

115TH CONGRESS
1ST SESSION

H. R. 1146

To require the Secretary of Housing and Urban Development to establish a pilot program to make grants to eligible organizations to provide legal assistance to low-income families regarding housing disputes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2017

Mr. ELLISON introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Ways and Means, 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 require the Secretary of Housing and Urban Development to establish a pilot program to make grants to eligible organizations to provide legal assistance to low-income families regarding housing disputes, 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 “Equal Opportunity for
5 Residential Representation Act”.

1 **SEC. 2. CONGRESSIONAL FINDINGS.**

2 The Congress finds that—

3 (1) eviction prevention programs provide impor-
4 tant and effective social and economic benefits;

5 (2) such programs help protect low-income and
6 at-risk households from the trauma and disruption
7 of homelessness and save property owners from the
8 high costs of forced eviction and re-occupancy; and

9 (3) investing more resources in eviction preven-
10 tion helps communities save on the high cost of
11 homelessness by stopping homelessness before it
12 starts—for example, according to 2015 data, the
13 Massachusetts Housing and Shelter Alliance esti-
14 mates that a homeless individual residing in Massa-
15 chusetts creates an additional cost burden for State-
16 supported services (such as shelters, emergency
17 room visits, and incarceration) that is \$9,372 great-
18 er per year than for a housed individual.

19 **SEC. 3. PILOT PROGRAM FOR LEGAL ASSISTANCE FOR**
20 **HOUSING ISSUES FOR LOW-INCOME FAMI-**
21 **LIES.**

22 (a) **AUTHORITY.**—The Secretary of Housing and
23 Urban Development (in this section referred to as the
24 “Secretary”) shall carry out a program under this section,
25 through the Office of Community Planning and Develop-
26 ment, to make grants to the extent amounts for such

1 grants are made available pursuant to subsection (f) to
2 eligible organizations under subsection (d) to provide legal
3 services and other related supportive services under sub-
4 section (e) on behalf of eligible low-income families under
5 subsection (c).

6 (b) SELECTION OF GRANTEES.—The Secretary shall
7 select eligible organizations under subsection (d) to receive
8 grants under this section taking into consideration factors,
9 including—

10 (1) factors necessary to ensure an equitable dis-
11 tribution of grants to grantees serving urban areas
12 (as such term is defined by the Secretary) and to
13 grantees serving rural areas (as such term is defined
14 by the Secretary), except that the Secretary shall en-
15 sure that, of any amounts made available for any
16 fiscal year for grants under this section, not less
17 than 20 percent shall be used for grantees serving
18 rural areas;

19 (2) the number of rental units in the area
20 served by the grantee that are affordable to low-in-
21 come households having incomes at or below 80 per-
22 cent of the area median income and paying more
23 than 30 percent of their incomes for rent;

24 (3) the extent to which the population of the
25 area served by the grantee uses eviction or other

1 housing-related legal services or has a need for such
2 services;

3 (4) the extent to which tenants in the area
4 served by the grantee are evicted;

5 (5) the number of rental units in the area
6 served by the grantee that are affordable to house-
7 holds having incomes at or below 80 percent of the
8 area median income;

9 (6) the extent of poverty in the area served by
10 the grantee;

11 (7) the number of renter households in the area
12 served by the grantee that—

13 (A) have incomes at or below 80 percent of
14 the area median income;

15 (B) are not provided rental assistance,
16 such as rental assistance under section 8 of the
17 United States Housing Act of 1937 or occu-
18 pancy in a dwelling unit in public housing; or

19 (C) live in severely inadequate housing, as
20 measured using the American Housing Survey
21 definition of housing having severe physical
22 problems; and

23 (8) any other factors that the Secretary con-
24 siders appropriate for purposes of this section, ex-
25 cept that the Secretary may not consider data from

1 a point-in-time count of the homeless (as defined in
2 section 103(a) of the McKinney-Vento Homeless As-
3 sistance Act (42 U.S.C. 11302(a))).

4 (c) ELIGIBLE LOW-INCOME FAMILIES.—Amounts
5 from a grant under this section may be used only to pro-
6 vide eligible services under subsection (e) with respect to
7 families (including individuals and including victims of do-
8 mestic violence) who—

9 (1) reside in a rental dwelling unit; and

10 (2) have an income (as such term is defined in
11 section 3(b) of the United States Housing Act of
12 1937 (42 U.S.C. 1437a(b))) that does not exceed 80
13 percent of the median income for the area in which
14 the family resides.

15 (d) ELIGIBLE ORGANIZATIONS.—Grants under this
16 section may be made only to—

17 (1) a nonprofit organization that provides legal
18 services on behalf of persons or families whose eligi-
19 bility for such services includes a limitation on in-
20 come, including any organizations that receive fund-
21 ing from the Legal Services Corporation (established
22 under the Legal Services Corporation Act (42
23 U.S.C. 2996 et seq.)) to provide such services on be-
24 half of such persons or families;

1 (2) legal clinics sponsored by law schools or
2 other organizations; and

3 (3) such other institutions, organizations, and
4 entities as the Secretary considers appropriate.

5 (e) ELIGIBLE SERVICES.—Amounts from a grant
6 under this section may be used only to provide, on behalf
7 of eligible low-income families under subsection (c), legal
8 services and other related supportive services in connec-
9 tion with—

10 (1) an eviction of such a family;

11 (2) the prevention of an eviction of such a fam-
12 ily;

13 (3) a dispute between the landlord and a tenant
14 who is a member of such a family; or

15 (4) enforcing the legal rights of such a family
16 under Federal, State, or local laws regarding ten-
17 ancy or fair housing.

18 (f) USE OF MORTGAGE INTEREST DEDUCTION SAV-
19 INGS FOR GRANTS.—

20 (1) DETERMINATION OF SAVINGS.—For each of
21 fiscal years 2018 through 2022, the Secretary of the
22 Treasury shall determine the amount of revenues ac-
23 cruing to the general fund of the Treasury by reason
24 of the enactment of the amendment made by section
25 4 of this Act.

| “For taxable years— | The applicable amount is— |
|------------------------------------------------|------------------------------|
| Beginning in calendar year 2018 | \$900,000 |
| Beginning in calendar year 2019 | \$800,000 |
| Beginning in calendar year 2020 | \$700,000 |
| Beginning in calendar year 2021 | \$600,000 |
| Beginning in or after calendar year 2022 | \$500,000.”. |

1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) shall apply to amounts paid or incurred
3 after December 31, 2017.

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