered dwelling unit if the amount of the fee or charge  
19 is less than 3 percent of the monthly rent the tenant  
20 pays for the covered dwelling unit;

21 (2) only impose fees or charges on tenants in  
22 connection with the late payment of rent for a cov-  
23 ered dwelling unit if 15 days have elapsed since the  
24 date on which the rent was due; and

25 (3) disclose the requirements imposed under  
26 paragraphs (1) and (2) in any lease entered for a

1 covered dwelling unit on or after the date on which  
2 rules are issued under section 4.

3 (d) REQUIRED DISCLOSURES.—The appropriate reg-  
4 ulator shall require each owner of a covered dwelling unit  
5 to disclose to the tenant before a lease is signed—

6 (1) the total amount due each month, including  
7 any fees;

8 (2) to the degree practicable, a summary of any  
9 past litigation between the the owner and any  
10 former or current tenants;

11 (3) a description of any ongoing pest and main-  
12 tenance issues; and

13 (4) the amount rent increase for the property in  
14 each of the 10 previous years.

15 **SEC. 4. RULEMAKING.**

16 Not later than 180 days after the date of enactment  
17 of this Act, the Bureau of Consumer Financial Protection  
18 and the Federal Trade Commission shall issue a rule  
19 that—

20 (1) defines the term “junk fee” with respect to  
21 rental housing; and

22 (2) finds the furnishing of any information  
23 about a unpaid junk fee (as such term is defined  
24 pursuant to paragraph (1)) to a consumer reporting  
25 agency to be a unfair or unconscionable means to



1 collect or attempt to collect debt in violation of sec-  
2 tion 808 of the Fair Debt Collection Practices Act  
3 (15 U.S.C. 1692f).

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