

110TH CONGRESS
1ST SESSION

H. R. 202

To authorize the renewal of tenant-based rental assistance vouchers under section 8 of the United States Housing Act of 1937.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

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

A BILL

To authorize the renewal of tenant-based rental assistance vouchers under section 8 of the United States Housing Act of 1937.

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 “Housing Authority
5 Funding Fairness Act of 2007”.

6 **SEC. 2. VOUCHER RENEWAL FUNDING.**

7 Section 8 of the United States Housing Act of 1937
8 (42 U.S.C. 1437f) is amended by striking subsection (dd)
9 and inserting the following new subsection:

10 “(dd) TENANT-BASED VOUCHERS.—

1 “(1) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated, for each of
3 fiscal years 2008 through 2012, such sums as may
4 be necessary for tenant-based assistance under sub-
5 section (o) for the following purposes:

6 “(A) To renew all expiring annual con-
7 tributions contracts for tenant-based rental as-
8 sistance.

9 “(B) To provide tenant-based rental assist-
10 ance for—

11 “(i) relocation and replacement of
12 housing units that are demolished or dis-
13 posed of pursuant to the Omnibus Consoli-
14 dated Rescissions and Appropriations Act
15 of 1996 (Public Law 104–134);

16 “(ii) conversion of section 23 projects
17 to assistance under this section;

18 “(iii) the family unification program
19 under subsection (x) of this section;

20 “(iv) relocation of witnesses in con-
21 nection with efforts to combat crime in
22 public and assisted housing pursuant to a
23 request from a law enforcement or pros-
24 ecution agency;

1 “(v) enhanced vouchers authorized
2 under subsection (t) of this section;

3 “(vi) vouchers in connection with the
4 HOPE VI program under section 24;

5 “(vii) demolition or disposition of pub-
6 lic housing units pursuant to section 18 of
7 the United States Housing Act of 1937
8 (42 U.S.C. 1437p);

9 “(viii) mandatory and voluntary con-
10 versions of public housing to vouchers, pur-
11 suant to sections 33 and 22 of the United
12 States Housing Act of 1937, respectively
13 (42 U.S.C. 1437z–5, 1437t);

14 “(ix) vouchers necessary to comply
15 with a consent decree or court order;

16 “(x) vouchers transferred from an-
17 other public housing agency; and

18 “(xi) tenant protection assistance, in-
19 cluding replacement and relocation assist-
20 ance.

21 “(2) ALLOCATION OF RENEWAL FUNDING
22 AMONG PUBLIC HOUSING AGENCIES.—

23 “(A) From amounts appropriated for each
24 year pursuant to paragraph (1)(A), the Sec-

1 retary shall provide renewal funding for each
2 public housing agency—

3 “(i) based on leasing and costs from
4 the prior year, as adjusted by an annual
5 adjustment factor to be established by the
6 Secretary;

7 “(ii) by making any adjustments nec-
8 essary to provide for the first-time renewal
9 of vouchers funded under paragraph
10 (1)(B); and

11 “(iii) by making such other adjust-
12 ments as the Secretary considers appro-
13 priate.

14 “(B) LEASING AND COST DATA.—For pur-
15 poses of subparagraph (A)(i), leasing and cost
16 data shall be calculated not less often than bi-
17 ennially by using the average for the calendar
18 year that, at the time of such calculation, is the
19 most recently completed calendar year for which
20 the Secretary determines data is available, sub-
21 stantially verifiable, and complete. Such leasing
22 data shall be adjusted to include vouchers that
23 were set aside under a commitment to provide
24 project-based assistance under subsection
25 (o)(13).

1 “(C) MOVING TO WORK.—Notwithstanding
2 subparagraphs (A) and (B), each public hous-
3 ing agency participating at any time in the
4 moving to work demonstration under section
5 204 of the Departments of Veterans Affairs
6 and Housing and Urban Development, and
7 Independent Agencies Appropriations Act, 1996
8 (42 U.S.C. 1437f note) or in the Moving to
9 Work program under section 36 of this Act
10 shall be funded pursuant to its agreement
11 under such program and shall be subject to any
12 pro rata adjustment made under subparagraph
13 (D).

14 “(D) PRO RATA ALLOCATION.—

15 “(i) INSUFFICIENT FUNDS.—To the
16 extent that amounts made available for a
17 fiscal year are not sufficient to provide
18 each public housing agency with the full al-
19 location for the agency determined pursu-
20 ant to subparagraphs (A) and (C), the
21 Secretary shall reduce such allocation for
22 each agency on a pro rata basis, except
23 that renewal funding of enhanced vouchers
24 under section 8(t) shall not be subject to
25 such proration.

1 “(ii) EXCESS FUNDS.—To the extent
2 that amounts made available for a fiscal
3 year exceed the amount necessary to pro-
4 vide each housing agency with the full allo-
5 cation for the agency determined pursuant
6 to subparagraphs (A) and (C), such excess
7 amounts shall be used for the purposes
8 specified in subparagraphs (B) and (C) of
9 paragraph (4).

10 “(3) ADVANCES.—

11 “(A) AUTHORITY.—During the last 3
12 months of each calendar year, the Secretary
13 shall provide amounts to any public housing
14 agency, at the request of the agency, in an
15 amount up to two percent of the allocation for
16 the agency for such calendar year.

17 “(B) USE.—Amounts advanced under sub-
18 paragraph (A) may be used to pay for addi-
19 tional voucher costs, including costs related to
20 temporary overleasing.

21 “(C) REPAYMENT.—Amounts advanced
22 under subparagraph (A) in a calendar year
23 shall be repaid to the Secretary in the subse-
24 quent calendar year by reducing the amounts
25 made available for such agency for such subse-

1 quent calendar year pursuant to allocation
2 under paragraph (2) by an amount equal to the
3 amount so advanced to the agency.

4 “(4) RECAPTURE.—

5 “(A) IN GENERAL.—The Secretary shall
6 recapture, from amounts provided under the
7 annual contributions contract for a public hous-
8 ing agency for a calendar year, all amounts al-
9 located under paragraph (2) that are unused by
10 the agency at the end of each calendar year.

11 “(B) REALLOCATION.—Not later than May
12 1 of each calendar year, the Secretary shall—

13 “(i) calculate the aggregate unused
14 amounts for the preceding year recaptured
15 pursuant to subparagraph (A);

16 “(ii) set aside and make available
17 such amounts as the Secretary considers
18 appropriate to reimburse public housing
19 agencies for increased costs related to port-
20 ability and family self-sufficiency activities
21 during such year; and

22 “(iii) reallocate all remaining amounts
23 among public housing agencies that, in the
24 preceding year, used at least 99 percent of
25 amounts allocated under paragraph (2) for

1 the agency and leased fewer than the num-
2 ber of vouchers authorized for the agency;
3 except that the Secretary may establish
4 priority for allocation of such amounts to
5 public housing agencies that leased fewer
6 vouchers in such preceding year than in
7 the 12-month period ending April 1, 2004.

8 “(C) USE.—Amounts reallocated to a pub-
9 lic housing agency pursuant to subparagraph
10 (B)(iii) may be used only to increase voucher
11 leasing rates to the level authorized for the
12 agency.”.

○