

[DISCUSSION DRAFT]117TH CONGRESS
1ST SESSION**H. R.** _____

To authorize the Secretary of Housing and Urban Development to carry out a rent stabilization program to provide short-term financial assistance to extremely low-income families at risk of eviction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. TORRES of New York introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize the Secretary of Housing and Urban Development to carry out a rent stabilization program to provide short-term financial assistance to extremely low-income families at risk of eviction, 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 “Stable Families Act
5 of 2021”.

1 **SEC. 2. EMERGENCY ASSISTANCE FUND GRANT PROGRAM.**

2 (a) **AUTHORITY.**—The Secretary of Housing and
3 Urban Development is authorized to make funds available
4 under this section to eligible grantees for the purpose of
5 providing financial assistance and housing stabilization
6 services to extremely low-income households to prevent
7 evictions, homelessness, and other housing instability.

8 (b) **DISTRIBUTION OF FUNDS.**—An eligible grantee
9 receiving assistance under this section may distribute all
10 or a portion of such assistance to private nonprofit organi-
11 zations, other government entities, public housing authori-
12 ties, or other entities as determined by the Secretary to
13 carry out programs in accordance with this section.

14 (c) **HOUSEHOLD ELIGIBILITY.**—

15 (1) **IN GENERAL.**—To be eligible to receive as-
16 sistance under a program established by a recipient
17 of a grant under this section a household shall—

18 (A) have an income at or below the Fed-
19 eral poverty limit or 30 percent of the area me-
20 dian income, whichever is higher;

21 (B) be at risk of housing instability and
22 experiencing a short-term crisis, as attested to
23 in writing by the household, which may in-
24 clude—

25 (i) a decline in household income;

26 (ii) a family or health crisis;

- 1 (iii) unexpected expenses;
- 2 (iv) unsafe or unhealthy living condi-
- 3 tions; or
- 4 (v) any other event as determined by
- 5 the Secretary;

6 (C) be obligated to pay rent on a residen-

7 tial dwelling or experiencing homelessness.

8 (2) HOUSING TYPE.—Assistance under a pro-

9 gram established by a recipient of a grant under this

10 section shall be provided to eligible households re-

11 gardless of housing type resided in, including rental

12 properties, hotels or motels where such households

13 are covered by State or local eviction laws, manufac-

14 tured housing, mobile homes, single rooms, and

15 other types of subsidized and unsubsidized housing.

16 (3) LEASE REQUIREMENTS.—Assistance under

17 a program established by a recipient of a grant

18 under this section shall be provided to eligible house-

19 holds regardless of the type of lease used to obtain

20 a dwelling unit, including written or oral leases, sub-

21 leases, or informal tenancy arrangements, and the

22 Secretary ensure that eligible households are allowed

23 to self-certify lease agreements.

24 (d) WRITTEN NOTICE OF DENIAL OF ASSISTANCE.—

25 Any household denied assistance with amounts made

1 available for use under this section shall receive written
2 notice of the denial of assistance within 5 days of the de-
3 termination of such denial. The written notice shall de-
4 scribe the basis for the denial and provide the household
5 with not less than 10 days to correct or amend the applica-
6 tion.

7 (e) USE OF FUNDS.—

8 (1) IN GENERAL.—A recipient of a grant under
9 this section shall—

10 (A) use grant amounts to assist eligible
11 households to overcome a short-term crisis im-
12 pacting housing stability and provide financial
13 assistance and housing stability-related services
14 to those eligible households; and

15 (B) evaluate the eligibility of households in
16 a manner consistent with nondiscrimination re-
17 quirements under Federal law.

18 (2) FINANCIAL ASSISTANCE.—

19 (A) USE.—Amounts received by a recipient
20 of a grant under this section shall be used to
21 provide financial assistance to eligible house-
22 holds, including the payment of—

23 (i) rent and rent arrears;

1 (ii) utilities, including telephone serv-
2 ice and home internet service, and utility
3 arrears;

4 (iii) relocation costs; and

5 (iv) other housing-related expenses, as
6 defined by the Secretary.

7 (B) PROVISION OF ASSISTANCE.—In pro-
8 viding financial assistance under subparagraph
9 (A), the grantee shall provide payment to, or on
10 behalf of, the eligible household.

11 (3) HOUSING RELOCATION OR STABILITY-RE-
12 LATED SERVICES.—Not more than 25 percent of
13 amounts received by a recipient of a grant under
14 this section shall be used to provide housing sta-
15 bility-related services to eligible renter households,
16 including—

17 (A) services for case management, includ-
18 ing community resources to negotiate and re-
19 solve issues to keep renters housed;

20 (B) rehousing services;

21 (C) legal services;

22 (D) services to connect eligible households
23 to other public support, including long-term
24 housing assistance; and

1 (E) referrals to other services for behav-
2 ioral, emotional, and mental health issues, do-
3 mestic violence, child welfare issues, employ-
4 ment, substance abuse treatment, or other serv-
5 ices.

6 (4) EVALUATION.—Not more than \$10,000,000
7 of the amount made available under subsection (o)
8 for fiscal year 2022 shall be used by the Secretary
9 to conduct a rigorous program evaluation pursuant
10 to subsection (h).

11 (5) ADMINISTRATIVE COSTS.—Not more than
12 10 percent of the total amount received by a recipi-
13 ent of a grant under this section may be used for
14 administrative costs.

15 (6) TREATMENT OF ASSISTANCE.—Assistance
16 provided to a household from amounts made avail-
17 able for use under this section shall not be regarded
18 as income and shall not be regarded as a resource
19 for purposes of determining the eligibility of the
20 household or any member of the household for bene-
21 fits or assistance, or the amount or extent of bene-
22 fits or assistance, under any Federal program or
23 under any State or local program financed in whole
24 or in part with Federal funds.

25 (f) ALLOCATION OF RESOURCES.—

1 (1) INITIAL ELIGIBILITY.—The Secretary, in
2 consultation with the Secretary of Health and
3 Human Services, the Secretary of the Treasury, and
4 the Secretary of Agriculture, shall develop a formula
5 for determining the initial funding eligibility of eligi-
6 ble grantees, based on the following criteria:

7 (A) The number of extremely low-income
8 renter households with severe cost burdens, the
9 number of extremely low-income households ex-
10 periencing severe overcrowding, and the unem-
11 ployment rate in each jurisdiction.

12 (B) The prior performance of the grantee,
13 including whether the grantee has any unre-
14 solved, systemic civil rights violations.

15 (C) Geographic diversity of grantees.

16 (D) Such other factors as determined by
17 the Secretary.

18 (2) NOTIFICATION OF INITIAL ELIGIBILITY.—
19 The Secretary shall notify eligible grantees of their
20 initial eligibility for funding within 30 days of the
21 date of enactment of any Act making appropriations
22 for use under this section for such fiscal year.

23 (3) STATEMENT OF GRANTEE INTEREST AND
24 COMMITMENT.—Within 60 days of receiving the no-
25 tification described in paragraph (2), each eligible

1 grantee shall notify the Secretary of its intent to
2 participate in the program authorized by this section
3 during the fiscal year for which the Secretary is
4 making funds available. If an eligible grantee noti-
5 fies the Secretary of its intent to participate in the
6 program, it shall also concurrently submit—

7 (A) a detailed plan describing how it will
8 use the funds to—

9 (i) prevent evictions, homelessness,
10 and other housing instability, consistent
11 with the requirements of this section;

12 (ii) make the plan publicly accessible;

13 and

14 (iii) raise awareness of the availability
15 of assistance under the plan, including
16 among renters and rental property owners;
17 and

18 (B) a statement that it will participate in
19 a rigorous evaluation of the program's effective-
20 ness, if requested to do so by the Secretary.

21 (4) PLAN SUBMISSION AND PUBLIC AVAIL-
22 ABILITY.—An eligible grantee that notifies the Sec-
23 retary of its intent to participate in the program
24 shall—

1 (A) make the plan submitted under para-
2 graph (3)(i) publicly available on a website of
3 such government, including in a format that is
4 accessible to individuals with disabilities; and

5 (B) solicit comment on the plan using the
6 procedure specified in this subsection.

7 (5) PUBLIC HEARING AND SOLICITATION OF
8 COMMENTS.—

9 (A) IN GENERAL.—In conducting public
10 hearings and soliciting comments on a plan sub-
11 mitted under paragraph (3)(i), each eligible
12 grantee shall follow the requirements of the cit-
13 izen participation plan adopted pursuant to sec-
14 tion 91.105 of title 24, Code of Federal Regula-
15 tions, or any successor regulation, except as
16 provided in this paragraph.

17 (B) INITIAL HEARING .— Before submit-
18 ting the plan to the Secretary required under
19 paragraph (3)(i), an eligible grantee shall—

20 (i) hold a public hearing on the plan;

21 and

22 (ii) provide the public with a reason-
23 able opportunity to view and comment on
24 the plan, which shall be for a period of not
25 less than 10 days.

1 (C) SUBSEQUENT HEARINGS.—Not later
2 than 60 days after the initial hearing under
3 subparagraph (B), and not less frequently than
4 twice annually thereafter, an eligible grantee
5 shall conduct a public hearing to solicit feed-
6 back on grants provided under this section

7 (D) CONSULTATION.—In addition to any
8 other citizen participation and consultation re-
9 quirements, in developing and implementing a
10 plan to carry out this section, each eligible
11 grantee shall consult with—

12 (i) the applicable continuum or contin-
13 uums of care, under the program under
14 subtitle C of title IV of the McKinney-
15 Vento Homeless Assistance Act (42 U.S.C.
16 11381 et seq.) for the area served by the
17 eligible recipient;

18 (ii) organizations representing under-
19 served communities and populations; and

20 (iii) organizations having expertise in
21 affordable housing, fair housing, and serv-
22 ices for individuals with disabilities.

23 (6) ALLOCATION OF PRORATED FUNDS.—Not
24 later than 120 days after the enactment of any Act
25 making appropriations for use under this section,

1 the Secretary shall allocate to each eligible grantee
2 that notified the Secretary of its intent to partici-
3 pate in the program, pursuant to paragraph (3), the
4 amount of funding for which it is eligible under the
5 formula developed pursuant to paragraph (1), plus
6 any additional prorated amounts made available as
7 a result of eligible grantees having notified the Sec-
8 retary of their intent to decline to participate pursu-
9 ant to paragraph (3), in accordance with the pay-
10 ment schedule described in subsection (g).

11 (7) DISTRIBUTION OF DECLINED FUNDS.— If
12 the Secretary determines as of 120 days after the
13 enactment of any Act making appropriations for use
14 under this section that an eligible grantee has de-
15 clined to receive its full allocation or has not indi-
16 cated its intent to participate, not later than 15 days
17 after such date, the Secretary shall redistribute, on
18 a pro rata basis, such allocation among the other eli-
19 gible grantees in the same State that have not de-
20 clined to receive their allocations.

21 (g) PAYMENT SCHEDULE.—

22 (1) INITIAL DISBURSEMENT.—The Secretary
23 shall pay each eligible grantee not less than 40 per-
24 cent of such eligible grantee's total allocation pro-
25 vided under subsection (e) within **[____]** days of

1 enactment of a law providing appropriations for car-
2 rying out this section.

3 (2) SUBSEQUENT DISBURSEMENT.—The Sec-
4 retary shall pay to eligible grantees additional
5 amounts in tranches up to the full amount of each
6 such eligible grantee’s total allocation in accordance
7 with a procedure established by the Secretary, ex-
8 cept that any such procedure established by the Sec-
9 retary shall require that an eligible grantee must
10 have obligated not less than 75 percent of the funds
11 already disbursed by the Secretary pursuant to this
12 section prior to disbursement of additional amounts.

13 (h) PROGRAM EVALUATION.—The Secretary shall—

14 (1) conduct a rigorous evaluation of the pro-
15 gram under this section that includes an assessment
16 of—

17 (A) the ease with which eligible households
18 are able to access assistance;

19 (B) the effectiveness of the programs’
20 intervention models in preventing housing insta-
21 bility in general and for eligible households of
22 different types and income levels;

23 (C) the cost-effectiveness of the programs;
24 and

1 (D) other indicators, as determined by the
2 Secretary;

3 (2) publicly disseminate, through internet
4 websites and other means, interim findings as soon
5 as they become available relating to programs estab-
6 lished by recipients of a grant under this section;
7 and

8 (3) make the evaluations described in subpara-
9 graph (A) publicly available.

10 (i) REPORT TO CONGRESS.—Not later than 5 years
11 after the establishment of the competitive grant program
12 under this section, the Secretary shall submit to the Com-
13 mittee on Financial Services of the House of Representa-
14 tives and the Committee on Banking, Housing, and Urban
15 Affairs of the Senate, and publish in the Federal Register,
16 a report—

17 (1) evaluating the effectiveness of the strategies
18 pursued under the grant program; and

19 (2) including recommendations for any nec-
20 essary changes to law.

21 (j) PUBLIC REPORTS.—

22 (1) IN GENERAL.—The Secretary shall provide
23 public reports not less frequently than annually re-
24 garding the use of funds made available for use

1 under this section, which shall include, with respect
2 to each grantee of such amounts—

3 (A) the number of households that receive
4 assistance from such payments;

5 (B) the acceptance rate of applicants for
6 assistance from such amounts;

7 (C) the type or types of assistance pro-
8 vided to each eligible household;

9 (D) the average amount of funding pro-
10 vided per eligible household receiving assistance;
11 and

12 (E) rate of evictions in the jurisdiction of
13 the grantee.

14 (2) DISAGGREGATION.—Each report under this
15 subsection shall disaggregate the information relat-
16 ing to households by the gender, race, and ethnicity
17 of the primary applicant for assistance in such
18 households.

19 (3) ALTERNATIVE REQUIREMENTS.—The Sec-
20 retary may establish alternative reporting require-
21 ments for tribal and territorial grantees of amounts
22 under this section.

23 (4) INFORMATION.—The Secretary may provide
24 full and unredacted information provided under this
25 section, including personally identifiable information,

1 for statistical research purposes in accordance with
2 existing law.

3 (k) AVAILABILITY.—

4 (1) IN GENERAL.—Each grantee of amounts
5 made available for use under this section shall obli-
6 gate—

7 (A) not less than 60 percent of such grant
8 amounts within 2 years of the date that such
9 funds become available to the grantee for obli-
10 gation; and

11 (B) 100 percent of such grant amounts
12 within 3 years of such date.

13 (2) REALLOCATION AFTER 2 YEARS.—The Sec-
14 retary may recapture any amounts not obligated in
15 compliance with paragraph (1)(A) and reallocate
16 and repay such amounts to grantees who are in com-
17 pliance with such paragraph who, at the time of re-
18 allocation, have obligated at least 65 percent of the
19 amount originally allocated and paid to such grant-
20 ee. The amount of any such reallocation shall be de-
21 termined based on demonstrated need within a
22 grantee's jurisdiction, as determined by the Sec-
23 retary.

24 (3) USE OF FUNDS AFTER 3 YEARS.—A grantee
25 of funds under this section may use any funds from

1 payments made under this section that remain unob-
2 ligated after 3 years for purposes in addition to
3 those specified in this section, provided that such
4 other purposes are affordable housing purposes, as
5 defined by the Secretary, serving very low-income
6 families (as such term is defined in section 3(b) of
7 the United States Housing Act of 1937 (42 U.S.C.
8 1437a(b))).

9 (l) PROHIBITION ON PREREQUISITES.—None of the
10 funds made available for use under this section may be
11 used to require any member of an eligible household re-
12 ceiving assistance under the program under this section
13 to receive treatment or perform any other prerequisite ac-
14 tivities as a condition for receiving shelter, housing, or
15 other services.

16 (m) USE OF SELF-CERTIFICATION OR SELF-ATTES-
17 TATION.—The Secretary shall require grantees to allow el-
18 igible households to use self-certification or self-attestation
19 to meet statutory or regulatory requirements, to the great-
20 est extent possible.

21 (n) DEFINITIONS.—For purposes of this section, the
22 following definitions shall apply:

23 (1) ELIGIBLE GRANTEE.—The term “eligible
24 grantee” means—

1 (A) a State as such term is defined in sec-
2 tion 104 of the Cranston-Gonzalez National Af-
3 fordable Housing Act (42 U.S.C. 12704);

4 (B) an insular area as such term is defined
5 in section 104 of the Cranston-Gonzalez Na-
6 tional Affordable Housing Act (42 U.S.C.
7 12704);

8 (C) a unit of general local government as
9 such term is defined in section 104 of the Cran-
10 ston-Gonzalez National Affordable Housing Act
11 (42 U.S.C. 12704);

12 (D) a tribal government of an Indian tribe
13 as such term is defined in section 4 of the Na-
14 tive American Housing Assistance and Self-De-
15 termination Act of 1996 (25 U.S.C. 4103); and

16 (E) the Department of Hawaiian Home-
17 lands as such term is defined in section 801 of
18 the Native American Housing Assistance and
19 Self-Determination Act of 1996 (25 U.S.C.
20 4221).

21 (2) ELIGIBLE HOUSEHOLD.—The term “eligible
22 household” means a household that is eligible under
23 subsection (c) to receive assistance under a program
24 established by a recipient of a grant under this sec-
25 tion.

1 (3) EXTREMELY LOW-INCOME.—The term “ex-
2 tremely low-income” means, with respect to a house-
3 hold, having an income described in subsection
4 (c)(1)(A).

5 (4) SECRETARY.—The term “Secretary” means
6 the Secretary of Housing and Urban Development.

7 (o) AUTHORIZATION OF APPROPRIATIONS.—

8 (1) IN GENERAL.—There is authorized to be
9 appropriated \$3,000,000,000 for each of fiscal years
10 2022 through 2031 to carry out this section.

11 (2) RESERVATION OF FUNDS FOR TRIBAL COM-
12 MUNITIES AND NATIVE HAWAIIANS.—Of the amount
13 appropriated for any fiscal year to carry out this
14 section, the Secretary shall reserve **【\$_____】** for
15 assistance under this paragraph, which shall be
16 made available as follows:

17 (A) **【50 percent】** shall be available for ac-
18 tivities and assistance authorized under Native
19 American Housing Block Grants program, as
20 authorized under title I of the Native American
21 Housing Assistance and Self-Determination Act
22 of 1996 (25 U.S.C. 4111 et seq.).

23 (B) **【50 percent】** shall be available for
24 competitive grants under the Native American
25 Housing Block Grants program, as authorized

1 under title I of the Native American Housing
2 Assistance and Self-Determination Act of 1996,
3 except that—

4 (i) the Secretary shall obligate the
5 amounts made available in accordance with
6 this subparagraph for competitive grants
7 to eligible recipients authorized under such
8 Act that apply for funds; and

9 (ii) in awarding grants with amounts
10 made available in accordance with this sub-
11 paragraph, the Secretary shall consider
12 greatest levels of need and administrative
13 capacity, and shall give priority to projects
14 that will spur construction and rehabilita-
15 tion.

16 (C) percent shall be available for
17 activities and assistance under the community
18 development block grant program with respect
19 to Indian tribes under title I of the Housing
20 and Community Development Act of 1974 (42
21 U.S.C. 5306(a)(1)).

22 (D) percent shall be available for
23 activities and assistance authorized under the
24 Native Hawaiian Housing Block Grants pro-
25 gram, as authorized under title VIII of the Na-

1 tive American Housing Assistance and Self-De-
2 termination Act of 1996 (25 U.S.C. 4221 et
3 seq.)

4 (3) ALLOCATION FOR STATES, TERRITORIES,
5 AND UNITS OF LOCAL GOVERNMENT.—The amount
6 appropriated pursuant to paragraph (1) that re-
7 mains after the application of paragraph (2) shall be
8 allocated to grantees eligible under subtitle A of title
9 II of the Cranston-Gonzalez National Affordable
10 Housing Act (42 U.S.C. 12741 et seq.), using the
11 formula developed pursuant to subsection (e)(1) of
12 this section.