

HR 2930

Section 202 Supportive Housing for the Elderly Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Housing and Community Development

Introduced: Jun 28, 2007

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

Latest Action: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. (Dec 6, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/2930>

Sponsor

Name: Rep. Mahoney, Tim [D-FL-16]

Party: Democratic • **State:** FL • **Chamber:** House

Cosponsors (15 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Brown-Waite, Ginny [R-FL-5]	R · FL		Jul 18, 2007
Rep. Clarke, Yvette D. [D-NY-11]	D · NY		Aug 2, 2007
Rep. Emanuel, Rahm [D-IL-5]	D · IL		Aug 2, 2007
Rep. Frank, Barney [D-MA-4]	D · MA		Aug 2, 2007
Del. Christensen, Donna M. [D-VI-At Large]	D · VI		Aug 3, 2007
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Aug 3, 2007
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Sep 14, 2007
Rep. Sires, Albio [D-NJ-13]	D · NJ		Sep 14, 2007
Rep. Welch, Peter [D-VT-At Large]	D · VT		Sep 14, 2007
Rep. Waters, Maxine [D-CA-35]	D · CA		Sep 17, 2007
Rep. Lynch, Stephen F. [D-MA-9]	D · MA		Sep 20, 2007
Rep. Biggert, Judy [R-IL-13]	R · IL		Sep 25, 2007
Rep. McNerney, Jerry [D-CA-11]	D · CA		Sep 25, 2007
Rep. Baca, Joe [D-CA-43]	D · CA		Oct 9, 2007
Rep. Wexler, Robert [D-FL-19]	D · FL		Oct 16, 2007

Committee Activity

Committee	Chamber	Activity	Date
Banking, Housing, and Urban Affairs Committee	Senate	Referred To	Dec 6, 2007
Financial Services Committee	House	Referred to	Sep 5, 2007

Subjects & Policy Tags

Policy Area:

Housing and Community Development

Related Bills

Bill	Relationship	Last Action
110 S 2736	Related bill	Mar 10, 2008: Sponsor introductory remarks on measure. (CR S1814)

Section 202 Supportive Housing for the Elderly Act of 2007 - **Title I: New Construction Reforms** - (Sec. 101) Amends the Housing Act of 1959 regarding project rental assistance for supportive housing for the elderly.

Changes from discretionary to mandatory the authority of the Secretary of Housing and Urban Development to adjust the annual amount of a contract for project rental assistance to provide for reasonable project costs (including adequate reserves, supportive services, and service coordinators).

States that contract amounts not used by a project during a contract term shall not be available for such adjustments upon renewal.

Requires increased contract amounts, subject to reasonable review and limitations, in emergency situations outside the owner's control.

(Sec. 102) Modifies selection criteria.

Requires the Secretary's selection criteria to include the extent to which the applicant has ensured that a service coordinator will be employed or retained who has the managerial capacity and responsibility for: (1) assessing the service needs of residents on an ongoing basis; and (2) coordinating the provision of supportive services, as well as tailoring them to the individual needs of residents.

Directs the Secretary, in issuing a capital advance for specified kinds of construction, rehabilitation, or real property acquisition and related projects, to delegate review and processing of selected capital advance projects to a state or local housing agency meeting certain criteria within 30 days of the award of the capital advance.

Requires the Secretary to retain the authority to process capital advances if no state or local housing agency has either applied to provide delegated processing, or agreed with the Secretary to serve as a delegated processing agency.

Instructs the Secretary to develop a schedule of reasonable fees to be paid to delegated processing agencies.

(Sec. 104) States that owner deposits shall be used only to cover operating deficits during the first three years of operations and shall not be used to cover construction shortfalls or inadequate initial project rental assistance amounts.

(Sec. 105) Allows a national private, nonprofit owner of multiple housing projects to satisfy local governing board requirements by adding a local advisory board to its national governing board.

(Sec. 106) Directs the Secretary, subject to certain requirements, to permit an owner of assisted supportive housing for the elderly to apply for a preference in tenant selection for homeless elderly.

(Sec. 107) Modifies requirements for allocation of funds to nonmetropolitan areas to direct the Secretary either to operate a national competition for the nonmetropolitan funds, or to make allocations to regional offices of the Department of Housing and Urban Development (HUD).

Title II: Refinancing - (Sec. 201) Amends the American Homeownership and Economic Opportunity Act of 2000 to revise requirements governing prepayment of debt for project-based rental housing assistance programs.

Declares that a project sponsor's prepayment of indebtedness to the Secretary may involve refinancing of the loan if such refinancing results in a transaction in which the project owner will address the physical needs of the project, but only if as

a result of the refinancing: (1) the rent charges for unassisted families residing in the project do not increase or such families are provided rental assistance under a senior preservation rental assistance contract; and (2) the overall cost for providing section 8 rental assistance for the project (if any) does not increase.

(Sec. 202) Directs (current law merely authorizes) the Secretary, for purposes of underwriting a loan insured under the National Housing Act, to assume that any section 8 rental assistance contract relating to a project will be renewed for the term of such loan.

Requires the Secretary to make the same assumption when approving the standards used by authorized lenders to underwrite a loan refinanced with risk sharing. (In effect, authorizes new lenders to underwrite loans refinanced with risk sharing loans.)

(Sec. 203) Revises requirements for use of unexpended amounts.

Requires the Secretary to make available at least 50% of the annual savings resulting from reduced section 8 or other rental housing assistance contracts in a manner that is either: (1) advantageous to the tenants (as under existing law); or (2) used in the provision of affordable rental housing and related social services for elderly persons by the private nonprofit organization's project owner, sponsor, or developer.

Eliminates the 15% limitation on the use of unexpended funds for supportive services.

Allows the use of unexpended funds for: (1) the cost of reducing and reconfiguring obsolete units; (2) the payment of a developer's fee, determined in specified ways; and (3) the payment of equity, calculated on the basis of the project's appraised value, in the case of sale or refinance.

(Sec. 204) Authorizes the use of residual receipts held for a project, in connection with a prepayment or refinancing, in excess of \$500 per unit for activities to increase the availability or provision of supportive services or other purposes approved by the Secretary.

(Sec. 205) Directs the Secretary to provide 20-year project-based rental assistance for a project under a senior preservation rental assistance contract in order to: (1) prevent displacement of elderly project residents in the case of refinancing or recapitalization; and (2) further project preservation and affordability.

(Sec. 206) Instructs the Secretary to study and report to Congress on: (1) a cost-benefit analysis of implementing a program under which the Secretary may sell mortgages associated with specified loans for supportive housing for the elderly; and (2) implementation of a demonstration program for sales of portfolios of such mortgages to housing finance agencies in three states.

Title III: Assisted Living Facilities - (Sec. 301) Amends the United States Housing Act of 1937 to revise the definition of "assisted living facility" to mean one owned by a private nonprofit organization, and either: (1) is licensed and regulated by the state or municipality or other political subdivision in which the facility is located; or (2) makes supportive services available to assist residents in carrying out the activities of daily living (ADLs), and provides separate dwelling units for residents, each of which may contain a full kitchen and bathroom.

(Sec. 302) Revises requirements for the monthly rental assistance on behalf of a family that uses an assisted living facility as a principal place of residence. Provides that a family may be required at the time it initially receives such

assistance to pay rent in an amount exceeding 40% of its monthly adjusted income.

Title IV: Facilitating Affordable Housing Preservation Transactions - (Sec. 401) Prohibits the Secretary from imposing conditions upon the proceeds from the sale or refinancing of a multifamily housing project, or the transfer of an assistance contract on such property, where the Secretary's approval of prepayment is required, unless such condition is expressly authorized by an existing contract entered into between the Secretary and the project owner before enactment of this Act.

Declares any such condition previously imposed by the Secretary after January 1, 2005, at the project owner's option, to be considered void and unenforceable. Requires any agreement containing such a condition to be rescinded, and permits its subsequent re-issuance without the void condition.

Actions Timeline

- **Dec 6, 2007:** Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
- **Dec 5, 2007:** Mr. Mahoney (FL) moved to suspend the rules and pass the bill, as amended.
- **Dec 5, 2007:** Considered under suspension of the rules. (consideration: CR H14176-14180)
- **Dec 5, 2007:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2930.
- **Dec 5, 2007:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H14176-14178)
- **Dec 5, 2007:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H14176-14178)
- **Dec 5, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 4, 2007:** Reported (Amended) by the Committee on Financial Services. H. Rept. 110-463.
- **Dec 4, 2007:** Placed on the Union Calendar, Calendar No. 287.
- **Sep 25, 2007:** Committee Consideration and Mark-up Session Held.
- **Sep 25, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **Sep 6, 2007:** Committee Hearings Held.
- **Sep 5, 2007:** Referred to the Subcommittee on Housing and Community Opportunity.
- **Jun 28, 2007:** Introduced in House
- **Jun 28, 2007:** Referred to the House Committee on Financial Services.