

114TH CONGRESS  
2D SESSION

# H. R. 5769

To require each owner of a dwelling unit assisted under the section 8 rental assistance voucher program to remain current with respect to local property and school taxes and to authorize a public housing agency to use such rental assistance amounts to pay such tax debt of such an owner, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2016

Mr. MEEHAN (for himself, Mr. TIBERI, Mr. COSTELLO of Pennsylvania, and Mr. BARLETTA) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To require each owner of a dwelling unit assisted under the section 8 rental assistance voucher program to remain current with respect to local property and school taxes and to authorize a public housing agency to use such rental assistance amounts to pay such tax debt of such an owner, 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 “Protect Our Schools  
5 from Tax Delinquents Act of 2016”.

1 **SEC. 2. OBLIGATION FOR OWNERS OF ASSISTED UNITS TO**  
2 **REMAIN CURRENT ON LOCAL PROPERTY AND**  
3 **SCHOOL TAXES.**

4 (a) IN GENERAL.—Subsection (o) of section 8 of the  
5 United States Housing Act of 1937 (42 U.S.C. 1437f(o))  
6 is amended by adding at the end the following new para-  
7 graph:

8 “(20) OBLIGATION FOR OWNERS TO REMAIN CUR-  
9 RENT ON LOCAL PROPERTY AND SCHOOL TAXES.—

10 “(1) OBLIGATION.—Each housing assistance  
11 payments contract entered into by a public housing  
12 agency and the owner of a dwelling unit shall pro-  
13 vide that the owner of the dwelling unit assisted  
14 under the contract shall pay, on a timely basis, all  
15 covered taxes validly assessed against the property  
16 in which such dwelling unit is located.

17 “(2) AUTHORITY TO PROVIDE FOR USE OF AS-  
18 SISTANCE AMOUNTS TO PAY DELINQUENT TAXES.—  
19 A housing assistance payments contract entered into  
20 by a public housing agency and the owner of a dwell-  
21 ing unit may provide that, upon notification by a  
22 taxing authority that the owner of a dwelling unit  
23 assisted under this subsection is delinquent with re-  
24 spect to payment of any covered taxes assessed by  
25 such taxing authority against the property in which

1 such dwelling unit is located and identification of the  
2 amount of such delinquency—

3 “(A) the public housing agency shall abate  
4 all of the assistance amounts under this sub-  
5 section with respect to such property until the  
6 transfer of amounts pursuant to subparagraph  
7 (B) is completed; and

8 “(B) the agency shall transfer to such tax-  
9 ing authority, on a monthly basis, an amount  
10 equal to the monthly assistance amounts under  
11 this subsection with respect to such dwelling  
12 unit (or such lesser amount as may be agreed  
13 to by the agency and such authority) until the  
14 delinquency identified in such notification is  
15 eliminated (or for such shorter period, as may  
16 be agreed to by the agency and such authority).

17 “(3) REQUIREMENTS AND PROCEDURES.—The  
18 Secretary shall establish such requirements as may  
19 be necessary to provide for the housing assistance  
20 payments contract provisions under paragraphs (1)  
21 and (2), including, in the case of provisions author-  
22 ized by paragraph (2), such requirements regarding  
23 notifications and transfer of amounts pursuant to  
24 paragraph (2)(B) as may be necessary to ensure  
25 that amounts are not so transferred except for ac-

1 tual and confirmed taxes assessed to and owed by an  
2 owner of a dwelling unit, to ensure that no amounts  
3 are transferred in excess of the amount of such  
4 taxes owed, and to ensure the timely commencement  
5 and termination of such transfers.

6 “(4) TREATMENT OF TENANTS.—Nothing in  
7 this section may be construed to authorize, or estab-  
8 lish any cause or grounds for, the termination of the  
9 tenancy of any tenant from any dwelling unit as-  
10 sisted under this subsection.

11 “(5) DATABASE.—

12 “(A) IN GENERAL.—The Secretary shall  
13 maintain a database of information regarding—

14 “(i) owners of dwelling units assisted  
15 under this subsection whose housing assist-  
16 ance payments contracts have been termi-  
17 nated for failure to comply with the provi-  
18 sion required under paragraph (1); and

19 “(ii) owners of such dwelling units  
20 with respect to whom assistance amounts  
21 have been abated and transferred to a tax-  
22 ing authority pursuant to paragraph (2).

23 “(B) CONTENTS.—Such database shall in-  
24 clude information that identifies the owner, the  
25 property for which such assistance was pro-

1           vided, the amount transferred, and the period  
2           over which such abatement and transfer oc-  
3           curred.

4           “(C) INFORMATION FROM PUBLIC HOUS-  
5           ING AGENCIES.—The Secretary shall require  
6           public housing agencies to submit information  
7           regarding the abatement and transfer of assist-  
8           ance amounts pursuant to paragraph (2) suffi-  
9           cient for the Secretary to maintain such data-  
10          base.

11          “(6) DEFINITIONS.—For purposes of this para-  
12          graph, the following definitions shall apply:

13                 “(A) COVERED TAXES.—The term ‘covered  
14                 taxes’ means any tax under the law of a State  
15                 or any political subdivision of a State that is as-  
16                 sessed upon real property or the revenue of  
17                 which is dedicated for use only for schools or  
18                 for costs of education.

19                 “(B) TAXING AUTHORITY.—The term ‘tax-  
20                 ing authority’ means any State or political sub-  
21                 division of a State, including any agency or au-  
22                 thority thereof, having authority to assess and  
23                 collect covered taxes.”.

24          (b) REGULATIONS.—The Secretary of Housing and  
25          Urban Development shall issue any regulations necessary

1 to carry section 8(o)(20) of the United States Housing  
2 Act of 1937, as added by the amendment made by sub-  
3 section (a).

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