

## S 118

Section 202 Supportive Housing for the Elderly Act of 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Housing and Community Development

**Introduced:** Jan 6, 2009

**Current Status:** Became Public Law No: 111-372.

**Latest Action:** Became Public Law No: 111-372. (Jan 4, 2011)

**Law:** 111-372 (Enacted Jan 4, 2011)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/118>

### Sponsor

**Name:** Sen. Kohl, Herb [D-WI]

**Party:** Democratic • **State:** WI • **Chamber:** Senate

### Cosponsors (12 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Brown, Sherrod [D-OH]	D · OH		Jan 6, 2009
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jan 6, 2009
Sen. Durbin, Richard J. [D-IL]	D · IL		Jan 6, 2009
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jan 6, 2009
Sen. Nelson, Bill [D-FL]	D · FL		Jan 6, 2009
Sen. Schumer, Charles E. [D-NY]	D · NY		Jan 6, 2009
Sen. Stabenow, Debbie [D-MI]	D · MI		Jan 6, 2009
Sen. Landrieu, Mary L. [D-LA]	D · LA		Jan 8, 2009
Sen. Levin, Carl [D-MI]	D · MI		Jan 8, 2009
Sen. Menendez, Robert [D-NJ]	D · NJ		Oct 29, 2009
Sen. Merkley, Jeff [D-OR]	D · OR		Oct 29, 2009
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Mar 9, 2010

### Committee Activity

Committee	Chamber	Activity	Date
Banking, Housing, and Urban Affairs Committee	Senate	Reported By	Nov 30, 2010

### Subjects & Policy Tags

#### Policy Area:

Housing and Community Development

## Related Bills

Bill	Relationship	Last Action
111 HR 4868	Related bill	<b>Jul 27, 2010:</b> Ordered to be Reported (Amended) by the Yeas and Nays: 42 - 27.
111 HR 5814	Related bill	<b>Jul 27, 2010:</b> Ordered to be Reported (Amended) by the Yeas and Nays: 42 - 27.

**(This measure has not been amended since it was passed by the Senate on December 18, 2010. The summary of that version is repeated here.)**

Section 202 Supportive Housing for the Elderly Act of 2010 - **Title I: New Construction Reforms** - (Sec. 101) Amends the Housing Act of 1959 regarding capital advances and contracts for project rental assistance for supportive housing for the elderly.

Includes in the selection criteria for such assistance the extent to which the applicant has ensured that a service coordinator will be employed or otherwise retained for the housing, who has the managerial capacity and responsibility for: (1) assessing on an ongoing basis the service needs of residents, and (2) coordinating and tailoring supportive services to a resident's need.

(Sec. 102) Requires that the development cost limitations by market area the Secretary of Housing and Urban Development (HUD) must establish periodically for various types and sizes of supportive housing for the elderly be reasonable.

(Sec. 103) Limits the use of amounts (of up to \$25,000) that the Secretary must require an owner to deposit in a special escrow account to cover operating deficits during the first three years of operations. Prohibits the use of such amount to cover construction shortfalls or inadequate initial project rental assistance amounts.

(Sec. 104) Redefines "private nonprofit organization" to revise the local governing board requirements. Authorizes the Secretary, in the case of a nonprofit sponsoring organization of multiple housing projects assisted under such Act, to determine the criteria or conditions under which administrative responsibilities exercised by a single-entity private nonprofit organization, that is the owner corporation responsible for the operation of an individual housing project, may be shared or transferred to the governing board of the sponsoring organization.

Allows the sole general partner of a for-profit limited partnership to be a limited liability company wholly owned and controlled by one or more organizations meeting the requirements of such definition.

(Sec. 105) Directs the Secretary to comply with the requirement for allocation to nonmetropolitan areas of at least 15% of the funds available for assistance by either: (1) operating a national competition for the nonmetropolitan funds allocation of assistance for supportive housing for the elderly, or (2) making allocations to HUD regional offices.

**Title II: Refinancing** - (Sec. 201) Amends the American Homeownership and Economic Opportunity Act of 2000 to revise requirements governing: (1) prepayment of debt for project-based rental housing assistance programs, (2) use of unexpended amounts, and (3) use of project residual receipts.

(Sec. 204) Sets forth requirements governing senior preservation rental assistance contracts in order to: (1) prevent displacement of elderly project residents in the case of refinancing or recapitalization, and (2) further project preservation and affordability.

Prohibits the Secretary from accepting an offer to prepay the loan for any project unless the project owner has: (1) notified the tenants of the owner's request for approval of a prepayment, (2) provided them with an opportunity to comment on it, and (3) responded to those comments in writing.

**Title III: Assisted Living Facilities and Service-Enriched Housing** - (Sec. 301) Expands the definition of assisted

living facility with respect to grants for conversion of elderly housing to such facilities. Includes among activities which may receive a conversion grant those designed to convert dwelling units in an eligible project to assisted-living (as under current law) or to service-enriched housing for elderly persons.

Adds this requirement for alternative kinds of conversions to eligibility requirements for section 8 project-based assistance.

(Sec. 302) Amends the United States Housing Act of 1937 with respect to 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: Compliance with Statutory Pay-as-you-go Act of 2010** - Declares that the budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, provided that such statement has been submitted prior to the vote on passage.

### Actions Timeline

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- **Jan 4, 2011:** Signed by President.
- **Jan 4, 2011:** Became Public Law No: 111-372.
- **Dec 28, 2010:** Presented to President.
- **Dec 21, 2010:** Received in the House.
- **Dec 21, 2010:** Mr. Lynch moved to suspend the rules and pass the bill.
- **Dec 21, 2010:** Considered under suspension of the rules. (consideration: CR H8802-8806)
- **Dec 21, 2010:** DEBATE - The House proceeded with forty minutes of debate on S. 118.
- **Dec 21, 2010:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H8802-8804)
- **Dec 21, 2010:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H8802-8804)
- **Dec 21, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 21, 2010:** Cleared for White House.
- **Dec 20, 2010:** Message on Senate action sent to the House.
- **Dec 18, 2010:** Measure laid before Senate by unanimous consent. (consideration: CR S10698-10703)
- **Dec 18, 2010:** The committee substitute as amended agreed to by Unanimous Consent. (text of amendment in the nature of a substitute: CR S10698-10700)
- **Dec 18, 2010:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR S10701-10703)
- **Dec 18, 2010:** Passed Senate with an amendment by Unanimous Consent. (text: CR S10701-10703)
- **Nov 30, 2010:** Committee on Banking, Housing, and Urban Affairs. Reported by Senator Dodd with an amendment in the nature of a substitute. Without written report.
- **Nov 30, 2010:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 657.
- **Sep 30, 2010:** Committee on Banking, Housing, and Urban Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jan 6, 2009:** Introduced in Senate
- **Jan 6, 2009:** Sponsor introductory remarks on measure. (CR S89)
- **Jan 6, 2009:** Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. (text of measure as introduced: CR S89-92)