

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7301

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## AN ACT

To prevent evictions, foreclosures, and unsafe housing conditions resulting from the COVID-19 pandemic, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Emergency Housing Protections and Relief Act of  
4 2020”.

5 (b) TABLE OF CONTENTS.—The table of contents for  
6 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PROTECTING RENTERS AND HOMEOWNERS FROM  
EVICCTIONS AND FORECLOSURES

Sec. 101. Emergency rental assistance.

Sec. 102. Homeowner Assistance Fund.

Sec. 103. Protecting renters and homeowners from evictions and foreclosures.

Sec. 104. Liquidity for mortgage servicers and residential rental property owners.

Sec. 105. Rural rental assistance.

Sec. 106. Funding for public housing and tenant-based rental assistance.

Sec. 107. Supplemental funding for supportive housing for the elderly, supportive housing for persons with disabilities, supportive housing for persons with AIDS, and project-based section 8 rental assistance.

Sec. 108. Fair Housing.

Sec. 109. Funding for housing counseling services.

TITLE II—PROTECTING PEOPLE EXPERIENCING HOMELESSNESS

Sec. 201. Homeless assistance funding.

Sec. 202. Emergency rental assistance voucher program.

7 **TITLE I—PROTECTING RENTERS**  
8 **AND HOMEOWNERS FROM**  
9 **EVICCTIONS AND FORE-**  
10 **CLOSURES**

11 **SEC. 101. EMERGENCY RENTAL ASSISTANCE.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
13 authorized to be appropriated to the Secretary of Housing  
14 and Urban Development (referred to in this section as the  
15 “Secretary”) \$100,000,000,000 for an additional amount

1 for grants under the Emergency Solutions Grants pro-  
2 gram under subtitle B of title IV of the McKinney-Vento  
3 Homeless Assistance Act (42 U.S.C. 11371 et seq.), to  
4 remain available until expended (subject to subsections (d)  
5 and (n) of this section), to be used for providing short-  
6 or medium-term assistance with rent and rent-related  
7 costs (including tenant-paid utility costs, utility- and rent-  
8 arrears, fees charged for those arrears, and security and  
9 utility deposits) in accordance with paragraphs (4) and (5)  
10 of section 415(a) of such Act (42 U.S.C. 11374(a)) and  
11 this section.

12 (b) DEFINITION OF AT RISK OF HOMELESSNESS.—  
13 Notwithstanding section 401(1) of the McKinney-Vento  
14 Homeless Assistance Act (42 U.S.C. 11360(1)), for pur-  
15 poses of assistance made available with amounts made  
16 available pursuant to subsection (a), the term “at risk of  
17 homelessness” means, with respect to an individual or  
18 family, that the individual or family—

19 (1) has an income below 80 percent of the me-  
20 dian income for the area as determined by the Sec-  
21 retary; and

22 (2) has an inability to attain or maintain hous-  
23 ing stability or has insufficient resources to pay for  
24 rent or utilities due to financial hardships.

1           (c) INCOME TARGETING AND CALCULATION.—For  
2 purposes of assistance made available with amounts made  
3 available pursuant to subsection (a)—

4           (1) each recipient of such amounts shall use—

5                   (A) not less than 40 percent of the  
6 amounts received only for providing assistance  
7 for individuals or families experiencing home-  
8 lessness, or for persons or families at risk of  
9 homelessness who have incomes not exceeding  
10 30 percent of the median income for the area  
11 as determined by the Secretary;

12                   (B) not less than 70 percent of the  
13 amounts received only for providing assistance  
14 for individuals or families experiencing home-  
15 lessness, or for persons or families at risk of  
16 homelessness who have incomes not exceeding  
17 50 percent of the median income for the area  
18 as determined by the Secretary; and

19                   (C) the remainder of the amounts received  
20 only for providing assistance to individuals or  
21 families experiencing homelessness, or for per-  
22 sons or families at risk of homelessness who  
23 have incomes not exceeding 80 percent of the  
24 median income for the area as determined by  
25 the Secretary, but such recipient may establish

1 a higher percentage limit for purposes of sub-  
2 section (b)(1), which shall not in any case ex-  
3 ceed 120 percent of the area median income, if  
4 the recipient states that it will serve such popu-  
5 lation in its plan; and

6 (2) in determining the income of a household  
7 for homelessness prevention assistance—

8 (A) the calculation of income performed at  
9 the time of application for such assistance, in-  
10 cluding arrearages, shall consider only income  
11 that the household is currently receiving at such  
12 time and any income recently terminated shall  
13 not be included;

14 (B) any calculation of income performed  
15 with respect to households receiving ongoing as-  
16 sistance (such as medium-term rental assist-  
17 ance) 3 months after initial receipt of assist-  
18 ance shall consider only the income that the  
19 household is receiving at the time of such re-  
20 view; and

21 (C) the calculation of income performed  
22 with respect to households receiving assistance  
23 for arrearages shall consider only the income  
24 that the household was receiving at the time  
25 such arrearages were incurred.

1 (d) 3-YEAR AVAILABILITY.—

2 (1) IN GENERAL.—Each recipient of amounts  
3 made available pursuant to subsection (a) shall—

4 (A) expend not less than 60 percent of  
5 such grant amounts within 2 years of the date  
6 that such funds became available to the recipi-  
7 ent for obligation; and

8 (B) expend 100 percent of such grant  
9 amounts within 3 years of such date.

10 (2) REALLOCATION AFTER 2 YEARS.—The Sec-  
11 retary may recapture any amounts not expended in  
12 compliance with paragraph (1)(A) and reallocate  
13 such amounts to recipients in compliance with the  
14 formula referred to in subsection (h)(1)(A).

15 (e) RENT RESTRICTIONS.—

16 (1) INAPPLICABILITY.—Section 576.106(d) of  
17 title 24, Code of Federal Regulations, shall not  
18 apply with respect to homelessness prevention assist-  
19 ance made available with amounts made available  
20 under subsection (a).

21 (2) AMOUNT OF RENTAL ASSISTANCE.—In pro-  
22 viding homelessness prevention assistance with  
23 amounts made available under subsection (a), the  
24 maximum amount of rental assistance that may be  
25 provided shall be the greater of—

1 (A) 120 percent of the higher of—

2 (i) the Fair Market Rent established  
3 by the Secretary for the metropolitan area  
4 or county; or

5 (ii) the applicable Small Area Fair  
6 Market Rent established by the Secretary;  
7 or

8 (B) such higher amount as the Secretary  
9 shall determine is needed to cover market rents  
10 in the area.

11 (f) SUBLEASES.—A recipient shall not be prohibited  
12 from providing assistance authorized under subsection (a)  
13 with respect to subleases that are valid under State law.

14 (g) HOUSING RELOCATION OR STABILIZATION AC-  
15 TIVITIES.—A recipient of amounts made available pursu-  
16 ant to subsection (a) may expend up to 25 percent of its  
17 allocation for activities under section 415(a)(5) of the  
18 McKinney-Vento Homeless Assistance Act (42 U.S.C.  
19 11374(a)(5)), except that notwithstanding such section,  
20 activities authorized under this subsection may be pro-  
21 vided only for individuals or families who have incomes  
22 not exceeding 50 percent of the area median income and  
23 meet the criteria in subsection (b)(2) of this section or  
24 section 103 of the McKinney-Vento Homeless Assistance  
25 Act (42 U.S.C. 11302). This subsection shall not apply

1 to rent-related costs that are specifically authorized under  
2 subsection (a) of this section.

3 (h) ALLOCATION OF ASSISTANCE.—

4 (1) IN GENERAL.—In allocating amounts made  
5 available pursuant to subsection (a), the Secretary  
6 shall—

7 (A)(i) for any purpose authorized in this  
8 section—

9 (I) allocate 2 percent of such amount  
10 for Indian tribes and tribally designated  
11 housing entities (as such terms are defined  
12 in section 4 of the Native American Hous-  
13 ing Assistance and Self-Determination Act  
14 of 1996 (25 U.S.C. 4103)) under the for-  
15 mula established pursuant to section 302  
16 of such Act (25 U.S.C. 4152), except that  
17 0.3 percent of the amount allocated under  
18 this clause shall be allocated for the De-  
19 partment of Hawaiian Home Lands; and

20 (II) allocate 0.3 percent of such  
21 amount for the Virgin Islands, Guam,  
22 American Samoa, and the Northern Mar-  
23 iana Islands;

24 (ii) not later than 30 days after the date  
25 of enactment of this Act, obligate and disburse



1 the amounts allocated pursuant to clause (i) in  
2 accordance with such allocations and provide  
3 such recipient with any necessary guidance for  
4 use of the funds; and

5 (B)(i) not later than 7 days after the date  
6 of enactment of this Act and after setting aside  
7 amounts under subparagraph (A), allocate 50  
8 percent of any such remaining amounts under  
9 the formula specified in subsections (a), (b),  
10 and (e) of section 414 of the McKinney-Vento  
11 Homeless Assistance Act (42 U.S.C. 11373)  
12 for, and notify, each State, metropolitan city,  
13 and urban county that is to receive a direct  
14 grant of such amounts; and

15 (ii) not later than 30 days after the date  
16 of enactment of this Act, obligate and disburse  
17 the amounts allocated pursuant to clause (i) in  
18 accordance with such allocations and provide  
19 such recipient with any necessary guidance for  
20 use of the funds; and

21 (C)(i) not later than 45 days after the date  
22 of enactment of this Act, allocate any remaining  
23 amounts for eligible recipients according to a  
24 formula to be developed by the Secretary that  
25 takes into consideration the formula referred to

1 in subparagraph (A) and the need for emer-  
2 gency rental assistance under this section, in-  
3 cluding the severe housing cost burden among  
4 extremely low- and very low-income renters and  
5 disruptions in housing and economic conditions,  
6 including unemployment; and

7 (ii) not later than 30 days after the date  
8 of the allocation of such amounts pursuant to  
9 clause (i), obligate and disburse such amounts  
10 in accordance with such allocations.

11 (2) ALLOCATIONS TO STATES.—

12 (A) IN GENERAL.—Notwithstanding sub-  
13 section (a) of section 414 of the McKinney-  
14 Vento Homeless Assistance Act (42 U.S.C.  
15 11373(a)) and section 576.202(a) of title 24,  
16 Code of Federal Regulations, a State recipient  
17 of an allocation under this section may elect to  
18 use up to 100 percent of its allocation to carry  
19 out activities eligible under this section directly.

20 (B) REQUIREMENT.—Any State recipient  
21 making an election described in subparagraph  
22 (A) shall serve households throughout the entire  
23 State, including households in rural commu-  
24 nities and small towns.

1           (3) ELECTION NOT TO ADMINISTER.—If a re-  
2           recipient other than a State elects not to receive funds  
3           under this section, such funds shall be allocated to  
4           the State recipient in which the recipient is located.

5           (4) PARTNERSHIPS, SUBGRANTS, AND CON-  
6           TRACTS.—A recipient of a grant under this section  
7           may distribute funds through partnerships, sub-  
8           grants, or contracts with an entity, such as a public  
9           housing agency (as such term is defined in section  
10          3(b) of the United States Housing Act of 1937 (42  
11          U.S.C. 1437a(b))), that is capable of carrying activi-  
12          ties under this section.

13          (5) REVISION TO RULE.—The Secretary shall  
14          revise section 576.3 of title 24, Code of Federal Reg-  
15          ulations, to change the set aside for allocation to the  
16          territories to exactly 0.3 percent.

17          (i) INAPPLICABILITY OF MATCHING REQUIRE-  
18          MENT.—Subsection (a) of section 416 of the McKinney-  
19          Vento Homeless Assistance Act (42 U.S.C. 11375(a))  
20          shall not apply to any amounts made available pursuant  
21          to subsection (a) of this section.

22          (j) REIMBURSEMENT OF ELIGIBLE ACTIVITIES.—  
23          Amounts made available pursuant to subsection (a) may  
24          be used by a recipient to reimburse expenditures incurred

1 for eligible activities under this section after March 27,  
2 2020.

3 (k) PROHIBITION ON PREREQUISITES.—None of the  
4 funds made available pursuant to this section may be used  
5 to require any individual receiving assistance under the  
6 program under this section to receive treatment or per-  
7 form any other prerequisite activities as a condition for  
8 receiving shelter, housing, or other services.

9 (l) WAIVERS AND ALTERNATIVE REQUIREMENTS.—

10 (1) IN GENERAL.—

11 (A) AUTHORITY.—In administering the  
12 amounts made available pursuant to subsection  
13 (a), the Secretary may waive, or specify alter-  
14 native requirements for, any provision of any  
15 statute or regulation that the Secretary admin-  
16 isters in connection with the obligation by the  
17 Secretary or the use by the recipient of such  
18 amounts (except for requirements related to fair  
19 housing, nondiscrimination, labor standards,  
20 prohibition on prerequisites, minimum data re-  
21 porting, and the environment), if the Secretary  
22 finds that good cause exists for the waiver or  
23 alternative requirement and such waiver or al-  
24 ternative requirement is necessary to expedite  
25 the use of funds made available pursuant to

1 this section, to respond to public health orders  
2 or conditions related to the COVID-19 emer-  
3 gency, or to ensure that eligible individuals can  
4 attain or maintain housing stability.

5 (B) PUBLIC NOTICE.—The Secretary shall  
6 notify the public through the Federal Register  
7 or other appropriate means of any waiver or al-  
8 ternative requirement under this paragraph,  
9 and that such public notice shall be provided, at  
10 a minimum, on the internet at the appropriate  
11 Government website or through other electronic  
12 media, as determined by the Secretary.

13 (C) ELIGIBILITY REQUIREMENTS.—Eligi-  
14 bility for rental assistance or housing relocation  
15 and stabilization services shall not be restricted  
16 based upon the prior receipt of assistance under  
17 the program during the preceding three years.

18 (2) PUBLIC HEARINGS.—

19 (A) INAPPLICABILITY OF IN-PERSON HEAR-  
20 ING REQUIREMENTS DURING THE COVID-19  
21 EMERGENCY.—

22 (i) IN GENERAL.—A recipient under  
23 this section shall not be required to hold  
24 in-person public hearings in connection  
25 with its citizen participation plan, but shall

1 provide citizens with notice, including pub-  
2 lication of its plan for carrying out this  
3 section on the internet, and a reasonable  
4 opportunity to comment of not less than 5  
5 days.

6 (ii) RESUMPTION OF IN-PERSON  
7 HEARING REQUIREMENTS.—After the pe-  
8 riod beginning on the date of enactment of  
9 this Act and ending on the date of the ter-  
10 mination by the Federal Emergency Man-  
11 agement Agency of the emergency declared  
12 on March 13, 2020, by the President  
13 under the Robert T. Stafford Disaster Re-  
14 lief and Emergency Assistance Act (42  
15 U.S.C. 4121 et seq.) relating to the  
16 Coronavirus Disease 2019 (COVID-19)  
17 pandemic, and after the period described  
18 in subparagraph (B), the Secretary shall  
19 direct recipients under this section to re-  
20 sume pre-crisis public hearing require-  
21 ments.

22 (B) VIRTUAL PUBLIC HEARINGS.—

23 (i) IN GENERAL.—During the period  
24 that national or local health authorities  
25 recommend social distancing and limiting

1 public gatherings for public health reasons,  
2 a recipient may fulfill applicable public  
3 hearing requirements for all grants from  
4 funds made available pursuant to this sec-  
5 tion by carrying out virtual public hear-  
6 ings.

7 (ii) REQUIREMENTS.—Any virtual  
8 hearings held under clause (i) by a recipi-  
9 ent under this section shall provide reason-  
10 able notification and access for citizens in  
11 accordance with the recipient’s certifi-  
12 cations, timely responses from local offi-  
13 cials to all citizen questions and issues,  
14 and public access to all questions and re-  
15 sponses.

16 (m) CONSULTATION.—In addition to any other citi-  
17 zen participation and consultation requirements, in devel-  
18 oping and implementing a plan to carry out this section,  
19 each recipient of funds made available pursuant to this  
20 section shall consult with the applicable Continuum or  
21 Continuums of Care for the area served by the recipient  
22 and organizations representing underserved communities  
23 and populations and organizations with expertise in af-  
24 fordable housing, fair housing, and services for people with  
25 disabilities.

1 (n) ADMINISTRATION.—

2 (1) BY SECRETARY.—Of any amounts made  
3 available pursuant to subsection (a)—

4 (A) not more than the lesser of 0.5 per-  
5 cent, or \$15,000,000, may be used by the Sec-  
6 retary for staffing, training, technical assist-  
7 ance, technology, monitoring, research, and  
8 evaluation activities necessary to carry out the  
9 program carried out under this section, and  
10 such amounts shall remain available until Sep-  
11 tember 30, 2024; and

12 (B) not more than \$2,000,000 shall be  
13 available to the Office of the Inspector General  
14 for audits and investigations of the program au-  
15 thorized under this section.

16 (2) BY RECIPIENTS.—Notwithstanding section  
17 576.108 of title 24 of the Code of Federal Regula-  
18 tions, with respect to amounts made available pursu-  
19 ant to this section, a recipient may use up to 10 per-  
20 cent of the recipient’s grant for payment of adminis-  
21 trative costs related to the planning and execution of  
22 activities.

23 **SEC. 102. HOMEOWNER ASSISTANCE FUND.**

24 (a) DEFINITIONS.—In this section:



1           (1) FUND.—The term “Fund” means the  
2 Homeowner Assistance Fund established under sub-  
3 section (b).

4           (2) SECRETARY.—The term “Secretary” means  
5 the Secretary of the Treasury.

6           (3) STATE.—The term “State” means any  
7 State of the United States, the District of Columbia,  
8 any territory of the United States, Puerto Rico,  
9 Guam, American Samoa, the Virgin Islands, and the  
10 Northern Mariana Islands.

11          (b) ESTABLISHMENT OF FUND.—There is estab-  
12 lished at the Department of the Treasury a Homeowner  
13 Assistance Fund to provide such funds as are made avail-  
14 able under subsection (g) to State housing finance agen-  
15 cies for the purpose of preventing homeowner mortgage  
16 defaults, foreclosures, and displacements of individuals  
17 and families experiencing financial hardship after January  
18 21, 2020.

19          (c) ALLOCATION OF FUNDS.—

20           (1) ADMINISTRATION.—Of any amounts made  
21 available for the Fund, the Secretary of the Treas-  
22 ury may allocate, in the aggregate, an amount not  
23 exceeding 5 percent—

24                   (A) to the Office of Financial Stability es-  
25 tablished under section 101(a) of the Emer-

1           agency Economic Stabilization Act of 2008 (12  
2           U.S.C. 5211(a)) to administer and oversee the  
3           Fund, and to provide technical assistance to  
4           States for the creation and implementation of  
5           State programs to administer assistance from  
6           the Fund; and

7                       (B) to the Inspector General of the De-  
8           partment of the Treasury for oversight of the  
9           program under this section.

10           (2) FOR STATES.—The Secretary shall establish  
11           such criteria as are necessary to allocate the funds  
12           available within the Fund for each State. The Sec-  
13           retary shall allocate such funds among all States  
14           taking into consideration the number of unemploy-  
15           ment claims within a State relative to the nationwide  
16           number of unemployment claims.

17           (3) SMALL STATE MINIMUM.—The amount allo-  
18           cated for each State shall not be less than  
19           \$250,000,000.

20           (4) SET-ASIDE FOR INSULAR AREAS.—Notwith-  
21           standing any other provision of this section, of any  
22           amounts authorized to be appropriated pursuant to  
23           subsection (g), the Secretary shall reserve  
24           \$200,000,000 to be disbursed to Guam, American  
25           Samoa, the Virgin Islands, and the Northern Mar-

1 iana Islands based on each such territory's share of  
2 the combined total population of all such territories,  
3 as determined by the Secretary. For the purposes of  
4 this paragraph, population shall be determined based  
5 on the most recent year for which data are available  
6 from the United States Census Bureau.

7 (5) SET-ASIDE FOR INDIAN TRIBES AND NATIVE  
8 HAWAIIANS.—

9 (A) INDIAN TRIBES.—Notwithstanding any  
10 other provision of this section, of any amounts  
11 authorized to be appropriated pursuant to sub-  
12 section (g), the Secretary shall use 5 percent to  
13 make grants in accordance with subsection (f)  
14 to eligible recipients for the purposes described  
15 in subsection (e)(1).

16 (B) NATIVE HAWAIIANS.— Of the funds  
17 set aside under subparagraph (A), the Sec-  
18 retary shall use 0.3 percent to make grants to  
19 the Department of Hawaiian Home Lands in  
20 accordance with subsection (f) for the purposes  
21 described in subsection (e)(1).

22 (d) DISBURSEMENT OF FUNDS.—

23 (1) ADMINISTRATION.—Except for amounts  
24 made available for assistance under subsection (f),  
25 State housing finance agencies shall be primarily re-

1       sponsible for administering amounts disbursed from  
2       the Fund, but may delegate responsibilities and sub-  
3       allocate amounts to community development finan-  
4       cial institutions and State agencies that administer  
5       Low-Income Home Energy Assistance Program of  
6       the Department of Health and Human Services.

7               (2) NOTICE OF FUNDING.—The Secretary shall  
8       provide public notice of the amounts that will be  
9       made available to each State and the method used  
10      for determining such amounts not later than the ex-  
11      piration of the 14-day period beginning on the date  
12      of the enactment of this Act of enactment.

13              (3) SHFA PLANS.—

14                      (A) ELIGIBILITY.—To be eligible to receive  
15      funding allocated for a State under the section,  
16      a State housing finance agency for the State  
17      shall submit to the Secretary a plan for the im-  
18      plementation of State programs to administer,  
19      in part or in full, the amount of funding the  
20      state is eligible to receive, which shall provide  
21      for the commencement of receipt of applications  
22      by homeowners for assistance, and funding of  
23      such applications, not later than the expiration  
24      of the 6-month period beginning upon the ap-  
25      proval under this paragraph of such plan.

1 (B) MULTIPLE PLANS.— A State housing  
2 finance agency may submit multiple plans, each  
3 covering a separate portion of funding for  
4 which the State is eligible.

5 (C) TIMING.—The Secretary shall approve  
6 or disapprove a plan within 30 days after the  
7 plan’s submission and, if disapproved, explain  
8 why the plan could not be approved.

9 (D) DISBURSEMENT UPON APPROVAL.—  
10 The Secretary shall disburse to a State housing  
11 finance agency the appropriate amount of fund-  
12 ing upon approval of the agency’s plan.

13 (E) AMENDMENTS.—A State housing fi-  
14 nance agency may subsequently amend a plan  
15 that has previously been approved, provided  
16 that any plan amendment shall be subject to  
17 the approval of the Secretary. The Secretary  
18 shall approve any plan amendment or dis-  
19 approve such amendment explain why the plan  
20 amendment could not be approved within 45  
21 days after submission to the Secretary of such  
22 amendment.

23 (F) TECHNICAL ASSISTANCE.—The Sec-  
24 retary shall provide technical assistance for any

1 State housing finance agency that twice fails to  
2 have a submitted plan approved.

3 (4) PLAN TEMPLATES.—The Secretary shall,  
4 not later than 30 days after the date of the enact-  
5 ment of this Act, publish templates that States may  
6 utilize in drafting the plans required under para-  
7 graph (3)(A). The template plans shall include  
8 standard program terms and requirements, as well  
9 as any required legal language, which State housing  
10 finance agencies may modify with the consent of the  
11 Secretary.

12 (e) PERMISSIBLE USES OF FUND.—

13 (1) IN GENERAL.—Funds made available to  
14 State housing finance agencies pursuant to this sec-  
15 tion may be used for the purposes established under  
16 subsection (b), which may include—

17 (A) mortgage payment assistance, includ-  
18 ing financial assistance to allow a borrower to  
19 reinstate their mortgage or to achieve a more  
20 affordable mortgage payment, which may in-  
21 clude principal reduction or rate reduction, pro-  
22 vided that any mortgage payment assistance is  
23 tailored to a borrower's needs and their ability  
24 to repay, and takes into consideration the loss  
25 mitigation options available to the borrower;

1 (B) assistance with payment of taxes, haz-  
2 ard insurance, flood insurance, mortgage insur-  
3 ance, or homeowners' association fees;

4 (C) utility payment assistance, including  
5 electric, gas, water, and internet service, includ-  
6 ing broadband internet access service (as such  
7 term is defined in section 8.1(b) of title 47,  
8 Code of Federal Regulations (or any successor  
9 regulation));

10 (D) reimbursement of funds expended by a  
11 State or local government during the period be-  
12 ginning on January 21, 2020, and ending on  
13 the date that the first funds are disbursed by  
14 the State under the Fund, for the purpose of  
15 providing housing or utility assistance to indi-  
16 viduals or otherwise providing funds to prevent  
17 foreclosure or eviction of a homeowner or pre-  
18 vent mortgage delinquency or loss of housing or  
19 critical utilities as a response to the coronavirus  
20 disease 2019 (COVID–19) pandemic; and

21 (E) any other assistance for homeowners  
22 to prevent eviction, mortgage delinquency or de-  
23 fault, foreclosure, or the loss of essential utility  
24 services.

25 (2) TARGETING.—

1           (A) REQUIREMENT.—Not less than 60 per-  
2 cent of amounts made available for each State  
3 or other entity allocated amounts under sub-  
4 section (c) shall be used for activities under  
5 paragraph (1) that assist homeowners having  
6 incomes equal to or less than 80 percent of the  
7 area median income.

8           (B) DETERMINATION OF INCOME.— In de-  
9 termining the income of a household for pur-  
10 poses of this paragraph, income shall be consid-  
11 ered to include only income that the household  
12 is receiving at the time of application for assist-  
13 ance from the Fund and any income recently  
14 terminated shall not be included, except that for  
15 purposes of households receiving assistance for  
16 arrearages income shall include only the income  
17 that the household was receiving at the time  
18 such arrearages were incurred.

19           (C) LANGUAGE ASSISTANCE.—Each State  
20 housing finance agency or other entity allocated  
21 amounts under subsection (c) shall make avail-  
22 able to each applicant for assistance from  
23 amounts from the Fund language assistance in  
24 any language that such language assistance is  
25 available in and shall provide notice to each



1           such applicant that such language assistance is  
2           available.

3           (3) ADMINISTRATIVE EXPENSES.—Not more  
4           than 15 percent of the amount allocated to a State  
5           pursuant to subsection (c) may be used by a State  
6           housing financing agency for administrative ex-  
7           penses. Any amounts allocated to administrative ex-  
8           penses that are no longer necessary for administra-  
9           tive expenses may be used in accordance with para-  
10          graph (1).

11          (f) TRIBAL AND NATIVE HAWAIIAN ASSISTANCE.—

12           (1) DEFINITIONS.—In this subsection:

13           (A) DEPARTMENT OF HAWAIIAN HOME  
14           LANDS.—The term “Department of Hawaiian  
15           Home Lands” has the meaning given the term  
16           in section 801 of the Native American Housing  
17           Assistance and Self-Determination Act of 1996  
18           (42 U.S.C. 4221).

19           (B) ELIGIBLE RECIPIENT.—The term “eli-  
20           gible recipient” means any entity eligible to re-  
21           ceive a grant under section 101 of the Native  
22           American Housing Assistance and Self-Deter-  
23           mination Act of 1996 (25 U.S.C. 4111).

24           (2) REQUIREMENTS.—

1           (A) ALLOCATION.—Except for the funds  
2 set aside under subsection (c)(5)(B), the Sec-  
3 retary shall allocate the funds set aside under  
4 subsection (c)(5)(A) using the allocation for-  
5 mula described in subpart D of part 1000 of  
6 title 24, Code of Federal Regulations (or any  
7 successor regulations).

8           (B) NATIVE HAWAIIANS.—The Secretary  
9 shall use the funds made available under sub-  
10 section (c)(5)(B) in accordance with part 1006  
11 of title 24, Code of Federal Regulations (or suc-  
12 cessor regulations).

13          (3) TRANSFER.—The Secretary shall transfer  
14 any funds made available under subsection (c)(5)  
15 that have not been allocated by an eligible recipient  
16 or the Department of Hawaiian Home Lands, as ap-  
17 plicable, to provide the assistance described in sub-  
18 section (e)(1) by December 31, 2030, to the Sec-  
19 retary of Housing and Urban Development to carry  
20 out the Native American Housing Assistance and  
21 Self-Determination Act of 1996 (25 U.S.C. 4101 et  
22 seq.).

23          (g) FUNDING.—There is authorized to be appro-  
24 priated to the Homeowner Assistance Fund established  
25 under subsection (b) \$75,000,000,000, to remain available

1 until expended or transferred or credited under subsection  
2 (i).

3 (h) USE OF HOUSING FINANCE AGENCY INNOVATION  
4 FUND FOR THE HARDEST HIT HOUSING MARKETS  
5 FUNDS.—A State housing finance agency may reallocate  
6 any administrative or programmatic funds it has received  
7 as an allocation from the Housing Finance Agency Inno-  
8 vation Fund for the Hardest Hit Housing Markets created  
9 pursuant to section 101(a) of the Emergency Economic  
10 Stabilization Act of 2008 (12 U.S.C. 5211(a)) that have  
11 not been otherwise allocated or disbursed as of the date  
12 of enactment of this Act to supplement any administrative  
13 or programmatic funds received from the Housing Assist-  
14 ance Fund. Such reallocated funds shall not be considered  
15 when allocating resources from the Housing Assistance  
16 Fund using the process established under subsection (c)  
17 and shall remain available for the uses permitted and  
18 under the terms and conditions established by the contract  
19 with Secretary created pursuant to subsection (d)(1) and  
20 the terms of subsection (i).

21 (i) REPORTING REQUIREMENTS.—The Secretary  
22 shall provide public reports not less frequently than quar-  
23 terly regarding the use of funds provided by the Home-  
24 owner Assistance Fund. Such reports shall include the fol-  
25 lowing data by State and by program within each State,

1 both for the past quarter and throughout the life of the  
2 program—

3 (1) the amount of funds allocated;

4 (2) the amount of funds disbursed;

5 (3) the number of households and individuals  
6 assisted;

7 (4) the acceptance rate of applicants;

8 (5) the type or types of assistance provided to  
9 each household;

10 (6) whether the household assisted had a feder-  
11 ally backed loan and identification of the Federal en-  
12 tity backing such loan;

13 (7) the average amount of funding provided per  
14 household receiving assistance and per type of as-  
15 sistance provided;

16 (8) the average number of monthly payments  
17 that were covered by the funding amount that a  
18 household received, as applicable, disaggregated by  
19 type of assistance provided;

20 (9) the income level of each household receiving  
21 assistance; and

22 (10) the outcome 12 months after the house-  
23 hold has received assistance.

24 Each report under this subsection shall disaggregate the  
25 information provided under paragraphs (3) through (10)

1 by State, zip code, racial and ethnic composition of the  
2 household, and whether or not the person from the house-  
3 hold applying for assistance speaks English as a second  
4 language.

5 **SEC. 103. PROTECTING RENTERS AND HOMEOWNERS FROM**  
6 **EVICTIONS AND FORECLOSURES.**

7 (a) **EVICITION MORATORIUM.**—The CARES Act is  
8 amended by striking section 4024 (15 U.S.C. 9058; Public  
9 Law 116–136; 134 Stat. 492) and inserting the following  
10 new section:

11 **“SEC. 4024. TEMPORARY MORATORIUM ON EVICTION FIL-**  
12 **INGS.**

13 “(a) **CONGRESSIONAL FINDINGS.**—The Congress  
14 finds that—

15 “(1) according to the 2018 American Commu-  
16 nity Survey, 36 percent of households in the United  
17 States—more than 43 million households—are rent-  
18 ers;

19 “(2) in 2019 alone, renters in the United States  
20 paid \$512 billion in rent;

21 “(3) according to the Joint Center for Housing  
22 Studies of Harvard University, 20.8 million renters  
23 in the United States spent more than 30 percent of  
24 their incomes on housing in 2018 and 10.9 million

1 renters spent more than 50 percent of their incomes  
2 on housing in the same year;

3 “(4) according to data from the Department of  
4 Labor, more than 30 million people have filed for  
5 unemployment since the COVID-19 pandemic began;

6 “(5) the impacts of the spread of COVID-19,  
7 which is now considered a global pandemic, are ex-  
8 pected to negatively impact the incomes of poten-  
9 tially millions of renter households, making it dif-  
10 ficult for them to pay their rent on time; and

11 “(6) evictions in the current environment would  
12 increase homelessness and housing instability which  
13 would be counterproductive towards the public  
14 health goals of keeping individuals in their homes to  
15 the greatest extent possible.

16 “(b) MORATORIUM.—During the period beginning on  
17 the date of the enactment of this Act and ending 12  
18 months after such date of enactment, the lessor of a cov-  
19 ered dwelling located in such State may not make, or  
20 cause to be made, any filing with the court of jurisdiction  
21 to initiate a legal action to recover possession of the cov-  
22 ered dwelling from the tenant for nonpayment of rent or  
23 other fees or charges.

24 “(c) DEFINITIONS.—For purposes of this section, the  
25 following definitions shall apply:

1           “(1) COVERED DWELLING.—The term ‘covered  
2 dwelling’ means a dwelling that is occupied by a ten-  
3 ant—

4                   “(A) pursuant to a residential lease; or

5                   “(B) without a lease or with a lease ter-  
6 minable at will under State law.

7           “(2) DWELLING.—The term ‘dwelling’ has the  
8 meaning given such term in section 802 of the Fair  
9 Housing Act (42 U.S.C. 3602) and includes houses  
10 and dwellings described in section 803(b) of such  
11 Act (42 U.S.C. 3603(b)).

12           “(d) NOTICE TO VACATE AFTER MORATORIUM EXPI-  
13 RATION DATE.—After the expiration of the period de-  
14 scribed in subsection (b), the lessor of a covered dwelling  
15 may not require the tenant to vacate the covered dwelling  
16 by reason of nonpayment of rent or other fees or charges  
17 before the expiration of the 30-day period that begins  
18 upon the provision by the lessor to the tenant, after the  
19 expiration of the period described in subsection (b), of a  
20 notice to vacate the covered dwelling.”.

21           (b) MORTGAGE RELIEF.—

22                   (1) FORBEARANCE AND FORECLOSURE MORA-  
23 TORIUM FOR COVERED MORTGAGE LOANS.—Section  
24 4022 of the CARES Act (15 U.S.C. 9056) is  
25 amended—

1 (A) by striking “Federally backed mort-  
2 gage loan” each place such term appears and  
3 inserting “covered mortgage loan”; and

4 (B) in subsection (a)—

5 (i) by amending paragraph (2) to read  
6 as follows:

7 “(2) COVERED MORTGAGE LOAN.—The term  
8 ‘covered mortgage loan’ means any credit trans-  
9 action that is secured by a mortgage, deed of trust,  
10 or other equivalent consensual security interest on a  
11 1- to 4-unit dwelling or on residential real property  
12 that includes a 1- to 4-unit dwelling, except that it  
13 shall not include a credit transaction under an open  
14 end credit plan other than a reverse mortgage.”; and

15 (ii) by adding at the end the fol-  
16 lowing:

17 “(3) COVERED PERIOD.—With respect to a  
18 loan, the term ‘covered period’ means the period be-  
19 ginning on the date of enactment of this Act and  
20 ending 12 months after such date of enactment.”.

21 (2) AUTOMATIC FORBEARANCE FOR DELIN-  
22 QUENT BORROWERS.—Section 4022(c) of the  
23 CARES Act (15 U.S.C. 9056(c)), as amended by  
24 paragraph (5) of this subsection, is further amended  
25 by adding at the end the following:



1           “(9) AUTOMATIC FORBEARANCE FOR DELIN-  
2           QUENT BORROWERS.—

3           “(A) IN GENERAL.—Notwithstanding any  
4           other law governing forbearance relief—

5           “(i) any borrower whose covered mort-  
6           gage loan became 60 days delinquent be-  
7           tween March 13, 2020, and the date of en-  
8           actment of this paragraph, and who has  
9           not already received a forbearance under  
10          subsection (b), shall automatically be  
11          granted a 60-day forbearance that begins  
12          on the date of enactment of this para-  
13          graph, provided that a borrower shall not  
14          be considered delinquent for purposes of  
15          this paragraph while making timely pay-  
16          ments or otherwise performing under a  
17          trial modification or other loss mitigation  
18          agreement; and

19          “(ii) any borrower whose covered  
20          mortgage loan becomes 60 days delinquent  
21          between the date of enactment of this  
22          paragraph and the end of the covered pe-  
23          riod, and who has not already received a  
24          forbearance under subsection (b), shall  
25          automatically be granted a 60-day forbear-

1           ance that begins on the 60th day of delin-  
2           quency, provided that a borrower shall not  
3           be considered delinquent for purposes of  
4           this paragraph while making timely pay-  
5           ments or otherwise performing under a  
6           trial modification or other loss mitigation  
7           agreement.

8           “(B) INITIAL EXTENSION.—An automatic  
9           forbearance provided under subparagraph (A)  
10          shall be extended for up to an additional 120  
11          days upon the borrower’s request, oral or writ-  
12          ten, submitted to the borrower’s servicer affirm-  
13          ing that the borrower is experiencing a financial  
14          hardship that prevents the borrower from mak-  
15          ing timely payments on the covered mortgage  
16          loan due, directly or indirectly, to the COVID-  
17          19 emergency.

18          “(C) SUBSEQUENT EXTENSION.—A for-  
19          bearance extended under subparagraph (B)  
20          shall be extended for up to an additional 180  
21          days, up to a maximum of 360 days (including  
22          the period of automatic forbearance), upon the  
23          borrower’s request, oral or written, submitted to  
24          the borrower’s servicer affirming that the bor-  
25          rower is experiencing a financial hardship that

1 prevents the borrower from making timely pay-  
2 ments on the covered mortgage loan due, di-  
3 rectly or indirectly, to the COVID-19 emer-  
4 gency.

5 “(D) RIGHT TO ELECT TO CONTINUE MAK-  
6 ING PAYMENTS.—With respect to a forbearance  
7 provided under this paragraph, the borrower of  
8 such loan may elect to continue making regular  
9 payments on the loan. A borrower who makes  
10 such election shall be offered a loss mitigation  
11 option pursuant to subsection (d) within 30  
12 days of resuming regular payments to address  
13 any payment deficiency during the forbearance.

14 “(E) RIGHT TO SHORTEN FORBEAR-  
15 ANCE.—At a borrower’s request, any period of  
16 forbearance provided under this paragraph may  
17 be shortened. A borrower who makes such a re-  
18 quest shall be offered a loss mitigation option  
19 pursuant to subsection (d) within 30 days of re-  
20 suming regular payments to address any pay-  
21 ment deficiency during the forbearance.

22 “(10) AUTOMATIC FORBEARANCE FOR CERTAIN  
23 REVERSE MORTGAGE LOANS.—

24 “(A) IN GENERAL.—When any covered  
25 mortgage loan which is also a federally-insured

1 reverse mortgage loan, during the covered pe-  
2 riod, is due and payable due to the death of the  
3 last borrower or end of a deferral period or eli-  
4 gible to be called due and payable due to a  
5 property charge default, or if the borrower de-  
6 faults on a property charge repayment plan, or  
7 if the borrower defaults for failure to complete  
8 property repairs, or if an obligation of the bor-  
9 rower under the Security Instrument is not per-  
10 formed, the mortgagee automatically shall be  
11 granted a six-month extension of—

12 “(i) the mortgagee’s deadline to re-  
13 quest due and payable status from the De-  
14 partment of Housing and Urban Develop-  
15 ment;

16 “(ii) the mortgage’s deadline to send  
17 notification to the mortgagor or his or her  
18 heirs that the loan is due and payable;

19 “(iii) the deadline to initiate fore-  
20 closure;

21 “(iv) any reasonable diligence period  
22 related to foreclosure or the Mortgagee Op-  
23 tional Election;

24 “(v) if applicable, the deadline to ob-  
25 tain the due and payable appraisal; and

1           “(vi) any claim submission deadline,  
2           including the 6-month acquired property  
3           marketing period.

4           “(B) FORBEARANCE PERIOD.—The mort-  
5           gagee shall not request due and payable status  
6           from the Secretary of Housing and Urban De-  
7           velopment nor initiate foreclosure during this  
8           six-month period described under subparagraph  
9           (A), which shall be considered a forbearance pe-  
10          riod.

11          “(C) EXTENSION.—A forbearance provided  
12          under subparagraph (B) and related deadline  
13          extension authorized under subparagraph (A)  
14          shall be extended for an additional 180 days  
15          upon—

16                 “(i) the borrower’s request, oral or  
17                 written, submitted to the borrower’s  
18                 servicer affirming that the borrower is ex-  
19                 periencing a financial hardship that pre-  
20                 vents the borrower from making payments  
21                 on property charges, completing property  
22                 repairs, or performing an obligation of the  
23                 borrower under the Security Instrument  
24                 due, directly or indirectly, to the COVID-  
25                 19 emergency;

1           “(ii) a non-borrowing spouse’s re-  
2           quest, oral or written, submitted to the  
3           servicer affirming that the non-borrowing  
4           spouse has been unable to satisfy all cri-  
5           teria for the Mortgagee Optional Election  
6           program due, directly or indirectly, to the  
7           COVID-19 emergency, or to perform all  
8           actions necessary to become an eligible  
9           non-borrowing spouse following the death  
10          of all borrowers; or

11          “(iii) a successor-in-interest of the  
12          borrower’s request, oral or written, sub-  
13          mitted to the servicer affirming the heir’s  
14          difficulty satisfying the reverse mortgage  
15          loan due, directly or indirectly, to the  
16          COVID-19 emergency.

17          “(D) CURTAILMENT OF DEBENTURE IN-  
18          TEREST.—Where any covered mortgage loan  
19          which is also a federally insured reverse mort-  
20          gage loan is in default during the covered pe-  
21          riod and subject to a prior event which provides  
22          for curtailment of debenture interest in connec-  
23          tion with a claim for insurance benefits, the  
24          curtailment of debenture interest shall be sus-

1           pended during any forbearance period provided  
2           herein.”.

3           (3) ADDITIONAL FORECLOSURE AND REPOSSES-  
4           SION PROTECTIONS.—Section 4022(c) of the  
5           CARES Act (15 U.S.C. 9056(c)) is amended—

6                   (A) in paragraph (2), by striking “may not  
7                   initiate any judicial or non-judicial foreclosure  
8                   process, move for a foreclosure judgment or  
9                   order of sale, or execute a foreclosure-related  
10                  eviction or foreclosure sale for not less than the  
11                  60-day period beginning on March 18, 2020”  
12                  and inserting “may not initiate or proceed with  
13                  any judicial or non-judicial foreclosure process,  
14                  schedule a foreclosure sale, move for a fore-  
15                  closure judgment or order of sale, execute a  
16                  foreclosure related eviction or foreclosure sale  
17                  for six months after the date of enactment of  
18                  the Emergency Housing Protections and Relief  
19                  Act of 2020”; and

20                  (B) by adding at the end the following:

21                  “(3) REPOSSESSION MORATORIUM.—In the case  
22                  of personal property, including any recreational or  
23                  motor vehicle, used as a dwelling, no person may use  
24                  any judicial or non-judicial procedure to repossess or

1 otherwise take possession of such property for six  
2 months after date of enactment of this paragraph.”.

3 (4) MORTGAGE FORBEARANCE REFORMS.—Sec-  
4 tion 4022 of the CARES Act (15 U.S.C. 9056) is  
5 amended—

6 (A) in subsection (b), by striking para-  
7 graphs (1), (2), and (3) and inserting the fol-  
8 lowing:

9 “(1) IN GENERAL.—During the covered period,  
10 a borrower with a covered mortgage loan who has  
11 not obtained automatic forbearance pursuant to this  
12 section and who is experiencing a financial hardship  
13 that prevents the borrower from making timely pay-  
14 ments on the covered mortgage loan due, directly or  
15 indirectly, to the COVID–19 emergency may request  
16 forbearance on the loan, regardless of delinquency  
17 status, by—

18 (A) submitting a request, orally or in  
19 writing, to the servicer of the loan; and

20 (B) affirming that the borrower is experi-  
21 encing a financial hardship that prevents the  
22 borrower from making timely payments on the  
23 covered mortgage loan due, directly or indi-  
24 rectly, to the COVID–19 emergency.

25 “(2) DURATION OF FORBEARANCE.—



1           “(A) IN GENERAL.—Upon a request by a  
2 borrower to a servicer for forbearance under  
3 paragraph (1), such forbearance shall be grant-  
4 ed by the servicer for the period requested by  
5 the borrower, up to an initial length of 180  
6 days, the length of which shall be extended by  
7 the servicer, at the request of the borrower for  
8 the period or periods requested, for a total for-  
9 bearance period of up to 12-months.

10           “(B)           MINIMUM           FORBEARANCE  
11 AMOUNTS.—For purposes of granting a forbear-  
12 ance under this paragraph, a servicer may  
13 grant an initial forbearance with a term of not  
14 less than 90 days, provided that it is automati-  
15 cally extended for an additional 90 days unless  
16 the servicer confirms the borrower does not  
17 want to renew the forbearance or that the bor-  
18 rower is no longer experiencing a financial  
19 hardship that prevents the borrower from mak-  
20 ing timely mortgage payments due, directly or  
21 indirectly, to the COVID–19 emergency.

22           “(C)   RIGHT TO SHORTEN FORBEAR-  
23 ANCE.—At a borrower’s request, any period of  
24 forbearance described under this paragraph  
25 may be shortened. A borrower who makes such

1 a request shall be offered a loss mitigation op-  
2 tion pursuant to subsection (d) within 30 days  
3 of resuming regular payments to address any  
4 payment deficiency during the forbearance.

5 “(3) ACCRUAL OF INTEREST OR FEES.—A  
6 servicer shall not charge a borrower any fees, pen-  
7 alties, or interest (beyond the amounts scheduled or  
8 calculated as if the borrower made all contractual  
9 payments on time and in full under the terms of the  
10 mortgage contract) in connection with a forbearance,  
11 provided that a servicer may offer the borrower a  
12 modification option at the end of a forbearance pe-  
13 riod granted hereunder that includes the capitaliza-  
14 tion of past due principal and interest and escrow  
15 payments as long as the borrower’s principal and in-  
16 terest payment under such modification remains at  
17 or below the contractual principal and interest pay-  
18 ments owed under the terms of the mortgage con-  
19 tract before such forbearance period except as the  
20 result of a change in the index of an adjustable rate  
21 mortgage.

22 “(4) COMMUNICATION WITH SERVICERS.—Any  
23 communication between a borrower and a servicer  
24 described under this section may be made in writing  
25 or orally, at the borrower’s choice.

1           “(5) COMMUNICATION WITH BORROWERS WITH  
2           A DISABILITY.—Upon request from a borrower,  
3           servicers shall communicate with borrowers who  
4           have a disability in the borrower’s preferred method  
5           of communication. For purposes of this paragraph,  
6           the term ‘disability’ has the meaning given that term  
7           in the Fair Housing Act, the Americans with Dis-  
8           abilities Act of 1990, or the Rehabilitation Act of  
9           1973.”; and

10                   (B) in subsection (c), by amending para-  
11                   graph (1) to read as follows:

12           “(1) NO DOCUMENTATION REQUIRED.—A  
13           servicer of a covered mortgage loan shall not require  
14           any documentation with respect to a forbearance  
15           under this section other than the borrower’s affirma-  
16           tion (oral or written) to a financial hardship that  
17           prevents the borrower from making timely payments  
18           on the covered mortgage loan due, directly or indi-  
19           rectly, to the COVID–19 emergency. An oral request  
20           for forbearance and oral affirmation of hardship by  
21           the borrower shall be sufficient for the borrower to  
22           obtain or extend a forbearance.”.

23           (5) OTHER SERVICER REQUIREMENTS DURING  
24           FORBEARANCE.—Section 4022(c) of the CARES Act  
25           (15 U.S.C. 9056(c)), as amended by paragraph (3)

1 of this subsection, is further amended by adding at  
2 the end the following:

3 “(4) FORBEARANCE TERMS NOTICE.—Within  
4 30 days of a servicer of a covered mortgage loan  
5 providing forbearance to a borrower under sub-  
6 section (b) or paragraph (9) or (10), or 10 days if  
7 the forbearance is for a term of less than 60 days,  
8 but only where the forbearance was provided in re-  
9 sponse to a borrower’s request for forbearance or  
10 when an automatic forbearance was initially pro-  
11 vided under paragraph (9) or (10), and not when an  
12 existing forbearance is automatically extended, the  
13 servicer shall provide the borrower with a notice in  
14 accordance with the terms in paragraph (5).

15 “(5) CONTENTS OF NOTICE.—The written no-  
16 tice required under paragraph (4) shall state in  
17 plain language—

18 “(A) the specific terms of the forbearance;

19 “(B) the beginning and ending dates of the  
20 forbearance;

21 “(C) that the borrower is eligible for up to  
22 12 months of forbearance;

23 “(D) that the borrower may request an ex-  
24 tension of the forbearance unless the borrower

1 will have reached the maximum period at the  
2 end of the forbearance;

3 “(E) that the borrower may request that  
4 the initial or extended period be shortened at  
5 any time;

6 “(F) that the borrower should contact the  
7 servicer before the end of the forbearance pe-  
8 riod;

9 “(G) a description of the loss mitigation  
10 options that may be available to the borrower at  
11 the end of the forbearance period based on the  
12 borrower’s specific loan;

13 “(H) information on how to find a housing  
14 counseling agency approved by the Department  
15 of Housing and Urban Development;

16 “(I) in the case of a forbearance provided  
17 pursuant to paragraph (9) or (10), that the for-  
18 bearance was automatically provided and how  
19 to contact the servicer to make arrangements  
20 for further assistance, including any renewal;  
21 and

22 “(J) where applicable, that the forbearance  
23 is subject to an automatic extension including  
24 the terms of any such automatic extensions and

1           when any further extension would require a bor-  
2           rower request.

3           “(6) TREATMENT OF ESCROW ACCOUNTS.—  
4           During any forbearance provided under this section,  
5           a servicer shall pay or advance funds to make dis-  
6           bursements in a timely manner from any escrow ac-  
7           count established on the covered mortgage loan.

8           “(7) NOTIFICATION FOR BORROWERS.—During  
9           the period that begins 90 days after the date of the  
10          enactment of this paragraph and ends at the end of  
11          the covered period, each servicer of a covered mort-  
12          gage loan shall be required to—

13                 “(A) make available in a clear and con-  
14                 spicuous manner on their webpage accurate in-  
15                 formation, in English and Spanish, for bor-  
16                 rowers regarding the availability of forbearance  
17                 as provided under subsection (b); and

18                 “(B) notify every borrower whose pay-  
19                 ments on a covered mortgage loan are delin-  
20                 quent in any oral communication with or to the  
21                 borrower that the borrower may be eligible to  
22                 request forbearance as provided under sub-  
23                 section (b), except that such notice shall not be  
24                 required if the borrower already has requested  
25                 forbearance under subsection (b).

1           “(8) CERTAIN TREATMENT UNDER RESPA.—As  
2 long as a borrower’s payment on a covered mortgage  
3 loan was not more than 30 days delinquent on  
4 March 13, 2020, a servicer may not deem the bor-  
5 rower as delinquent while a forbearance granted  
6 under subsection (b) is in effect for purposes of the  
7 application of sections 6 and 10 of the Real Estate  
8 Settlement Procedures Act and any applicable regu-  
9 lations.”.

10           (6) POST-FORBEARANCE LOSS MITIGATION.—

11           (A) AMENDMENT TO CARES ACT.—Section  
12 4022 of the CARES Act (15 U.S.C. 9056) is  
13 amended by adding at the end the following:

14           “(d) POST-FORBEARANCE LOSS MITIGATION.—

15           “(1) NOTICE OF AVAILABILITY OF ADDITIONAL  
16 FORBEARANCE.—With respect to any covered mort-  
17 gage loan as to which forbearance under this section  
18 has been granted and not otherwise extended, in-  
19 cluding by automatic extension, a servicer shall, no  
20 later than 30 days before the end of the forbearance  
21 period, in writing, notify the borrower that addi-  
22 tional forbearance may be available and how to re-  
23 quest such forbearance, except that no such notice  
24 is required where the borrower already has requested  
25 an extension of the forbearance period, is subject to

1 automatic extension pursuant to subsection  
2 (b)(2)(B), or no additional forbearance is available.

3 “(2) LOSS MITIGATION OFFER BEFORE EXPIRA-  
4 TION OF FORBEARANCE.—No later than 30 days be-  
5 fore the end of any forbearance period that has not  
6 been extended or 30 days after a request by a con-  
7 sumer to terminate the forbearance, which time shall  
8 be before the servicer initiates or engages in any  
9 foreclosure activity listed in subsection (c)(2), in-  
10 cluding incurring or charging to a borrower any fees  
11 or corporate advances related to a foreclosure, the  
12 servicer shall, in writing—

13 “(A) offer the borrower a loss mitigation  
14 option, without the charging of any fees or pen-  
15 alties other than interest, such that the bor-  
16 rower’s principal and interest payment remains  
17 the same as it was prior to the forbearance,  
18 subject to any adjustment of the index pursuant  
19 to the terms of an adjustable rate mortgage,  
20 and that either—

21 “(i) defers the payment of total ar-  
22 rearages, including any escrow advances,  
23 to the end of the existing term of the loan,  
24 without the charging or collection of any



1 additional interest on the deferred  
2 amounts; or

3 “(ii) extends the term of the mortgage  
4 loan, and capitalizes, defers, or forgives all  
5 escrow advances and other arrearages;

6 provided, however, that the servicer may offer  
7 the borrower a loss mitigation option that re-  
8 duces the principal and interest payment on the  
9 loan and capitalizes, defers, or forgives all es-  
10 crow advances or arrearages if the servicer has  
11 information indicating that the borrower cannot  
12 resume the pre-forbearance mortgage payments;  
13 and

14 “(B) concurrent with the loss mitigation  
15 offer in subparagraph (A), notify the borrower  
16 that the borrower has the right to be evaluated  
17 for other loss mitigation options if the borrower  
18 is not able to make the payment under the op-  
19 tion offered in subparagraph (A).

20 “(3) EVALUATION FOR LOSS MITIGATION PRIOR  
21 TO FORECLOSURE INITIATION.—Before a servicer  
22 may initiate or engage in any foreclosure activity  
23 listed in subsection (c)(2), including incurring or  
24 charging to a borrower any fees or corporate ad-  
25 vances related to a foreclosure on the basis that the

1 borrower has failed to perform under the loss miti-  
2 gation offer in paragraph (2)(A) within the first 90  
3 days after the option is offered, including a failure  
4 to accept the loss mitigation offer in paragraph  
5 (2)(A), the servicer shall—

6 “(A) unless the borrower has already sub-  
7 mitted a complete application that the servicer  
8 is reviewing—

9 “(i) notify the borrower in writing of  
10 the documents and information, if any,  
11 needed by the servicer to enable the  
12 servicer to consider the borrower for all  
13 available loss mitigation options;

14 “(ii) exercise reasonable diligence to  
15 obtain the documents and information  
16 needed to complete the borrower’s loss  
17 mitigation application;

18 “(B) upon receipt of a complete applica-  
19 tion or if, despite the servicer’s exercise of rea-  
20 sonable diligence, the loss mitigation application  
21 remains incomplete sixty days after the notice  
22 in paragraph (2)(A) is sent, conduct an evalua-  
23 tion of the complete or incomplete loss mitiga-  
24 tion application without reference to whether  
25 the borrower has previously submitted a com-

1           plete loss mitigation application and offer the  
2           borrower all available loss mitigation options for  
3           which the borrower qualifies under applicable  
4           investor guidelines, including guidelines regard-  
5           ing required documentation.

6           “(4) EFFECT ON FUTURE REQUESTS FOR LOSS  
7           MITIGATION REVIEW.—An application, offer, or eval-  
8           uation for loss mitigation under this section shall  
9           not be the basis for the denial of a borrower’s appli-  
10          cation as duplicative or for a reduction in the bor-  
11          rower’s appeal rights under Regulation X (12 CFR  
12          1024) in regard to any loss mitigation application  
13          submitted after the servicer has complied with the  
14          requirements of paragraphs (2) and (3).

15          “(5) SAFE HARBOR.—Any loss mitigation op-  
16          tion authorized by the Federal National Mortgage  
17          Association, the Federal Home Loan Corporation, or  
18          the Federal Housing Administration that either—

19                 “(A) defers the payment of total arrear-  
20                 ages, including any escrow advances, to the end  
21                 of the existing term of the loan, without the  
22                 charging or collection of any additional interest  
23                 on the deferred amounts, or

24                 “(B) extends the term of the mortgage  
25                 loan, and capitalizes, defers, or forgives all es-

1           crow advances and other arrearages, without  
2           the charging of any fees or penalties beyond in-  
3           terest on any amount capitalized into the loan  
4           principal,  
5           shall be deemed to comply with the requirements of  
6           paragraph (1)(B).

7           “(6) HOME RETENTION OPTIONS FOR CERTAIN  
8           REVERSE MORTGAGE LOANS.—

9           “(A) IN GENERAL.—For a covered mort-  
10          gage loan which is also a federally-insured re-  
11          verse mortgage loan, a servicer’s conduct shall  
12          be deemed to comply with this section provided  
13          that if the loan is eligible to be called due and  
14          payable due to a property charge default, the  
15          mortgagee shall, as a precondition to sending a  
16          due and payable request to the Secretary or ini-  
17          tiating or continuing a foreclosure process—

18                 “(i) make a good faith effort to com-  
19                 municate with the borrower regarding  
20                 available home retention options to cure  
21                 the property charge default, including en-  
22                 couraging the borrower to apply for home  
23                 retention options; and

1           “(ii) consider the borrower for all  
2           available home retention options as allowed  
3           by the Secretary.

4           “(B) PERMISSIBLE REPAYMENT PLANS.—  
5           The Secretary shall amend its allowable home  
6           retention options to permit a repayment plan of  
7           up to 120 months in length, and to permit a re-  
8           payment plan without regard to prior defaults  
9           on repayment plans.

10           “(C) LIMITATION ON INTEREST CURTAIL-  
11           MENT.—The Secretary may not curtail interest  
12           paid to mortgagees who engage in loss mitiga-  
13           tion or home retention actions through interest  
14           curtailment during such loss mitigation or home  
15           retention review or during the period when a  
16           loss mitigation or home retention plan is in ef-  
17           fect and ending 90 days after any such plan  
18           terminates.”.

19           (B) AMENDMENT TO HOUSING ACT OF  
20           1949.—Section 505 of the Housing Act of 1949  
21           (42 U.S.C. 1475) is amended—

22           (i) by striking the section heading and  
23           inserting “LOSS MITIGATION AND FORE-  
24           CLOSURE PROCEDURES”;

1 (ii) in subsection (a), by striking the  
2 section designation and all that follows  
3 through “During any” and inserting the  
4 following:

5 “SEC. 505. (a) MORATORIUM.—(1) In determining a  
6 borrower’s eligibility for relief, the Secretary shall make  
7 all eligibility decisions based on the borrower’s household’s  
8 income, expenses, and circumstances.

9 “(2) During any”.

10 (iii) by redesignating subsection (b) as  
11 subsection (c); and

12 (iv) by inserting after subsection (a)  
13 the following new subsection:

14 “(b) LOAN MODIFICATION.—(1) Notwithstanding  
15 any other provision of this title, for any loan made under  
16 section 502 or 504, the Secretary may modify the interest  
17 rate and extend the term of such loan for up to 30 years  
18 from the date of such modification.

19 “(2) At the end of any moratorium period granted  
20 under this section or under the Emergency Housing Pro-  
21 tections and Relief Act of 2020, the Secretary shall deter-  
22 mine whether the borrower can reasonably resume making  
23 principal and interest payments after the Secretary modi-  
24 fies the borrower’s loan obligations in accordance with  
25 paragraph (1).”.

1           (7) MULTIFAMILY MORTGAGE FORBEARANCE.—  
2           Section 4023 of the CARES Act (15 U.S.C. 9057)  
3           is amended—

4                   (A) by striking “Federally backed multi-  
5                   family mortgage loan” each place such term ap-  
6                   pears and inserting “multifamily mortgage  
7                   loan”;

8                   (B) in subsection (b), by striking “during”  
9                   and inserting “due, directly or indirectly, to”;

10                   (C) in subsection (c)(1)—

11                           (i) in subparagraph (A), by adding  
12                           “and” at the end;

13                           (ii) by striking subparagraphs (B) and  
14                           (C) and inserting the following:

15                           “(B) provide the forbearance for up to the  
16                           end of the period described under section  
17                           4024(b).”; and

18                   (D) by redesignating subsection (f) as sub-  
19                   section (g);

20                   (E) by inserting after subsection (e) the  
21                   following:

22           “(f) TREATMENT AFTER FORBEARANCE.—With re-  
23           spect to a multifamily mortgage loan provided a forbear-  
24           ance under this section, the servicer of such loan—

1           “(1) shall provide the borrower with a 12-  
2           month period beginning at the end of such forbear-  
3           ance to become current on the payments under such  
4           loan;

5           “(2) may not charge any late fees, penalties, or  
6           other charges with respect to payments on the loan  
7           that were due during the forbearance period, if such  
8           payments are made before the end of the 12-month  
9           period; and

10           “(3) may not report any adverse information to  
11           a credit rating agency (as defined under section 603  
12           of the Fair Credit Reporting Act with respect to any  
13           payments on the loan that were due during the for-  
14           bearance period, if such payments are made before  
15           the end of the 12-month period.)”; and

16           (F) in subsection (g), as so redesignated—

17                   (i) in paragraph (2)—

18                           (I) by striking “that—” and all  
19                           that follows through “(A) is secured  
20                           by” and inserting “that is secured  
21                           by”;

22                           (II) by striking “; and” and in-  
23                           serting a period; and

24                           (III) by striking subparagraph  
25                           (B); and



1 (ii) by amending paragraph (5) to  
2 read as follows:

3 “(5) COVERED PERIOD.—With respect to a  
4 loan, the term ‘covered period’ has the meaning  
5 given that term under section 4022(a)(3).”.

6 (8) RENTER PROTECTIONS DURING FORBEAR-  
7 ANCE PERIOD.—A borrower that receives a forbear-  
8 ance pursuant to section 4022 or 4023 of the  
9 CARES Act (15 U.S.C. 9056 or 9057) may not, for  
10 the duration of the forbearance—

11 (A) evict or initiate the eviction of a tenant  
12 solely for nonpayment of rent or other fees or  
13 charges; or

14 (B) charge any late fees, penalties, or  
15 other charges to a tenant for late payment of  
16 rent.

17 (9) EXTENSION OF GSE PATCH.—

18 (A) NON-APPLICABILITY OF EXISTING  
19 SUNSET.—Section 1026.43(e)(4)(iii)(B) of title  
20 12, Code of Federal Regulations, shall have no  
21 force or effect.

22 (B) EXTENDED SUNSET.—The special  
23 rules in section 1026.43(e)(4) of title 12, Code  
24 of Federal Regulations, shall apply to covered  
25 transactions consummated prior to June 1,

1           2022, or such later date as the Director of the  
2           Bureau of Consumer Financial Protection may  
3           determine, by rule.

4           (10) SERVICER SAFE HARBOR FROM INVESTOR  
5           LIABILITY.—

6                   (A) SAFE HARBOR.—

7                           (i) IN GENERAL.—A servicer of cov-  
8                           ered mortgage loans or multifamily mort-  
9                           gage loans shall be deemed not to have vio-  
10                           lated any duty or contractual obligation  
11                           owed to investors or other parties regard-  
12                           ing such mortgage loans on account of of-  
13                           fering or implementing in good faith for-  
14                           bearance during the covered period or of-  
15                           fering or implementing in good faith post-  
16                           forbearance loss mitigation (including after  
17                           the expiration of the covered period) in ac-  
18                           cordance with the terms of sections 4022  
19                           and 4023 of the CARES Act to borrowers,  
20                           respectively, on covered or multifamily  
21                           mortgage loans that it services and shall  
22                           not be liable to any party who is owed such  
23                           a duty or obligation or subject to any in-  
24                           junction, stay, or other equitable relief to  
25                           such party on account of such offer or im-

1           plementation of forbearance or post-for-  
2           bearance loss mitigation.

3           (ii) OTHER PERSONS.—Any person,  
4           including a trustee of a securitization vehi-  
5           cle or other party involved in a  
6           securitization or other investment vehicle,  
7           who in good faith cooperates with a  
8           servicer of covered or multifamily mortgage  
9           loans held by that securitization or invest-  
10          ment vehicle to comply with the terms of  
11          section 4022 and 4023 of the CARES Act,  
12          respectively, to borrowers on covered or  
13          multifamily mortgage loans owned by the  
14          securitization or other investment vehicle  
15          shall not be liable to any party who is owed  
16          such a duty or obligation or subject to any  
17          injunction, stay, or other equitable relief to  
18          such party on account of its cooperation  
19          with an offer or implementation of forbear-  
20          ance during the covered period or post-for-  
21          bearance loss mitigation, including after  
22          the expiration of the covered period.

23          (B) STANDARD INDUSTRY PRACTICE.—

24          During the covered period, notwithstanding any  
25          contractual restrictions, it is deemed to be

1 standard industry practice for a servicer to  
2 offer forbearance or loss mitigation options in  
3 accordance with the terms of sections 4022 and  
4 4023 of the CARES Act to borrowers, respec-  
5 tively, on all covered or multifamily mortgage  
6 loans it services.

7 (C) RULE OF CONSTRUCTION.—Nothing in  
8 this paragraph may be construed as affecting  
9 the liability of a servicer or other person for ac-  
10 tual fraud in the servicing of a mortgage loan  
11 or for the violation of a State or Federal law.

12 (D) DEFINITIONS.—In this paragraph:

13 (i) COVERED MORTGAGE LOAN.—The  
14 term “covered mortgage loan” has the  
15 meaning given that term under section  
16 4022(a) of the CARES Act.

17 (ii) COVERED PERIOD.—The term  
18 “covered period” has the meaning given  
19 that term under section 4023(g) of the  
20 CARES Act.

21 (iii) MULTIFAMILY MORTGAGE  
22 LOAN.—The term “multifamily mortgage  
23 loan” has the meaning given that term  
24 under section 4023(g) of the CARES Act.

1 (iv) SERVICER.—The term  
2 “servicer”—

3 (I) has the meaning given the  
4 term under section 6(i) of the Real  
5 Estate Settlement Procedures Act of  
6 1974 (12 U.S.C. 2605(i)); and

7 (II) means a master servicer and  
8 a subservicer, as such terms are de-  
9 fined, respectively, under section  
10 1024.31 of title 12, Code of Federal  
11 Regulations.

12 (v) SECURITIZATION VEHICLE.—The  
13 term “securitization vehicle” has the  
14 meaning give that term under section  
15 129A(f) of the Truth in Lending Act (15  
16 U.S.C. 1639a(f)).

17 (c) BANKRUPTCY PROTECTIONS.—

18 (1) BANKRUPTCY PROTECTIONS FOR FEDERAL  
19 CORONAVIRUS RELIEF PAYMENTS.—Section 541(b)  
20 of title 11, United States Code, is amended—

21 (A) in paragraph (9), in the matter fol-  
22 lowing subparagraph (B), by striking “or”;

23 (B) in paragraph (10)(C), by striking the  
24 period at the end and inserting “; or”; and

1 (C) by inserting after paragraph (10) the  
2 following:

3 “(11) payments made under Federal law relat-  
4 ing to the national emergency declared by the Presi-  
5 dent under the National Emergencies Act (50  
6 U.S.C. 1601 et seq.) with respect to the coronavirus  
7 disease 2019 (COVID–19).”.

8 (2) PROTECTION AGAINST DISCRIMINATORY  
9 TREATMENT OF HOMEOWNERS IN BANKRUPTCY.—  
10 Section 525 of title 11, United States Code, is  
11 amended by adding at the end the following:

12 “(d) A person may not be denied any forbearance,  
13 assistance, or loan modification relief made available to  
14 borrowers by a mortgage creditor or servicer because the  
15 person is or has been a debtor, or has received a discharge,  
16 in a case under this title.”.

17 (3) INCREASING THE HOMESTEAD EXEMP-  
18 TION.—Section 522 of title 11, United States Code,  
19 is amended—

20 (A) in subsection (d)(1), by striking  
21 “\$15,000” and inserting “\$100,000”; and

22 (B) by adding at the end the following:

23 “(r) Notwithstanding any other provision of applica-  
24 ble nonbankruptcy law, a debtor in any State may exempt  
25 from property of the estate the property described in sub-

1 section (d)(1) not to exceed the value in subsection (d)(1)  
2 if the exemption for such property permitted by applicable  
3 nonbankruptcy law is lower than that amount.”.

4 (4) EFFECT OF MISSED MORTGAGE PAYMENTS  
5 ON DISCHARGE.—Section 1328 of title 11, United  
6 States Code, is amended by adding at the end the  
7 following:

8 “(i) A debtor shall not be denied a discharge under  
9 this section because, as of the date of discharge, the debtor  
10 did not make 6 or fewer payments directly to the holder  
11 of a debt secured by real property.

12 “(j) Notwithstanding subsections (a) and (b), upon  
13 the debtor’s request, the court shall grant a discharge of  
14 all debts provided for in the plan that are dischargeable  
15 under subsection (a) if the debtor—

16 “(1) has made payments under a confirmed  
17 plan for at least 1 year; and

18 “(2) is experiencing or has experienced a mate-  
19 rial financial hardship due, directly or indirectly, to  
20 the coronavirus disease 2019 (COVID–19) pan-  
21 demic.”.

22 (5) EXPANDED ELIGIBILITY FOR CHAPTER  
23 13.—Section 109(e) of title 11, United States Code,  
24 is amended—

1 (A) by striking “\$250,000” each place the  
2 term appears and inserting “\$850,000”; and

3 (B) by striking “\$750,000” each place the  
4 term appears and inserting “\$2,600,000”.

5 (6) EXTENDED CURE PERIOD FOR HOME-  
6 OWNERS HARMED BY COVID-19 PANDEMIC.—

7 (A) IN GENERAL.—Chapter 13 of title 11,  
8 United States Code, is amended by adding at  
9 the end thereof the following:

10 **“§ 1331. Special provisions related to COVID-19 pan-**  
11 **demic**

12 “(a) Notwithstanding subsections (b)(2) and (d) of  
13 section 1322, if the debtor is experiencing or has experi-  
14 enced a material financial hardship due, directly or indi-  
15 rectly, to the coronavirus disease 2019 (COVID-19) pan-  
16 demic, a plan may provide for the curing of any default  
17 within a reasonable time, not to exceed 7 years after the  
18 time that the first payment under the original confirmed  
19 plan was due, and maintenance of payments while the case  
20 is pending on any unsecured claim or secured claim on  
21 which the last payment is due after the expiration of such  
22 time. Any such plan provision shall not affect the applica-  
23 ble commitment period under section 1325(b).

24 “(b) For purposes of sections 1328(a) and 1328(b),  
25 any cure or maintenance payments under subsection (a)



1 that are made after the end of the period during which  
2 the plan provides for payments (other than payments  
3 under subsection (a)) shall not be treated as payments  
4 under the plan.

5 “(c) Notwithstanding section 1329(c), a plan modi-  
6 fied under section 1329 at the debtor’s request may pro-  
7 vide for cure or maintenance payments under subsection  
8 (a) over a period that is not longer than 7 years after  
9 the time that the first payment under the original con-  
10 firmed plan was due.

11 “(d) Notwithstanding section 362(c)(2), during the  
12 period after the debtor receives a discharge and the period  
13 during which the plan provides for the cure of any default  
14 and maintenance of payments under the plan, section  
15 362(a) shall apply to the holder of a claim for which a  
16 default is cured and payments are maintained under sub-  
17 section (a) and to any property securing such claim.

18 “(e) Notwithstanding section 1301(a)(2), the stay of  
19 section 1301(a) terminates upon the granting of a dis-  
20 charge under section 1328 with respect to all creditors  
21 other than the holder of a claim for which a default is  
22 cured and payments are maintained under subsection  
23 (a).”.

24 (B) TABLE OF CONTENTS.—The table of  
25 sections of chapter 13, title 11, United States

1 Code, is amended by adding at the end thereof  
2 the following:

“Sec. 1331. Special provisions related to COVID–19 Pandemic.”.

3 (C) APPLICATION.—The amendments  
4 made by this paragraph shall apply only to any  
5 case under title 11, United States Code, com-  
6 menced before 3 years after the date of enact-  
7 ment of this Act and pending on or commenced  
8 after such date of enactment, in which a plan  
9 under chapter 13 of title 11, United States  
10 Code, was not confirmed before March 27,  
11 2020.

12 **SEC. 104. LIQUIDITY FOR MORTGAGE SERVICERS AND RESI-**  
13 **DENTIAL RENTAL PROPERTY OWNERS.**

14 (a) IN GENERAL.—Section 4003 of the CARES Act  
15 (15 U.S.C. 9042), is amended by adding at the end the  
16 following:

17 “(i) LIQUIDITY FOR MORTGAGE SERVICERS.—

18 “(1) IN GENERAL.—Subject to paragraph (2),  
19 the Secretary shall ensure that servicers of covered  
20 mortgage loans (as defined under section 4022) and  
21 multifamily mortgage loans (as defined under sec-  
22 tion 4023) are provided the opportunity to partici-  
23 pate in the loans, loan guarantees, or other invest-  
24 ments made by the Secretary under this section. The  
25 Secretary shall ensure that servicers are provided

1 with access to such opportunities under equitable  
2 terms and conditions regardless of their size.

3 “(2) MORTGAGE SERVICER ELIGIBILITY.—In  
4 order to receive assistance under subsection (b)(4),  
5 a mortgage servicer shall—

6 “(A) demonstrate that the mortgage  
7 servicer has established policies and procedures  
8 to use such funds only to replace funds used for  
9 borrower assistance, including to advance funds  
10 as a result of forbearance or other loss mitiga-  
11 tion provided to borrowers;

12 “(B) demonstrate that the mortgage  
13 servicer has established policies and procedures  
14 to provide forbearance, post-forbearance loss  
15 mitigation, and other assistance to borrowers in  
16 compliance with the terms of section 4022 or  
17 4023, as applicable;

18 “(C) demonstrate that the mortgage  
19 servicer has established policies and procedures  
20 to ensure that forbearance and post-forbearance  
21 assistance is available to all borrowers in a non-  
22 discriminatory fashion and in compliance with  
23 the Fair Housing Act, the Equal Credit Oppor-  
24 tunity Act, and other applicable fair housing  
25 and fair lending laws; and

1           “(D) comply with the limitations on com-  
2           pensation set forth in section 4004.

3           “(3) MORTGAGE SERVICER REQUIREMENTS.—A  
4           mortgage servicer receiving assistance under sub-  
5           section (b)(4) may not, while the servicer is under  
6           any obligation to repay funds provided or guaran-  
7           teed under this section—

8           “(A) pay dividends with respect to the  
9           common stock of the mortgage servicer or pur-  
10          chase an equity security of the mortgage  
11          servicer or any parent company of the mortgage  
12          servicer if the security is listed on a national se-  
13          curities exchange, except to the extent required  
14          under a contractual obligation that is in effect  
15          on the date of enactment of this subsection; or

16          “(B) prepay any debt obligation.”.

17          (b) CREDIT FACILITY FOR RESIDENTIAL RENTAL  
18          PROPERTY OWNERS.—

19               (1) IN GENERAL.—The Board of Governors of  
20               the Federal Reserve System shall—

21                       (A) establish a facility, using amounts  
22                       made available under section 4003(b)(4) of the  
23                       CARES Act (15 U.S.C. 9042(b)(4)), to make  
24                       long-term, low-cost loans to residential rental  
25                       property owners as to temporarily compensate

1 such owners for documented financial losses  
2 caused by reductions in rent payments; and

3 (B) defer such owners' required payments  
4 on such loans until after six months after the  
5 date of enactment of this Act.

6 (2) REQUIREMENTS.—A borrower that receives  
7 a loan under this subsection may not, for the dura-  
8 tion of the loan—

9 (A) evict or initiate the eviction of a tenant  
10 solely for nonpayment of rent or other fees or  
11 charges;

12 (B) charge any late fees, penalties, or  
13 other charges to a tenant for late payment of  
14 rent; and

15 (C) with respect to a person or entity de-  
16 scribed under paragraph (4), discriminate on  
17 the basis of source of income.

18 (3) REPORT ON RESIDENTIAL RENTAL PROP-  
19 erty OWNERS.—The Board of Governors shall issue  
20 a report to the Congress containing the following,  
21 with respect to each property owner receiving a loan  
22 under this subsection:

23 (A) The number of borrowers that received  
24 assistance under this subsection.

1 (B) The average total loan amount that  
2 each borrower received.

3 (C) The total number of rental units that  
4 each borrower owned.

5 (D) The average rent charged by each bor-  
6 rower.

7 (4) REPORT ON LARGE RESIDENTIAL RENTAL  
8 PROPERTY OWNERS.—The Board of Governors shall  
9 issue a report to Congress that identifies any person  
10 or entity that in aggregate owns or holds a control-  
11 ling interest in any entity that, in aggregate, owns—

12 (A) more than 100 rental units that are lo-  
13 cated within in a single Metropolitan Statistical  
14 Area;

15 (B) more than 1,000 rental units nation-  
16 wide; or

17 (C) rental units in three or more States.

18 (c) AMENDMENTS TO NATIONAL HOUSING ACT.—  
19 Section 306(g)(1) of the National Housing Act (12 U.S.C.  
20 1721(a)) is amended—

21 (1) in the fifth sentence, by inserting after  
22 “issued” the following: “, subject to any pledge or  
23 grant of security interest of the Federal Reserve  
24 under section 4003(a) of the CARES Act (Public  
25 Law 116–136; 134 Stat. 470; 15 U.S.C. 9042(a))

1 and to any such mortgage or mortgages or any in-  
2 terest therein and the proceeds thereon, which the  
3 Association may elect to approve”; and

4 (2) in the sixth sentence—

5 (A) by striking “or (C)” and inserting  
6 “(C)”; and

7 (B) by inserting before the period the fol-  
8 lowing: “, or (D) its approval and honoring of  
9 any pledge or grant of security interest of the  
10 Federal Reserve under section 4003(a) of the  
11 CARES Act and to any such mortgage or mort-  
12 gages or any interest therein and proceeds  
13 thereon as”.

14 **SEC. 105. RURAL RENTAL ASSISTANCE.**

15 There is authorized to be appropriated for fiscal year  
16 2020 \$309,000,000 for rural rental assistance, which shall  
17 remain available until September 30, 2021, of which—

18 (1) up to \$25,000,000 may be used for an addi-  
19 tional amount for rural housing vouchers for any  
20 low-income households (including those not receiving  
21 rental assistance) residing in a property financed  
22 with a section 515 loan which has been prepaid after  
23 September 30, 2005, or has matured after Sep-  
24 tember 30, 2019; and

1           (2) the remainder shall be used for an addi-  
2           tional amount for rural rental assistance agreements  
3           entered into or renewed pursuant to section  
4           521(a)(2) of the Housing Act of 1949 (42 U.S.C.  
5           1490a(a)(2)) to—

6                   (A) supplement the rental assistance of  
7           households on whose behalf assistance is being  
8           provided; and

9                   (B) provide rental assistance on behalf of  
10           households who are not being assisted with such  
11           rental assistance but who qualify for such as-  
12           sistance.

13 **SEC. 106. FUNDING FOR PUBLIC HOUSING AND TENANT-**  
14 **BASED RENTAL ASSISTANCE.**

15           (a) **PUBLIC HOUSING OPERATING FUND.**—There is  
16 authorized to be appropriated for an additional amount  
17 for fiscal year 2020 for the Public Housing Operating  
18 Fund under section 9(e) of the United States Housing Act  
19 of 1937 (42 U.S.C. 1437g(e)) \$2,000,000,000, to remain  
20 available until September 30, 2021.

21           (b) **TENANT-BASED SECTION 8 RENTAL ASSIST-**  
22 **ANCE.**—There is authorized to be appropriated for an ad-  
23 ditional amount for fiscal year 2020 for the tenant-based  
24 rental assistance under section 8(o) of the United States  
25 Housing Act of 1937 (42 U.S.C. 1437f(o))



1 \$3,000,000,000, to remain available until September 30,  
2 2021, of which not more than \$500,000,000 may be used  
3 for administrative fees under section 8(q) of such Act (42  
4 U.S.C. 1437f(q)).

5 (c) APPLICABILITY OF WAIVERS.—Any waiver or al-  
6 ternative requirement made by the Secretary of Housing  
7 and Urban Development pursuant to the heading “Ten-  
8 ant-Based Rental Assistance” or “Public Housing Oper-  
9 ating Fund” in title XII of division B of the CARES Act  
10 (Public Law 116–136) shall apply with respect to amounts  
11 made available pursuant to this section.

12 **SEC. 107. SUPPLEMENTAL FUNDING FOR SUPPORTIVE**  
13 **HOUSING FOR THE ELDERLY, SUPPORTIVE**  
14 **HOUSING FOR PERSONS WITH DISABILITIES,**  
15 **SUPPORTIVE HOUSING FOR PERSONS WITH**  
16 **AIDS, AND PROJECT-BASED SECTION 8 RENT-**  
17 **AL ASSISTANCE.**

18 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
19 authorized to be appropriated \$500,000,000 for fiscal year  
20 2020 for additional assistance for supportive housing for  
21 the elderly, of which—

22 (1) \$200,000,000 shall be for rental assistance  
23 under section 202 of the Housing Act of 1959 (12  
24 U.S.C. 1701q) or section 8 of the United States  
25 Housing Act of 1937 (42 U.S.C. 1437f), as appro-

1        appropriate, and for hiring additional staff and for serv-  
2        ices and costs, including acquiring personal protec-  
3        tive equipment, to prevent, prepare for, or respond  
4        to the public health emergency relating to  
5        Coronavirus Disease 2019 (COVID-19) pandemic;  
6        and

7                (2) \$300,000,000 shall be for grants under sec-  
8        tion 676 of the Housing and Community Develop-  
9        ment Act of 1992 (42 U.S.C. 13632) for costs of  
10       providing service coordinators for purposes of coordi-  
11       nating services to prevent, prepare for, or respond to  
12       the public health emergency relating to Coronavirus  
13       Disease 2019 (COVID-19).

14 Any provisions of, and waivers and alternative require-  
15 ments issued by the Secretary pursuant to, the heading  
16 “Department of Housing and Urban Development—Hous-  
17 ing Programs—Housing for the Elderly” in title XII of  
18 division B of the CARES Act (Public Law 116–136) shall  
19 apply with respect to amounts made available pursuant  
20 to this subsection.

21                (b) ELIGIBILITY OF SUPPORTIVE HOUSING FOR PER-  
22        SONS WITH DISABILITIES.—Subsection (a) of section 676  
23        of the Housing and Community Development Act of 1992  
24        (42 U.S.C. 13632(a)) shall be applied, for purposes of

1 subsection (a) of this section, by substituting “(G), and  
2 (H)” for “ and (G)”.

3 (c) SERVICE COORDINATORS.—

4 (1) HIRING.—In the hiring of staff using  
5 amounts made available pursuant to this section for  
6 costs of providing service coordinators, grantees  
7 shall consider and hire, at all levels of employment  
8 and to the greatest extent possible, a diverse staff,  
9 including by race, ethnicity, gender, and disability  
10 status. Each grantee shall submit a report to the  
11 Secretary of Housing and Urban Development de-  
12 scribing compliance with the preceding sentence not  
13 later than the expiration of the 120-day period that  
14 begins upon the termination of the emergency de-  
15 clared on March 13, 2020, by the President under  
16 the Robert T. Stafford Disaster Relief and Emer-  
17 gency Assistance Act (42 U.S.C. 4121 et seq.) relat-  
18 ing to the Coronavirus Disease 2019 (COVID-19)  
19 pandemic.

20 (2) ONE-TIME GRANTS.—Grants made using  
21 amounts made available pursuant to subsection (a)  
22 for costs of providing service coordinators shall not  
23 be renewable.

24 (3) ONE-YEAR AVAILABILITY.—Any amounts  
25 made available pursuant to this section for costs of

1 providing service coordinators that are allocated for  
2 a grantee and remain unexpended upon the expira-  
3 tion of the 12-month period beginning upon such al-  
4 location shall be recaptured by the Secretary.

5 (d) FUNDING FOR SUPPORTIVE HOUSING FOR PER-  
6 SONS WITH DISABILITIES.—There is authorized to be ap-  
7 propriated \$200,000,000 for fiscal year 2020 for addi-  
8 tional assistance for supportive housing for persons with  
9 disabilities under section 811 of the Cranston-Gonzalez  
10 National Affordable Housing Act (42 U.S.C. 8013). Any  
11 provisions of, and waivers and alternative requirements  
12 issued by the Secretary pursuant to, the heading “Depart-  
13 ment of Housing and Urban Development—Housing Pro-  
14 grams—Housing for Persons With Disabilities” in title  
15 XII of division B of the CARES Act (Public Law 116–  
16 136) shall apply with respect to amounts made available  
17 pursuant to this subsection.

18 (e) FUNDING FOR HOUSING OPPORTUNITIES FOR  
19 PEOPLE WITH AIDS PROGRAM.—There is authorized to  
20 be appropriated \$15,000,000 for fiscal year 2020 for addi-  
21 tional assistance for the Housing Opportunities for Per-  
22 sons with AIDS program under the AIDS Housing Oppor-  
23 tunity Act (42 U.S.C. 12901 et seq.). Any provisions of,  
24 and waivers and alternative requirements issued by the  
25 Secretary pursuant to, the heading “Department of Hous-

1 ing and Urban Development—Community Planning and  
2 Development—Housing Opportunities for Persons With  
3 AIDS” in title XII of division B of the CARES Act (Pub-  
4 lic Law 116–136) shall apply with respect to amounts  
5 made available pursuant to this subsection.

6 (f) FUNDING FOR PROJECT-BASED SECTION 8  
7 RENTAL ASSISTANCE.—There is authorized to be appro-  
8 priated \$750,000,000 for fiscal year 2020 for additional  
9 assistance for project-based rental assistance under sec-  
10 tion 8 of the United States Housing Act of 1937 (42  
11 U.S.C. 1437f). Any provisions of, and waivers and alter-  
12 native requirements issued by the Secretary pursuant to,  
13 the heading “Department of Housing and Urban Develop-  
14 ment—Housing Programs—Project-Based Rental Assist-  
15 ance” in title XII of division B of the CARES Act (Public  
16 Law 116–136) shall apply with respect to amounts made  
17 available pursuant to this subsection.

18 **SEC. 108. FAIR HOUSING.**

19 (a) DEFINITION OF COVID–19 EMERGENCY PE-  
20 RIOD.— For purposes of this Act, the term “COVID–19  
21 emergency period” means the period that begins upon the  
22 date of the enactment of this Act and ends upon the date  
23 of the termination by the Federal Emergency Manage-  
24 ment Agency of the emergency declared on March 13,  
25 2020, by the President under the Robert T. Stafford Dis-

1 aster Relief and Emergency Assistance Act (42 U.S.C.  
2 4121 et seq.) relating to the Coronavirus Disease 2019  
3 (COVID–19) pandemic.

4 (b) FAIR HOUSING ACTIVITIES.—

5 (1) AUTHORIZATION OF APPROPRIATIONS.—To  
6 ensure existing grantees have sufficient resource for  
7 fair housing activities and for technology and equip-  
8 ment needs to deliver services through use of the  
9 Internet or other electronic or virtual means in re-  
10 sponse to the public health emergency related to the  
11 Coronavirus Disease 2019 (COVID-19) pandemic,  
12 there is authorized to be appropriated \$4,000,000  
13 for Fair Housing Organization Initiative grants  
14 through the Fair Housing Initiatives Program under  
15 section 561 of the Housing and Community Devel-  
16 opment Act of 1987 (42 U.S.C. 3616a).

17 (2) 3-YEAR AVAILABILITY.—Any amounts made  
18 available pursuant paragraph (1) that are allocated  
19 for a grantee and remain unexpended upon the expi-  
20 ration of the 3-year period beginning upon such allo-  
21 cation shall be recaptured by the Secretary.

22 (c) FAIR HOUSING EDUCATION.—There is authorized  
23 to be appropriated \$10,000,000 for the Office of Fair  
24 Housing and Equal Opportunity of the Department of  
25 Housing and Urban Development to carry out a national

1 media campaign and local education and outreach to edu-  
2 cate the public of increased housing rights during  
3 COVID–19 emergency period, that provides that informa-  
4 tion and materials used in such campaign are available—

5 (1) in the languages used by communities with  
6 limited English proficiency; and

7 (2) to persons with disabilities.

8 **SEC. 109. FUNDING FOR HOUSING COUNSELING SERVICES.**

9 (a) CONGRESSIONAL FINDINGS.—The Congress finds  
10 that—

11 (1) the spread of Coronavirus Disease 2019  
12 (COVID–19), which is now considered a global pan-  
13 demic, is expected to negatively impact the incomes  
14 of potentially millions of homeowners, renters, indi-  
15 viduals experiencing homelessness, and individuals at  
16 risk of homelessness, making it difficult for them to  
17 pay their mortgages or rents on time;

18 (2) housing counseling is critical to ensuring  
19 that homeowners, renters, individuals experiencing  
20 homelessness, and individuals at risk of homeles-  
21 ness have the resources they need to manage finan-  
22 cial hardships from the COVID-19 crisis;

23 (3) loan preservation and foreclosure mitigation  
24 services are also critical to address the needs of  
25 homeowners who lose employment and income be-

1 cause of the pandemic and who face serious delin-  
2 quency or home loan default, or are in foreclosing  
3 proceedings during this period;

4 (4) evaluations from the National Foreclosure  
5 Mitigation Counseling program revealed that home-  
6 owners at risk of or facing foreclosure are better  
7 served when they have access to a housing counselor  
8 and a range of tools and resources to help them  
9 avoid losing their home and have the support they  
10 need to tailor the best possible response to their sit-  
11 uation.

12 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
13 authorized to be appropriated to the Neighborhood Rein-  
14 vestment Corporation (in this section referred to as the  
15 “Corporation”) established under the Neighborhood Rein-  
16 vestment Corporation Act (42 U.S.C. 8101 et seq.)  
17 \$100,000,000 for fiscal year 2020 for housing counseling  
18 services, which shall remain available until September 30,  
19 2023.

20 (c) PRIORITIZATION OF HOUSING COUNSELING  
21 SERVICES.—Of any grant funds made available pursuant  
22 to subsection (b), not less than 40 percent shall be pro-  
23 vided to counseling organizations that target counseling  
24 services to minority and low-income homeowners, renters,  
25 individuals experiencing homelessness, and individuals at



1 risk of homelessness or provide such services in neighbor-  
2 hoods with high concentrations of minority and low-in-  
3 come homeowners, renters, individuals experiencing home-  
4 lessness, and individuals at risk of homelessness.

5 (d) ELIGIBLE USES.—Amounts made available pur-  
6 suant to subsection (b) may be used in such amounts as  
7 the Corporation determines for costs of—

8 (1) public education and outreach;

9 (2) direct services, including the full range of  
10 services provided by housing counselors to assist  
11 homeowners, including manufactured homeowners,  
12 regardless of financing type, renters, individuals ex-  
13 perencing homelessness, and individuals at risk of  
14 homelessness, including the practices, tools, and in-  
15 novations in foreclosure mitigation that were utilized  
16 in the National Foreclosure Mitigation Counseling  
17 Program, and financial capability, credit counseling,  
18 homeless counseling, and rental counseling;

19 (3) equipment and technology, including  
20 broadband internet and equipment upgrades needed  
21 to ensure timely and effective service delivery;

22 (4) training, including capacitating housing  
23 counseling staff in various modes of counseling, in-  
24 cluding rental and foreclosure, delivery of remote  
25 counseling utilizing improved technology, enhanced

1 network security, and supportive options for the de-  
2 livery of client services; and

3 (5) administration and oversight of the program  
4 in accordance with the Corporation's rate for pro-  
5 gram administration.

6 (e) DISBURSEMENT.—The Corporation shall disburse  
7 all grant funds made available pursuant to subsection (b)  
8 as expeditiously as possible, through grants to housing  
9 counseling intermediaries approved by the Department of  
10 Housing and Urban Development, State housing finance  
11 agencies, and NeighborWorks organizations. The aggre-  
12 gate amount provided to NeighborWorks organizations  
13 shall not exceed 15 percent of the total of grant funds  
14 made available pursuant to subsection (b).

15 **TITLE II—PROTECTING PEOPLE**  
16 **EXPERIENCING HOMELESSNESS**

17 **SEC. 201. HOMELESS ASSISTANCE FUNDING.**

18 (a) EMERGENCY HOMELESS ASSISTANCE.—

19 (1) AUTHORIZATION OF APPROPRIATIONS.—

20 There is authorized to be appropriated under the  
21 Emergency Solutions Grants program under subtitle  
22 B of title IV of the McKinney-Vento Homeless As-  
23 sistance Act (42 U.S.C. 11371 et seq.)  
24 \$11,500,000,000 for grants under such subtitle in  
25 accordance with this subsection to respond to needs

1 arising from the public health emergency relating to  
2 Coronavirus Disease 2019 (COVID-19). Of such  
3 amounts made available, \$4,000,000,000 shall be al-  
4 located in accordance with sections 413 and 414 of  
5 the McKinney-Vento Homeless Assistance Act (42  
6 U.S.C. 11372, 11373).

7 (2) FORMULA.—Notwithstanding sections 413  
8 and 414 of the McKinney-Vento Homeless Assist-  
9 ance Act (42 U.S.C. 11372, 11373), the Secretary  
10 of Housing and Urban Development (in this Act re-  
11 ferred to as the “Secretary”) shall allocate any  
12 amounts remaining after amounts are allocated pur-  
13 suant to paragraph (1) in accordance with a formula  
14 to be established by the Secretary that takes into  
15 consideration the following factors:

16 (A) Risk of transmission of coronavirus in  
17 a jurisdiction.

18 (B) Whether a jurisdiction has a high  
19 number or rate of sheltered and unsheltered  
20 homeless individuals and families.

21 (C) Economic and housing market condi-  
22 tions in a jurisdiction.

23 (3) ELIGIBLE ACTIVITIES.—In addition to eligi-  
24 ble activities under section 415(a) of the McKinney-  
25 Vento Homeless Assistance Act (42 U.S.C.

1 11374(a), amounts made available pursuant to para-  
2 graph (1) may also be used for costs of the following  
3 activities:

4 (A) Providing training on infectious dis-  
5 ease prevention and mitigation.

6 (B) Providing hazard pay, including for  
7 time worked before the effectiveness of this sub-  
8 paragraph, for staff working directly to prevent  
9 and mitigate the spread of coronavirus or  
10 COVID-19 among people experiencing or at  
11 risk of homelessness.

12 (C) Reimbursement of costs for eligible ac-  
13 tivities (including activities described in this  
14 paragraph) relating to preventing, preparing  
15 for, or responding to the coronavirus or  
16 COVID-19 that were accrued before the date of  
17 the enactment of this Act.

18 (D) Notwithstanding 24 CFR  
19 576.102(a)(3), providing a hotel or motel  
20 voucher for a homeless individual or family.

21 Use of such amounts for activities described in this  
22 paragraph shall not be considered use for adminis-  
23 trative purposes for purposes of section 418 of the  
24 McKinney-Vento Homeless Assistance Act (42  
25 U.S.C. 11377).

1           (4) INAPPLICABILITY OF PROCUREMENT  
2 STANDARDS.—To the extent amounts made available  
3 pursuant to paragraph (1) are used to procure goods  
4 and services relating to activities to prevent, prepare  
5 for, or respond to the coronavirus or COVID-19, the  
6 standards and requirements regarding procurement  
7 that are otherwise applicable shall not apply.

8           (5) INAPPLICABILITY OF HABITABILITY AND  
9 ENVIRONMENTAL REVIEW STANDARDS.—Any Fed-  
10 eral standards and requirements regarding habit-  
11 ability and environmental review shall not apply with  
12 respect to any emergency shelter that is assisted  
13 with amounts made available pursuant to paragraph  
14 (1) and has been determined by a State or local  
15 health official, in accordance with such requirements  
16 as the Secretary shall establish, to be necessary to  
17 prevent and mitigate the spread of coronavirus or  
18 COVID-19, such shelters.

19           (6) INAPPLICABILITY OF CAP ON EMERGENCY  
20 SHELTER ACTIVITIES.—Subsection (b) of section  
21 415 of the McKinney-Vento Homeless Assistance  
22 Act shall not apply to any amounts made available  
23 pursuant to paragraph (1) of this subsection.

24           (7) INITIAL ALLOCATION OF ASSISTANCE.—Sec-  
25 tion 417(b) of the McKinney-Vento Homeless Assist-

1       ance Act (42 U.S.C. 11376(b)) shall be applied with  
2       respect to amounts made available pursuant to para-  
3       graph (1) of this subsection by substituting “30-  
4       day” for “60-day”.

5               (8) WAIVERS AND ALTERNATIVE REQUIRE-  
6       MENTS.—

7               (A) AUTHORITY.—In administering  
8       amounts made available pursuant to paragraph  
9       (1), the Secretary may waive, or specify alter-  
10      native requirements for, any provision of any  
11      statute or regulation (except for any require-  
12      ments related to fair housing, nondiscrimina-  
13      tion, labor standards, and the environment)  
14      that the Secretary administers in connection  
15      with the obligation or use by the recipient of  
16      such amounts, if the Secretary finds that good  
17      cause exists for the waiver or alternative re-  
18      quirement and such waiver or alternative re-  
19      quirement is consistent with the purposes de-  
20      scribed in this subsection.

21              (B) NOTIFICATION.—The Secretary shall  
22      notify the public through the Federal Register  
23      or other appropriate means 5 days before the  
24      effective date of any such waiver or alternative  
25      requirement, and any such public notice may be

1 provided on the Internet at the appropriate  
2 Government web site or through other elec-  
3 tronic media, as determined by the Secretary.

4 (C) EXEMPTION.—The use of amounts  
5 made available pursuant to paragraph (1) shall  
6 not be subject to the consultation, citizen par-  
7 ticipation, or match requirements that other-  
8 wise apply to the Emergency Solutions Grants  
9 program, except that a recipient shall publish  
10 how it has and will utilize its allocation at a  
11 minimum on the Internet at the appropriate  
12 Government web site or through other elec-  
13 tronic media.

14 (9) INAPPLICABILITY OF MATCHING REQUIRE-  
15 MENT.—Subsection (a) of section 416 of the McKin-  
16 ney-Vento Homeless Assistance Act (42 U.S.C.  
17 11375(a)) shall not apply to any amounts made  
18 available pursuant to paragraph (1) of this sub-  
19 section.

20 (10) PROHIBITION ON PREREQUISITES.—None  
21 of the funds authorized under this subsection may  
22 be used to require people experiencing homelessness  
23 to receive treatment or perform any other pre-  
24 requisite activities as a condition for receiving shel-  
25 ter, housing, or other services.

1 (b) CONTINUUM OF CARE PROGRAM.—Due to the  
2 emergency relating to the Coronavirus Disease 2019  
3 (COVID-19) pandemic, the Notice of Funding Availability  
4 (NOFA) for fiscal year 2020 for the Continuum of Care  
5 program under subtitle C of title IV of the McKinney-  
6 Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.)  
7 shall have no force or effect and the Secretary of Housing  
8 and Urban Development shall distribute amounts made  
9 available for such fiscal year for such program based on  
10 the results of the competition for amounts made available  
11 for such program for fiscal year 2019 (FR–6300–25), ex-  
12 cept that grant amounts may be adjusted to account for  
13 changes in fair market rents.

14 **SEC. 202. EMERGENCY RENTAL ASSISTANCE VOUCHER**  
15 **PROGRAM.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
17 authorized to be appropriated to the Secretary of Housing  
18 and Urban Development (in this section referred to as the  
19 “Secretary”), \$1,000,000,000 for fiscal year 2020, to re-  
20 main available until expended, for incremental emergency  
21 vouchers under subsection (b).

22 (b) EMERGENCY VOUCHERS.—

23 (1) IN GENERAL.—The Secretary shall provide  
24 emergency rental assistance vouchers under this sub-  
25 section, which shall be tenant-based rental assistance



1 under section 8(o) the United States Housing Act of  
2 1937 (42 U.S.C. 1437f(o)).

3 (2) SELECTION OF FAMILIES.—

4 (A) MANDATORY PREFERENCES.—Each  
5 public housing agency administering assistance  
6 under this section shall provide preference for  
7 such assistance to eligible families that are—

8 (i) homeless (as such term is defined  
9 in section 103(a) of the McKinney-Vento  
10 Homeless Assistance Act (42 U.S.C.  
11 11302(a));

12 (ii) at risk of homelessness (as such  
13 term is defined in section 401 of the  
14 McKinney-Vento Homeless Assistance Act  
15 (42 U.S.C. 11360); or

16 (iii) fleeing, or attempting to flee, do-  
17 mestic violence, dating violence, sexual as-  
18 sault, or stalking.

19 (B) ALLOCATION.—In allocating amounts  
20 made available under this section, the Secretary  
21 shall—

22 (i) not later than 60 days after the  
23 date of the enactment of this Act, allocate  
24 at least 50 percent of such amounts to

1 public housing agencies in accordance with  
2 a formula that considers—

3 (I) the capability of public hous-  
4 ing agencies to promptly use emer-  
5 gency vouchers provided under this  
6 section; and

7 (II) the need for emergency  
8 vouchers provided under this section  
9 in the geographical area, based on  
10 factors determined by the Secretary,  
11 including risk of transmission of  
12 coronavirus, high numbers or rates of  
13 sheltered and unsheltered homeless-  
14 ness, and economic and housing mar-  
15 ket conditions;

16 (ii) allocate remaining amounts in ac-  
17 cordance with a formula that considers—

18 (I) the criteria under clause (i)  
19 and the success of a public housing  
20 agency in promptly utilizing vouchers  
21 awarded under clause (i); and

22 (II) the capability of the public  
23 housing agency to create and manage  
24 structured partnerships with service

1 providers for the delivery of appro-  
2 priate community-based services; and  
3 (iii) designate the number of vouchers  
4 under this section that each public housing  
5 agency that is awarded funds under this  
6 section is authorized to administer.

7 (C) ELECTION NOT TO ADMINISTER.—If a  
8 public housing agency elects not to administer  
9 amounts under this section, the Secretary shall  
10 award such amounts to other public housing  
11 agencies according to the criteria in subpara-  
12 graph (B).

13 (D) FAILURE TO USE VOUCHERS PROMPT-  
14 LY.—If a public housing agency fails to issue  
15 all of its authorized vouchers under this section  
16 on behalf of eligible families within a reasonable  
17 period of time as determined by the Secretary,  
18 the Secretary shall reallocate any unissued  
19 vouchers and associated funds to others public  
20 housing agencies according to the criteria under  
21 subparagraph (B)(ii).

22 (3) WAIVERS AND ALTERNATIVE REQUIRE-  
23 MENTS.—Any waiver or alternative requirement that  
24 the Secretary makes available to all public housing  
25 agencies in connection with assistance made avail-

1       able under the heading “Tenant-Based Rental As-  
2       sistance” in title XII of division B of the CARES  
3       Act (Public Law 116–136; 134 Stat.601) shall apply  
4       to assistance under this section until the expiration  
5       of such waiver or alternative requirement.

6               (4) TERMINATION OF VOUCHERS UPON TURN-  
7       OVER.—

8               (A) IN GENERAL.—A public housing agen-  
9       cy may not reissue any vouchers made available  
10      under this section when assistance for the fam-  
11      ily initially assisted is terminated.

12              (B) REALLOCATION.—Upon termination of  
13      assistance for one or more families assisted by  
14      a public housing agency under this section, the  
15      Secretary shall reallocate amounts that are no  
16      longer needed by such public housing agency  
17      for assistance under this section to another  
18      public housing agency for the renewal of vouch-  
19      ers previously authorized under this section.

Passed the House of Representatives June 29, 2020.

Attest:

*Clerk.*



116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7301

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## AN ACT

To prevent evictions, foreclosures, and unsafe housing conditions resulting from the COVID-19 pandemic, and for other purposes.