

117TH CONGRESS
1ST SESSION

H. R. 1847

To suspend obligations of residential renters and mortgagors to make payments during the COVID–19 emergency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2021

Ms. OMAR (for herself, Mr. LOWENTHAL, Ms. LEE of California, Mr. BOWMAN, Mr. POCAN, Mr. GRIJALVA, Mr. JONES, Mrs. WATSON COLEMAN, Mr. GARCÍA of Illinois, Ms. PRESSLEY, Ms. JAYAPAL, Mr. THOMPSON of Mississippi, Ms. NORTON, Ms. VELÁZQUEZ, Ms. TLAIB, Ms. CLARKE of New York, Mr. ESPALLAT, Ms. WILSON of Florida, Ms. SCHAKOWSKY, Mr. MCGOVERN, Mr. GOMEZ, Mr. CARSON, Ms. OCASIO-CORTEZ, Mr. NADLER, and Ms. BUSH) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To suspend obligations of residential renters and mortgagors to make payments during the COVID–19 emergency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rent and Mortgage
5 Cancellation Act of 2021”.

1 **SEC. 2. SUSPENSION OF OBLIGATIONS TO MAKE RESIDEN-**
2 **TIAL MORTGAGE AND RENT PAYMENTS.**

3 (a) RENT PAYMENTS.—

4 (1) SUSPENSION.—Notwithstanding any other
5 provision of law, the obligation of each tenant house-
6 hold of a covered rental dwelling unit to pay rent for
7 occupancy in such dwelling unit shall be suspended
8 with respect to such occupancy during the COVID-
9 19 suspension period.

10 (2) PROHIBITIONS.—

11 (A) ON FINES.—No tenant or tenant
12 household may be charged a fine or fee for non-
13 payment of rent in accordance with paragraph
14 (1) and such nonpayment of rent shall not be
15 grounds for any termination of tenancy or evic-
16 tion.

17 (B) ON DEBT.—No tenant or tenant
18 household may be treated as accruing any debt
19 by reason of suspension of contribution of rent
20 under paragraph (1).

21 (C) ON REPAYMENT.—No tenant or tenant
22 household may be held liable for repayment of
23 any amount of rent contribution suspended
24 under paragraph (1).

25 (D) ON CREDIT SCORES.—The non-
26 payment of rent by a tenant or tenant house-

1 hold shall not be reported to a consumer report-
2 ing agency nor shall such nonpayment adversely
3 affect a tenant or member of a tenant house-
4 hold's credit score.

5 (b) MORTGAGE PAYMENTS.—

6 (1) SUSPENSION.—Notwithstanding any other
7 provision of law, the obligation of each mortgagor
8 under a covered residential mortgage loan to make
9 mortgage payments of principal and interest that be-
10 come due during the COVID-19 suspension period is
11 hereby suspended.

12 (2) REQUIREMENTS AND PROHIBITIONS.—

13 (A) ON DEBT.—No mortgagor under any
14 covered residential mortgage loan may be held
15 responsible for payment of mortgage payments
16 suspended under paragraph (1) or treated as
17 accruing any debt by reason of suspension
18 under such paragraph of the obligation to make
19 mortgage payments.

20 (B) ON FORECLOSURE.—A mortgagee
21 under a covered residential mortgage loan (or
22 servicer for such mortgagee) may not commence
23 or continue any judicial foreclosure action or
24 non-judicial foreclosure process or any action
25 for failure to make a payment due under such

1 mortgage that is suspended pursuant to para-
2 graph (1).

3 (C) ON FEES, PENALTIES, AND INTER-
4 EST.—No fees, penalties, or additional interest
5 beyond the amounts scheduled or calculated as
6 if the mortgagor made all contractual payments
7 on time and in full under the terms of the
8 mortgage contract in effect as of the commence-
9 ment of the COVID-19 suspension period shall
10 accrue.

11 (D) ON CREDIT SCORES.—The non-
12 payment of a mortgage payment by a mort-
13 gator pursuant to suspension under paragraph
14 (1) of the obligation to make such payment
15 shall not be reported to a consumer reporting
16 agency nor shall such nonpayment adversely af-
17 fect a mortgagor's credit score.

18 (e) NOTICE.—The Secretary of Housing and Urban
19 Development shall establish and carry out a system to no-
20 tify all tenants of covered rental dwelling units, including
21 tenants described in section 8(1)(B)(ii), and all mortga-
22 gors under covered residential mortgage loans, of the sus-
23 pensions under paragraph (1) of subsections (a) and (b)
24 of the obligations to make rental payments or mortgage

1 payments, respectively, and of their right to pursue legal
2 action pursuant to section 4.

3 **SEC. 3. FORGIVENESS OF RESIDENTIAL RENT AND MORT-**
4 **GAGE DEBT.**

5 (a) RENT DEBT.—

6 (1) IN GENERAL.—Notwithstanding any other
7 provision of law, all debt for unpaid residential rent
8 arrears for a covered rental dwelling unit that ac-
9 crued from March 13, 2020, through April 1, 2022,
10 is hereby forgiven.

11 (2) PREEMPTION.—To the extent that any
12 State or local law or decision of any State or local
13 court or arbitral body conflicts with paragraph (1),
14 it is preempted and shall have no force or effect.

15 (3) NO EFFECT ON CREDIT SCORE.—Receipt of
16 forgiveness of residential rent debt pursuant to para-
17 graph (1) shall not be reported to any consumer re-
18 porting agency nor shall receipt of such forgiveness
19 adversely affect the credit score of any tenant or
20 member of a tenant household.

21 (b) MORTGAGE DEBT.—

22 (1) IN GENERAL.—Notwithstanding any other
23 provision of law, all debt for unpaid residential mort-
24 gage arrears under a covered residential mortgage

1 loan that accrued from March 13, 2020, through
2 April 1, 2022, is hereby forgiven.

3 (2) REDUCTION OF BALANCE.—By consequence
4 of the forgiveness required under paragraph (1), for-
5 given mortgage debt shall be reduced from mortgag-
6 gors' interest and principal balances, as applicable.

7 (3) PREEMPTION.—To the extent that any
8 State or local law or decision of any State or local
9 court or arbitral bodies conflicts with paragraph (1),
10 it is preempted and shall have no force or effect.

11 (4) NO EFFECT ON CREDIT SCORE.—Receipt of
12 forgiveness of residential rent debt pursuant to para-
13 graph (1) shall not be reported to any consumer re-
14 porting agency nor shall receipt of such forgiveness
15 adversely affect the credit score of a mortgagor.

16 (c) NOTICE.—The Secretary of Housing and Urban
17 Development shall establish and carry out a system to no-
18 tify all tenants of covered rental dwelling units, including
19 tenants described in section 8(1)(B)(ii), and all mortgag-
20 gors under covered residential mortgage loans, of the for-
21 givenness under paragraph (1) of subsections (a) and (b)
22 of debt for unpaid residential rent and mortgage arrears,
23 respectively, and of their right to pursue legal action pur-
24 suant to section 4.

1 **SEC. 4. CIVIL ACTION.**

2 (a) IN GENERAL.—Any individual aggrieved by an
3 adverse action taken by a lessor or mortgagee for exer-
4 cising rights under section 2 or 3 may commence a civil
5 action under this section against the lessor or mortgagee
6 violating such section in an appropriate United States dis-
7 trict court or State court not later than 2 years after such
8 violation occurs for damages under subsection (b).

9 (b) DAMAGES; PENALTY.—Any lessor or mortgagee
10 found to have taken adverse action against any lessee or
11 mortgagor for exercising rights under section 2 shall be
12 liable—

13 (1) to the individual aggrieved by such viola-
14 tion, for any actual damages as a result of such ad-
15 verse action; and

16 (2) for a fine in the amount of—

17 (A) \$5,000, in the case of violation that is
18 the first violation by such lessor or mortgagee;

19 (B) \$10,000, in the case of violation that
20 is the second violation by such lessor or mort-
21 gagee; and

22 (C) \$50,000 or forfeiture of the property,
23 in the case of violation that is the third or sub-
24 sequent violation by such lessor or mortgagee.

25 (c) AUTHORITY OF COURT.—In an action brought
26 under this section, the court—

1 (1) may award preventative relief, including a
2 permanent or temporary injunction or other order,
3 to ensure the full rights granted by subsections (a)
4 and (b) of section 2 and by subsections (a) and (b)
5 of section 3; and

6 (2) shall award any prevailing plaintiff, other
7 than the United States, reasonable attorney's fee
8 and costs.

9 (d) ATTORNEY GENERAL ENFORCEMENT.—The At-
10 torney General may bring a civil action in any appropriate
11 United States district court against any individual who
12 violates subsection (a) or (b) of section 2 for fines, or sub-
13 section (a) or (b) of section 3, under subsection (b)(2) of
14 this section.

15 **SEC. 5. LANDLORD RELIEF FUND.**

16 (a) ESTABLISHMENT.—The Secretary of Housing
17 and Urban Development shall establish and manage a
18 Landlord Relief Fund (in this section referred to as the
19 “Fund”), to provide lessors payments under this section
20 to reimburse such lessors for payments under covered
21 rental dwelling units suspended or forgiven pursuant to
22 section 2(a) or 3(a), respectively.

23 (b) APPLICATION.—The Secretary shall provide for
24 lessors of covered rental dwelling units to apply for reim-
25 bursement payments from the Fund, which applications

1 shall include the certifications and binding agreements re-
2 quired pursuant to subsection (c).

3 (c) ELIGIBILITY.—The Secretary may provide a pay-
4 ment under this section only with respect to covered rental
5 dwelling units that meet all of the following requirements:

6 (1) FAIR RENTAL REQUIREMENTS.—The lessor
7 of the covered rental dwelling unit has made such
8 certifications to, and entered into such binding
9 agreements with, the Secretary as the Secretary con-
10 siders necessary to ensure that during the 5-year pe-
11 riod beginning upon initial receipt by such lessor of
12 payment under this section for such dwelling unit,
13 such dwelling unit shall be subject to the following
14 requirements:

15 (A) RENT FREEZE.—The monthly rent for
16 the dwelling unit may not be increased from the
17 amount of such rent charged as of the date of
18 the enactment of this Act.

19 (B) JUST-CAUSE EVICTIONS.—A tenant of
20 the dwelling unit may be evicted only for just
21 cause and only pursuant to advance written no-
22 tice to the tenant of such just cause.

23 (C) SOURCE OF INCOME DISCRIMINA-
24 TION.—The lessor may not refuse to rent the
25 dwelling unit, or discriminate in the renting of

1 the dwelling unit, to a household based on the
2 source of income of such household, including
3 income under the program under section 8(o) of
4 the United States Housing Act of 1937 (42
5 U.S.C. 1437f(o)) or any similar tenant-based
6 rental assistance program.

7 (D) NEW VACANCIES.—The lessor shall co-
8 ordinate with the public and other housing au-
9 thorities for the jurisdiction within which the
10 dwelling unit is located to make the dwelling
11 unit available, upon any vacancy, to households
12 assisted as described in subparagraph (C).

13 (E) ADMISSIONS RESTRICTIONS.—The les-
14 sor may not restrict tenancy of the dwelling
15 unit on the basis of sexual identity or orienta-
16 tion, gender identity or expression, conviction or
17 arrest record, credit history, or immigration
18 status.

19 (F) ARREARAGES.—The lessor may not
20 collect an arrearage in rent owed by the tenant
21 as of the expiration of such 5-year period.

22 (G) RETALIATION.—The lessor may not
23 retaliate in any way against a tenant of the
24 dwelling unit.

1 (H) DEBT COLLECTORS AND CREDIT RE-
2 PORTING AGENCIES.—The lessor may not re-
3 port the tenant of the dwelling unit to a debt
4 collector or provide any adverse information re-
5 garding the tenant to any credit reporting agen-
6 cy.

7 (2) REQUIRED DISCLOSURES.—

8 (A) IN GENERAL.—The lessor shall dis-
9 close, for any person that has an ownership in-
10 terest in the lessor, including any members,
11 shareholders, general partners, or limited part-
12 ners, if applicable, the following information:

- 13 (i) Name.
- 14 (ii) Address of place of residence.
- 15 (iii) Date of birth.
- 16 (iv) Social Security Number or Em-
17 ployer Identification Number.
- 18 (v) Size of their interest in the lessor.
- 19 (vi) Type of entity.
- 20 (vii) State of incorporation.
- 21 (viii) Registered agent.
- 22 (ix) Address of any covered rental
23 dwelling units owned by such person.

1 (x) Occupancy or vacancy status of all
2 covered rental dwelling units owned by
3 such person.

4 (xi) Current rents charged for all cov-
5 ered rental dwelling units owned by such
6 person.

7 (xii) Total assets and liabilities.

8 (B) NON-NATURAL PERSONS.—For any
9 person identified in the disclosure required by
10 this paragraph that is not a natural person, the
11 lessor shall provide the information required by
12 subparagraph (A) for that entity and for any
13 persons with ownership interests in that entity
14 and shall provide that information iteratively
15 for each layer of ownership until all ownership
16 interests are traced back to natural persons or
17 publicly traded corporations.

18 (C) EXEMPTION.—Nothing in this para-
19 graph shall require the disclosure of the identity
20 of, or personally-identifying information regard-
21 ing, shareholders of publicly traded corpora-
22 tions.

23 (3) PROHIBITION ON DUPLICATION OF ASSIST-
24 ANCE.—Assistance may not be provided under this

1 section with respect to any dwelling unit for which
2 assistance is provided pursuant to section 6.

3 (d) AMOUNT.—

4 (1) IN GENERAL.—Subject to paragraph (2),
5 the amount of a payment under this section with re-
6 spect to a covered rental dwelling unit may not ex-
7 ceed the aggregate amount of rent for the dwelling
8 unit suspended or forgiven pursuant to section 2(a)
9 or 3(a) and attributable only to days during the
10 COVID-19 suspension period that the dwelling unit
11 was occupied by a tenant otherwise required to pay
12 rent for such occupancy.

13 (2) REIMBURSEMENT FOR RENT PAID BY TEN-
14 ANTS.—In making payments under this section with
15 respect to any covered dwelling unit for which tenant
16 made a payment of rent during the COVID-19 sus-
17 pension period, the Secretary shall—

18 (A) reduce the amount of the payment to
19 the lessor under paragraph (1) by the amount
20 of any such rent paid; and

21 (B) make a payment to such tenant in the
22 amount of any such rent paid.

23 (e) PRIORITY.—In making payments under this sec-
24 tion, the Secretary shall establish a tiered system for pri-
25 ority for such payments based on assets, revenues, disclo-

1 sure requirements, and profit status with respect to les-
2 sors. Such system shall provide priority for making pay-
3 ments to eligible lessors that are nonprofit organizations
4 or entities and lessors having the fewest available amount
5 of assets.

6 (f) RECAPTURE.—If a lessor violates any requirement
7 with respect to a covered rental dwelling unit under any
8 certification or agreement entered into pursuant to sub-
9 section (c)(2), the Secretary shall recapture from the les-
10 sor an amount equal to the entire amount of assistance
11 provided under this section that is attributable to such
12 dwelling unit and cover such amount recaptured into the
13 Fund.

14 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated for the Landlord Relief
16 Fund established pursuant to this section such sums as
17 may be necessary to reimburse all lessors for all rent pay-
18 ments suspended pursuant to section 2(a) or forgiven pur-
19 suant to section 3(a).

20 **SEC. 6. LENDER RELIEF FUND.**

21 (a) ESTABLISHMENT.—The Secretary of Housing
22 and Urban Development shall establish and manage a
23 Lender Relief Fund (in this section referred to as the
24 “Fund”), to provide mortgagees payments under this sec-
25 tion to reimburse such mortgagees for mortgage payments

1 suspended pursuant to section 2(b) or for residential mort-
2 gage debt forgiven pursuant to section 3(b).

3 (b) APPLICATION.—The Secretary shall provide for
4 mortgagees under covered residential mortgage loans to
5 apply for reimbursement payments from the Fund, which
6 applications shall include the certifications and binding
7 agreements required pursuant to subsection (c). The Sec-
8 retary shall provide that an eligible mortgagee may apply
9 for assistance from the Fund only once with respect to
10 any covered residential mortgage loan.

11 (c) ELIGIBILITY.—The Secretary may provide a pay-
12 ment under this section only with respect to covered resi-
13 dential mortgage loans that meet all of the following re-
14 quirements:

15 (1) FAIR AND INCLUSIVE LENDING REQUIRE-
16 MENTS.—The mortgagee for the mortgage loan has
17 made such certifications to, and entered into such
18 binding agreements with, the Secretary as the Sec-
19 retary considers necessary to ensure that during the
20 5-year period beginning upon initial receipt by such
21 mortgagee of payment under this section for such
22 mortgage loan, such mortgagee shall be subject to
23 the following requirements:

24 (A) REPORTING ON LENDING.—The mort-
25 gagee shall report annually to the Secretary

1 such detailed information regarding residential
2 mortgage loans made by such mortgagee as the
3 Secretary shall require, including the race, eth-
4 nicity, age, and credit score of mortgagors, the
5 zip codes of properties for which mortgages
6 were made, and the interest rates and other
7 loan pricing features of such mortgage loans.

8 (B) REPORTING ON LENDER.—The mort-
9 gagee shall report annually to the Secretary
10 such detailed information regarding the mort-
11 gagee as the Secretary shall require, including
12 the location of the offices of the mortgagee, and
13 practices and systems for outreach to and refer-
14 ral of borrowers.

15 (2) REQUIRED DISCLOSURES.—

16 (A) IN GENERAL.—The mortgagee for the
17 mortgage loan shall disclose, for any person
18 that has an ownership interest in the mort-
19 gagee, including any members, shareholders,
20 general partners, or limited partners, if applica-
21 ble, the following information:

22 (i) Name.

23 (ii) Address of place of residence.

24 (iii) Date of birth.

1 (iv) Social Security Number or Em-
2 ployer Identification Number.

3 (v) Size of their interest in the mort-
4 gagee.

5 (vi) Type of entity.

6 (vii) State of incorporation.

7 (viii) Registered agent.

8 (ix) Address of any covered rental
9 dwelling units owned by such person.

10 (x) Occupancy or vacancy status of all
11 covered rental dwelling units owned by
12 such person.

13 (xi) Current rents charged for all cov-
14 ered rental dwelling units owned by such
15 person.

16 (xii) Total assets and liabilities.

17 (B) NON-NATURAL PERSONS.—For any
18 person identified in the disclosure required by
19 this paragraph that is not a natural person, the
20 mortgagee shall provide the information re-
21 quired by subparagraph (A) for that entity and
22 for any persons with ownership interests in that
23 entity and shall provide that information
24 iteratively for each layer of ownership until all

1 ownership interests are traced back to natural
2 persons or publicly traded corporations.

3 (C) EXEMPTION.—Nothing in this para-
4 graph shall require the disclosure of the identity
5 of, or personally-identifying information regard-
6 ing, shareholders of publicly traded corpora-
7 tions.

8 (3) PROHIBITION ON DUPLICATION OF ASSIST-
9 ANCE.—Assistance may not be provided under this
10 section with respect to any dwelling unit subject to
11 a covered residential mortgage loan for which assist-
12 ance is provided pursuant to section 5.

13 (d) AMOUNT.—

14 (1) IN GENERAL.—Subject to paragraph (2),
15 the amount of a payment under this section with re-
16 spect to a covered residential mortgage may not ex-
17 ceed the aggregate amount of mortgage payments
18 under the mortgage suspended pursuant to section
19 2(b) or forgiven pursuant to section 3(b).

20 (2) REIMBURSEMENT FOR MORTGAGE PAY-
21 MENTS MADE BY MORTGAGORS.—In making pay-
22 ments under this section with respect to any covered
23 residential mortgage loan for which the mortgagor
24 made a mortgage payment during the COVID-19
25 suspension period, the Secretary shall—

1 (A) reduce the amount of the payment to
2 the mortgagee under paragraph (1) by the
3 amount of any such mortgage payments paid;
4 and

5 (B) make a payment to the mortgagor in
6 the amount of any such mortgages payments
7 paid.

8 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated for the Lender Relief Fund
10 established pursuant to this section such sums as may be
11 necessary to reimburse all lessors for all rent payments
12 suspended pursuant to section 2(b) or forgiven pursuant
13 to section 3(b).

14 **SEC. 7. AFFORDABLE HOUSING ACQUISITION FUND.**

15 (a) ESTABLISHMENT.—The Secretary of Housing
16 and Urban Development shall establish and manage an
17 Affordable Housing Acquisition Fund (in this section re-
18 ferred to as the “Fund”), to fund the acquisition of multi-
19 family housing projects by eligible purchasers to—

20 (1) ensure that tenants have access to safe and
21 habitable housing conditions regardless of their land-
22 lords’ ability to pay for repairs and maintenance
23 during and after the COVID-19 pandemic;

24 (2) prevent financial hardship for rental prop-
25 erty owners; and

1 (3) prevent a mass exit in the rental housing
2 market that results in massive corporate purchases
3 similar to the 2008 economic crisis.

4 (b) FIRST RIGHT OF PURCHASE.—

5 (1) NOTICE TO SECRETARY.—During the 5-
6 year period beginning upon the date of the enact-
7 ment of this Act, the owner of a multifamily housing
8 property may not sell or transfer ownership of such
9 property unless—

10 (A) the owner has notified the Secretary,
11 in accordance with such requirements as the
12 Secretary shall establish, of the owner’s intent
13 to sell or transfer the property;

14 (B) a period of 60 days, beginning upon
15 provision of such notice to the Secretary, has
16 elapsed; and

17 (C) if during such 60-day period any eligi-
18 ble purchaser under paragraph (3) applies to
19 the Secretary for purchase assistance under
20 subsection (c) with respect to such property, the
21 Secretary has approved or denied such applica-
22 tion and, if approved, the eligible purchaser has
23 made a bona fide offer to the owner to purchase
24 such project in the amount determined under
25 subsection (c)(3)(A).

1 (2) NOTICE TO ELIGIBLE PURCHASERS.—Upon
2 provision to the Secretary of notice under paragraph
3 (1)(A) regarding a multifamily housing project, the
4 Secretary shall take such actions as may be nec-
5 essary to provide notice to eligible purchasers of the
6 owner’s intent to sell or transfer the property.

7 (3) ELIGIBLE PURCHASERS.—For purposes of
8 this section, an eligible purchaser under this para-
9 graph shall be a nonprofit organization, a public
10 housing agency, a cooperative housing association, a
11 community land trust, or a State or unit of local
12 government or an agency thereof, as such terms are
13 defined by the Secretary.

14 (c) PURCHASE ASSISTANCE.—

15 (1) APPLICATION.—The Secretary shall provide
16 for eligible purchasers to apply for assistance from
17 the Fund to cover the cost of acquisition of a multi-
18 family housing project for which notice has been
19 submitted pursuant to subsection (1)(A).

20 (2) CRITERIA.—The Secretary shall establish
21 such criteria and preferences as the Secretary con-
22 siders appropriate to select an eligible purchaser for
23 assistance under this section in cases in which more
24 than one approvable application for such assistance

1 is submitted with respect to a single multifamily
2 housing project.

3 (3) AMOUNT.—Pursuant to an application sub-
4 mitted under paragraph (1) with respect to a multi-
5 family housing project, the Secretary may provide
6 assistance from the Fund on behalf of eligible pur-
7 chaser submitting such application, in an amount
8 equal to the purchase price for the project agreed to
9 under subparagraph (A) of this paragraph, but only
10 if the Secretary determines that—

11 (A) such eligible purchaser and the owner
12 of such multifamily housing project have volun-
13 tarily agreed to a sale of such project to the eli-
14 gible purchaser for an amount not exceeding
15 the fair market value of the project as of the
16 time of provision of assistance from the Fund
17 for purchase of the project, as determined by
18 the Secretary; and

19 (B) the eligible purchaser has made the
20 certifications and entered into the agreements
21 required under subsection (d) with respect to
22 the project.

23 (d) AFFORDABLE HOUSING RESTRICTIONS.—The
24 certifications and agreements required under this sub-
25 section with respect to a multifamily housing project are

1 such certifications to, and binding agreements with, the
2 Secretary as the Secretary considers necessary to ensure
3 that during the useful life of the project the project will
4 comply with the following requirements:

5 (1) AFFORDABLE HOUSING.—The project shall
6 comply with the requirements under section 215(a)
7 of the Cranston-Gonzalez National Affordable Hous-
8 ing Act (42 U.S.C. 12745(a)) necessary to qualify
9 under such section as affordable housing.

10 (2) JUST-CAUSE EVICTIONS.—A tenant of the
11 project may be evicted only for just cause and only
12 pursuant to advance written notice to the tenant of
13 such just cause.

14 (3) SOURCE OF INCOME DISCRIMINATION.—A
15 prospective tenant household of the project may not
16 be refused rental of a dwelling unit in the project,
17 and a prospective tenant household or tenant house-
18 hold may not be discriminated against in the renting
19 of a dwelling unit in the project, based on the source
20 of income of such household, including income under
21 the program under section 8(o) of the United States
22 Housing Act of 1937 (42 U.S.C. 1437f(o)) or any
23 similar tenant-based rental assistance program.

24 (4) ADMISSIONS RESTRICTIONS.—Tenancy of
25 dwelling units in the project may not be restricted

1 on the basis of sexual identity or orientation, gender
2 identity or expression, conviction or arrest record,
3 credit history, or immigration status.

4 (5) SUPPORTIVE SERVICES.—Residents of the
5 project shall be provided with free, voluntary sup-
6 portive services that help address the needs of those
7 experiencing chronic homelessness or housing insta-
8 bility, including access to healthcare, employment or
9 education assistance, childcare, financial literacy
10 education, and other community-based support serv-
11 ices, as the Secretary shall require.

12 (6) DEMOCRATIC CONTROL.—Tenants of the
13 project shall have control of living and operating
14 conditions in the project through a democratically
15 elected resident board or council.

16 (e) RECAPTURE.—If an eligible purchaser violates
17 any requirement with respect to a multifamily housing
18 project purchased with assistance provided from the Fund
19 under any certification or agreement entered into pursu-
20 ant to subsection (d), the Secretary shall recapture from
21 the eligible purchase an amount equal to the amount of
22 such assistance provided and shall cover such amount re-
23 captured into the Fund.

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated for the Affordable Housing

1 Acquisition Fund established pursuant to this section such
2 sums as may be necessary—

3 (1) for assistance under this section to fund ac-
4 quisition of multifamily housing projects by eligible
5 purchasers; and

6 (2) for each fiscal year, for assistance for the
7 operation and maintenance of eligible properties pur-
8 chased with assistance provided from the Fund.

9 **SEC. 8. DEFINITIONS.**

10 For purposes of this Act, the following definitions
11 shall apply:

12 (1) COVERED RENTAL DWELLING UNIT.—The
13 term “covered rental dwelling unit” means a dwell-
14 ing that is occupied by a tenant—

15 (A) as a primary residence; and

16 (B)(i) pursuant to a residential lease; or

17 (ii) without a lease or with a lease ter-
18 minable at will under State law.

19 Such term includes such a dwelling unit in multi-
20 family housing, single-family housing, a condo-
21 minium unit, a unit in cooperative housing, a dwell-
22 ing unit that is occupied pursuant to a sublease, a
23 single-room occupancy unit, and a manufactured
24 housing dwelling unit and the lot on which it is lo-
25 cated.

1 (2) COVERED RESIDENTIAL MORTGAGE
2 LOAN.—The term “covered residential mortgage
3 loan” means any consumer credit transaction that is
4 secured by a mortgage, deed of trust, or other equiv-
5 alent consensual security interest on residence con-
6 sisting of a single dwelling unit that is occupied by
7 the mortgagor as a primary residence.

8 (3) COVID-19 SUSPENSION PERIOD.—The term
9 “COVID-19 suspension period” means the period
10 beginning on March 1, 2020, and ending on April 1,
11 2022.

12 (4) MULTIFAMILY HOUSING PROJECT.—The
13 term “multifamily housing project” means a residen-
14 tial structure consisting of 5 or more dwelling units.

15 (5) SECRETARY.—The term “Secretary” means
16 the Secretary of Housing and Urban Development.

17 **SEC. 9. REGULATIONS.**

18 The Secretary may issue any regulations necessary
19 to carry out this Act.

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