

HR 1851

Section 8 Voucher Reform Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Housing and Community Development

Introduced: Mar 29, 2007

Current Status: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban A

Latest Action: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. (Jul 16, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/1851>

Sponsor

Name: Rep. Waters, Maxine [D-CA-35]

Party: Democratic • State: CA • Chamber: House

Cosponsors (6 total)

| Cosponsor | Party / State | Role | Date Joined |
|-------------------------------------|---------------|------|--------------|
| Rep. Biggert, Judy [R-IL-13] | R · IL | | Mar 29, 2007 |
| Rep. Frank, Barney [D-MA-4] | D · MA | | Mar 29, 2007 |
| Rep. Shays, Christopher [R-CT-4] | R · CT | | Mar 29, 2007 |
| Rep. Delahunt, William D. [D-MA-10] | D · MA | | May 15, 2007 |
| Rep. Payne, Donald M. [D-NJ-10] | D · NJ | | May 15, 2007 |
| Rep. Davis, Danny K. [D-IL-7] | D · IL | | Jun 20, 2007 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---|---------|-------------|--------------|
| Banking, Housing, and Urban Affairs Committee | Senate | Referred To | Jul 16, 2007 |
| Financial Services Committee | House | Reported By | Jun 28, 2007 |

Subjects & Policy Tags

Policy Area:

Housing and Community Development

Related Bills

| Bill | Relationship | Last Action |
|--------------|----------------------|--|
| 110 S 2684 | Related bill | Apr 16, 2008: Committee on Banking, Housing, and Urban Affairs Senate Subcommittee on Housing, Transportation and Community Development. Hearings held. |
| 110 HRES 534 | Procedurally related | Jul 12, 2007: Motion to reconsider laid on the table Agreed to without objection. |

Section 8 Voucher Reform Act of 2007 - (Sec. 2) Amends the United States Housing Act of 1937 to revise requirements for public housing agency (PHA) inspections of each dwelling unit for which a housing assistance payment contract is established. Requires an initial inspection before any assistance payment is made. Allows such payments if failure to meet standards is a result only of non-life threatening conditions.

Requires suspension of payments until each deficiency has been corrected.

Permits a housing agency, in the case of projects receiving certain federal housing subsidies, to authorize occupancy before completion of an initial inspection.

Requires biennial inspections, in lieu of current annual inspections, to determine compliance. Provides for interim inspections, upon family request, within 24 hours if a noncompliant condition is life-threatening, or within 15 days if not life-threatening.

Specifies steps for a determination of noncompliance.

Authorizes a public housing agency (PHA) to use withheld assistance to make repairs to a noncomplying dwelling unit. Prohibits a contract to make such repairs with the inspector who determined the dwelling unit's failure.

Terminates the lease for any family residing in a unit for which the PHA terminates the housing assistance payments contract. Allows the family to remain in the unit subject to a new lease as an unassisted family. Requires the PHA to provide the family a period of time, which may be extended, to lease a new residence to assist with the tenant-based rental assistance. Requires the PHA to take specified steps to assist the family in relocating to other public housing it owns or operates if the family cannot otherwise find a new residence.

(Sec. 3) Authorizes a PHA to establish for public housing and for families under the section 8 voucher program (other than elderly or disabled families) a tenant rent structure: (1) with a ceiling rent and a tenant contribution ceiling, adjustable periodically for inflation; (2) in which the rent is set and distributed on the basis of broad tiers of family income, adjustable annually; or (3) in which the rent is based on a percentage of family income.

Revises low-income occupancy and rental payment requirements to prescribe reviews of family income at least annually for most tenants or every three years for fixed-income families. Repeals current requirements disallowing earned income from rent determinations or, in the alternative, allowing individual savings accounts.

Redefines income. Excludes from such definition any imputed return on assets or benefits from Coverdell education savings accounts, as well as (according to current law) any payments attributable to underpayment of federal benefits due. Excludes from calculation of the income of student dependents: (1) any dependent's earned income; and (2) any grant-in-aid or scholarships related to full-time attendance used for tuition or books.

Revises requirements for adjusted income to: (1) increase deductions for elderly or disabled families, dependents, and health and medical expenses; and (2) eliminate the exclusion of child and spousal support payments and the earned income of minors (except as allowed for dependents).

Requires appropriate adjustments in the formula income of any PHA whose rental income is reduced by an amount not de minimus as a result of the amendments of this Act.

Requires the Secretary of Housing and Urban Development (HUD) to report to Congress on the impact of this Act upon the revenues and costs of operating public housing units during FY2008 and FY2009.

(Sec. 4) Prescribes eligibility criteria for assistance based upon assets and income.

Prohibits rental of a public housing dwelling unit or related assistance to any family with: (1) net assets exceeding \$100,000, adjusted annually for inflation; or (2) a present ownership interest in, and a legal right to reside in, real property suitable for residential occupancy, with certain exceptions.

(Sec. 5) Revises requirements governing assistance to low-income working families. Prescribes an alternative eligibility formula for maximum family income (not applicable to Puerto Rico or any U.S. territories or possessions) if the poverty line applicable to a family of the size involved is higher than 30% of the area median income.

(Sec. 6) Authorizes appropriations for tenant-based vouchers for FY2008-FY2012. Revises requirements for tenant-based contract renewals, including allocation of renewal funding among public housing agencies.

Directs the HUD Secretary to issue guidance to PHAs that receive voucher assistance for non-elderly disabled families to ensure that the vouchers continue to be provided upon turnover to qualified non-elderly disabled families.

(Sec. 7) Revises requirements for calculation of administrative fees, including those covering family self-sufficiency program costs.

(Sec. 8) Revises requirements for Section 8 single grant home ownership downpayment assistance to an eligible family that purchases a dwelling unit that will be owned by one or more members of the family and occupied by them.

Limits such a grant to \$10,000.

Redefines rent of manufactured housing for which vouchers may be used to include the amortized cost of purchasing a manufactured home, as well as specified other costs.

(Sec. 9) Authorizes a PHA to report to certain consumer reporting agencies the past rent payment history of a family receiving tenant-based housing choice vouchers, if that family agrees in writing to such reporting.

(Sec. 10) Directs the HUD Secretary to establish standards and procedures for assessing the performance of public housing agencies in carrying out the programs for tenant-based rental assistance and for homeownership assistance.

(Sec. 11) Revises the authority of a PHA to use amounts provided under an annual contributions contract to enter into a housing assistance payment contract with respect to an existing, newly constructed, or rehabilitated structure (project-based assistance).

Increases from 20% to 25% the amount of funding available for tenant-based assistance administered by the agency that may be attached to such structures. Allows attachment of an additional 5% to structures for homeless individuals and families.

Revises income mixing requirements. Changes the maximum 25% of the dwelling units in any building that may be assisted under a housing assistance payment contract for project-based assistance to a maximum of 25 dwelling units or 25% of the dwelling units in any project. Specifies circumstances in which the 25% may be increased to 50%.

Increases the maximum term of a housing assistance payment contract from 10 years to 15 years. Allows such a contract

to specify renewal terms of up to 15 years. Authorizes a PHA to enter into such a contract at the time it enters into the initial agreement for a housing assistance payment contract.

Revises requirements for rent calculation, rent adjustments, and tenant selection waiting lists (providing for site-based lists).

Permits a PHA to enter into a housing assistance payments contract for dwelling units in cooperative housing and high-rise elevator buildings.

States that neither a subsidy layering nor an environmental review shall be required for assistance in the case of a housing assistance payments contract

(Sec. 12) Instructs the HUD Secretary to monitor rent burdens and report to Congress annually on the percentages of assisted families that pay more than 30% and 40 % of their adjusted incomes for rent. Requires a PHA to adjust the payment standard to eliminate excessive rent burdens.

Requires annual reports to Congress on: (1) the degree to which assisted families are clustered in lower rent, higher poverty areas; and (2) the extent to which greater geographic distribution of such families could be achieved.

Authorizes a PHA, without the Secretary's approval, to establish a payment standard of up to 120% of the fair market rent where necessary as a reasonable accommodation for a person with a disability. Allows a PHA to seek the Secretary's approval to use a payment standard greater than 120% for such a person.

(Sec. 13) Directs the HUD Secretary to endeavor to define market areas, at least in metropolitan cities with over 40,000 rental dwelling units and urban counties (or portions of them) located outside such cities, in a manner that results in fair market rentals adequate to cover typical rental costs of units suitable for occupancy by persons assisted in a wide range of communities, including those with low poverty rates.

Specifies circumstances in which the Secretary shall establish other separate market areas at a PHA's request.

Declares that no PHA shall be required, as a result of a reduction in the fair market rental, to reduce the payment standard applied to a family continuing to reside in a unit for which the family was receiving assistance at the time the fair market rental was reduced.

(Sec. 14) Limits a PHA's elective screening to criteria directly related to an applicant's ability to fulfill the obligations of an assisted lease, with due consideration of related mitigating circumstances.

(Sec. 15) Revises requirements for enhanced voucher assistance to allow an assisted family to elect to remain in the same project in which the family was residing on the date of the project eligibility event (as under current law), regardless of unit and family size standards normally used by the administering agency (except that tenants may be required to move to units of appropriate size if available on the premises).

Considers The Heritage Apartments in Malden, Massachusetts, eligible low-income housing to enable its residents to receive enhanced voucher assistance, upon prepayment of the mortgage loan for the property. Directs the Secretary to approve such prepayment and subsequent transfer of the property without any further condition; but declares the property, until the original maturity date of the prepaid mortgage loan, restricted for occupancy only by families with incomes not exceeding 80% of the adjusted median income for the area in which the property is located.

(Sec. 16) Establishes the Housing Innovation Program (HIP) to provide PHAs and HUD with flexibility to design and evaluate innovative approaches to providing housing assistance.

Authorizes the HUD Secretary to designate up to 60 PHAs to participate at any one time in HIP, plus another 20 PHA's subject to certain terms. Designates to participate in HIP all existing PHAs that have an agreement with HUD pursuant to the moving to work demonstration program ("MTW agency").

Requires one-for-one replacement of demolished or disposed of dwelling units under HIP according to a comprehensive outreach plan developed by the PHA in conjunction with its residents and meeting certain criteria. Authorizes appropriations for FY2008-FY2012 for resident technical assistance and for evaluations of all participating PHAs.

(Sec. 17) Authorizes the HUD Secretary to enter into agreements with the Social Security Administration and the Secretary of Health and Human Services to permit HUD participation in certain state demonstration programs providing for persons with significant disabilities to be employed and to continue to receive supplemental security income (SSI), disability insurance, Medicaid, and other benefits under specified federal and state programs.

(Sec. 18) Directs the Secretary to: (1) convene a task force to identify a list of vital documents to be competently translated to improve access to federally conducted and federally assisted programs and activities for individuals with limited English proficiency; (2) produce and make available on the HUD website translations of such documents in all necessary languages; (3) develop and carry out a plan to assist recipients of federal funds to improve access to programs and activities for such individuals; (4) develop and maintain a housing information resource center, with a 24-hour toll-free interpretation service telephone line, which shall assemble a document clearinghouse and evaluate best-practices models for all HUD programs that promote language assistance and strategies to improve language services for individuals with limited English proficiency.

Requires the center to provide information relating to culturally and linguistically competent housing services for populations with limited English proficiency.

Authorizes appropriations.

(Sec. 19) Directs the Secretary, at the owner's request, to transfer (or authorize the transfer of) specified project-based rental assistance housing assistance payments contracts, restrictions, and debt: (1) on the housing owned or managed by Community Properties of Ohio Management Services LLC or an affiliate of Ohio Capital Corporation for Housing and located in Franklin County, Ohio, to other properties located in Franklin County, Ohio; and (2) on the housing that is owned or managed by The Model Group, Inc., and located in Hamilton County, Ohio, to other properties located in Hamilton County, Ohio.

Requires any such transfer to result in the retention of the same number of units and amount of assistance.

(Sec. 20) Authorizes appropriations for FY2008-FY2012 to PHAs for incremental tenant-based assistance sufficient to assist 20,000 incremental dwelling units in each fiscal year.

(Sec. 21) Prohibits rental housing assistance on behalf of any individual or household unless the individuals or adult household members provide valid personal identification in the form of either: (1) a Social Security card with photo identification or REAL ID Act identification; (2) a passport; or (3) a U.S. Citizenship and Immigration Services identification card.

Actions Timeline

- **Jul 16, 2007:** Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
- **Jul 12, 2007:** Rule H. Res. 534 passed House.
- **Jul 12, 2007:** Considered under the provisions of rule H. Res. 534. (consideration: CR H7726-7760)
- **Jul 12, 2007:** Rule provides for consideration of H.R. 1851 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill.
- **Jul 12, 2007:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 534 and Rule XVIII.
- **Jul 12, 2007:** The Speaker designated the Honorable Anthony D. Weiner to act as Chairman of the Committee.
- **Jul 12, 2007:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 1851.
- **Jul 12, 2007:** DEBATE - Pursuant to the provisions of H.Res. 534, the Committee of the Whole proceeded with 10 minutes of debate on the Waters amendment, as modified.
- **Jul 12, 2007:** DEBATE - Pursuant to the provisions of H.Res. 534, the Committee of the Whole proceeded with 10 minutes of debate on the Velazquez amendment.
- **Jul 12, 2007:** DEBATE - Pursuant to the provisions of H.Res. 534, the Committee of the Whole proceeded with 10 minutes of debate on the Gary Miller(CA) amendment.
- **Jul 12, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Gary Miller(CA) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Gary Miller demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 12, 2007:** DEBATE - Pursuant to the provisions of H.Res. 534, the Committee of the Whole proceeded with 10 minutes of debate on the Markey amendment.
- **Jul 12, 2007:** DEBATE - Pursuant to the provisions of H.Res. 534, the Committee of the Whole proceeded with 10 minutes of debate on the Chabot amendment.
- **Jul 12, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Chabot amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Chabot demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 12, 2007:** DEBATE - Pursuant to the provisions of H.Res. 534, the Committee of the Whole proceeded with 10 minutes of debate on the Hensarling amendment.
- **Jul 12, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hensarling amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Hensarling demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 12, 2007:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1851.
- **Jul 12, 2007:** The previous question was ordered pursuant to the rule. (consideration: CR H7759)
- **Jul 12, 2007:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H7735-7745)
- **Jul 12, 2007:** Mrs. Capito moved to recommit with instructions to Financial Services. (consideration: CR H7758-7759; text: CR H7758)
- **Jul 12, 2007:** DEBATE - The House proceeded with 10 minutes of debate on the Capito motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House forthwith with an amendment inserting a new section pertaining to acceptable identification requirement.
- **Jul 12, 2007:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Jul 12, 2007:** On motion to recommit with instructions Agreed to by recorded vote: 233 - 186 (Roll no. 628).
- **Jul 12, 2007:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 333 - 83 (Roll no. 629).
- **Jul 12, 2007:** On passage Passed by the Yeas and Nays: 333 - 83 (Roll no. 629).

Jul 12, 2007: Motion to reconsider laid on the table Agreed to without objection.

- **Jul 12, 2007:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1851.
- **Jul 11, 2007:** Rules Committee Resolution H. Res. 534 Reported to House. Rule provides for consideration of H.R. 1851 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill.
- **Jun 28, 2007:** Reported (Amended) by the Committee on Financial Services. H. Rept. 110-216.
- **Jun 28, 2007:** Placed on the Union Calendar, Calendar No. 132.
- **May 25, 2007:** Committee Consideration and Mark-up Session Held.
- **May 25, 2007:** Ordered to be Reported by the Yeas and Nays: 52 - 9.
- **May 23, 2007:** Committee Consideration and Mark-up Session Held.
- **Mar 29, 2007:** Introduced in House
- **Mar 29, 2007:** Referred to the House Committee on Financial Services.