

115TH CONGRESS
1ST SESSION

H. R. 3238

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2017

Mr. SANFORD (for himself, Mr. NADLER, Mr. ZELDIN, Mr. ENGEL, and Mr. KING of New York) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disaster Assistance
5 Equity Act of 2017”.

1 **SEC. 2. DEFINITIONS.**

2 (a) DEFINITION OF PRIVATE NONPROFIT FACIL-
3 ITY.—Section 102(11)(B) of the Robert T. Stafford Dis-
4 aster Relief and Emergency Assistance Act (42 U.S.C.
5 5122(11)(B)) is amended by adding at the end the fol-
6 lowing: “The term also includes any facilities (including
7 roads, walkways, bridges, culverts, canals, sewer and
8 wastewater systems, hazard mitigation systems, power,
9 and other critical community infrastructure) owned or op-
10 erated by a common interest community that provide es-
11 sential services of a governmental nature.”.

12 (b) ADDITIONAL DEFINITIONS.—Section 102 of the
13 Robert T. Stafford Disaster Relief and Emergency Assist-
14 ance Act (42 U.S.C. 5122) is amended by adding at the
15 end the following:

16 “(13) COMMON INTEREST COMMUNITY.—The
17 term ‘common interest community’ means—

18 “(A) any nonprofit mandatory membership
19 organization comprised of owners of real estate
20 (other than a condominium or housing coopera-
21 tive) described in a declaration or created pur-
22 suant to a covenant or other applicable law with
23 respect to which a person, by virtue of the per-
24 son’s ownership of a unit, is obligated to pay
25 for a share of real estate taxes, insurance pre-
26 miums, maintenance, or improvement of, or

1 services or other expenses related to, common
2 elements, other units, or any other real estate
3 other than that unit described in the declara-
4 tion; and

5 “(B) a condominium project—

6 “(i) comprised entirely of detached
7 single family units; or

8 “(ii) comprised of four or more multi-
9 unit housing structures, that owns or oper-
10 ates facilities (including roads, walkways,
11 bridges, culverts, canals, sewer and waste-
12 water systems, hazard mitigation systems,
13 power, or other critical community infra-
14 structure) that provide essential services of
15 a governmental nature.

16 “(14) CONDOMINIUM.—The term ‘condomini-
17 um’ means a multi-unit housing project in which
18 each dwelling unit is separately owned, and the re-
19 maining portions of the real estate are designated
20 for common ownership solely by the owners of those
21 units, each owner having an undivided interest in
22 the common elements, and which is represented by
23 a condominium association consisting exclusively of
24 all the unit owners in the project, which is, or will

1 be responsible for the operation, administration, and
 2 management of the project.

3 “(15) HOUSING COOPERATIVE.—The term
 4 ‘housing cooperative’ means a multi-unit housing
 5 project in which each dwelling unit is subject to sep-
 6 arate use and possession by one or more cooperative
 7 members whose interest in such unit, and in any un-
 8 divided assets of the cooperative association that are
 9 appurtenant to such unit, is evidenced by a member-
 10 ship or share interest in a cooperative association
 11 and a lease or other document of title or possession
 12 granted by such cooperative as the owner of all coop-
 13 erative property.”.

14 **SEC. 3. CONDOMINIUMS AND HOUSING COOPERATIVES**
 15 **DAMAGED BY A MAJOR DISASTER.**

16 (a) INDIVIDUALS AND HOUSEHOLDS PROGRAM.—
 17 Section 408(b)(1) of the Robert T. Stafford Disaster Re-
 18 lief and Emergency Assistance Act (42 U.S.C. 5174(b)(1))
 19 is amended—

20 (1) by striking “The President” and inserting
 21 the following:

22 “(A) IN GENERAL.—The President”; and

23 (2) by adding at the end the following:

24 “(B) CONDOMINIUMS AND HOUSING CO-
 25 OPERATIVES.—For purposes of providing finan-

1 cial assistance under subsections (c)(2) and
2 (c)(3) with respect to residential elements that
3 are the legal responsibility of an association for
4 a condominium or housing cooperative, the
5 terms ‘individual’ and ‘household’ include the
6 association for the condominium or housing co-
7 operative.”.

8 (b) MAXIMUM AMOUNT OF ASSISTANCE.—Section
9 408(h) of such Act (42 U.S.C. 5174(h)) is amended by
10 adding at the end the following:

11 “(3) SPECIAL RULE FOR CONDOMINIUMS AND
12 HOUSING COOPERATIVES.—

13 “(A) IN GENERAL.—In lieu of the limit es-
14 tablished under paragraph (1), the maximum
15 amount of assistance that an association for a
16 condominium or housing cooperative may re-
17 ceive under this section with respect to a single
18 disaster shall be an amount to be determined by
19 the President by regulation.

20 “(B) ADJUSTMENT OF LIMIT.—The
21 amount determined by the President under sub-
22 paragraph (A) shall be adjusted annually in ac-
23 cordance with paragraph (2).”.

1 **SEC. 4. APPLICABILITY.**

2 The amendments made by this Act shall apply to a
3 major disaster or emergency declared by the President
4 under the Robert T. Stafford Disaster Relief and Emer-
5 gency Assistance Act (42 U.S.C. 5121 et seq.) after the
6 date of enactment of this Act.

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