Amendment in the nature of a substitute
To H.R. 5196
Offered by Ms. Waters of California

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

This Act may be cited as the “Expediting Assistance to Renters and Landlords Act of 2021”.

2 SEC. 2. EXPEDITING APPLICATIONS FOR ASSISTANCE SUBMITTED BY LANDLORDS.

(a) In general.—Section 501(f)(1) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(f)(1)) is amended—

“(3) Applications submitted on behalf of tenant without tenant consent.—

“(A) Establishment of application process.—

“(i) Application process.—

“(I) In general.—The Secretary shall, not later than 30 days after the date of the enactment of this paragraph, establish a process, in consideration of the conditions on assist-
ance described in clause (ii), for a landlord to submit an application on behalf of a renter when such landlord is unable to obtain the consent of such renter to submit such application for after taking reasonable steps to obtain such consent, as determined by the Secretary.

“(II) ATTESTATION.—The process established by the Secretary under subparagraph (I) shall require the landlord to attest under penalty of perjury in the application the amount of rental arrears owed to such landlord by the renter on whose behalf the landlord is applying.

“(ii) CONDITIONS ON ASSISTANCE.—

“(I) IN GENERAL.—A landlord who submits an application for assistance under this paragraph shall comply with any conditions the Secretary of the Treasury may prescribe to ensure that renters remain stably housed.
“(II) 120-DAY EVICTION PROHIBITION.—

“(aa) IN GENERAL.—The Secretary of the Treasury shall, not later than 30 days after the date of the enactment of this paragraph, to ensure that renters remain stably housed, prohibit any landlord that applies for assistance under this paragraph from evicting the renter on behalf of whom the landlord submits an application during the 120-day period after the date on which the landlord applies to an eligible grantee for assistance, unless the tenancy—

“(AA) constitutes a direct threat to the health and safety of other individuals; or

“(BB) would result in substantial physical damage to the property of others
“(bb) Assistance for 120-Day Eviction Prohibition Period.—

“(AA) In General.—When submitting an application for assistance under this paragraph, a landlord may request an amount equal to the amount of rent due during the 120-day period during which the landlord is prohibited from evicting the renter under item (aa).

“(BB) Approval.—If an eligible grantee approves the application submitted by a landlord under this paragraph, the eligible grantee may provide, if requested by the landlord, the amount equal to the amount of rent due during the 120-day period during which the landlord is prohibited from evict-
ing the renter under item (aa) unless the eligible grantee determines that the amount requested is inconsistent with the amount of monthly arrearages in the application.

“(CC) LATER REQUEST FOR ASSISTANCE.—If a landlord, after approval of an application, later requests assistance in amount equal to the amount of rent due during the 120-day period during which the landlord is prohibited from evicting the renter under item (aa), this additional application for assistance shall not trigger an additional 120-day prohibition on eviction under this subclause.

“(iii) NOTICE OF APPLICATION.—The process established by the Secretary under this subparagraph shall require a landlord
of a residential dwelling who submits an application for assistance under this paragraph to, not less than 10 days before the date on which such landlord submits such application—

“(I) notify the renter on whose behalf the landlord intends to submit the application of the intent of the landlord to submit such application;

“(II) inform such renter that if the application to be submitted is approved, the landlord would be prohibited from terminating any lease agreement with the renter or evicting such renter during the 120 days after the date on which the landlord submits the application, unless the tenancy constitutes a direct threat to the health and safety of other individuals or would result in substantial physical damage to the property of others; and

“(III) inform such renter whether the landlord intends to apply to an eligible grantee for assistance in the amount of rent due during the 120-
day period after the landlord submits the application during which the landlord is prohibited from evicting the renter.

“(iv) DOCUMENTATION.—

“(I) IN GENERAL.—The Secretary shall, with respect to documentation required for applications for assistance under this paragraph, establish a method for a landlord to establish the income of a renter when the landlord does not have the consent of the renter, including the use of proxies of income.

“(II) 4 OR FEWER DWELLINGS.—

The Secretary shall, where possible, limit the amount of documentation required for an application for assistance in the case of a landlord that owns 4 or fewer residential dwellings.

“(v) VACANT PROPERTIES.—The Secretary shall establish a process for a landlord to submit an application for assistance under this paragraph on behalf of a renter who vacated a dwelling before September
7, 2021, and such process shall require the landlord to attest under penalty of perjury that the landlord did not—

“(I) file an eviction notice on the renter, unless such eviction notice was filed because the tenancy constituted a direct threat to the health and safety of other individuals or resulted in substantial physical damage to the property of others;

“(II) sever any utilities or order the severing of any utilities to the residential dwelling while the renter resided in the residential dwelling;

“(III) change the locks of the residential dwelling or attempt to bar the renter from entering the residential dwelling while the renter occupied the residential dwelling; or

“(IV) take any other action identified by the Secretary to be an action that is taken by a landlord to pressure a renter to vacate a dwelling.
“(B) Establishment of application process when tenant resides in federally assisted residential dwelling.—

“(i) In general.—The Secretary shall, not later than 30 days after the date of the enactment of this paragraph, establish a process for a landlord to submit an application on behalf of a renter when—

“(I) the renter resides in a Federally assisted residential dwelling; and

“(II) such landlord is unable to obtain the consent of such renter to submit such application for after taking reasonable steps to obtain such signature, as determined by the Secretary.

“(ii) Conditions for assistance.—

When establishing a process for a landlord to submit an application on behalf of a renter pursuant to clause (i), the Secretary shall require the landlord to comply with all of the conditions for assistance described in subparagraph (A)(ii).
“(iii) DOCUMENTATION.—For purposes of documenting in an application for assistance the eligibility of a renter for assistance that resides in a Federally assisted residential dwelling, a landlord may—

“(I) document the income eligibility of the renter on behalf of whom the landlord is applying by certifying the income of such household based on the information the landlord has about the renter because the residential dwelling in which the renter resides is a Federally assisted residential dwelling;

“(II) attest under penalty of perjury in the application the amount of rental arrears owed to such landlord by the renter;

“(III) attest under penalty of perjury that the renter is eligible for assistance because the renter owes an amount equal to more than 2 months of rent unpaid during the period between the date on which the national
emergency concerning the novel coronavirus disease (COVID-19 outbreak) was declared by the President and the date on which the application is submitted by the landlord.

“(iv) NOTIFICATION.—When submitting an application under this subparagraph, the landlord shall notify each renter not less than 20 days before submitting an application for assistance that the landlord intends to apply for assistance under this subparagraph, and that the renter may request that the landlord not proceed with such application.

“(v) OPT-OUT.—If a renter requests, in writing or electronically, that a landlord not submit an application for assistance on behalf of the landlord, the landlord is prohibited from submitting an application for assistance on behalf of such renter.

“(vi) SUBMISSION.—When submitting an application for assistance on behalf of a renter under this subparagraph, the landlord shall attest under penalty of perjury...
that the renter did not request the landlord not submit such application.

“(vii) PENALTY.—If a landlord of a Federally assisted rental dwelling evicts a renter in violation of this paragraph or does not accept a rental payment from such renter, such landlord shall, beginning on the date of the violation of this paragraph, be—

“(I) prohibited from participating in the program for rental assistance under section 8 of the United States Housing Act of 1937; and

“(II) receiving any credit under section 42 of the Internal Revenue Code of 1986.

“(viii) FEDERALLY ASSISTED RESIDENTIAL DWELLING.—In this subparagraph, the term ‘Federally assisted residential dwelling’ means a residential dwelling unit that—

“(I) is made available for rental and for which assistance is provided under the program for rental assistance under section 8 of the United
States Housing Act of 1937 (42 U.S.C. 1437f); or

“(II) which is located in a building with respect to which a taxpayer received a credit under section 42 of the Internal Revenue Code of 1986.

“(C) SATISFACTION OF OUTSTANDING MONETARY CLAIM.—If a landlord of a residential dwelling submits an application for assistance under this paragraph and receives assistance in an amount equal to the amount requested in such application, such amount received shall be deemed to satisfy all monetary claims relating to rent such landlord may have against the renter on whose behalf the landlord applied for assisted during the period between March 13, 2020, and the date on which the application is submitted by the landlord.

“(D) NOTICE OF APPROVED APPLICATION.—If an eligible grantee approves an application for assistance under this paragraph, the landlord that submitted such application for assistance shall, in the period between the date on which the eligible grantee approves the applica-
tion and the date on which the landlord receives assistance from the eligible grantee—

“(i) notify the renter on whose behalf the landlord submitted an application for assistance that the application was approved by the eligible grantee;

“(ii) notify such renter if the request of the landlord for assistance in the amount of rent due during the 120-day period described in subparagraph (A)(ii) was approved; and

“(iii) inform such renter that the landlord is prohibited from terminating the lease agreement or evicting such renter, except when the tenancy constitutes a direct threat to the health and safety of other individuals or would result in substantial physical damage to the property of others, during the 120 day period after the landlord submitted the application for assistance; and

“(iv) inform the eligible grantee that the landlord has provided the notices and information required in clauses (i), (ii), and (iii).
“(E) GRANTEE NOTIFICATION PROCESS.—

Each eligible grantee that provides assistance to
a landlord that applies for assistance under this
paragraph shall establish a process to notify
State and local courts and the renter on whose
behalf the landlord applied that—

“(i) rent is no longer past due with
respect to such renter;

“(ii) any eviction proceedings relating
to the nonpayment of rent by such renter
should be halted; and

“(iii) any pending eviction proceeding
or action relating to the nonpayment of
rent should be sealed.

“(F) NOTIFICATION OF RIGHTS.—

“(i) IN GENERAL.—Each eligible
grantee that approves an application for
assistance submitted by a landlord on be-
half of a renter under this paragraph shall,
before providing assistance to the landlord,
inform the renter about—

“(I) the rights of such renter
under the Fair Housing Act and rel-
vant State and local laws relating to
fair housing;
“(II) how such renter can file complaints with respect to violations of the Fair Housing Act and violations of relevant State and local laws relating to fair housing; and

“(III) a statement describing the protections against evictions provided under the Emergency Rental Assistance program established under section 501.

“(ii) EXCEPTION.—An eligible grantee does not need to provide a renter with the information described in clause (i) if the application was submitted by the landlord on behalf of a renter who vacated a dwelling before September 7, 2021, as described in subparagraph (G).

“(G) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to prevent a renter from applying for assistance related to items described in section 501(c)(2)(A) that are not included in an application submitted by a landlord on behalf of the renter.”.

(b) AGGREGATE APPLICATIONS.—Section 501(f) of subtitle A of title V of division M of the Consolidated Ap-
propriations Act, 2021 (15 U.S.C. 9058a(f)) is amended by adding at the end the following:

“(3) AGGREGATE APPLICATIONS.—

“(A) IN GENERAL.—The Secretary shall require eligible grantees to accept an aggregate application from a landlord and shall require eligible grantees to establish reasonable procedures for—

“(i) accepting aggregate applications;

“(ii) approving aggregate applications;

and

“(iii) providing assistance to landlords in a single payment on the basis of an approved aggregate application.

“(B) AGGREGATE APPLICATION DEFINED.—For the purposes of this paragraph, the term ‘aggregate application’ means an application for assistance submitted by a landlord of one or more residential dwellings on behalf of multiple renters.”.

(c) PRIORITIZATION OF ASSISTANCE.—Section 501(c)(4) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(c)(4)) is amended by adding at the end the following:
“(D) The eligible grantee shall prioritize applications filed by renters and applications filed by landlords on behalf of renters with the consent of the renter over any application filed by a landlord without the consent of a renter.

“(E) The eligible grantee shall prioritize payments to landlords and renters that apply for assistance in the following order:

“(i) First, payments of rent.

“(ii) Second, payments of rental arrears.

“(iii) Third, payments of utilities and home energy costs.

“(iv) Fourth, payments of utilities and home energy costs arrears.

“(v) Fifth, payments of other expenses related to housing incurred directly or indirectly as a result of the novel coronavirus disease (COVID-19) outbreak, as defined by the Secretary.”.

SEC. 3. MANDATING TENANT ACCESS TO FINANCIAL ASSISTANCE.

(a) IN GENERAL.—Section 501(c) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(c)) is amended—
(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking “12 months” and inserting “20 months”; and

(ii) by striking “for an additional 3 months” and inserting “for an additional 4 months”;

(B) in subparagraph (B)(i), by striking “3 months” and inserting “4 months”; and

(C) in subparagraph (C)(i)(I) by striking “the grantee may make such payments” and inserting “the grantee shall make such payments”; and

(2) in paragraph (3), by striking “to provide eligible households” and inserting “to provide ‘low-income families’ as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))”.

(b) EXTENDED PERIOD FOR ASSISTANCE.—Section 3201(d)(1)(A) of the American Rescue Plan Act of 2021 is amended—

(1) in clause (i), by striking “18 months” and inserting “24 months”; and

(2) in clause (ii), by striking “18 months” and inserting “24 months”.

(c) LIMITATION OF LIABILITY.—Section 501 of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a) is amended by adding at the end the following:

“(m) SAFE HARBOR.—An eligible grantee may not be subject to liability for the provision of assistance under this section to a renter who does not meet the eligibility requirements set forth under this section if such eligible grantee provides such assistance in good faith reliance on attestations of eligibility or use of proxies of income provided by the renter pursuant to the requirements of this section or rules issued by the Secretary under this section.”.

(d) ELIGIBLE HOUSEHOLD DEFINED.—Section 501(k)(3) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(k)(3)) is amended—

(1) in subparagraph (A)—

(A) by striking “with respect to which the eligible grantee involved determines” and inserting “with respect to which the eligible grantee determines by accepting any attestation of the household as true,”; and
(B) by striking “hardship due, directly” and inserting “hardship, during or due, directly”;

and

(2) by striking in subparagraph (C) and inserting the following:

“(C) INCOME DETERMINATION.—In determining the income of a household for purposes of determining such household’s eligibility for assistance from a payment made under this section (including for purposes of subsection (e)(4)), the eligible grantee involved shall accept any attestation of the household with respect to eligibility as true.”.

(e) LEASE REQUIREMENT PROHIBITED.—Section 501 of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a) is amended by adding at the end the following:

“(n) LEASE REQUIREMENT PROHIBITED.—The Secretary shall prohibit eligible grantees from requiring a renter to submit a written lease agreement to be eligible for assistance under this section.”.

(f) PRIORITIZATION OF ASSISTANCE.—Section 501(e)(4) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C.
9058a(c)(4)) is amended by adding at the end the following:

“(C) An eligible grantee shall process all applications for eligible households with incomes of not more than 80 percent of the area median income, notwithstanding the preference for eligible households with incomes of not more than 50 percent of area median income described in subparagraph (A).”.

(g) **GARNISHABLE EVICTION JUDGEMENTS.**—Section 501(c)(2)(v) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(c)(2)(v)) is amended by striking “, as defined by the Secretary” and inserting “, as defined by the Secretary and including garnishable eviction judgements.”.

(h) **PERSONS EXPERIENCING HOMELESSNESS.**—

(1) **IN GENERAL.**—Section 501(k)(3) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(k)(3)) is amended by adding at the end the following:

“(D) **PREMPTION OF ELIGIBILITY.**—An eligible grantee shall presume that a person who is homeless (as such term is defined in paragraphs 1 and 4 of section 583.5 of title 24,
Code of Federal Regulations) meets all of the eligibility criteria described in this paragraph.”.

(2) Presumption of Eligibility.—Section 3201(f)(2) of the American Rescue Plan Act of 2021 is amended by adding at the end the following:

“(E) Presumption of Eligibility.—An eligible grantee shall presume that a person who is homeless (as such term is defined in paragraphs 1 and 4 of section 583.5 of title 24, Code of Federal Regulations) meets all of the eligibility criteria described in this paragraph.”.

(i) Language Access Requirements.—

(1) In General.—Section 501(c) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(c)) is amended by adding at the end the following:

“(5) Language Access.—Each eligible grantee shall make available a written application for assistance and shall provide—

“(A) versions of such written application in each of the 3 most spoken languages in the State in which the eligible grantee operates, as determined in the most recent American Community Survey of the Bureau of the Census; or
“(B) provide translation services for renters and landlords that apply for assistance.”.

(2) LANGUAGE ACCESS REQUIREMENT.—Section 3201(d) of the American Rescue Plan Act of 2021 is amended by adding at the end the following:

“(3) LANGUAGE ACCESS.—Each eligible grantee shall make available a written application for assistance and shall provide—

“(A) versions of such written application in each of the 3 most spoken languages in the State in which the eligible grantee operates, as determined in the most recent American Community Survey of the Bureau of the Census; or

“(B) provide translation services for renters and landlords that apply for assistance.”.

SEC. 4. PERFORMANCE IMPROVEMENT PLANS.

Section 501(c) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(c)) is amended by adding at the end the following:

“(6) PERFORMANCE IMPROVEMENT PLANS.—The Secretary shall require any eligible grantee that has, on September 30, 2021, obligated less than 25 percent of any amounts such eligible grantee has received under this section to provide to the Secretary a performance improvement plan that explains how
such eligible grantee will expedite the delivery of assistance to renters and landlords.”.

SEC. 5. OUTREACH TO RENTERS AND LANDLORDS AND TECHNICAL ASSISTANCE.

Section 501 of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a) is amended by adding at the end the following:

“(o) OUTREACH AND TECHNICAL ASSISTANCE.—

“(1) OUTREACH.—The Secretary and the eligible grantee shall conduct outreach to renters and landlords to ensure maximum participation in the emergency rental assistance program established under this section, including by—

“(A) not later than 30 days after the date of the enactment of this subsection, sending direct mail to all taxpayers that educates the taxpayers about the emergency rental assistance program established under this section and how the taxpayer may qualify for assistance;

“(B) not later than 30 days after the date of the enactment of this subsection, sending direct mail to taxpayers who received rental income in 2020 that informs such taxpayers that renters of their dwellings may qualify for the
emergency rental assistance program established under this section; and

“(C) purchasing television, radio, and electronic advertisement to educate Americans about the emergency rental assistance program established under this section and how Americans may qualify for assistance.

“(2) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to eligible grantees and this technical assistance shall include—

“(A) assisting eligible grantees with the development and administration of programs under this section;

“(B) providing technical advice and technology to eligible grantees, including software and automated payment disbursement tools; and

“(C) other information and technical assistance as the Secretary determines appropriate to assist eligible grantees to achieve the objectives of this section.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury to carry out the outreach and technical assistance required under this subsection,
and to establish the online portal and telephone hotline described in section 8 of the Expediting Assistance to Renters and Landlords Act of 2021, $50,000,000 for use in fiscal year 2022.”

SEC. 6. ALLOCATION AND RECAPTURE PROCESS MODIFICATION.

(a) ALLOCATIONS.—Section 501(d) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(d)) is amended—

(1) by striking “Beginning on September 30, 2021,” and inserting the following:

“(1) IN GENERAL.—Beginning on September 30, 2021,”;

(2) by striking “The amount of any such re-allocation” and inserting the following:

“(2) AMOUNT.— The amount of any such re-allocation”;

(3) in paragraph (1)—

(A) by striking “uses described under subsection (c).” and inserting “uses described under subsection (c);”

(B) by striking “to eligible grantees” and inserting the following:

“(A) to eligible grantees”; and
(C) by inserting after subparagraph (A) the following:

“(B) to any nonprofit entity that primarily provides housing services and operates in the jurisdiction of the eligible grantee from whom the funds were recaptured; or

“(C) to a public or private entity supervised by a court that primarily provides housing services and operates in the jurisdiction of the eligible grantee from whom the funds were recaptured.”; and

(4) by adding at the end the following:

“(3) CONSIDERATIONS.—

“(A) IN GENERAL.—When deciding whether to reallocate amounts to a particular eligible entity, nonprofit, or public or private entity described in paragraph (1), the Secretary shall consider, with respect to the jurisdiction in which the eligible entity, nonprofit, or public or private entity operates—

“(i) the percentage of the total population of the jurisdiction that are renters;

“(ii) the percentage of renters in the jurisdiction that have an income that is not
greater than 50 percent of the area median income; and

“(iii) the percentage of renters that spend more than 50 percent of their income on rent.

“(B) ADDITIONAL CONSIDERATION.—the Secretary shall consider reallocating amounts from local and State jurisdictions to eligible grantees operating in that jurisdiction.”.

(b) UNREQUESTED AMOUNTS.—Section 501(b) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a(b)) is amended by adding at the end the following:

“(4) UNREQUESTED AMOUNTS.—If a State, locality, or territory declines an amount under this section, the Secretary may allocate such amount to—

“(A) any nonprofit entity that primarily provides housing services and operates in the jurisdiction of the State, locality, or territory that declined such amounts; or

“(B) a public or private entity supervised by a court that primarily provides housing services and operates in the jurisdiction of the eligible State, locality, or territory.”.
SEC. 7. COLLABORATION WITH PUBLIC ENTITIES.

(a) IN GENERAL.—Section 501 of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9058a) is amended—

(1) in subsection (c)(5)(A)—

(A) by striking “10 percent” and inserting “15 percent”; and

(B) by striking “related to such funds.” and inserting “related to such funds and for collaboration with public entities as described in subsection (p).”; and

(2) by adding at the end the following:

“(p) COLLABORATION WITH PUBLIC ENTITIES.—

“(1) IN GENERAL.—The Secretary of the Treasury shall, not later than 30 days after the enactment of this subsection, issue guidance designed to instruct eligible grantees with respect to how best to collaborate with public entities to provide application assistance services.

“(2) USE OF AMOUNTS PAID TO ELIGIBLE GRANTEE.—Notwithstanding subsection (c)(5), an eligible grantee that collaborates with public entities pursuant to the guidance issued by the Secretary of the Treasury pursuant to paragraph (1) may use amounts available for administrative costs under section (c)(5) to, in coordination with one or more pub-
lic entities, develop any administrative infrastructure
necessary to provide application assistance services,
including—

“(A) training the employees of a public en-
tity or other designated institutional representa-
tive of a public entity about how to complete
the emergency rental application process;

“(B) maintaining physical and electronic
copies of all documents needed to apply for as-

“(C) establishing methods of communica-
tion between eligible grantees, public entities,
community organizations, and individual house-

“(D) providing language translation serv-
ices;

“(E) developing community outreach mate-

“(F) collecting and storing relevant docu-
mentation on-site at the public entity, or with
a third party in a manner that complies with
Federal, State, and local law; and

“(G) coordinating, including with courts
that handle eviction related matters, on the cre-
ation and advertisement of eviction diversion plans.

“(3) DEFINITIONS.—In this subsection:

“(A) APPLICATION ASSISTANCE SERVICES.—The term ‘application assistance services’ means—

“(i) distributing applications for assistance to individuals that may qualify for assistance; and

“(ii) assisting individuals applying or assistance.

“(B) PUBLIC ENTITY.—The term public entity includes—

“(i) public elementary schools and public secondary schools (as such terms are defined under section 8101 of the Elementary and Secondary Education Act of 1965);

“(ii) public libraries;

“(iii) HUD-approved housing counseling agencies and other entities receiving funds under section 3204 of the American Rescue Plan Act of 2021;

“(iv) courts that handle eviction related matters;
“(v) public housing agencies;
“(vi) public transit systems;
“(vii) State departments of motor vehicles;
“(viii) the United States Postal Service; and
“(ix) Federal, State, and local social service providers, including food banks and Federally qualified health centers.”

(b) COLLABORATION WITH PUBLIC ENTITIES.—Section 3201 of the American Rescue Plan Act of 2021 is amended by adding at the end the following:

“(i) COLLABORATION WITH PUBLIC ENTITIES.—
“(1) IN GENERAL.—The Secretary of the Treasury shall, not later than 30 days after the enactment of this subsection, issue guidance designed to instruct eligible grantees with respect to how best to collaborate with public entities to provide application assistance services.
“(2) USE OF AMOUNTS PAID TO ELIGIBLE GRANTEE.—An eligible grantee that collaborates with public entities pursuant to the guidance issued by the Secretary of the Treasury pursuant to paragraph (1) may use not more than 15 percent of the amount paid to such eligible grantee under this sec-
tion to, in coordination with one or more public entities, develop any administrative infrastructure necessary to provide application assistance services, including—

“(A) training the employees of a public entity or other designated institutional representative of a public entity about how to complete the emergency rental application process;

“(B) maintaining physical and electronic copies of all documents needed to apply for assistance;

“(C) establishing methods of communication between eligible grantees, public entities, community organizations, and individual households;

“(D) providing language translation services;

“(E) developing community outreach materials, programs, and initiatives;

“(F) collecting and storing relevant documentation on-site at the public entity, or with a third party in a manner that complies with Federal, State, and local law; and

“(G) coordinating, including with courts that handle eviction related matters, on the cre-
ation and advertisement of eviction diversion plans.

“(3) DEFINITIONS.—In this subsection:

“(A) APPLICATION ASSISTANCE SERVICES.—The term ‘application assistance services’ means—

“(i) distributing applications for assistance to individuals that may qualify for assistance; and

“(ii) assisting individuals applying or assistance.

“(B) PUBLIC ENTITY.—The term public entity includes—

“(i) public elementary schools and public secondary schools (as such terms are defined under section 8101 of the Elementary and Secondary Education Act of 1965);

“(ii) public libraries;

“(iii) HUD-approved housing counseling agencies and other entities receiving funds under section 3204 of the American Rescue Plan Act of 2021;

“(iv) courts that handle eviction related matters;
“(v) public housing agencies;
“(vi) public transit systems;
“(vii) State departments of motor vehicles;
“(viii) the United States Postal Service; and
“(ix) Federal, State, and local social service providers, including food banks and Federally qualified health centers.”.

SEC. 8. OVERSIGHT AND ENFORCEMENT.

(a) IN GENERAL.—Nothing in this Act shall be construed to preclude the Attorney General, the Secretary of Housing and Urban Development, the Inspector General of the Treasury, or the Director of the Bureau of Consumer Financial Protection from using their full enforcement authorities to ensure that Federal funds are spent in accordance with the law.

(b) HOTLINE FOR COMPLAINTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall establish an online portal and a telephone hotline to—

(A) provide information about—

(i) the Emergency Rental Assistance program; and
(ii) the protections against evictions provided under the Emergency Rental Assistance program;

(B) collect complaints with respect to the implementation of the Emergency Rental Assistance program; and

(C) collect suggestions for improvements to the implementation of the Emergency Rental Assistance program and responses to such suggestions from eligible grantees of the Emergency Rental Assistance Program.

(2) Publication of Feedback.—The Secretary of the Treasury shall publish the complaints received through the online portal and telephone hotline established pursuant to paragraph (1) on the website of the Department of the Treasury in a manner that protects the privacy of individuals who submit complaints and suggestions.

(3) Referral of Complaints.—

(A) With respect to fraud.—The Secretary of the Treasury shall refer any complaints received through the online portal and telephone hotline established pursuant to paragraph (1) that relate to fraud to the Attorney General.
(B) WITH RESPECT TO CONSUMER FINANCIAL LAW VIOLATIONS.—The Secretary of the Treasury shall refer any complaints received through the online portal and telephone hotline established pursuant to paragraph (1) that relate to potential violations of consumer financial protection laws to the Director of the Bureau of Consumer Financial Protection.

(C) WITH RESPECT TO LANDLORDS.—The Secretary of the Treasury shall refer any complaints received through the online portal and telephone hotline established pursuant to paragraph (1) that—

(i) relate to landlords generally to the Chairman of the Federal Trade Commission; and

(ii) relate to landlords of federally assisted rental dwellings (as such term is defined in Section 501(f)(3)(J) of subtitle A of title V of division M of the Consolidated Appropriations Act, 2021), the Secretary of the Department of Housing and Urban Development.

(D) WITH RESPECT TO FAIR HOUSING LAW VIOLATIONS.—The Secretary of the Treasury
shall refer any complaints received though the
online portal and telephone hotline established
pursuant to paragraph (1) that relate to poten-
tial violations of fair housing laws to the Attor-
ey General, the Secretary of Housing and
Urban Development and as appropriate, State
and local governments.

(4) Emergency Rental Assistance Program.—For the purposes of this section, the term
“Emergency Rental Assistance program” means the
program established under section 501 of subtitle A
of title V of division M of the Consolidated Appro-

SEC. 9. APPLICATION OF FALSE CLAIMS ACT.

Section 501 of subtitle A of title V of division M of
the Consolidated Appropriations Act, 2021 (15 U.S.C.
9058a) is amended, by adding at the end the following:

“(o) Application of False Claims Act.—On or
after the date of the enactment of this subsection, any
claim made under this section by an individual who di-
rectly receives assistance under this section shall be sub-
ject to the False Claims Act.”.