

116TH CONGRESS
1ST SESSION

S. 1270

To provide standards for physical condition and management of housing receiving assistance payments under section 8 of the United States Housing Act of 1937.

IN THE SENATE OF THE UNITED STATES

MAY 1, 2019

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

A BILL

To provide standards for physical condition and management of housing receiving assistance payments 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 Accountability

5 Act of 2019”.

1 SEC. 2. STANDARDS FOR PHYSICAL CONDITION AND MAN-
2 AGEMENT OF HOUSING RECEIVING ASSIST-
3 ANCE PAYMENTS.

4 Section 8 of the United States Housing Act of 1937
5 (42 U.S.C. 1437f) is amended by inserting after sub-
6 section (v) the following:

7 "(w) STANDARDS FOR PHYSICAL CONDITION AND
8 MANAGEMENT OF HOUSING RECEIVING ASSISTANCE PAY-
9 MENTS —

10 “(1) STANDARDS FOR PHYSICAL CONDITION
11 AND MANAGEMENT OF HOUSING.—Any entity receiv-
12 ing assistance payments under this section shall
13 maintain decent, safe, and sanitary conditions, as
14 determined by the Secretary, for any structure cov-
15 ered under a housing assistance payment contract.

16 “(2) SURVEY OF TENANTS.—The Secretary
17 shall develop a process by which a Performance-
18 Based Contract Administrator shall, on a semi-
19 annual basis, conduct a survey of the tenants of
20 each structure covered under a housing assistance
21 payment contract for the purpose of identifying con-
22 sistent or persistent problems with the physical con-
23 dition of the structure or performance of the man-
24 ager of the structure.

25 “(3) REMEDIATION.—A structure covered
26 under a housing assistance payment contract shall

1 be referred to the Secretary for remediation if a Performance-Based Contract Administrator identifies a
2 consistent or persistent problem with the structure
3 or the management of the structure based on—

5 “(A) a survey conducted under paragraph
6 (2); or

7 “(B) any other observation made by the
8 Performance-Based Contract Administrator
9 during the normal course of business.

10 “(4) PENALTY FOR FAILURE TO UPHOLD
11 STANDARDS.—

12 “(A) IN GENERAL.—The Secretary may
13 impose a penalty on any owner of a structure
14 covered under a housing assistance payment
15 contract if the Secretary finds that the structure or manager of the structure—

17 “(i) did not satisfactorily meet the requirements under paragraph (1); or

19 “(ii) is repeatedly referred to the Secretary for remediation by a Performance-Based Contract Administrator through the process established under paragraph (3).

23 “(B) AMOUNT.—A penalty imposed under subparagraph (A) shall be in an amount equal
24 to not less than 1 percent of the annual budget

1 authority the owner is allocated under a hous-
2 ing assistance payment contract.

3 “(C) USE OF AMOUNTS.—Any amounts
4 collected under this paragraph shall be used
5 solely for the purpose of supporting safe and
6 sanitary conditions at applicable structures or
7 for tenant relocation, as designated by the Sec-
8 retary, with priority given to the tenants of the
9 structure that led to the penalty.

10 “(5) APPLICABILITY.—This subsection shall not
11 apply to any property assisted under subsection
12 (o).”.

13 **SEC. 3. ISSUANCE OF REPORT.**

14 Not later than 1 year after the date of enactment
15 of this Act, the Secretary of Housing and Urban Develop-
16 ment shall submit to Congress a report that—

17 (1) examines the adequacy of capital reserves
18 for each structure covered under a housing assist-
19 ance payment contract under section 8 of the United
20 States Housing Act of 1937 (42 U.S.C. 1437f);

21 (2) examines the use of funds derived from a
22 housing assistance payment contract for purposes
23 unrelated to the maintenance and capitalization of
24 the structure covered under the contract; and

