

HOUSING TEMPERATURE SAFETY ACT OF 2022

JULY 20, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Ms. WATERS, from the Committee on Financial Services,
submitted the following

R E P O R T

[To accompany H.R. 6528]

The Committee on Financial Services, to whom was referred the bill (H.R. 6528) to require owners of covered federally assisted rental dwelling units to install temperature sensors in such units, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Housing Temperature Safety Act of 2022”.

SEC. 2. TEMPERATURE SENSOR PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a temperature sensor 3-year pilot program to provide grants to public housing agencies and owners of covered feder-

ally assisted rental dwelling units to install and test the efficacy of temperature sensors in residential dwelling units to ensure such units remain in compliance with temperature requirements.

(b) APPLICATION.—The Secretary shall, not later than 180 days after the date of the enactment of this Act, establish eligibility criteria for participation in the pilot program established pursuant to subsection (a) and such criteria shall be designed to ensure—

(1) the pilot program includes a diverse range of participants that represent different geographic regions, climate regions, unit sizes and types of housing; and

(2) the functionality of the temperature sensors that will be tested, including internet connectivity requirements.

(c) INSTALLATION.—Each public housing agency or owner of a covered federally assisted rental dwelling unit that receives one or more temperature sensors under this Act shall, after receiving written permission from the resident of a dwelling unit, install such temperature sensor and monitor the data from such temperature sensor.

(d) COLLECTION OF COMPLAINT RECORDS.—

(1) IN GENERAL.—Each public housing agency or owner of a covered federally assisted rental dwelling unit that receives one or more temperature sensors under this Act shall collect and retain information about temperature-related complaints and violations.

(2) DEFINITIONS.—The Secretary shall, not later than 180 days after the date of the enactment of this Act, define the terms temperature-related complaints and temperature-related violations for the purposes of this Act.

(e) DATA COLLECTION.—

(1) IN GENERAL.—Data collected from temperature sensors provided to public housing agencies and owners of covered federally assisted rental dwelling units under this Act shall be retained until the Secretary notifies the public housing agency or owner that the pilot program and the evaluation of the pilot program are complete.

(2) PERSONALLY IDENTIFIABLE INFORMATION.—The Secretary shall, not later than 180 days after the date of the enactment of this Act, establish standards for the protection of personally identifiable information collected during the pilot program by public housing agencies, owners of federally assisted rental dwelling units, and the Secretary.

(f) PILOT PROGRAM EVALUATION.—

(1) INTERIM EVALUATION.—Not later than 12 months after the establishment of the pilot program under this Act, the Secretary shall publicly publish and submit to the Congress a report that—

(A) examines the number of temperature-related complaints and violations in federally assisted rental dwelling units with temperature sensors, disaggregated by temperature sensor technology and climate region—

(i) that occurred before the installation of such sensor, if known; and

(ii) that occurred after the installation of such sensor; and

(B) identifies any barriers to full utility of temperature sensor capabilities, including broadband Internet access and tenant participation.

(2) FINAL EVALUATION.—Not later than 36 months after the conclusion of the pilot program established by the Secretary under this Act, the Secretary shall publicly publish and submit to the Congress a report that—

(A) examines the number of temperature-related complaints and violations in federally assisted rental dwelling units with temperature sensors, disaggregated by temperature sensor technology and climate region—

(i) that occurred before the installation of such sensor; and

(ii) that occurred after the installation of such sensor;

(B) identifies any barriers to full utility of temperature sensor capabilities, including broadband Internet access and tenant participation; and

(C) compare the utility of various temperature sensor technologies based on—

(i) climate zones;

(ii) cost;

(iii) features; and

(iv) any other factors identified by the Secretary.

(g) DEFINITIONS.—For the purposes of this Act:

(1) TEMPERATURE SENSOR.—The term “temperature sensor” means an internet capable temperature reporting device able to measure ambient air temperature to the tenth degree Fahrenheit and Celsius.

(2) COVERED FEDERALLY ASSISTED HOUSING.—The term “covered federally assisted rental dwelling unit” means a residential dwelling unit that is made

available for rental and for which assistance is provided, or that is part of a housing project for which assistance is provided, under—

(A) the program for project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);

(B) the public housing program under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.);

(C) the program for supportive housing for the elderly under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(D) the program for supportive housing for persons with disabilities under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013).

(3) OWNER.—The term “owner” means—

(A) with respect to the program for project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any private person or entity, including a cooperative, an agency of the Federal government, or a public housing agency, having the legal right to lease or sublease dwelling units;

(B) with respect to public housing program under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), a public housing agency or an owner entity of public housing units as defined in section 905.108 of title 24, Code of Federal Regulations;

(C) with respect to the program for supportive housing for the elderly under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), a private nonprofit organization as defined under section 202(k)(4) of the Housing Act of 1959; and

(D) with respect to the program for supportive housing for persons with disabilities under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), a private nonprofit organization as defined under section 811(k)(5) of section 811 of the Cranston-Gonzalez National Affordable Housing Act.

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

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary—

(1) such sums as may be necessary for the Secretary to provide grants to owners of covered federally assisted rental dwelling units participating in the pilot program established under this Act;

(2) such sums as may be necessary for the Secretary to administer the pilot program established under this Act; and

(3) such sums as may be necessary for the Secretary to provide technical assistance to owners of covered federally assisted rental dwelling units that are participating in the pilot program established under this Act.

PURPOSE AND SUMMARY

On January 28, 2022, Representative Torres introduced H.R. 6528, the “Housing Temperature Safety Act of 2022”, which would establish a pilot at the Department of Housing and Urban Development to install and study the efficacy of temperature sensors in federally assisted housing to better ensure tenant health and safety.

BACKGROUND AND NEED FOR LEGISLATION

On January 9, 2022, a fire broke out at the Twin Parks North West apartment building, killing 17 Bronx residents in what was New York City’s deadliest fire in three decades. All of the victims, including 8 children, were determined to have died from smoke inhalation. The 19-story apartment building includes 120 units, of which, 91 units were assisted with Housing Choice Vouchers (HCVs). The New York Fire Department reported the fire was caused by a malfunctioning space heater. Previously, the building was cited by the city for issues related to its heating and ventilation systems that led to tenants relying on space heaters with tragic results. Currently, in federally assisted housing, there is no

widespread technology system used to monitor unit temperature to ensure compliance with minimum heating requirements. The ANS to H.R. 6528 would establish a pilot program at HUD to install and study the efficacy of temperature sensor technology in federally assisted housing to ensure units are maintaining proper temperature levels.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

- This section establishes the short title of the bill as “Housing Temperature Safety Act of 2022”.

Section 2. Temperature Sensor Pilot Program

- This section would require HUD to establish a pilot program to provide grants to public housing agencies (PHAs) and owners of federally assisted rental units to install and test the efficacy of temperature sensors to ensure those units remain in compliance with temperature requirements.
- HUD would be required to establish eligibility criteria within 120 days of enactment, designed to ensure the inclusion of diverse units, and to test the functionality of the selected sensors, including internet connectivity requirements.
- Grantee PHAs and unit owners would be required to install the sensors, with permission of the resident.
- This section requires non-personally identifiable data to be collected and retained for the duration of the pilot program and evaluation.
- HUD would be required to publicly publish and submit to Congress interim and final evaluations, within one year of the establishment of the program and one year of the conclusion of the program, respectively. The reports would examine the number of temperature-related complaints and violations before and after the installation of sensors, identify barriers to the use of such sensors, and compare the utility of various temperature sensor technologies across different regions.
- This section authorizes the expenditure of such sums as may be necessary to provide the grants, administer the pilot program, and provide technical assistance to participants.

HEARINGS

For the purposes of section 3(c)(6) of House rule XIII, the Committee on Financial Services’ Subcommittee on Housing, Community Development and Insurance, held a hearing to consider H.R. 6528 entitled, “Housing America: Addressing Challenges in Serving People Experiencing Homelessness,” on February 2, 2022. The Committee’s Subcommittee on Housing, Community Development and Insurance held a second hearing to consider H.R. 6528 entitled “A Matter of Life and Death: Improving Fire Safety in Federally Assisted Housing,” on April 20, 2022.

COMMITTEE CONSIDERATION

The Committee on Financial Services met in open session on June 22, 2022 and ordered H.R. 6528 to be reported favorably to

the House with an amendment in the nature of a substitute by a voice vote, a quorum being present.

COMMITTEE VOTES AND ROLL CALL VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that no roll call votes occurred during the Committee's consideration of H.R. 6528.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause (3)(c) of rule XIII of the Rules of the House of Representatives, the goals of H.R. 6528 are to establish a pilot at the Department of Housing and Urban Development to install and study the efficacy of temperature sensors in federally assisted housing to better ensure tenant health and safety.

NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested an estimate from the Director of the Congressional Budget Office. CBO was unable to provide an estimate in a timely manner.

COMMITTEE COST ESTIMATE

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 6528. After careful review, including discussions with the Congressional Budget Office, the Committee estimates that H.R. 6528 would have an insignificant impact on spending.

UNFUNDED MANDATE STATEMENT

Pursuant to Section 423 of the *Congressional Budget and Impoundment Control Act* (as amended by Section 101(a)(2) of the *Unfunded Mandates Reform Act*, Pub. L. 104-4), the Committee adopts its own the estimate of federal mandates regarding H.R. 6528, as amended.

ADVISORY COMMITTEE

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Pursuant to section 102(b)(3) of the *Congressional Accountability Act*, Pub. L. No. 104-1, H.R. 6528, as amended, does not apply to

terms and conditions of employment or to access to public services or accommodations within the legislative branch.

EARMARK STATEMENT

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 6528 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of rule XXI.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee states that no provision of H.R. 6528 establishes or reauthorizes a program of the Federal Government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.