

118TH CONGRESS
2D SESSION

S. 4944

To require multifamily borrowers with federally backed multifamily mortgage loans to submit positive rental payments to certain consumer reporting agencies.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2024

Mr. OSSOFF introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To require multifamily borrowers with federally backed multifamily mortgage loans to submit positive rental payments to certain consumer reporting agencies.

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 “Access to Homeowner-
5 ship Act”.

6 **SEC. 2. POSITIVE RENTAL PAYMENTS.**

7 The Federal Housing Enterprises Financial Safety
8 and Soundness Act of 1992 (12 U.S.C. 4541 et seq.) is

1 amended by inserting after section 1355 (12 U.S.C. 4602)
2 the following:

3 **“SEC. 1355A. POSITIVE RENTAL PAYMENTS.**

4 “(a) DEFINITION.—In this section, the term ‘feder-
5 ally backed multifamily mortgage loan’ includes any loan
6 (other than temporary financing such as a construction
7 loan) that—

8 “(1) is secured by a first or subordinate lien on
9 residential multifamily real property designed prin-
10 cipally for the occupancy of 5 or more families, in-
11 cluding any such secured loan, the proceeds of which
12 are used to prepay or pay off an existing loan se-
13 cured by the same property; and

14 “(2) is made in whole or in part, or insured,
15 guaranteed, supplemented, or assisted in any way,
16 by any officer or agency of the Federal Government
17 or under or in connection with a housing or urban
18 development program administered by the Secretary
19 of Housing and Urban Development or a housing or
20 related program administered by any other such offi-
21 cer or agency, or is purchased or securitized by the
22 Federal Home Loan Mortgage Corporation or the
23 Federal National Mortgage Association.

24 “(b) AUTHORITY.—

1 “(1) IN GENERAL.—The Director shall, by
2 order or regulation, require each enterprise to estab-
3 lish and maintain a program requiring multifamily
4 borrowers with federally backed multifamily mort-
5 gage loans to request the consent of their residents
6 to report the positive rent payments of the residents
7 directly to each consumer reporting agency described
8 in section 603(p) of the Fair Credit Reporting Act
9 (15 U.S.C. 1681a(p)), including 24 months of prior
10 positive rent payments (if available).

11 “(2) REQUIREMENTS.—Multifamily borrowers
12 with federally backed multifamily mortgage loans
13 shall report positive rent payments described in
14 paragraph (1) if the resident consents to such re-
15 porting.

16 “(c) MORTGAGES.—Any positive rent payment made
17 by a resident described in subsection (b) shall be consid-
18 ered in an application to insure a mortgage under section
19 203 of the National Housing Act (12 U.S.C. 1709).

20 “(d) ADMINISTRATIVE COSTS.—The administrative
21 costs associated with reporting positive rental payments
22 shall be covered by the enterprises.

23 “(e) REPORT.—The Director shall submit to Con-
24 gress a report every 5 years on the programs established
25 under this section.

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as may be
3 necessary to carry out this section.”.

○