

118TH CONGRESS
1ST SESSION

H. R. 4907

To prohibit owners of covered dwelling units from assessing or collecting certain fees from tenants, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2023

Mr. FROST (for himself and Mr. GOMEZ) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit owners of covered dwelling units from assessing or collecting certain fees from tenants, 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 “End Junk Fees for
5 Renters Act”.

6 **SEC. 2. RENTAL JUNK FEES.**

7 (a) APPLICATION FEES.—The appropriate regulator
8 shall prohibit the owner of a covered dwelling unit from

1 assessing or collecting a fee or charge, from any household
2 in connection with the submission of an application for
3 rental of such dwelling unit.

4 (b) TENANT SCREENING FEES.—The appropriate
5 regulator shall prohibit the owner of a covered dwelling
6 unit from assessing to or collecting from any household
7 applying to rent such dwelling unit any fee or charge for
8 costs of conducting any criminal history, tenant screening,
9 consumer report, or other background check of such
10 household.

11 (c) LATE FEES.—The appropriate regulator shall
12 prohibit the owner of a covered dwelling unit from assess-
13 ing to or collecting from any fee or charge in connection
14 with the late payment of rent for such dwelling unit unless
15 the amount of such late fee is applied to the amount of
16 rent due the following month as a credit.

17 (d) USE OF CONSUMER REPORTS.—The appropriate
18 regulator shall prohibit the owner of a covered dwelling
19 unit from, when screening a potential tenant, using—

20 (1) a credit score (as such term is defined in
21 section 609(f) of the Fair Credit Reporting Act);
22 and

23 (2) any consumer report by any consumer re-
24 porting agency that compiles and maintains files on
25 consumers on a nationwide basis (as such term is

1 defined in section 603(p) of the Fair Credit Report-
2 ing Act).

3 (e) REQUIRED DISCLOSURES.—The appropriate reg-
4 ulator shall require each owner of a covered dwelling unit
5 to disclose to the tenant before a lease is signed—

6 (1) the total amount due each month, including
7 any fees;

8 (2) to the degree practicable, a summary of any
9 past litigation between the such owner and any
10 former or current tenants;

11 (3) a description of any ongoing pest and main-
12 tenance issues; and

13 (4) the amount rent increase for the property in
14 each of the 10 previous years.

15 (f) DEFINITIONS.—In this section:

16 (1) APPROPRIATE REGULATOR.—The term “ap-
17 propriate regulator” means—

18 (A) the Secretary of Housing and Urban
19 Development, with respect to covered dwelling
20 units described in—

21 (i) paragraph (2)(A);

22 (ii) paragraph (2)(B), to the extent
23 the Federally backed mortgage loan re-
24 ferred to in such paragraph is described in

1 subparagraph (A), (B), or (C) of para-
2 graph (3); or

3 (iii) paragraph (2)(B), to the extent
4 the Federally backed mortgage loan re-
5 ferred to in such paragraph is described in
6 paragraph (4) and is made in whole or in
7 part, or insured, guaranteed, supple-
8 mented, or assisted in any way under or in
9 connection with a housing or urban devel-
10 opment program administered by the Sec-
11 retary of Housing and Urban Develop-
12 ment;

13 (B) the Secretary of Veterans Affairs, with
14 respect to covered dwelling units described in
15 paragraph (2)(B), to the extent the Federally
16 backed mortgage loan referred to in such para-
17 graph is described in—

18 (i) paragraph (3)(D); or

19 (ii) paragraph (4) and is made in
20 whole or in part, or insured, guaranteed,
21 supplemented, or assisted in any way, by
22 the Secretary of Veterans Affairs or under
23 or in connection with a housing or related
24 program administered by Secretary of Vet-
25 erans Affairs;

1 (C) the Secretary of Agriculture, with re-
2 spect to covered dwelling units described in
3 paragraph (2)(B), to the extent the Federally
4 backed mortgage loan referred to in such para-
5 graph is described in—

6 (i) subparagraph (E) or (F) of para-
7 graph (3); or

8 (ii) paragraph (4) and is made in
9 whole or in part, or insured, guaranteed,
10 supplemented, or assisted in any way, by
11 the Secretary of Agriculture or under or in
12 connection with a housing or related pro-
13 gram administered by Secretary of Agri-
14 culture; and

15 (D) the Director of the Federal Housing
16 Finance Agency, with respect to covered dwell-
17 ing units described in paragraph (2)(B), to the
18 extent the Federally backed mortgage loan re-
19 ferred to in such paragraph is described in—

20 (i) paragraph (3)(G); or

21 (ii) paragraph (4) and is purchased or
22 securitized by the Federal Home Loan
23 Mortgage Corporation or the Federal Na-
24 tional Mortgage Association.

1 (2) COVERED DWELLING UNIT.—The term
2 “covered dwelling unit” means a dwelling unit
3 that—

4 (A) is provided assistance within the juris-
5 diction of the Department, as such term is de-
6 fined in section 102(m) of the Department of
7 Housing and Urban Development Reform Act
8 of 1989 (42 U.S.C. 3545(m)); or

9 (B) is subject to, or is on or in a property
10 that is subject to a Federally backed single-
11 family mortgage loan or a Federally backed
12 multifamily mortgage loan.

13 (3) FEDERALLY BACKED SINGLE-FAMILY MORT-
14 GAGE LOAN.—The term “Federally backed single-
15 family mortgage loan” includes any loan that is se-
16 cured by a first or subordinate lien on residential
17 real property (including individual units of con-
18 dominiums and cooperatives) designed principally for
19 the occupancy of from 1- to 4-families that is—

20 (A) insured by the Federal Housing Ad-
21 ministration under title II of the National
22 Housing Act (12 U.S.C. 1707 et seq.);

23 (B) insured under section 255 of the Na-
24 tional Housing Act (12 U.S.C. 1715z–20);

1 (C) guaranteed under section 184 or 184A
2 of the Housing and Community Development
3 Act of 1992 (12 U.S.C. 1715z–13a, 1715z–
4 13b);

5 (D) guaranteed or insured by the Depart-
6 ment of Veterans Affairs;

7 (E) guaranteed or insured by the Depart-
8 ment of Agriculture;

9 (F) made by the Department of Agri-
10 culture; or

11 (G) purchased or securitized by the Fed-
12 eral Home Loan Mortgage Corporation or the
13 Federal National Mortgage Association.

14 (4) **FEDERALLY BACKED MULTIFAMILY MORT-**
15 **GAGE LOAN.**—The term “Federally backed multi-
16 family mortgage loan” includes any loan (other than
17 temporary financing such as a construction loan)
18 that—

19 (A) is secured by a first or subordinate lien
20 on residential multifamily real property de-
21 signed principally for the occupancy of 5 or
22 more families, including any such secured loan,
23 the proceeds of which are used to prepay or pay
24 off an existing loan secured by the same prop-
25 erty; and

1 (B) is made in whole or in part, or in-
2 sured, guaranteed, supplemented, or assisted in
3 any way, by any officer or agency of the Fed-
4 eral Government or under or in connection with
5 a housing or urban development program ad-
6 ministered by the Secretary of Housing and
7 Urban Development or a housing or related
8 program administered by any other such officer
9 or agency, or is purchased or securitized by the
10 Federal Home Loan Mortgage Corporation or
11 the Federal National Mortgage Association.

12 (5) OWNER.—The term “owner” means, with
13 respect to a dwelling unit, any private person or en-
14 tity, including a cooperative, an agency of the Fed-
15 eral Government, or a public housing agency, having
16 the legal right to lease or sublease the dwelling unit.

17 **SEC. 3. RULEMAKING.**

18 The Bureau of Consumer Financial Protection shall,
19 not later than 180 days after the date of the enactment
20 of this section issue a rule that—

21 (1) defines the term “junk fee” with respect to
22 rental housing; and

23 (2) finds the furnishing of any information
24 about a unpaid junk fee (as such term is defined
25 pursuant to paragraph (1)) to a consumer reporting

1 agency to be a unfair or unconscionable means to
2 collect or attempt to collect debt in violation of sec-
3 tion 808 of the Fair Debt Collection Practices Act.

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