

**AMENDMENT TO H.R. 1851, AS REPORTED
OFFERED BY MS. WATERS OF CALIFORNIA**

Page 4, line 16, strike “biennial inspections” and insert “inspections not less often than biennially”.

Page 6, strike lines 5 and 6 and insert the following:

1 (3) by redesignating subparagraph (E) as sub-
2 paragraph (G);

3 (4) by inserting after subparagraph (D) the fol-
4 lowing new subparagraphs:

5 “(E) INTERIM INSPECTIONS.—Upon notifi-
6 cation to the public housing agency, by a family
7 on whose behalf tenant-based rental assistance
8 is provided under this subsection or by a gov-
9 ernment official, that the dwelling unit for
10 which such assistance is provided does not com-
11 ply with the housing quality standards under
12 subparagraph (B), the agency shall inspect the
13 dwelling unit—

14 “(i) in the case of any condition that
15 is life-threatening, within 24 hours after
16 receipt of such notice; and

1 “(ii) in the case of any condition that
2 is not life-threatening, within 15 days after
3 receipt of such notice.”.

Page 7, strike lines 1 through 3 and insert the following:

4 “(III) the failure to comply is not
5 corrected—

6 “(aa) in the case of any
7 such failure that is a result of
8 life-threatening conditions, within
9 24 hours after receipt of such notice; and
10

11 “(bb) in the case of any
12 such failure that is a result of
13 non-life threatening conditions,
14 within 30 days after receipt of
15 such notice or such other reasonable
16 period as the public housing
17 agency may establish.”.

Page 7, line 4, strike “AND RELEASE”.

Page 7, strike “Subject” in line 10 and all that follows through line 14, and insert the following: “Upon completion of repairs by the public housing agency or the owner sufficient so that the dwelling unit complies with

such housing quality standards, the agency shall recommence payments under the housing assistance payments contract to the owner of the dwelling unit.”.

Page 7, strike “(or to” in line 19 and all that follows through line 24, and insert the following: “, except that a contract to make repairs may not be entered into with the inspector for the dwelling unit referred to in clause (i)(I).”..

Page 8, line 6, after the period insert the following: “During the period that assistance is withheld pursuant to this subparagraph, the tenant may terminate the tenancy by notifying the owner.”.

Page 8, strike “before” in line 12 and all that follows through line 16, and insert the following: “within 60 days after the effective date of the determination of non-compliance under clause (i), or such other reasonable period as the public housing agency may establish, and the agency does not use its authority under clause (iii), the agency shall terminate the housing assistance payments contract for the dwelling unit. The agency shall provide the family residing in such a dwelling unit a period of 90 days, beginning upon termination of the contract, to lease a new residence to assist with the tenant-based rental assistance made available under this section for the family.

If the family is unable to lease such a new residence during such period, the public housing agency shall extend the period during which the family may lease a new residence to be assisted with such assistance or provide such family a preference for occupancy in a dwelling unit of public housing owned or operated by the agency that first becomes available for occupancy after the expiration of such period. The agency shall provide reasonable assistance to the family in finding a new residence, including use of two months of any assistance amounts withheld pursuant to clause (ii) for costs associated with relocation of the family to a new residence.”.

Page 8, after line 16, insert the following:

1 “(vi) LIMITATION OF LIABILITY OF
2 PUBLIC HOUSING AGENCIES.—A public
3 housing agency that uses its authority
4 under clause (iii) shall not, if the agency
5 accomplishes the work through a con-
6 tractor that is licensed, bonded, and in-
7 sured in amounts and with coverage as re-
8 quired by the Secretary, be liable for any
9 injury or damages that may result to per-
10 sons or to any property owned by the ten-
11 ant or owner.

1 “(vii) TENANT-CAUSED DAMAGES.—If
2 a public housing agency determines that
3 any damage to a dwelling unit that results
4 in a failure of the dwelling unit to comply
5 with housing quality standards under sub-
6 paragraph (B), other than any damage re-
7 sulting from ordinary use, was caused by
8 the tenant, any member of the tenant’s
9 household, or any guest or other person
10 under the tenant’s control, the agency
11 may, in the discretion of the agency, waive
12 the applicability of this subparagraph, ex-
13 cept that this clause shall not exonerate a
14 tenant from any liability otherwise existing
15 under applicable law for damages to the
16 premises caused by such tenant.”.

Page 8, line 17, strike “(vi)” and insert “(viii)”.

Page 9, line 13, strike “and”.

Page 9, after line 13, insert the following:

17 (B) in paragraph (1)—
18 (i) by striking “paragraph (2)” and
19 inserting “paragraphs (2) and (3)”; and
20 (ii) by striking “paragraph (3)” and
21 inserting “paragraph (4)”;

1 (C) in paragraph (2)(A)(i), by striking
2 “paragraph (3)” and inserting “paragraph
3 (4)”;

4 (D) by redesignating paragraphs (4) and
5 (5) as paragraphs (5) and (6), respectively;

6 (E) by inserting after paragraph (2) the
7 following new paragraph:

8 “(3) PHA AUTHORITY TO ESTABLISH ALTER-
9 NATIVE RENTS.—

10 “(A) RENT FLEXIBILITY FOR PUBLIC
11 HOUSING AND VOUCHER PROGRAM.—Subject to
12 the requirements under subparagraph (B), a
13 public housing agency may establish for public
14 housing and for families on whose behalf assist-
15 ance is provided under the program for tenant-
16 based voucher assistance under section 8(o)—

17 “(i) a tenant rent structure in
18 which—

19 “(I) the public housing agency
20 establishes, based on the rental value
21 of the unit, as determined by the pub-
22 lic housing agency—

23 “(aa) a ceiling rent for each
24 dwelling unit that it owns and
25 operates; and

1 “(bb) a ceiling on the
2 amount of the tenant contribu-
3 tion toward rent required of a
4 family provided tenant-based as-
5 sistance; and

6 “(II) such ceiling rent and tenant
7 contribution are adjusted periodically
8 on the basis of an inflation index or a
9 recalculation of the rental value of the
10 unit (which may be recalculated by
11 unit or by building);

12 “(ii) an income-tiered tenant rent
13 structure in which the amount of rent a
14 family shall pay is set and distributed on
15 the basis of broad tiers of income and such
16 tiers and rents are adjusted on the basis of
17 an annual cost index except that families
18 entering public housing shall not be offered
19 a rent lower than the rent corresponding to
20 their income tier; or

21 “(iii) a tenant rent structure in which
22 the amount of rent a family shall pay is
23 based on a percentage of family income,
24 except that lower percentages may apply
25 only with respect to earned income; such a

1 rent structure may provide for an amount
2 of rent based on a calculation of earned in-
3 come that provides for disregard of a high-
4 er percentage or higher dollar amount, or
5 both, than provided for in paragraph
6 (8)(B).

7 “(B) LIMITATION.—Notwithstanding the
8 authority provided under subparagraph (A), the
9 amount paid for rent (including the amount al-
10 lowed for tenant-paid utilities) by any family
11 for a dwelling unit in public housing or for
12 rental of a dwelling unit for which tenant-based
13 voucher assistance under section 8(o) is pro-
14 vided may not exceed the amount determined
15 under subsection (a)(1) of this section or sec-
16 tion 8(o), respectively. The Secretary shall issue
17 regulations and establish procedures to ensure
18 compliance with this subparagraph.

19 “(C) ELDERLY FAMILIES AND DISABLED
20 FAMILIES.—Notwithstanding any other provi-
21 sion of this Act, this paragraph shall not apply
22 to elderly families and disabled families.”; and

Page 9, line 14, strike “(B)” and insert “(F)”.

Page 9, line 16, strike “(6)” and insert “(7)”.

Page 12, line 19, strike "(7)" and insert "(8)".

Page 13, line 3, strike "(6)(A)" and insert "(7)(A)".

Page 13, line 18, strike "(6)(B)(ii)" and insert
"(7)(B)(ii)".

Page 15, line 6, strike "(6)" and insert "(7)".

Page 19, line 13, strike "(6) and (7)" and insert
"(7) and (8)".

Page 30, after line 11, insert the following:

1 “(xi) relocation and replacement of
2 public housing units that are demolished or
3 disposed of pursuant to eminent domain,
4 pursuant to a homeownership program, or
5 in connection with a mixed finance devel-
6 opment method under section 35 or other-
7 wise;”

Page 30, line 12, strike "(xi)" and insert "(xii)".

Page 30, line 15, strike "(xii)" and insert "(xiii)".

Page 30, line 24, strike "or (x)" and insert "(x), or
(xi)".

Page 31, line 16, before the semicolon insert "and
of any incremental vouchers funded in previous years".

Page 36, line 14, strike “one twelfth” and insert “12.5 percent of”.

Page 39, lines 6 and 7, strike “until superseded through subsequent rulemaking,”.

Page 57, after line 18, insert the following:

1 “(N) ADMINISTRATIVE FEE.—The admin-
2 istrative fee applicable to the administration of
3 assistance under this paragraph shall be deter-
4 mined in the same manner as administrative
5 fees applicable to other assistance administered
6 under other provisions of this subsection.”.

Page 57, line 19, strike “(N)” and insert “(O)”.

Page 68, line 6, after “any agency” insert “that is a troubled agency under either such assessment program or”

Page 92, strike “Not” in line 5 and all that follows through “the” in line 9 and insert “The”.

Strike line 24 on page 97 and all that follows through line 4 on page 98, and insert the following:

7 “(B) section 8(o), except for paragraph
8 (11) and except as the requirements of section

1 8(o) are modified by subsection (e)(3) of this
2 section.”.

Page 100, line 2, before the semicolon insert the following: “, except that no household may be prevented from occupying a replacement dwelling unit provided pursuant to clause (iii) except to the extent specifically provided by any other provision of Federal law (including subtitle F of title V of the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 13661 et seq.; relating to safety and security in public and assisted housing, subtitle D of title VI of the Housing and Community Development Act of 1992 (42 U.S.C. 13611 et seq.; relating to preferences for elderly and disabled residents), and section 16(f) of this Act (42 U.S.C. 1437n(f)); relating to ineligibility of persons convicted of methamphetamine offenses)”.

Page 101, line 22, strike “, dispose of, or eliminate” and insert “or dispose of”.

Page 102, strike lines 12 through 14 and insert the following:

3 “(b) The votes and agreements regarding
4 the plan shall involve—
5 “(i) in the case of any public housing
6 agency that administers 250 or fewer pub-

1 lic housing dwelling units, not less than 10
2 percent of affected residents; and
3 “(ii) in the case of any public housing
4 agency that administers more than 250
5 public housing dwelling units, not less than
6 25 affected residents”.

Page 103, strike lines 4 through 6 and insert the following: “make available at least 30 percent of the total hours worked at all such employment, and shall also make available at least 25 percent of unskilled jobs in demolition activities and 25 percent of unskilled jobs in construction activities related to the redevelopment”.

Page 107, after line 2, insert the following new section:

7 **SEC. 18. ACCESS TO HUD PROGRAMS FOR PERSONS WITH**
8 **LIMITED ENGLISH PROFICIENCY.**

9 (a) **HUD RESPONSIBILITIES.**—To allow the Depart-
10 ment of Housing and Urban Development to better serve
11 persons with limited proficiency in the English language
12 by providing technical assistance to recipients of Federal
13 funds, the Secretary of Housing and Urban Development
14 shall take the following actions:

15 (1) **TASK FORCE.**—Within 90 days after the en-
16 actment of this Act, convene a task force comprised

1 of appropriate industry groups, recipients of funds
2 from the Department of Housing and Urban Devel-
3 opment (in this section referred to as the "Depart-
4 ment"), community-based organizations that serve
5 individuals with limited English proficiency, civil
6 rights groups, and stakeholders, which shall identify
7 a list of vital documents, including Department and
8 certain property and other documents, to be com-
9 petently translated to improve access to federally
10 conducted and federally assisted programs and ac-
11 tivities for individuals with limited English pro-
12 ficiency. The task force shall meet not less fre-
13 quently than twice per year.

14 (2) TRANSLATIONS.—Within 6 months after
15 identification of documents pursuant to paragraph
16 (1), produce translations of the documents identified
17 in all necessary languages and make such trans-
18 lations available as part of the library of forms avail-
19 able on the website of the Department and as part
20 of the clearinghouse developed pursuant to para-
21 graph (4).

22 (3) PLAN.—Develop and carry out a plan that
23 includes providing resources of the Department to
24 assist recipients of Federal funds to improve access
25 to programs and activities for individuals with lim-

1 ited English proficiency, which plan shall include the
2 elements described in paragraph (4).

3 (4) HOUSING INFORMATION RESOURCE CEN-
4 TER.—Develop and maintain a housing information
5 resource center to facilitate the provision of lan-
6 guage services by providers of housing services to in-
7 dividuals with limited English proficiency. Informa-
8 tion provided by such center shall be made available
9 in printed form and through the Internet. The re-
10 sources provided by the center shall include the fol-
11 lowing:

12 (A) TRANSLATION OF WRITTEN MATE-
13 RIALS.—The center may provide, directly or
14 through contract, vital documents from com-
15 petent translation services for providers of
16 housing services.

17 (B) TOLL-FREE CUSTOMER SERVICE TELE-
18 PHONE NUMBER.—The center shall provide a
19 24-hour toll-free interpretation service tele-
20 phone line, by which recipients of funds of the
21 Department and individuals with limited
22 English proficiency may—

23 (i) obtain information about federally
24 conducted or federally assisted housing
25 programs of the Department;

1 (ii) obtain assistance with applying for
2 or accessing such housing programs and
3 understanding Federal notices written in
4 English; and

5 (iii) communicate with housing pro-
6 viders. and learn how to access additional
7 language services.

8 The toll-free telephone service provided pursu-
9 ant to this subparagraph shall supplement re-
10 sources in the community identified by the plan
11 developed pursuant to paragraph (3).

12 (C) DOCUMENT CLEARINGHOUSE.—The
13 center shall collect and evaluate for accuracy or
14 develop, and make available, templates and doc-
15 uments that are necessary for consumers, rel-
16 evant industry representatives, and other stake-
17 holders of the Department, to access, make
18 educated decisions, and communicate effectively
19 about their housing, including—

- 20 (i) administrative and property docu-
21 ments;
22 (ii) legally binding documents;
23 (iii) consumer education and outreach
24 materials;

1 (iv) documents regarding rights and
2 responsibilities of any party; and

3 (v) remedies available to consumers.

4 (D) STUDY OF LANGUAGE ASSISTANCE
5 PROGRAMS.—The center shall conduct a study
6 that evaluates best-practices models for all pro-
7 grams of the Department that promote lan-
8 guage assistance and strategies to improve lan-
9 guage services for individuals with limited
10 English proficiency. Not later than 18 months
11 after the date of the enactment of this Act, the
12 center shall submit a report to the Committee
13 on Financial Services of the House of Rep-
14 resentatives and the Committee on Banking,
15 Housing, and Urban Affairs of the Senate,
16 which shall provide recommendations for imple-
17 mentation, specific to programs of the Depart-
18 ment, and information and templates that could
19 be made available to all recipients of grants
20 from the Department.

21 (E) CULTURAL AND LINGUISTIC COM-
22 PETENCE MATERIALS.—The center shall pro-
23 vide information relating to culturally and lin-
24 guistically competent housing services for popu-
25 lations with limited English proficiency.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as may be
3 necessary to carry out subsection (a).

4 (c) REPORT.—Not later than the expiration of the 6-
5 month period beginning on the date of the enactment of
6 this Act, and annually thereafter, the Secretary of Hous-
7 ing and Urban Development shall submit a report regard-
8 ing its compliance with the requirements under subsection
9 (a) to the Committee on Financial Services of the House
10 of Representatives and the Committee on Banking, Hous-
11 ing, and Urban Affairs of the Senate.