

115TH CONGRESS  
2D SESSION

# H. R. 5474

To make available necessary disaster assistance for families affected by major disasters, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2018

Mr. ESPAILLAT (for himself, Mr. GUTIÉRREZ, Mr. SERRANO, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. SOTO, Ms. VELÁZQUEZ, Mrs. MURPHY of Florida, Mr. VARGAS, Ms. NORTON, Mr. LAWSON of Florida, Ms. WILSON of Florida, Mr. GRIJALVA, Mr. HASTINGS, Ms. SHEA-PORTER, Ms. WASSERMAN SCHULTZ, Mr. SEAN PATRICK MALONEY of New York, Mr. RASKIN, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To make available necessary disaster assistance for families affected by major disasters, 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 “Housing Victims of  
5 Major Disasters Act of 2018”.

1 **SEC. 2. ELIGIBILITY FOR AND USE OF DISASTER HOUSING**  
2 **ASSISTANCE.**

3 (a) **ELIGIBILITY.**—Notwithstanding any other provi-  
4 sion of law, a family described in subsections (c) and (d)  
5 shall be eligible for housing assistance made available  
6 under section 408 of the Robert T. Stafford Disaster Re-  
7 lief and Emergency Assistance Act (42 U.S.C. 5174) in  
8 connection with a major disaster declared pursuant to  
9 such Act, including Hurricane Maria of 2017.

10 (b) **USE.**—In the case of any housing assistance de-  
11 scribed in subsection (a) that is made available in connec-  
12 tion with a major disaster declared pursuant to such Act,  
13 including Hurricane Maria of 2017, such assistance may  
14 be used on behalf of families described in subsection (c)  
15 for costs relating to obtaining title for such families to  
16 properties described in subsection (c)(1), which shall in-  
17 clude costs of land surveys and any other taxes or fees  
18 associated with transfer of the property.

19 (c) **ELIGIBILITY.**—With respect to a major disaster,  
20 a family described in this subsection is a family who—

21 (1) is occupying an otherwise unused or unin-  
22 habited property located in the area for which the  
23 major disaster was declared but who does not have  
24 documented ownership rights to, and is not renting  
25 the property; or

1           (2) is renting a property located in the area for  
2           which the major disaster was declared but does not  
3           have a written lease for such rental.

4 In making a determination of whether occupancy or a  
5 rental tenancy exists for purposes of paragraphs (1) or  
6 (2), the Administrator of the Federal Emergency Manage-  
7 ment Agency (referred to in this Act as FEMA) shall con-  
8 sider a wide range of evidence that demonstrates the exist-  
9 ence of such occupancy or tenancy set forth in subsection  
10 (d).

11           (d) ALTERNATIVE FORMS OF PROOF.—

12           (1) IN GENERAL.—In determining if an indi-  
13 vidual or family is eligible for housing assistance  
14 under subsection (c), the Administrator shall con-  
15 sider a sworn and notarized affidavit written by a li-  
16 censed attorney that affirms such occupancy or ten-  
17 ancy by the individual who owns, possesses, and  
18 maintains the house or land and the presentation of  
19 one of the following documents to affirm proof of  
20 ownership of the individual named in the affidavit:

21           (A) A utility (gas, electric, or water) bill  
22           with the name and address of the individual.

23           (B) A merchant's statement (credit card,  
24           delivery notice, or first class mail) with the  
25           name and address of the individual.

1           (C) A pay stub from an employer with the  
2 name and address of the individual.

3           (D) A current driver's license or State-  
4 issued identification card of the individual.

5           (E) The deed or title for the home or land.

6           (F) Mortgage payment booklet or other  
7 mortgage documents.

8           (G) Property title of mobile home certifi-  
9 cate of title.

10          (H) Real estate property tax receipts.

11          (I) School registration for self, child, or  
12 children.

13          (J) Will and testament with the name and  
14 address.

15          (K) Medical records that list the name and  
16 address of the individual.

17          (L) Charitable donation receipts that list  
18 the name and address of the individual.

19          (M) Government assistance documents.

20          (N) Any other documentation, certification,  
21 identification, or proof of occupancy or owner-  
22 ship not included on this list, that can reason-  
23 ably link the person requesting assistance to the  
24 damaged property.

1           (O) If records are unavailable due to dam-  
2           age from the disaster or any other circumstance  
3           that impedes an individual from providing proof  
4           of ownership, the Administrator shall request  
5           verification from the State or Federal agency  
6           with the written permission of the individual or  
7           legally authorized representative of such indi-  
8           vidual.

9           (2) **ADDITIONAL REVIEW.**—The Administrator  
10          shall review again, any previous FEMA application  
11          submitted for housing assistance that was denied in  
12          2017 or 2018.

13          (3) **NOTIFICATION OF EMPLOYEES.**—Not later  
14          than 7 days after the date of enactment of this Act,  
15          the Administrator shall provide written notification  
16          and guidance to FEMA employees regarding the re-  
17          quirements set forth in this Act.

18 **SEC. 3. FEMA DHAP AGREEMENTS.**

19          (a) **2017 DISASTERS.**—Not later than 15 days after  
20          the date of the enactment of this Act, the Administrator  
21          of the Federal Emergency Management Agency shall enter  
22          into an interagency agreement or agreements with the  
23          Secretary of Housing and Urban Development as may be  
24          necessary to ensure the implementation of a Disaster  
25          Housing Assistance Program to provide temporary rental

1 assistance to families displaced from their residences by  
2 any major disaster declared during 2017 pursuant to the  
3 Robert T. Stafford Disaster Relief and Emergency Assist-  
4 ance Act, including Hurricane Maria of 2017, including  
5 families eligible for such assistance under section 2(a) of  
6 this Act.

7 (b) FUTURE DISASTERS.—In the case of any major  
8 disaster declared pursuant to the Robert T. Stafford Dis-  
9 aster Relief and Emergency Assistance Act (42 U.S.C.  
10 5121 et seq.) after the date of the enactment of this Act,  
11 not later than 60 days after such declaration the Adminis-  
12 trator of the Federal Emergency Management Agency and  
13 the Secretary of Housing and Urban Development shall  
14 engage in consultations regarding the implementation of  
15 a Disaster Housing Assistance Program to provide tem-  
16 porary rental assistance to families displaced from their  
17 residences by the disaster, including families eligible for  
18 such assistance under section 2(a) of this Act.

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