

117TH CONGRESS  
1ST SESSION

# H. R. 1847

To suspend obligations of residential renters and mortgagors to make payments during the COVID–19 emergency, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2021

Ms. OMAR (for herself, Mr. LOWENTHAL, Ms. LEE of California, Mr. BOWMAN, Mr. POCAN, Mr. GRIJALVA, Mr. JONES, Mrs. WATSON COLEMAN, Mr. GARCÍA of Illinois, Ms. PRESSLEY, Ms. JAYAPAL, Mr. THOMPSON of Mississippi, Ms. NORTON, Ms. VELÁZQUEZ, Ms. TLAIB, Ms. CLARKE of New York, Mr. ESPAILLAT, Ms. WILSON of Florida, Ms. SCHAKOWSKY, Mr. MCGOVERN, Mr. GOMEZ, Mr. CARSON, Ms. OCASIO-CORTEZ, Mr. NADLER, and Ms. BUSH) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To suspend obligations of residential renters and mortgagors to make payments during the COVID–19 emergency, 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 “Rent and Mortgage  
5 Cancellation Act of 2021”.

1 **SEC. 2. SUSPENSION OF OBLIGATIONS TO MAKE RESIDEN-**  
2 **TIAL MORTGAGE AND RENT PAYMENTS.**

3 (a) RENT PAYMENTS.—

4 (1) SUSPENSION.—Notwithstanding any other  
5 provision of law, the obligation of each tenant house-  
6 hold of a covered rental dwelling unit to pay rent for  
7 occupancy in such dwelling unit shall be suspended  
8 with respect to such occupancy during the COVID-  
9 19 suspension period.

10 (2) PROHIBITIONS.—

11 (A) ON FINES.—No tenant or tenant  
12 household may be charged a fine or fee for non-  
13 payment of rent in accordance with paragraph  
14 (1) and such nonpayment of rent shall not be  
15 grounds for any termination of tenancy or evic-  
16 tion.

17 (B) ON DEBT.—No tenant or tenant  
18 household may be treated as accruing any debt  
19 by reason of suspension of contribution of rent  
20 under paragraph (1).

21 (C) ON REPAYMENT.—No tenant or tenant  
22 household may be held liable for repayment of  
23 any amount of rent contribution suspended  
24 under paragraph (1).

25 (D) ON CREDIT SCORES.—The non-  
26 payment of rent by a tenant or tenant house-

1 hold shall not be reported to a consumer report-  
2 ing agency nor shall such nonpayment adversely  
3 affect a tenant or member of a tenant house-  
4 hold's credit score.

5 (b) MORTGAGE PAYMENTS.—

6 (1) SUSPENSION.—Notwithstanding any other  
7 provision of law, the obligation of each mortgagor  
8 under a covered residential mortgage loan to make  
9 mortgage payments of principal and interest that be-  
10 come due during the COVID-19 suspension period is  
11 hereby suspended.

12 (2) REQUIREMENTS AND PROHIBITIONS.—

13 (A) ON DEBT.—No mortgagor under any  
14 covered residential mortgage loan may be held  
15 responsible for payment of mortgage payments  
16 suspended under paragraph (1) or treated as  
17 accruing any debt by reason of suspension  
18 under such paragraph of the obligation to make  
19 mortgage payments.

20 (B) ON FORECLOSURE.—A mortgagee  
21 under a covered residential mortgage loan (or  
22 servicer for such mortgagee) may not commence  
23 or continue any judicial foreclosure action or  
24 non-judicial foreclosure process or any action  
25 for failure to make a payment due under such

1 mortgage that is suspended pursuant to para-  
2 graph (1).

3 (C) ON FEES, PENALTIES, AND INTER-  
4 EST.—No fees, penalties, or additional interest  
5 beyond the amounts scheduled or calculated as  
6 if the mortgagor made all contractual payments  
7 on time and in full under the terms of the  
8 mortgage contract in effect as of the commence-  
9 ment of the COVID-19 suspension period shall  
10 accrue.

11 (D) ON CREDIT SCORES.—The non-  
12 payment of a mortgage payment by a mort-  
13 gagor pursuant to suspension under paragraph  
14 (1) of the obligation to make such payment  
15 shall not be reported to a consumer reporting  
16 agency nor shall such nonpayment adversely af-  
17 fect a mortgagor's credit score.

18 (e) NOTICE.—The Secretary of Housing and Urban  
19 Development shall establish and carry out a system to no-  
20 tify all tenants of covered rental dwelling units, including  
21 tenants described in section 8(1)(B)(ii), and all mortga-  
22 gors under covered residential mortgage loans, of the sus-  
23 pensions under paragraph (1) of subsections (a) and (b)  
24 of the obligations to make rental payments or mortgage

1 payments, respectively, and of their right to pursue legal  
2 action pursuant to section 4.

3 **SEC. 3. FORGIVENESS OF RESIDENTIAL RENT AND MORT-**  
4 **GAGE DEBT.**

5 (a) RENT DEBT.—

6 (1) IN GENERAL.—Notwithstanding any other  
7 provision of law, all debt for unpaid residential rent  
8 arrears for a covered rental dwelling unit that ac-  
9 crued from March 13, 2020, through April 1, 2022,  
10 is hereby forgiven.

11 (2) PREEMPTION.—To the extent that any  
12 State or local law or decision of any State or local  
13 court or arbitral body conflicts with paragraph (1),  
14 it is preempted and shall have no force or effect.

15 (3) NO EFFECT ON CREDIT SCORE.—Receipt of  
16 forgiveness of residential rent debt pursuant to para-  
17 graph (1) shall not be reported to any consumer re-  
18 porting agency nor shall receipt of such forgiveness  
19 adversely affect the credit score of any tenant or  
20 member of a tenant household.

21 (b) MORTGAGE DEBT.—

22 (1) IN GENERAL.—Notwithstanding any other  
23 provision of law, all debt for unpaid residential mort-  
24 gage arrears under a covered residential mortgage

1 loan that accrued from March 13, 2020, through  
2 April 1, 2022, is hereby forgiven.

3 (2) REDUCTION OF BALANCE.—By consequence  
4 of the forgiveness required under paragraph (1), for-  
5 given mortgage debt shall be reduced from mortgag-  
6 gors' interest and principal balances, as applicable.

7 (3) PREEMPTION.—To the extent that any  
8 State or local law or decision of any State or local  
9 court or arbitral bodies conflicts with paragraph (1),  
10 it is preempted and shall have no force or effect.

11 (4) NO EFFECT ON CREDIT SCORE.—Receipt of  
12 forgiveness of residential rent debt pursuant to para-  
13 graph (1) shall not be reported to any consumer re-  
14 porting agency nor shall receipt of such forgiveness  
15 adversely affect the credit score of a mortgagor.

16 (c) NOTICE.—The Secretary of Housing and Urban  
17 Development shall establish and carry out a system to no-  
18 tify all tenants of covered rental dwelling units, including  
19 tenants described in section 8(1)(B)(ii), and all mortgag-  
20 gors under covered residential mortgage loans, of the for-  
21 givenness under paragraph (1) of subsections (a) and (b)  
22 of debt for unpaid residential rent and mortgage arrears,  
23 respectively, and of their right to pursue legal action pur-  
24 suant to section 4.

1 **SEC. 4. CIVIL ACTION.**

2 (a) IN GENERAL.—Any individual aggrieved by an  
3 adverse action taken by a lessor or mortgagee for exer-  
4 cising rights under section 2 or 3 may commence a civil  
5 action under this section against the lessor or mortgagee  
6 violating such section in an appropriate United States dis-  
7 trict court or State court not later than 2 years after such  
8 violation occurs for damages under subsection (b).

9 (b) DAMAGES; PENALTY.—Any lessor or mortgagee  
10 found to have taken adverse action against any lessee or  
11 mortgagor for exercising rights under section 2 shall be  
12 liable—

13 (1) to the individual aggrieved by such viola-  
14 tion, for any actual damages as a result of such ad-  
15 verse action; and

16 (2) for a fine in the amount of—

17 (A) \$5,000, in the case of violation that is  
18 the first violation by such lessor or mortgagee;

19 (B) \$10,000, in the case of violation that  
20 is the second violation by such lessor or mort-  
21 gagee; and

22 (C) \$50,000 or forfeiture of the property,  
23 in the case of violation that is the third or sub-  
24 sequent violation by such lessor or mortgagee.

25 (c) AUTHORITY OF COURT.—In an action brought  
26 under this section, the court—

1           (1) may award preventative relief, including a  
2 permanent or temporary injunction or other order,  
3 to ensure the full rights granted by subsections (a)  
4 and (b) of section 2 and by subsections (a) and (b)  
5 of section 3; and

6           (2) shall award any prevailing plaintiff, other  
7 than the United States, reasonable attorney's fee  
8 and costs.

9           (d) ATTORNEY GENERAL ENFORCEMENT.—The At-  
10 torney General may bring a civil action in any appropriate  
11 United States district court against any individual who  
12 violates subsection (a) or (b) of section 2 for fines, or sub-  
13 section (a) or (b) of section 3, under subsection (b)(2) of  
14 this section.

15 **SEC. 5. LANDLORD RELIEF FUND.**

16           (a) ESTABLISHMENT.—The Secretary of Housing  
17 and Urban Development shall establish and manage a  
18 Landlord Relief Fund (in this section referred to as the  
19 “Fund”), to provide lessors payments under this section  
20 to reimburse such lessors for payments under covered  
21 rental dwelling units suspended or forgiven pursuant to  
22 section 2(a) or 3(a), respectively.

23           (b) APPLICATION.—The Secretary shall provide for  
24 lessors of covered rental dwelling units to apply for reim-  
25 bursement payments from the Fund, which applications

1 shall include the certifications and binding agreements re-  
2 quired pursuant to subsection (c).

3 (c) ELIGIBILITY.—The Secretary may provide a pay-  
4 ment under this section only with respect to covered rental  
5 dwelling units that meet all of the following requirements:

6 (1) FAIR RENTAL REQUIREMENTS.—The lessor  
7 of the covered rental dwelling unit has made such  
8 certifications to, and entered into such binding  
9 agreements with, the Secretary as the Secretary con-  
10 siders necessary to ensure that during the 5-year pe-  
11 riod beginning upon initial receipt by such lessor of  
12 payment under this section for such dwelling unit,  
13 such dwelling unit shall be subject to the following  
14 requirements:

15 (A) RENT FREEZE.—The monthly rent for  
16 the dwelling unit may not be increased from the  
17 amount of such rent charged as of the date of  
18 the enactment of this Act.

19 (B) JUST-CAUSE EVICTIONS.—A tenant of  
20 the dwelling unit may be evicted only for just  
21 cause and only pursuant to advance written no-  
22 tice to the tenant of such just cause.

23 (C) SOURCE OF INCOME DISCRIMINA-  
24 TION.—The lessor may not refuse to rent the  
25 dwelling unit, or discriminate in the renting of

1 the dwelling unit, to a household based on the  
2 source of income of such household, including  
3 income under the program under section 8(o) of  
4 the United States Housing Act of 1937 (42  
5 U.S.C. 1437f(o)) or any similar tenant-based  
6 rental assistance program.

7 (D) NEW VACANCIES.—The lessor shall co-  
8 ordinate with the public and other housing au-  
9 thorities for the jurisdiction within which the  
10 dwelling unit is located to make the dwelling  
11 unit available, upon any vacancy, to households  
12 assisted as described in subparagraph (C).

13 (E) ADMISSIONS RESTRICTIONS.—The les-  
14 sor may not restrict tenancy of the dwelling  
15 unit on the basis of sexual identity or orienta-  
16 tion, gender identity or expression, conviction or  
17 arrest record, credit history, or immigration  
18 status.

19 (F) ARREARAGES.—The lessor may not  
20 collect an arrearage in rent owed by the tenant  
21 as of the expiration of such 5-year period.

22 (G) RETALIATION.—The lessor may not  
23 retaliate in any way against a tenant of the  
24 dwelling unit.

1 (H) DEBT COLLECTORS AND CREDIT RE-  
2 PORTING AGENCIES.—The lessor may not re-  
3 port the tenant of the dwelling unit to a debt  
4 collector or provide any adverse information re-  
5 garding the tenant to any credit reporting agen-  
6 cy.

7 (2) REQUIRED DISCLOSURES.—

8 (A) IN GENERAL.—The lessor shall dis-  
9 close, for any person that has an ownership in-  
10 terest in the lessor, including any members,  
11 shareholders, general partners, or limited part-  
12 ners, if applicable, the following information:

- 13 (i) Name.
- 14 (ii) Address of place of residence.
- 15 (iii) Date of birth.
- 16 (iv) Social Security Number or Em-  
17 ployer Identification Number.
- 18 (v) Size of their interest in the lessor.
- 19 (vi) Type of entity.
- 20 (vii) State of incorporation.
- 21 (viii) Registered agent.
- 22 (ix) Address of any covered rental  
23 dwelling units owned by such person.

1 (x) Occupancy or vacancy status of all  
2 covered rental dwelling units owned by  
3 such person.

4 (xi) Current rents charged for all cov-  
5 ered rental dwelling units owned by such  
6 person.

7 (xii) Total assets and liabilities.

8 (B) NON-NATURAL PERSONS.—For any  
9 person identified in the disclosure required by  
10 this paragraph that is not a natural person, the  
11 lessor shall provide the information required by  
12 subparagraph (A) for that entity and for any  
13 persons with ownership interests in that entity  
14 and shall provide that information iteratively  
15 for each layer of ownership until all ownership  
16 interests are traced back to natural persons or  
17 publicly traded corporations.

18 (C) EXEMPTION.—Nothing in this para-  
19 graph shall require the disclosure of the identity  
20 of, or personally-identifying information regard-  
21 ing, shareholders of publicly traded corpora-  
22 tions.

23 (3) PROHIBITION ON DUPLICATION OF ASSIST-  
24 ANCE.—Assistance may not be provided under this

1 section with respect to any dwelling unit for which  
2 assistance is provided pursuant to section 6.

3 (d) AMOUNT.—

4 (1) IN GENERAL.—Subject to paragraph (2),  
5 the amount of a payment under this section with re-  
6 spect to a covered rental dwelling unit may not ex-  
7 ceed the aggregate amount of rent for the dwelling  
8 unit suspended or forgiven pursuant to section 2(a)  
9 or 3(a) and attributable only to days during the  
10 COVID-19 suspension period that the dwelling unit  
11 was occupied by a tenant otherwise required to pay  
12 rent for such occupancy.

13 (2) REIMBURSEMENT FOR RENT PAID BY TEN-  
14 ANTS.—In making payments under this section with  
15 respect to any covered dwelling unit for which tenant  
16 made a payment of rent during the COVID-19 sus-  
17 pension period, the Secretary shall—

18 (A) reduce the amount of the payment to  
19 the lessor under paragraph (1) by the amount  
20 of any such rent paid; and

21 (B) make a payment to such tenant in the  
22 amount of any such rent paid.

23 (e) PRIORITY.—In making payments under this sec-  
24 tion, the Secretary shall establish a tiered system for pri-  
25 ority for such payments based on assets, revenues, disclo-

1 sure requirements, and profit status with respect to les-  
2 sors. Such system shall provide priority for making pay-  
3 ments to eligible lessors that are nonprofit organizations  
4 or entities and lessors having the fewest available amount  
5 of assets.

6 (f) RECAPTURE.—If a lessor violates any requirement  
7 with respect to a covered rental dwelling unit under any  
8 certification or agreement entered into pursuant to sub-  
9 section (c)(2), the Secretary shall recapture from the les-  
10 sor an amount equal to the entire amount of assistance  
11 provided under this section that is attributable to such  
12 dwelling unit and cover such amount recaptured into the  
13 Fund.

14 (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
15 authorized to be appropriated for the Landlord Relief  
16 Fund established pursuant to this section such sums as  
17 may be necessary to reimburse all lessors for all rent pay-  
18 ments suspended pursuant to section 2(a) or forgiven pur-  
19 suant to section 3(a).

20 **SEC. 6. LENDER RELIEF FUND.**

21 (a) ESTABLISHMENT.—The Secretary of Housing  
22 and Urban Development shall establish and manage a  
23 Lender Relief Fund (in this section referred to as the  
24 “Fund”), to provide mortgagees payments under this sec-  
25 tion to reimburse such mortgagees for mortgage payments

1 suspended pursuant to section 2(b) or for residential mort-  
2 gage debt forgiven pursuant to section 3(b).

3 (b) APPLICATION.—The Secretary shall provide for  
4 mortgagees under covered residential mortgage loans to  
5 apply for reimbursement payments from the Fund, which  
6 applications shall include the certifications and binding  
7 agreements required pursuant to subsection (c). The Sec-  
8 retary shall provide that an eligible mortgagee may apply  
9 for assistance from the Fund only once with respect to  
10 any covered residential mortgage loan.

11 (c) ELIGIBILITY.—The Secretary may provide a pay-  
12 ment under this section only with respect to covered resi-  
13 dential mortgage loans that meet all of the following re-  
14 quirements:

15 (1) FAIR AND INCLUSIVE LENDING REQUIRE-  
16 MENTS.—The mortgagee for the mortgage loan has  
17 made such certifications to, and entered into such  
18 binding agreements with, the Secretary as the Sec-  
19 retary considers necessary to ensure that during the  
20 5-year period beginning upon initial receipt by such  
21 mortgagee of payment under this section for such  
22 mortgage loan, such mortgagee shall be subject to  
23 the following requirements:

24 (A) REPORTING ON LENDING.—The mort-  
25 gagee shall report annually to the Secretary

1 such detailed information regarding residential  
2 mortgage loans made by such mortgagee as the  
3 Secretary shall require, including the race, eth-  
4 nicity, age, and credit score of mortgagors, the  
5 zip codes of properties for which mortgages  
6 were made, and the interest rates and other  
7 loan pricing features of such mortgage loans.

8 (B) REPORTING ON LENDER.—The mort-  
9 gagee shall report annually to the Secretary  
10 such detailed information regarding the mort-  
11 gagee as the Secretary shall require, including  
12 the location of the offices of the mortgagee, and  
13 practices and systems for outreach to and refer-  
14 ral of borrowers.

15 (2) REQUIRED DISCLOSURES.—

16 (A) IN GENERAL.—The mortgagee for the  
17 mortgage loan shall disclose, for any person  
18 that has an ownership interest in the mort-  
19 gagee, including any members, shareholders,  
20 general partners, or limited partners, if applica-  
21 ble, the following information:

22 (i) Name.

23 (ii) Address of place of residence.

24 (iii) Date of birth.

1 (iv) Social Security Number or Em-  
2 ployer Identification Number.

3 (v) Size of their interest in the mort-  
4 gagee.

5 (vi) Type of entity.

6 (vii) State of incorporation.

7 (viii) Registered agent.

8 (ix) Address of any covered rental  
9 dwelling units owned by such person.

10 (x) Occupancy or vacancy status of all  
11 covered rental dwelling units owned by  
12 such person.

13 (xi) Current rents charged for all cov-  
14 ered rental dwelling units owned by such  
15 person.

16 (xii) Total assets and liabilities.

17 (B) NON-NATURAL PERSONS.—For any  
18 person identified in the disclosure required by  
19 this paragraph that is not a natural person, the  
20 mortgagee shall provide the information re-  
21 quired by subparagraph (A) for that entity and  
22 for any persons with ownership interests in that  
23 entity and shall provide that information  
24 iteratively for each layer of ownership until all

1 ownership interests are traced back to natural  
2 persons or publicly traded corporations.

3 (C) EXEMPTION.—Nothing in this para-  
4 graph shall require the disclosure of the identity  
5 of, or personally-identifying information regard-  
6 ing, shareholders of publicly traded corpora-  
7 tions.

8 (3) PROHIBITION ON DUPLICATION OF ASSIST-  
9 ANCE.—Assistance may not be provided under this  
10 section with respect to any dwelling unit subject to  
11 a covered residential mortgage loan for which assist-  
12 ance is provided pursuant to section 5.

13 (d) AMOUNT.—

14 (1) IN GENERAL.—Subject to paragraph (2),  
15 the amount of a payment under this section with re-  
16 spect to a covered residential mortgage may not ex-  
17 ceed the aggregate amount of mortgage payments  
18 under the mortgage suspended pursuant to section  
19 2(b) or forgiven pursuant to section 3(b).

20 (2) REIMBURSEMENT FOR MORTGAGE PAY-  
21 MENTS MADE BY MORTGAGORS.—In making pay-  
22 ments under this section with respect to any covered  
23 residential mortgage loan for which the mortgagor  
24 made a mortgage payment during the COVID-19  
25 suspension period, the Secretary shall—

1 (A) reduce the amount of the payment to  
2 the mortgagee under paragraph (1) by the  
3 amount of any such mortgage payments paid;  
4 and

5 (B) make a payment to the mortgagor in  
6 the amount of any such mortgages payments  
7 paid.

8 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
9 authorized to be appropriated for the Lender Relief Fund  
10 established pursuant to this section such sums as may be  
11 necessary to reimburse all lessors for all rent payments  
12 suspended pursuant to section 2(b) or forgiven pursuant  
13 to section 3(b).

14 **SEC. 7. AFFORDABLE HOUSING ACQUISITION FUND.**

15 (a) ESTABLISHMENT.—The Secretary of Housing  
16 and Urban Development shall establish and manage an  
17 Affordable Housing Acquisition Fund (in this section re-  
18 ferred to as the “Fund”), to fund the acquisition of multi-  
19 family housing projects by eligible purchasers to—

20 (1) ensure that tenants have access to safe and  
21 habitable housing conditions regardless of their land-  
22 lords’ ability to pay for repairs and maintenance  
23 during and after the COVID-19 pandemic;

24 (2) prevent financial hardship for rental prop-  
25 erty owners; and

1           (3) prevent a mass exit in the rental housing  
2 market that results in massive corporate purchases  
3 similar to the 2008 economic crisis.

4           (b) FIRST RIGHT OF PURCHASE.—

5           (1) NOTICE TO SECRETARY.—During the 5-  
6 year period beginning upon the date of the enact-  
7 ment of this Act, the owner of a multifamily housing  
8 property may not sell or transfer ownership of such  
9 property unless—

10           (A) the owner has notified the Secretary,  
11 in accordance with such requirements as the  
12 Secretary shall establish, of the owner’s intent  
13 to sell or transfer the property;

14           (B) a period of 60 days, beginning upon  
15 provision of such notice to the Secretary, has  
16 elapsed; and

17           (C) if during such 60-day period any eligi-  
18 ble purchaser under paragraph (3) applies to  
19 the Secretary for purchase assistance under  
20 subsection (c) with respect to such property, the  
21 Secretary has approved or denied such applica-  
22 tion and, if approved, the eligible purchaser has  
23 made a bona fide offer to the owner to purchase  
24 such project in the amount determined under  
25 subsection (c)(3)(A).

1           (2) NOTICE TO ELIGIBLE PURCHASERS.—Upon  
2 provision to the Secretary of notice under paragraph  
3 (1)(A) regarding a multifamily housing project, the  
4 Secretary shall take such actions as may be nec-  
5 essary to provide notice to eligible purchasers of the  
6 owner’s intent to sell or transfer the property.

7           (3) ELIGIBLE PURCHASERS.—For purposes of  
8 this section, an eligible purchaser under this para-  
9 graph shall be a nonprofit organization, a public  
10 housing agency, a cooperative housing association, a  
11 community land trust, or a State or unit of local  
12 government or an agency thereof, as such terms are  
13 defined by the Secretary.

14       (c) PURCHASE ASSISTANCE.—

15           (1) APPLICATION.—The Secretary shall provide  
16 for eligible purchasers to apply for assistance from  
17 the Fund to cover the cost of acquisition of a multi-  
18 family housing project for which notice has been  
19 submitted pursuant to subsection (1)(A).

20           (2) CRITERIA.—The Secretary shall establish  
21 such criteria and preferences as the Secretary con-  
22 siders appropriate to select an eligible purchaser for  
23 assistance under this section in cases in which more  
24 than one approvable application for such assistance

1 is submitted with respect to a single multifamily  
2 housing project.

3 (3) AMOUNT.—Pursuant to an application sub-  
4 mitted under paragraph (1) with respect to a multi-  
5 family housing project, the Secretary may provide  
6 assistance from the Fund on behalf of eligible pur-  
7 chaser submitting such application, in an amount  
8 equal to the purchase price for the project agreed to  
9 under subparagraph (A) of this paragraph, but only  
10 if the Secretary determines that—

11 (A) such eligible purchaser and the owner  
12 of such multifamily housing project have volun-  
13 tarily agreed to a sale of such project to the eli-  
14 gible purchaser for an amount not exceeding  
15 the fair market value of the project as of the  
16 time of provision of assistance from the Fund  
17 for purchase of the project, as determined by  
18 the Secretary; and

19 (B) the eligible purchaser has made the  
20 certifications and entered into the agreements  
21 required under subsection (d) with respect to  
22 the project.

23 (d) AFFORDABLE HOUSING RESTRICTIONS.—The  
24 certifications and agreements required under this sub-  
25 section with respect to a multifamily housing project are

1 such certifications to, and binding agreements with, the  
2 Secretary as the Secretary considers necessary to ensure  
3 that during the useful life of the project the project will  
4 comply with the following requirements:

5 (1) AFFORDABLE HOUSING.—The project shall  
6 comply with the requirements under section 215(a)  
7 of the Cranston-Gonzalez National Affordable Hous-  
8 ing Act (42 U.S.C. 12745(a)) necessary to qualify  
9 under such section as affordable housing.

10 (2) JUST-CAUSE EVICTIONS.—A tenant of the  
11 project may be evicted only for just cause and only  
12 pursuant to advance written notice to the tenant of  
13 such just cause.

14 (3) SOURCE OF INCOME DISCRIMINATION.—A  
15 prospective tenant household of the project may not  
16 be refused rental of a dwelling unit in the project,  
17 and a prospective tenant household or tenant house-  
18 hold may not be discriminated against in the renting  
19 of a dwelling unit in the project, based on the source  
20 of income of such household, including income under  
21 the program under section 8(o) of the United States  
22 Housing Act of 1937 (42 U.S.C. 1437f(o)) or any  
23 similar tenant-based rental assistance program.

24 (4) ADMISSIONS RESTRICTIONS.—Tenancy of  
25 dwelling units in the project may not be restricted

1 on the basis of sexual identity or orientation, gender  
2 identity or expression, conviction or arrest record,  
3 credit history, or immigration status.

4 (5) SUPPORTIVE SERVICES.—Residents of the  
5 project shall be provided with free, voluntary sup-  
6 portive services that help address the needs of those  
7 experiencing chronic homelessness or housing insta-  
8 bility, including access to healthcare, employment or  
9 education assistance, childcare, financial literacy  
10 education, and other community-based support serv-  
11 ices, as the Secretary shall require.

12 (6) DEMOCRATIC CONTROL.—Tenants of the  
13 project shall have control of living and operating  
14 conditions in the project through a democratically  
15 elected resident board or council.

16 (e) RECAPTURE.—If an eligible purchaser violates  
17 any requirement with respect to a multifamily housing  
18 project purchased with assistance provided from the Fund  
19 under any certification or agreement entered into pursu-  
20 ant to subsection (d), the Secretary shall recapture from  
21 the eligible purchase an amount equal to the amount of  
22 such assistance provided and shall cover such amount re-  
23 captured into the Fund.

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
25 authorized to be appropriated for the Affordable Housing

1 Acquisition Fund established pursuant to this section such  
2 sums as may be necessary—

3 (1) for assistance under this section to fund ac-  
4 quisition of multifamily housing projects by eligible  
5 purchasers; and

6 (2) for each fiscal year, for assistance for the  
7 operation and maintenance of eligible properties pur-  
8 chased with assistance provided from the Fund.

9 **SEC. 8. DEFINITIONS.**

10 For purposes of this Act, the following definitions  
11 shall apply:

12 (1) COVERED RENTAL DWELLING UNIT.—The  
13 term “covered rental dwelling unit” means a dwell-  
14 ing that is occupied by a tenant—

15 (A) as a primary residence; and

16 (B)(i) pursuant to a residential lease; or

17 (ii) without a lease or with a lease ter-  
18 minable at will under State law.

19 Such term includes such a dwelling unit in multi-  
20 family housing, single-family housing, a condo-  
21 minium unit, a unit in cooperative housing, a dwell-  
22 ing unit that is occupied pursuant to a sublease, a  
23 single-room occupancy unit, and a manufactured  
24 housing dwelling unit and the lot on which it is lo-  
25 cated.

1           (2) COVERED RESIDENTIAL MORTGAGE  
2           LOAN.—The term “covered residential mortgage  
3           loan” means any consumer credit transaction that is  
4           secured by a mortgage, deed of trust, or other equiv-  
5           alent consensual security interest on residence con-  
6           sisting of a single dwelling unit that is occupied by  
7           the mortgagor as a primary residence.

8           (3) COVID-19 SUSPENSION PERIOD.—The term  
9           “COVID-19 suspension period” means the period  
10          beginning on March 1, 2020, and ending on April 1,  
11          2022.

12          (4) MULTIFAMILY HOUSING PROJECT.—The  
13          term “multifamily housing project” means a residen-  
14          tial structure consisting of 5 or more dwelling units.

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

17 **SEC. 9. REGULATIONS.**

18          The Secretary may issue any regulations necessary  
19          to carry out this Act.

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