

116TH CONGRESS
2D SESSION

S. 3371

To require the Secretary of Housing and Urban Development to create a database of owners of properties receiving tenant-based assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 2, 2020

Mr. HAWLEY introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To require the Secretary of Housing and Urban Development to create a database of owners of properties receiving tenant-based assistance, 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 “Bad Landlord Data-
5 base Act of 2020”.

1 **SEC. 2. OVERSIGHT OF LANDLORD COMPLIANCE WITH**
 2 **HOUSING QUALITY STANDARDS.**

3 Section 8 of the United States Housing Act of 1937
 4 (42 U.S.C. 1437f) is amended by adding at the end the
 5 following:

6 “(ee) HOUSING CHOICE VOUCHER LANDLORD DATA-
 7 BASE.—

8 “(1) ESTABLISHMENT.—Not later than 1 year
 9 after the date of enactment of this subsection, the
 10 Secretary shall, in cooperation with all public hous-
 11 ing agencies, create a database of owners of prop-
 12 erties receiving tenant-based assistance, which shall
 13 include—

14 “(A) a comprehensive list of all properties
 15 owned by each owner that are receiving or have
 16 previously received tenant-based assistance;

17 “(B) for each property listed under sub-
 18 paragraph (A), the identity of any private indi-
 19 vidual or entity that has the legal right to lease
 20 or sublease dwelling units within the property;

21 “(C) a comprehensive list of all actions
 22 taken by the Secretary and any public housing
 23 agency against an owner for violations of the
 24 terms of a housing assistance payments con-
 25 tract related to the property or of the housing

1 quality standards established under subsection
2 (o)(8)(B); and

3 “(D) a comprehensive list of all previous or
4 ongoing litigation related to the programs au-
5 thorized under subsection (o) between the
6 owner and any public housing agency.

7 “(2) PUBLIC DISCLOSURES.—

8 “(A) IN GENERAL.—The Secretary shall
9 maintain and make available to the public a
10 list, using information from the database estab-
11 lished under paragraph (1), of all owners of
12 properties receiving tenant-based assistance,
13 which shall include—

14 “(i) the identity of any private indi-
15 vidual or entity that has the legal right to
16 lease or sublease dwelling units within each
17 property;

18 “(ii) all actions described to in para-
19 graph (1)(C); and

20 “(iii) all litigation described in para-
21 graph (1)(D).

22 “(B) PRIVACY.—Any information made
23 available under subparagraph (A)—

1 “(i) shall be made available in a man-
 2 ner that protects the privacy of current
 3 and former tenants of the properties; and

4 “(ii) shall not include, and where ap-
 5 propriate shall redact, the addresses of the
 6 properties and dwelling units owned by the
 7 owners or other personally identifiable in-
 8 formation of tenants.

9 “(3) PENALTY.—Any property owner who
 10 knowingly provides misleading or inconsistent infor-
 11 mation to the Secretary or public housing agencies,
 12 or to units of general local government or other enti-
 13 ties approved by the Secretary to conduct inspec-
 14 tions under subsection (o)(11), relating to the data-
 15 base established under paragraph (1) with the intent
 16 to undermine transparency or avoid sanction, shall
 17 be guilty of a violation of section 1012 of title 18,
 18 United States Code, and shall be prohibited there-
 19 after from being awarded any contract by the Fed-
 20 eral Government.

21 “(4) INSPECTOR GENERAL.—

22 “(A) INVESTIGATIONS.—The Inspector
 23 General of the Department of Housing and
 24 Urban Development may investigate any sus-
 25 pected or alleged effort by an owner to cir-

1 cumvent the data collection needs identified by
2 the Secretary to carry out this subsection by
3 providing misleading or inconsistent informa-
4 tion.

5 “(B) REPORT.—Not later than 2 years
6 after the date of enactment of this subsection,
7 the Inspector General of the Department of
8 Housing and Urban Development shall issue a
9 report documenting obstacles to maintaining
10 consistent records within the database estab-
11 lished under paragraph (1), including—

12 “(i) deficiencies in information sub-
13 missions by owners;

14 “(ii) inconsistent documentation by
15 public housing agencies; and

16 “(iii) legal restructuring or renaming
17 of ownership entities by owners with the
18 intent to evade transparency.

19 “(5) AUDITS AND ASSESSMENTS.—Not later
20 than 2 years after the date of enactment of this sub-
21 section, the Secretary shall—

22 “(A) audit the performance of public hous-
23 ing agencies with the requirements under this
24 subsection; and

1 “(B) update the section 8 management as-
2 sessment program of the Department of Hous-
3 ing and Urban Development to consider compli-
4 ance with the requirements under this sub-
5 section.”.

○