

116TH CONGRESS
2D SESSION

H. R. 7301

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2020

Ms. WATERS introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on the Judiciary, 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 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,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Emergency Housing Protections and Relief Act of
6 2020”.

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

Sec. 1. Short title; table of contents.

TITLE I—PROTECTING RENTERS AND HOMEOWNERS FROM EVICTIONS 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.

1 **TITLE I—PROTECTING RENTERS** 2 **AND HOMEOWNERS FROM** 3 **EVICTIONS AND FORE-** 4 **CLOSURES**

5 **SEC. 101. EMERGENCY RENTAL ASSISTANCE.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to the Secretary of Housing
8 and Urban Development (referred to in this section as the
9 “Secretary”) \$100,000,000,000 for an additional amount
10 for grants under the Emergency Solutions Grants pro-
11 gram under subtitle B of title IV of the McKinney-Vento
12 Homeless Assistance Act (42 U.S.C. 11371 et seq.), to
13 remain available until expended (subject to subsections (d)
14 and (n) of this section), to be used for providing short-
15 or medium-term assistance with rent and rent-related

1 costs (including tenant-paid utility costs, utility- and rent-
2 arrears, fees charged for those arrears, and security and
3 utility deposits) in accordance with paragraphs (4) and (5)
4 of section 415(a) of such Act (42 U.S.C. 11374(a)) and
5 this section.

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

13 (1) has an income below 80 percent of the me-
14 dian income for the area as determined by the Sec-
15 retary; and

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

19 (c) INCOME TARGETING AND CALCULATION.—For
20 purposes of assistance made available with amounts made
21 available pursuant to subsection (a)—

22 (1) each recipient of such amounts shall use—
23 (A) not less than 40 percent of the
24 amounts received only for providing assistance
25 for individuals or families experiencing home-

1 lessness, or for persons or families at risk of
2 homelessness who have incomes not exceeding
3 30 percent of the median income for the area
4 as determined by the Secretary;

5 (B) not less than 70 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 50 percent of the median income for the area
11 as determined by the Secretary; and

12 (C) the remainder of the amounts received
13 only for providing assistance to individuals or
14 families experiencing homelessness, or for per-
15 sons or families at risk of homelessness who
16 have incomes not exceeding 80 percent of the
17 median income for the area as determined by
18 the Secretary, but such recipient may establish
19 a higher percentage limit for purposes of sub-
20 section (b)(1), which shall not in any case ex-
21 ceed 120 percent of the area median income, if
22 the recipient states that it will serve such popu-
23 lation in its plan; and

24 (2) in determining the income of a household
25 for homelessness prevention assistance—

1 (A) the calculation of income performed at
2 the time of application for such assistance, in-
3 cluding arrearages, shall consider only income
4 that the household is currently receiving at such
5 time and any income recently terminated shall
6 not be included;

7 (B) any calculation of income performed
8 with respect to households receiving ongoing as-
9 sistance (such as medium-term rental assist-
10 ance) 3 months after initial receipt of assist-
11 ance shall consider only the income that the
12 household is receiving at the time of such re-
13 view; and

14 (C) the calculation of income performed
15 with respect to households receiving assistance
16 for arrearages shall consider only the income
17 that the household was receiving at the time
18 such arrearages were incurred.

19 (d) 3-YEAR AVAILABILITY.—

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

22 (A) expend not less than 60 percent of
23 such grant amounts within 2 years of the date
24 that such funds became available to the recipi-
25 ent for obligation; and

1 (B) expend 100 percent of such grant
2 amounts within 3 years of such date.

3 (2) REALLOCATION AFTER 2 YEARS.—The Sec-
4 retary may recapture any amounts not expended in
5 compliance with paragraph (1)(A) and reallocate
6 such amounts to recipients in compliance with the
7 formula referred to in subsection (h)(1)(A).

8 (e) RENT RESTRICTIONS.—

9 (1) INAPPLICABILITY.—Section 576.106(d) of
10 title 24, Code of Federal Regulations, shall not
11 apply with respect to homelessness prevention assist-
12 ance made available with amounts made available
13 under subsection (a).

14 (2) AMOUNT OF RENTAL ASSISTANCE.—In pro-
15 viding homelessness prevention assistance with
16 amounts made available under subsection (a), the
17 maximum amount of rental assistance that may be
18 provided shall be the greater of—

19 (A) 120 percent of the higher of—

20 (i) the Fair Market Rent established
21 by the Secretary for the metropolitan area
22 or county; or

23 (ii) the applicable Small Area Fair
24 Market Rent established by the Secretary;
25 or

1 (B) such higher amount as the Secretary
2 shall determine is needed to cover market rents
3 in the area.

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

7 (g) HOUSING RELOCATION OR STABILIZATION AC-
8 TIVITIES.—A recipient of amounts made available pursu-
9 ant to subsection (a) may expend up to 25 percent of its
10 allocation for activities under section 415(a)(5) of the
11 McKinney-Vento Homeless Assistance Act (42 U.S.C.
12 11374(a)(5)), except that notwithstanding such section,
13 activities authorized under this subsection may be pro-
14 vided only for individuals or families who have incomes
15 not exceeding 50 percent of the area median income and
16 meet the criteria in subsection (b)(2) of this section or
17 section 103 of the McKinney-Vento Homeless Assistance
18 Act (42 U.S.C. 11302). This subsection shall not apply
19 to rent-related costs that are specifically authorized under
20 subsection (a) of this section.

21 (h) ALLOCATION OF ASSISTANCE.—

22 (1) IN GENERAL.—In allocating amounts made
23 available pursuant to subsection (a), the Secretary
24 shall—

1 (A)(i) for any purpose authorized in this
2 section—

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

14 (II) allocate 0.3 percent of such
15 amount for the Virgin Islands, Guam,
16 American Samoa, and the Northern Mar-
17 iana Islands;

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

24 (B)(i) not later than 7 days after the date
25 of enactment of this Act and after setting aside

1 amounts under subparagraph (A), allocate 50
2 percent of any such remaining amounts under
3 the formula specified in subsections (a), (b),
4 and (e) of section 414 of the McKinney-Vento
5 Homeless Assistance Act (42 U.S.C. 11373)
6 for, and notify, each State, metropolitan city,
7 and urban county that is to receive a direct
8 grant of such amounts; and

9 (ii) not later than 30 days after the date
10 of enactment of this Act, obligate and disburse
11 the amounts allocated pursuant to clause (i) in
12 accordance with such allocations and provide
13 such recipient with any necessary guidance for
14 use of the funds; and

15 (C)(i) not later than 45 days after the date
16 of enactment of this Act, allocate any remaining
17 amounts for eligible recipients according to a
18 formula to be developed by the Secretary that
19 takes into consideration the formula referred to
20 in subparagraph (A) and the need for emer-
21 gency rental assistance under this section, in-
22 cluding the severe housing cost burden among
23 extremely low- and very low-income renters and
24 disruptions in housing and economic conditions,
25 including unemployment; and

1 (ii) not later than 30 days after the date
2 of the allocation of such amounts pursuant to
3 clause (i), obligate and disburse such amounts
4 in accordance with such allocations.

5 (2) ALLOCATIONS TO STATES.—

6 (A) IN GENERAL.—Notwithstanding sub-
7 section (a) of section 414 of the McKinney-
8 Vento Homeless Assistance Act (42 U.S.C.
9 11373(a)) and section 576.202(a) of title 24,
10 Code of Federal Regulations, a State recipient
11 of an allocation under this section may elect to
12 use up to 100 percent of its allocation to carry
13 out activities eligible under this section directly.

14 (B) REQUIREMENT.—Any State recipient
15 making an election described in subparagraph
16 (A) shall serve households throughout the entire
17 State, including households in rural commu-
18 nities and small towns.

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

23 (4) PARTNERSHIPS, SUBGRANTS, AND CON-
24 TRACTS.—A recipient of a grant under this section
25 may distribute funds through partnerships, sub-

1 grants, or contracts with an entity, such as a public
2 housing agency (as such term is defined in section
3 3(b) of the United States Housing Act of 1937 (42
4 U.S.C. 1437a(b))), that is capable of carrying activi-
5 ties under this section.

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

10 (i) INAPPLICABILITY OF MATCHING REQUIRE-
11 MENT.—Subsection (a) of section 416 of the McKinney-
12 Vento Homeless Assistance Act (42 U.S.C. 11375(a))
13 shall not apply to any amounts made available pursuant
14 to subsection (a) of this section.

15 (j) REIMBURSEMENT OF ELIGIBLE ACTIVITIES.—
16 Amounts made available pursuant to subsection (a) may
17 be used by a recipient to reimburse expenditures incurred
18 for eligible activities under this section after March 27,
19 2020.

20 (k) PROHIBITION ON PREREQUISITES.—None of the
21 funds made available pursuant to this section may be used
22 to require any individual receiving assistance under the
23 program under this section to receive treatment or per-
24 form any other prerequisite activities as a condition for
25 receiving shelter, housing, or other services.

1 (I) WAIVERS AND ALTERNATIVE REQUIREMENTS.—

2 (1) IN GENERAL.—

3 (A) AUTHORITY.—In administering the
4 amounts made available pursuant to subsection
5 (a), the Secretary may waive, or specify alter-
6 native requirements for, any provision of any
7 statute or regulation that the Secretary admin-
8 isters in connection with the obligation by the
9 Secretary or the use by the recipient of such
10 amounts (except for requirements related to fair
11 housing, nondiscrimination, labor standards,
12 prohibition on prerequisites, minimum data re-
13 porting, and the environment), if the Secretary
14 finds that good cause exists for the waiver or
15 alternative requirement and such waiver or al-
16 ternative requirement is necessary to expedite
17 the use of funds made available pursuant to
18 this section, to respond to public health orders
19 or conditions related to the COVID-19 emer-
20 gency, or to ensure that eligible individuals can
21 attain or maintain housing stability.

22 (B) PUBLIC NOTICE.—The Secretary shall
23 notify the public through the Federal Register
24 or other appropriate means of any waiver or al-
25 ternative requirement under this paragraph,

1 and that such public notice shall be provided, at
2 a minimum, on the internet at the appropriate
3 Government website or through other electronic
4 media, as determined by the Secretary.

5 (C) ELIGIBILITY REQUIREMENTS.—Eligi-
6 bility for rental assistance or housing relocation
7 and stabilization services shall not be restricted
8 based upon the prior receipt of assistance under
9 the program during the preceding three years.

10 (2) PUBLIC HEARINGS.—

11 (A) INAPPLICABILITY OF IN-PERSON HEAR-
12 ING REQUIREMENTS DURING THE COVID-19
13 EMERGENCY.—

14 (i) IN GENERAL.—A recipient under
15 this section shall not be required to hold
16 in-person public hearings in connection
17 with its citizen participation plan, but shall
18 provide citizens with notice, including pub-
19 lication of its plan for carrying out this
20 section on the internet, and a reasonable
21 opportunity to comment of not less than 5
22 days.

23 (ii) RESUMPTION OF IN-PERSON
24 HEARING REQUIREMENTS.—After the pe-
25 riod beginning on the date of enactment of

1 this Act and ending on the date of the ter-
2 mination by the Federal Emergency Man-
3 agement Agency of the emergency declared
4 on March 13, 2020, by the President
5 under the Robert T. Stafford Disaster Re-
6 lief and Emergency Assistance Act (42
7 U.S.C. 4121 et seq.) relating to the
8 Coronavirus Disease 2019 (COVID-19)
9 pandemic, and after the period described
10 in subparagraph (B), the Secretary shall
11 direct recipients under this section to re-
12 sume pre-crisis public hearing require-
13 ments.

14 (B) VIRTUAL PUBLIC HEARINGS.—

15 (i) IN GENERAL.—During the period
16 that national or local health authorities
17 recommend social distancing and limiting
18 public gatherings for public health reasons,
19 a recipient may fulfill applicable public
20 hearing requirements for all grants from
21 funds made available pursuant to this sec-
22 tion by carrying out virtual public hear-
23 ings.

24 (ii) REQUIREMENTS.—Any virtual
25 hearings held under clause (i) by a recipi-

ent under this section shall provide reasonable notification and access for citizens in accordance with the recipient's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

(m) CONSULTATION.—In addition to any other citizen participation and consultation requirements, in developing and implementing a plan to carry out this section, each recipient of funds made available pursuant to this section shall consult with the applicable Continuum or Continuums of Care for the area served by the recipient and organizations representing underserved communities and populations and organizations with expertise in affordable housing, fair housing, and services for people with disabilities.

(n) ADMINISTRATION.—

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

(A) not more than the lesser of 0.5 percent, or \$15,000,000, may be used by the Secretary for staffing, training, technical assistance, technology, monitoring, research, and evaluation activities necessary to carry out the

1 program carried out under this section, and
2 such amounts shall remain available until Sep-
3 tember 30, 2024; and

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

8 (2) BY RECIPIENTS.—Notwithstanding section
9 576.108 of title 24 of the Code of Federal Regula-
10 tions, with respect to amounts made available pursu-
11 ant to this section, a recipient may use up to 10 per-
12 cent of the recipient’s grant for payment of adminis-
13 trative costs related to the planning and execution of
14 activities.

15 **SEC. 102. HOMEOWNER ASSISTANCE FUND.**

16 (a) DEFINITIONS.—In this section:

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

20 (2) SECRETARY.—The term “Secretary” means
21 the Secretary of the Treasury.

22 (3) STATE.—The term “State” means any
23 State of the United States, the District of Columbia,
24 any territory of the United States, Puerto Rico,

1 Guam, American Samoa, the Virgin Islands, and the
2 Northern Mariana Islands.

3 (b) ESTABLISHMENT OF FUND.—There is estab-
4 lished at the Department of the Treasury a Homeowner
5 Assistance Fund to provide such funds as are made avail-
6 able under subsection (g) to State housing finance agen-
7 cies for the purpose of preventing homeowner mortgage
8 defaults, foreclosures, and displacements of individuals
9 and families experiencing financial hardship after January
10 21, 2020.

11 (c) ALLOCATION OF FUNDS.—

12 (1) ADMINISTRATION.—Of any amounts made
13 available for the Fund, the Secretary of the Treas-
14 ury may allocate, in the aggregate, an amount not
15 exceeding 5 percent—

16 (A) to the Office of Financial Stability es-
17 tablished under section 101(a) of the Emer-
18 gency Economic Stabilization Act of 2008 (12
19 U.S.C. 5211(a)) to administer and oversee the
20 Fund, and to provide technical assistance to
21 States for the creation and implementation of
22 State programs to administer assistance from
23 the Fund; and

1 (B) to the Inspector General of the De-
2 partment of the Treasury for oversight of the
3 program under this section.

4 (2) FOR STATES.—The Secretary shall establish
5 such criteria as are necessary to allocate the funds
6 available within the Fund for each State. The Sec-
7 retary shall allocate such funds among all States
8 taking into consideration the number of unemploy-
9 ment claims within a State relative to the nationwide
10 number of unemployment claims.

11 (3) SMALL STATE MINIMUM.—The amount allo-
12 cated for each State shall not be less than
13 \$250,000,000.

14 (4) SET-ASIDE FOR INSULAR AREAS.—Notwith-
15 standing any other provision of this section, of any
16 amounts authorized to be appropriated pursuant to
17 subsection (g), the Secretary shall reserve
18 \$200,000,000 to be disbursed to Guam, American
19 Samoa, the Virgin Islands, and the Northern Mar-
20 iana Islands based on each such territory's share of
21 the combined total population of all such territories,
22 as determined by the Secretary. For the purposes of
23 this paragraph, population shall be determined based
24 on the most recent year for which data are available
25 from the United States Census Bureau.

1 (5) SET-ASIDE FOR INDIAN TRIBES AND NATIVE
2 HAWAIIANS.—

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

10 (B) NATIVE HAWAIIANS.— Of the funds
11 set aside under subparagraph (A), the Sec-
12 retary shall use 0.3 percent to make grants to
13 the Department of Hawaiian Home Lands in
14 accordance with subsection (f) for the purposes
15 described in subsection (e)(1).

16 (d) DISBURSEMENT OF FUNDS.—

17 (1) ADMINISTRATION.—Except for amounts
18 made available for assistance under subsection (f),
19 State housing finance agencies shall be primarily re-
20 sponsible for administering amounts disbursed from
21 the Fund, but may delegate responsibilities and sub-
22 allocate amounts to community development finan-
23 cial institutions and State agencies that administer
24 Low-Income Home Energy Assistance Program of
25 the Department of Health and Human Services.

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

7 (3) SHFA PLANS.—

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

20 (B) MULTIPLE PLANS.— A State housing
21 finance agency may submit multiple plans, each
22 covering a separate portion of funding for
23 which the State is eligible.

24 (C) TIMING.—The Secretary shall approve
25 or disapprove a plan within 30 days after the

1 plan's submission and, if disapproved, explain
2 why the plan could not be approved.

3 (D) DISBURSEMENT UPON APPROVAL.—

4 The Secretary shall disburse to a State housing
5 finance agency the appropriate amount of fund-
6 ing upon approval of the agency's plan.

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

17 (F) TECHNICAL ASSISTANCE.—The Sec-
18 retary shall provide technical assistance for any
19 State housing finance agency that twice fails to
20 have a submitted plan approved.

21 (4) PLAN TEMPLATES.—The Secretary shall,
22 not later than 30 days after the date of the enact-
23 ment of this Act, publish templates that States may
24 utilize in drafting the plans required under para-
25 graph (3)(A). The template plans shall include

1 standard program terms and requirements, as well
2 as any required legal language, which State housing
3 finance agencies may modify with the consent of the
4 Secretary.

5 (e) PERMISSIBLE USES OF FUND.—

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

10 (A) mortgage payment assistance, includ-
11 ing financial assistance to allow a borrower to
12 reinstate their mortgage or to achieve a more
13 affordable mortgage payment, which may in-
14 clude principal reduction or rate reduction, pro-
15 vided that any mortgage payment assistance is
16 tailored to a borrower's needs and their ability
17 to repay, and takes into consideration the loss
18 mitigation options available to the borrower;

19 (B) assistance with payment of taxes, haz-
20 ard insurance, flood insurance, mortgage insur-
21 ance, or homeowners' association fees;

22 (C) utility payment assistance, including
23 electric, gas, water, and internet service, includ-
24 ing broadband internet access service (as such
25 term is defined in section 8.1(b) of title 47,

1 Code of Federal Regulations (or any successor
2 regulation));

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

14 (E) any other assistance for homeowners
15 to prevent eviction, mortgage delinquency or de-
16 fault, foreclosure, or the loss of essential utility
17 services.

18 (2) TARGETING.—

19 (A) REQUIREMENT.—Not less than 60 per-
20 cent of amounts made available for each State
21 or other entity allocated amounts under sub-
22 section (c) shall be used for activities under
23 paragraph (1) that assist homeowners having
24 incomes equal to or less than 80 percent of the
25 area median income.

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

12 (C) LANGUAGE ASSISTANCE.—Each State
13 housing finance agency or other entity allocated
14 amounts under subsection (c) shall make avail-
15 able to each applicant for assistance from
16 amounts from the Fund language assistance in
17 any language that such language assistance is
18 available in and shall provide notice to each
19 such applicant that such language assistance is
20 available.

21 (3) ADMINISTRATIVE EXPENSES.—Not more
22 than 15 percent of the amount allocated to a State
23 pursuant to subsection (c) may be used by a State
24 housing financing agency for administrative ex-
25 penses. Any amounts allocated to administrative ex-

1 penses that are no longer necessary for administra-
2 tive expenses may be used in accordance with para-
3 graph (1).

4 (f) TRIBAL AND NATIVE HAWAIIAN ASSISTANCE.—

5 (1) DEFINITIONS.—In this subsection:

6 (A) DEPARTMENT OF HAWAIIAN HOME
7 LANDS.—The term “Department of Hawaiian
8 Home Lands” has the meaning given the term
9 in section 801 of the Native American Housing
10 Assistance and Self-Determination Act of 1996
11 (42 U.S.C. 4221).

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

17 (2) REQUIREMENTS.—

18 (A) ALLOCATION.—Except for the funds
19 set aside under subsection (c)(5)(B), the Sec-
20 retary shall allocate the funds set aside under
21 subsection (c)(5)(A) using the allocation for-
22 mula described in subpart D of part 1000 of
23 title 24, Code of Federal Regulations (or any
24 successor regulations).

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

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

16 (g) FUNDING.—There is authorized to be appro-
17 priated to the Homeowner Assistance Fund established
18 under subsection (b) \$75,000,000,000, to remain available
19 until expended or transferred or credited under subsection
20 (i).

21 (h) USE OF HOUSING FINANCE AGENCY INNOVATION
22 FUND FOR THE HARDEST HIT HOUSING MARKETS
23 FUNDS.—A State housing finance agency may reallocate
24 any administrative or programmatic funds it has received
25 as an allocation from the Housing Finance Agency Inno-

1 vation Fund for the Hardest Hit Housing Markets created
2 pursuant to section 101(a) of the Emergency Economic
3 Stabilization Act of 2008 (12 U.S.C. 5211(a)) that have
4 not been otherwise allocated or disbursed as of the date
5 of enactment of this Act to supplement any administrative
6 or programmatic funds received from the Housing Assist-
7 ance Fund. Such reallocated funds shall not be considered
8 when allocating resources from the Housing Assistance
9 Fund using the process established under subsection (c)
10 and shall remain available for the uses permitted and
11 under the terms and conditions established by the contract
12 with Secretary created pursuant to subsection (d)(1) and
13 the terms of subsection (i).

14 (i) REPORTING REQUIREMENTS.—The Secretary
15 shall provide public reports not less frequently than quar-
16 terly regarding the use of funds provided by the Home-
17 owner Assistance Fund. Such reports shall include the fol-
18 lowing data by State and by program within each State,
19 both for the past quarter and throughout the life of the
20 program—

- 21 (1) the amount of funds allocated;
- 22 (2) the amount of funds disbursed;
- 23 (3) the number of households and individuals
24 assisted;
- 25 (4) the acceptance rate of applicants;

1 (5) the type or types of assistance provided to
2 each household;

3 (6) whether the household assisted had a feder-
4 ally backed loan and identification of the Federal en-
5 tity backing such loan;

6 (7) the average amount of funding provided per
7 household receiving assistance and per type of as-
8 sistance provided;

9 (8) the average number of monthly payments
10 that were covered by the funding amount that a
11 household received, as applicable, disaggregated by
12 type of assistance provided;

13 (9) the income level of each household receiving
14 assistance; and

15 (10) the outcome 12 months after the house-
16 hold has received assistance.

17 Each report under this subsection shall disaggregate the
18 information provided under paragraphs (3) through (10)
19 by State, zip code, racial and ethnic composition of the
20 household, and whether or not the person from the house-
21 hold applying for assistance speaks English as a second
22 language.

1 **SEC. 103. PROTECTING RENTERS AND HOMEOWNERS FROM**
2 **EVICTIONS AND FORECLOSURES.**

3 (a) EVICTION MORATORIUM.—The CARES Act is
4 amended by striking section 4024 (15 U.S.C. 9058; Public
5 Law 116–136; 134 Stat. 492) and inserting the following
6 new section:

7 **“SEC. 4024. TEMPORARY MORATORIUM ON EVICTION FIL-**
8 **INGS.**

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

11 “(1) according to the 2018 American Commu-
12 nity Survey, 36 percent of households in the United
13 States—more than 43 million households—are rent-
14 ers;

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

17 “(3) according to the Joint Center for Housing
18 Studies of Harvard University, 20.8 million renters
19 in the United States spent more than 30 percent of
20 their incomes on housing in 2018 and 10.9 million
21 renters spent more than 50 percent of their incomes
22 on housing in the same year;

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

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

6 “(6) evictions in the current environment would
7 increase homelessness and housing instability which
8 would be counterproductive towards the public
9 health goals of keeping individuals in their homes to
10 the greatest extent possible.

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

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

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

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

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

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

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

17 (b) MORTGAGE RELIEF.—

18 (1) FORBEARANCE AND FORECLOSURE MORA-
 19 TORIUM FOR COVERED MORTGAGE LOANS.—Section
 20 4022 of the CARES Act (15 U.S.C. 9056) is
 21 amended—

22 (A) by striking “Federally backed mort-
 23 gage loan” each place such term appears and
 24 inserting “covered mortgage loan”; and

25 (B) in subsection (a)—

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

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

11 (ii) by adding at the end the fol-
12 lowing:

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

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

22 “(9) AUTOMATIC FORBEARANCE FOR DELIN-
23 QUENT BORROWERS.—

24 “(A) IN GENERAL.—Notwithstanding any
25 other law governing forbearance relief—

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

15 “(ii) any borrower whose covered
16 mortgage loan becomes 60 days delinquent
17 between the date of enactment of this
18 paragraph and the end of the covered pe-
19 riod, and who has not already received a
20 forbearance under subsection (b), shall
21 automatically be granted a 60-day forbear-
22 ance that begins on the 60th day of delin-
23 quency, provided that a borrower shall not
24 be considered delinquent for purposes of
25 this paragraph while making timely pay-

1 ments or otherwise performing under a
2 trial modification or other loss mitigation
3 agreement.

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

14 “(C) SUBSEQUENT EXTENSION.—A for-
15 bearance extended under subparagraph (B)
16 shall be extended for up to an additional 180
17 days, up to a maximum of 360 days (including
18 the period of automatic forbearance), upon the
19 borrower’s request, oral or written, submitted to
20 the borrower’s servicer affirming that the bor-
21 rower is experiencing a financial hardship that
22 prevents the borrower from making timely pay-
23 ments on the covered mortgage loan due, di-
24 rectly or indirectly, to the COVID–19 emer-
25 gency.

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

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

18 “(10) AUTOMATIC FORBEARANCE FOR CERTAIN
19 REVERSE MORTGAGE LOANS.—

20 “(A) IN GENERAL.—When any covered
21 mortgage loan which is also a federally-insured
22 reverse mortgage loan, during the covered pe-
23 riod, is due and payable due to the death of the
24 last borrower or end of a deferral period or eli-
25 gible to be called due and payable due to a

1 property charge default, or if the borrower de-
2 faults on a property charge repayment plan, or
3 if the borrower defaults for failure to complete
4 property repairs, or if an obligation of the bor-
5 rower under the Security Instrument is not per-
6 formed, the mortgagee automatically shall be
7 granted a six-month extension of—

8 “(i) the mortgagee’s deadline to re-
9 quest due and payable status from the De-
10 partment of Housing and Urban Develop-
11 ment;

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

15 “(iii) the deadline to initiate fore-
16 closure;

17 “(iv) any reasonable diligence period
18 related to foreclosure or the Mortgagee Op-
19 tional Election;

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

22 “(vi) any claim submission deadline,
23 including the 6-month acquired property
24 marketing period.

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

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

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

23 “(ii) a non-borrowing spouse’s re-
24 quest, oral or written, submitted to the
25 servicer affirming that the non-borrowing

1 spouse has been unable to satisfy all cri-
2 teria for the Mortgagee Optional Election
3 program due, directly or indirectly, to the
4 COVID-19 emergency, or to perform all
5 actions necessary to become an eligible
6 non-borrowing spouse following the death
7 of all borrowers; or

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

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

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

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

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

19 “(3) REPOSSESSION MORATORIUM.—In the case
20 of personal property, including any recreational or
21 motor vehicle, used as a dwelling, no person may use
22 any judicial or non-judicial procedure to repossess or
23 otherwise take possession of such property for six
24 months after date of enactment of this paragraph.”.

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

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

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

16 “(A) submitting a request, orally or in
17 writing, to the servicer of the loan; and

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

23 “(2) DURATION OF FORBEARANCE.—

24 “(A) IN GENERAL.—Upon a request by a
25 borrower to a servicer for forbearance under

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

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

20 “(C) RIGHT TO SHORTEN FORBEAR-
21 ANCE.—At a borrower’s request, any period of
22 forbearance described under this paragraph
23 may be shortened. A borrower who makes such
24 a request shall be offered a loss mitigation op-
25 tion pursuant to subsection (d) within 30 days

1 of resuming regular payments to address any
2 payment deficiency during the forbearance.

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

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

24 “(5) COMMUNICATION WITH BORROWERS WITH
25 A DISABILITY.—Upon request from a borrower,

1 servicers shall communicate with borrowers who
2 have a disability in the borrower’s preferred method
3 of communication. For purposes of this paragraph,
4 the term ‘disability’ has the meaning given that term
5 in the Fair Housing Act, the Americans with Dis-
6 abilities Act of 1990, or the Rehabilitation Act of
7 1973.”; and

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

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

21 (5) OTHER SERVICER REQUIREMENTS DURING
22 FORBEARANCE.—Section 4022(c) of the CARES Act
23 (15 U.S.C. 9056(c)), as amended by paragraph (3)
24 of this subsection, is further amended by adding at
25 the end the following:

1 “(4) FORBEARANCE TERMS NOTICE.—Within
2 30 days of a servicer of a covered mortgage loan
3 providing forbearance to a borrower under sub-
4 section (b) or paragraph (9) or (10), or 10 days if
5 the forbearance is for a term of less than 60 days,
6 but only where the forbearance was provided in re-
7 sponse to a borrower’s request for forbearance or
8 when an automatic forbearance was initially pro-
9 vided under paragraph (9) or (10), and not when an
10 existing forbearance is automatically extended, the
11 servicer shall provide the borrower with a notice in
12 accordance with the terms in paragraph (5).

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

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

17 “(B) the beginning and ending dates of the
18 forbearance;

19 “(C) that the borrower is eligible for up to
20 12 months of forbearance;

21 “(D) that the borrower may request an ex-
22 tension of the forbearance unless the borrower
23 will have reached the maximum period at the
24 end of the forbearance;

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

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

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

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

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

20 “(J) where applicable, that the forbearance
21 is subject to an automatic extension including
22 the terms of any such automatic extensions and
23 when any further extension would require a bor-
24 rower request.

1 “(6) TREATMENT OF ESCROW ACCOUNTS.—

2 During any forbearance provided under this section,
3 a servicer shall pay or advance funds to make dis-
4 bursements in a timely manner from any escrow ac-
5 count established on the covered mortgage loan.

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

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

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

24 “(8) CERTAIN TREATMENT UNDER RESPA.—As
25 long as a borrower’s payment on a covered mortgage

1 loan was not more than 30 days delinquent on
 2 March 13, 2020, a servicer may not deem the bor-
 3 rower as delinquent while a forbearance granted
 4 under subsection (b) is in effect for purposes of the
 5 application of sections 6 and 10 of the Real Estate
 6 Settlement Procedures Act and any applicable regu-
 7 lations.”.

8 (6) POST-FORBEARANCE LOSS MITIGATION.—

9 (A) AMENDMENT TO CARES ACT.—Section
 10 4022 of the CARES Act (15 U.S.C. 9056) is
 11 amended by adding at the end the following:

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

13 “(1) NOTICE OF AVAILABILITY OF ADDITIONAL
 14 FORBEARANCE.—With respect to any covered mort-
 15 gage loan as to which forbearance under this section
 16 has been granted and not otherwise extended, in-
 17 cluding by automatic extension, a servicer shall, no
 18 later than 30 days before the end of the forbearance
 19 period, in writing, notify the borrower that addi-
 20 tional forbearance may be available and how to re-
 21 quest such forbearance, except that no such notice
 22 is required where the borrower already has requested
 23 an extension of the forbearance period, is subject to
 24 automatic extension pursuant to subsection
 25 (b)(2)(B), or no additional forbearance is available.

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

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

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

1 “(ii) extends the term of the mortgage
2 loan, and capitalizes, defers, or forgives all
3 escrow advances and other arrearages;
4 provided, however, that the servicer may offer
5 the borrower a loss mitigation option that re-
6 duces the principal and interest payment on the
7 loan and capitalizes, defers, or forgives all es-
8 crow advances or arrearages if the servicer has
9 information indicating that the borrower cannot
10 resume the pre-forbearance mortgage payments;
11 and

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

18 “(3) EVALUATION FOR LOSS MITIGATION PRIOR
19 TO FORECLOSURE INITIATION.—Before a servicer
20 may initiate or engage in any foreclosure activity
21 listed in subsection (c)(2), including incurring or
22 charging to a borrower any fees or corporate ad-
23 vances related to a foreclosure on the basis that the
24 borrower has failed to perform under the loss miti-
25 gation offer in paragraph (2)(A) within the first 90

1 days after the option is offered, including a failure
2 to accept the loss mitigation offer in paragraph
3 (2)(A), the servicer shall—

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

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

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

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

1 which the borrower qualifies under applicable
2 investor guidelines, including guidelines regard-
3 ing required documentation.

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

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

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

22 “(B) extends the term of the mortgage
23 loan, and capitalizes, defers, or forgives all es-
24 crow advances and other arrearages, without
25 the charging of any fees or penalties beyond in-

1 terest on any amount capitalized into the loan
2 principal,
3 shall be deemed to comply with the requirements of
4 paragraph (1)(B).

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

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

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

22 “(ii) consider the borrower for all
23 available home retention options as allowed
24 by the Secretary.

1 “(B) PERMISSIBLE REPAYMENT PLANS.—

2 The Secretary shall amend its allowable home
3 retention options to permit a repayment plan of
4 up to 120 months in length, and to permit a re-
5 payment plan without regard to prior defaults
6 on repayment plans.

7 “(C) LIMITATION ON INTEREST CURTAIL-

8 MENT.—The Secretary may not curtail interest
9 paid to mortgagees who engage in loss mitiga-
10 tion or home retention actions through interest
11 curtailment during such loss mitigation or home
12 retention review or during the period when a
13 loss mitigation or home retention plan is in ef-
14 fect and ending 90 days after any such plan
15 terminates.”.

16 (B) AMENDMENT TO HOUSING ACT OF

17 1949.—Section 505 of the Housing Act of 1949
18 (42 U.S.C. 1475) is amended—

19 (i) by striking the section heading and
20 inserting “LOSS MITIGATION AND FORE-
21 CLOSURE PROCEDURES”;

22 (ii) in subsection (a), by striking the
23 section designation and all that follows
24 through “During any” and inserting the
25 following:

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

5 “(2) During any”.

6 (iii) by redesignating subsection (b) as
7 subsection (c); and

8 (iv) by inserting after subsection (a)
9 the following new subsection:

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

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

22 (7) MULTIFAMILY MORTGAGE FORBEARANCE.—
23 Section 4023 of the CARES Act (15 U.S.C. 9057)
24 is amended—

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

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

7 (C) in subsection (c)(1)—

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

10 (ii) by striking subparagraphs (B) and
 11 (C) and inserting the following:

12 “(B) provide the forbearance for up to the
 13 end of the period described under section
 14 4024(b).”; and

15 (D) by redesignating subsection (f) as sub-
 16 section (g);

17 (E) by inserting after subsection (e) the
 18 following:

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

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

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

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

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

13 (i) in paragraph (2)—

14 (I) by striking “that—” and all
15 that follows through “(A) is secured
16 by” and inserting “that is secured
17 by”;

18 (II) by striking “; and” and in-
19 serting a period; and

20 (III) by striking subparagraph
21 (B); and

22 (ii) by amending paragraph (5) to
23 read as follows:

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

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

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

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

15 (9) EXTENSION OF GSE PATCH.—

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

20 (B) EXTENDED SUNSET.—The special
21 rules in section 1026.43(e)(4) of title 12, Code
22 of Federal Regulations, shall apply to covered
23 transactions consummated prior to June 1,
24 2022, or such later date as the Director of the

1 Bureau of Consumer Financial Protection may
2 determine, by rule.

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

5 (A) SAFE HARBOR.—

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

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

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

SEC. 108. FAIR HOUSING.

(a) **DEFINITION OF COVID–19 EMERGENCY PE-
 RIOD.**— For purposes of this Act, the term “COVID–19
 emergency period” means the period that begins upon the
 date of the enactment of this Act and ends upon the date
 of the termination by the Federal Emergency Manage-
 ment Agency of the emergency declared on March 13,
 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 homeless-
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 perienceing 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.

○