

HR 5085

Fair Chance at Housing Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Housing and Community Development

Introduced: Apr 27, 2016

Current Status: Referred to the House Committee on Financial Services.

Latest Action: Referred to the House Committee on Financial Services. (Apr 27, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/5085>

Sponsor

Name: Rep. Waters, Maxine [D-CA-43]

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

Cosponsors (26 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		May 25, 2016
Rep. Bass, Karen [D-CA-37]	D · CA		May 25, 2016
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		May 25, 2016
Rep. Brown, Corrine [D-FL-5]	D · FL		May 25, 2016
Rep. Butterfield, G. K. [D-NC-1]	D · NC		May 25, 2016
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		May 25, 2016
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		May 25, 2016
Rep. Davis, Danny K. [D-IL-7]	D · IL		May 25, 2016
Rep. Ellison, Keith [D-MN-5]	D · MN		May 25, 2016
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		May 25, 2016
Rep. Hastings, Alcee L. [D-FL-20]	D · FL		May 25, 2016
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		May 25, 2016
Rep. Moore, Gwen [D-WI-4]	D · WI		May 25, 2016
Rep. Napolitano, Grace F. [D-CA-32]	D · CA		May 25, 2016
Rep. Quigley, Mike [D-IL-5]	D · IL		May 25, 2016
Rep. Rangel, Charles B. [D-NY-13]	D · NY		May 25, 2016
Rep. Richmond, Cedric L. [D-LA-2]	D · LA		May 25, 2016
Rep. Veasey, Marc A. [D-TX-33]	D · TX		May 25, 2016
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		May 25, 2016
Rep. Chu, Judy [D-CA-27]	D · CA		Nov 15, 2016
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Nov 15, 2016
Rep. Fudge, Marcia L. [D-OH-11]	D · OH		Nov 15, 2016
Rep. Green, Al [D-TX-9]	D · TX		Nov 15, 2016
Rep. Honda, Michael M. [D-CA-17]	D · CA		Nov 15, 2016
Rep. Lee, Barbara [D-CA-13]	D · CA		Nov 15, 2016
Rep. Serrano, Jose E. [D-NY-15]	D · NY		Nov 15, 2016

Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Referred To	Apr 27, 2016

Subjects & Policy Tags

Policy Area:

Housing and Community Development

Related Bills

No related bills are listed.

Fair Chance at Housing Act of 2016

This bill amends the Quality Housing and Work Responsibility Act of 1998 to replace the definition of "drug-related criminal activity" with "covered criminal activity" in connection with federally assisted housing, meaning any:

- criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other tenants, employees, or the housing owner or a public housing agency (PHA); or
- violent criminal activity off the premises by a tenant or any member of the tenant's household that poses risk of future harm to other tenants, employees, or the PHA or owner.

The bill requires a PHA or owner, when screening of applicants for federally assisted housing, to conduct an individualized review of the totality of the circumstances regarding an applicant's criminal background, including disability-related offenses, before denying a housing application.

A PHA or owner:

- may not deny an application based on previous evictions or inconclusive evidence, and
- must give an applicant household the option to remove a culpable member before denying an application.

The bill prohibits suspicionless drug and alcohol testing, and applies requirements similar to those for screening applicants to termination of tenancy and assistance for covered criminal activity.

The Department of Housing and Urban Development (HUD) shall require annual reports from PHAs and owners on the disposition of applications, especially denials.

The United States Housing Act of 1937 is amended, with respect to administrative procedures for a grievance concerning an eviction or termination of tenancy, to eliminate reference to drug-related criminal activity and specify only covered violent criminal activity.

A PHA may neither require nor request an applicant for admission to public housing to authorize the PHA to receive information from a drug abuse treatment facility.

A PHA may prohibit visitation of a public housing dwelling unit by a non-tenant on the basis of the non-tenant's criminal activity only if it is covered criminal activity, and other criteria are met.

The bill revises project-based and voucher assistance requirements for termination of tenancy and selection for section 8 (voucher) rental assistance to reflect only covered criminal activity and eliminate reference to drug-related activity.

The Department of Agriculture shall revise regulations for applicant screening and tenancy termination in specified rural housing programs to become substantially similar to HUD regulations for housing assistance programs.

The McKinney-Vento Homeless Assistance Act is amended, with respect to the continuum of care program, to require a grant recipient's plan to describe how the recipient will collaborate with local criminal justice systems and the coordinated entry system to create pathways to housing for those cycling between homelessness and incarceration.

The bill authorizes bonuses or other incentives to collaborative applicants and PHAs whose applications propose innovative solutions for providing pathways to housing for formerly incarcerated individuals.

Actions Timeline

- **Apr 27, 2016:** Introduced in House
- **Apr 27, 2016:** Referred to the House Committee on Financial Services.