

116TH CONGRESS
1ST SESSION

H. R. 4337

To amend the Servicemembers Civil Relief Act to prohibit the enforcement of certain policies of homeowners associations regarding real property of servicemembers.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2019

Mr. DESJARLAIS introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend the Servicemembers Civil Relief Act to prohibit the enforcement of certain policies of homeowners associations regarding real property of servicemembers.

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 “Property Rights for
5 Patriots Act”.

1 **SEC. 2. PROHIBITION ON ENFORCEMENT OF CERTAIN**
2 **POLICIES OF HOMEOWNERS ASSOCIATIONS**
3 **REGARDING REAL PROPERTY OF**
4 **SERVICEMEMBERS.**

5 (a) PROHIBITION.—Title III of the Servicemembers
6 Civil Relief Act (50 U.S.C. 3950 et seq.) is amended—

7 (1) by redesignating section 308 as section 309;

8 and

9 (2) by inserting after section 307 the following
10 new section 308:

11 **“SEC. 308. ENFORCEMENT OF POLICIES OF HOMEOWNERS**
12 **ASSOCIATIONS.**

13 “(a) PROHIBITION.—No homeowners association
14 may seek to enforce a policy—

15 “(1) that restricts the right of a member of the
16 association to lease the real property of that mem-
17 ber; and

18 “(2) against a servicemember—

19 “(A) whose residence is that real property;

20 “(B) during a period of military service of
21 the servicemember of not less than 90 days.

22 “(b) MISDEMEANOR.—A person who knowingly vio-
23 lates this section, or who knowingly attempts to do so,
24 shall be fined as provided in title 18, United States Code,
25 or imprisoned for not more than one year, or both.

1 “(c) HOMEOWNERS ASSOCIATION DEFINED.—In this
2 section, the term ‘homeowners association’ has the mean-
3 ing given that term in section 528(c)(1) of the Internal
4 Revenue Code of 1986 (26 U.S.C. 528(c)(1)).”.

5 (b) CLERICAL AMENDMENT.—The table of contents
6 at the beginning of such Act is amended by striking the
7 item relating to section 308 and inserting the following
8 new items:

“308. Enforcement of policies of homeowners associations.

“309. Extension of protections to dependents.”.

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