

109TH CONGRESS
1ST SESSION

H. R. 2653

To ensure that dwelling units assisted under the rental housing voucher program under section 8 of the United States Housing Act of 1937 comply with housing quality standards.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Mr. ANDREWS introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To ensure that dwelling units assisted under the rental housing voucher program under section 8 of the United States Housing Act of 1937 comply with housing quality standards.

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 “Landlord Account-
5 ability Act of 2005”.

1 **SEC. 2. ENFORCEMENT OF HOUSING QUALITY STANDARDS.**

2 (a) IN GENERAL.—Paragraph (8) of section 8(o) of
3 the United States Housing Act of 1937 (42 U.S.C.
4 1437f(o)(8)) is amended—

5 (1) in the paragraph heading, by striking
6 “PHA’S” and inserting “PHAS AND HOUSING QUAL-
7 ITY STANDARDS”; and

8 (2) by adding at the end the following new sub-
9 paragraph:

10 “(F) ENFORCEMENT OF HOUSING QUALITY
11 STANDARDS.—

12 “(i) DETERMINATION OF NONCOMPLI-
13 ANCE.—A dwelling unit that is covered by
14 a housing assistance payments contract
15 under this subsection shall be considered,
16 for purposes of this subparagraph, to be in
17 noncompliance with the housing quality
18 standards under subparagraph (B) if—

19 “(I) the public housing agency or
20 an inspector authorized by the State
21 or unit of local government deter-
22 mines upon inspection of the unit that
23 the unit fails to comply with such
24 standards;

1 “(II) the agency or inspector no-
2 tifies the owner of the unit in writing
3 of such failure to comply; and

4 “(III) the failure to comply is not
5 corrected within 90 days after receipt
6 of such notice.

7 “(ii) WITHHOLDING AND RELEASE OF
8 ASSISTANCE AMOUNTS.—The public hous-
9 ing agency shall withhold all of the assist-
10 ance amounts under this subsection with
11 respect to a dwelling unit that is in non-
12 compliance with housing quality standards
13 under subparagraph (B). Subject to clause
14 (iii), the agency shall promptly release any
15 withheld amounts to the owner of the
16 dwelling unit upon completion of repairs
17 that remedy such noncompliance.

18 “(iii) USE OF WITHHELD ASSISTANCE
19 TO PAY FOR REPAIRS.—The public housing
20 agency may use such amounts withheld to
21 make repairs to the dwelling unit or to
22 contract to have repairs made (or to con-
23 tract with an inspector referred to in
24 clause (i)(I) to make or contract for such
25 repairs), and shall subtract the cost of

1 such repairs from any amounts released to
2 the owner of the unit upon remedying such
3 noncompliance.

4 “(iv) PROTECTION OF TENANTS.—An
5 owner of a dwelling unit may not terminate
6 the tenancy of any tenant or refuse to
7 renew a lease for such unit because of the
8 withholding of assistance pursuant to this
9 subparagraph.

10 “(v) TERMINATION OF LEASE OR AS-
11 SISTANCE PAYMENTS CONTRACT.—If as-
12 sistance amounts under this section for a
13 dwelling unit are withheld pursuant to
14 clause (ii) and the owner does not correct
15 the noncompliance before the expiration of
16 the lease for the dwelling unit and such
17 lease is not renewed, the Secretary shall
18 recapture any such amounts from the pub-
19 lic housing agency.

20 “(vi) APPLICABILITY.—This subpara-
21 graph shall apply to any dwelling unit for
22 which a housing assistance payments con-
23 tract is entered into or renewed after the
24 date of the effectiveness of the regulations
25 implementing this subparagraph.”.

1 (b) REGULATIONS.—The Secretary of Housing and
2 Urban Development shall issue any regulations necessary
3 to carry out the amendment made by subsection (a) not
4 later than the expiration of the 12-month period beginning
5 upon the date of the enactment of this Act. Such regula-
6 tions shall take effect not later than the expiration of the
7 90-day period beginning upon such issuance.

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