

117TH CONGRESS
2D SESSION

H. R. 8327

To authorize the Secretary of Housing and Urban Development to carry out a rent stabilization program to provide short-term financial assistance to extremely low-income families at risk of eviction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2022

Mr. TORRES of New York (for himself and Mr. GOMEZ) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To authorize the Secretary of Housing and Urban Development to carry out a rent stabilization program to provide short-term financial assistance to extremely low-income families at risk of eviction, 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 “Stable Families Act
5 of 2022”.

6 **SEC. 2. EMERGENCY ASSISTANCE PROGRAM.**

7 (a) IN GENERAL.—The Secretary is authorized to
8 make funds available to State, local, territorial, and Tribal

1 governments (in this section referred to as “eligible grant-
2 ees”) for the purpose of providing financial assistance and
3 housing stabilization services to extremely low-income
4 households to prevent evictions, homelessness, and other
5 housing instability.

6 (b) DISTRIBUTION OF FUNDS.—An eligible grantee
7 receiving assistance under this section may distribute all
8 or a portion of such assistance to private nonprofit organi-
9 zations, other government entities, public housing agen-
10 cies, Tribally designated housing entities, or other entities
11 as determined by the Secretary to carry out programs in
12 accordance with this section.

13 (c) DESIGNATION.—An eligible grantee that receives
14 a grant under this section may designate 1 or more enti-
15 ties to carry out programs in accordance with this section.

16 (d) HOUSEHOLD ELIGIBILITY.—

17 (1) IN GENERAL.—A household that is eligible
18 to receive assistance under a program established
19 under this section (in this section referred to as an
20 “eligible household”) shall be—

21 (A) extremely low-income, as defined in
22 section 3(b) of the United States Housing Act
23 of 1937 (42 U.S.C. 1437a(b));

1 (B) at risk of housing instability and expe-
2 riencing a short-term crisis, as attested to in
3 writing by the household, which may include—

4 (i) a decline in household income;

5 (ii) a family or health crisis;

6 (iii) unexpected expenses;

7 (iv) unsafe or unhealthy living condi-
8 tions; or

9 (v) any other event as determined by
10 the Secretary; and

11 (C) obligated to pay rent on a residential
12 dwelling or experiencing homelessness, as de-
13 fined in section 103 of the McKinney-Vento
14 Homeless Assistance Act (42 U.S.C. 11302).

15 (2) HOUSING TYPE.—Assistance under a pro-
16 gram established under this section shall be provided
17 to eligible households regardless of housing type, or
18 lack thereof, including—

19 (A) rental properties, hotels, or motels
20 where the households are covered by State,
21 Tribal, or local eviction laws;

22 (B) manufactured housing;

23 (C) mobile homes;

24 (D) single rooms; and

1 (E) other types of subsidized and unsub-
2 subsidized housing.

3 (3) LEASE REQUIREMENTS.—Assistance under
4 a program established under this section shall be
5 provided to eligible households with written or oral
6 leases, subleases, or informal tenancy arrangements,
7 allowing households to self-certify lease agreements.

8 (e) LIMITATION.—

9 (1) IN GENERAL.—Assistance under a program
10 established under this section shall be provided to an
11 eligible household for arrears and a period not to ex-
12 ceed 4 months during any period of 3 years, except
13 that grantees may provide assistance for an addi-
14 tional 3 months only if necessary to ensure housing
15 stability for the eligible household, subject to the
16 availability of funds.

17 (2) EXCEPTION FOR PERIODS OF HIGH UNEM-
18 PLOYMENT, EMERGENCY, OR MAJOR DISASTER.—As-
19 sistance under a program established under this sec-
20 tion shall be provided to an eligible household for a
21 period not to exceed 12 months, except that grantees
22 may provide assistance for an additional 3 months
23 only if necessary to ensure housing stability for the
24 eligible household, subject to the availability of
25 funds—

1 (A) if for any month during the fiscal year
2 the average rate of unemployment (seasonally
3 adjusted) for the United States or for the State
4 in which the eligible grantee is located, for the
5 period consisting of the most recent 3 months
6 for which data for all States are published,
7 equals or exceeds 5.5 percent; or

8 (B) in any fiscal year in which a declara-
9 tion of a major disaster or emergency under
10 section 401 or 501 of the Robert T. Stafford
11 Disaster Relief and Emergency Assistance Act
12 (42 U.S.C. 5170, 5191) is in effect with respect
13 to the jurisdiction covered by an eligible grant-
14 ee.

15 (f) USE OF FUNDS.—

16 (1) IN GENERAL.—An eligible grantee shall—

17 (A) use grant amounts to help eligible
18 households overcome a short-term crisis impact-
19 ing housing stability and provide financial as-
20 sistance and housing stability-related services to
21 those eligible households; and

22 (B) evaluate the eligibility of households in
23 a manner consistent with Federal non-
24 discrimination requirements.

1 (2) FINANCIAL ASSISTANCE.—A recipient of a
2 grant under this section shall use the grant funds to
3 provide housing-related financial assistance to eligi-
4 ble households in the form of payments, including—

5 (A) direct payments to the eligible house-
6 holds; and

7 (B) the payment of—

8 (i) rent and rent arrears;

9 (ii) utilities and home energy costs
10 and utilities and home energy costs ar-
11 rears;

12 (iii) relocation costs; and

13 (iv) other housing-related expenses, as
14 defined by the Secretary.

15 (3) HOUSING STABILITY-RELATED SERVICES.—

16 Not more than 25 percent of amounts received by a
17 recipient of a grant under this section shall be used
18 to provide housing stability-related services to eligi-
19 ble households, including—

20 (A) services for case management, includ-
21 ing community resources to negotiate and re-
22 solve issues to keep eligible households housed;

23 (B) rehousing and relocation services;

1 (C) services provided by housing counseling
2 agencies approved by the Department to nego-
3 tiate and resolve financial issues;

4 (D) legal services;

5 (E) services to connect those eligible
6 households to other public supports, including
7 long-term housing assistance;

8 (F) referrals to other services for behav-
9 ioral, emotional, and mental health issues, do-
10 mestic violence, child welfare issues, employ-
11 ment, substance abuse treatment, or other serv-
12 ices; and

13 (G) other services to promote housing sta-
14 bility as determined by the Secretary.

15 (4) EVALUATION.—Of amounts made available
16 under subsection (n) for fiscal year 2022, not more
17 than \$10,000,000 shall be used by the Secretary to
18 conduct a rigorous program evaluation under sub-
19 section (k).

20 (5) ADMINISTRATIVE COSTS.—A recipient of a
21 grant under this section may not use more than 10
22 percent of the total amount received under this sec-
23 tion for administrative costs.

24 (g) ALLOCATION OF RESOURCES.—

1 (1) INITIAL ELIGIBILITY.—The Secretary, in
2 consultation with the Secretary of Health and
3 Human Services, the Secretary of the Treasury, and
4 the Secretary of Agriculture, shall develop a formula
5 for determining the initial funding eligibility for eli-
6 gible grantees based on—

7 (A) the number of extremely low-income
8 renter households with severe cost burdens, the
9 number of extremely low-income households ex-
10 periencing severe overcrowding, and the unem-
11 ployment rate in each jurisdiction;

12 (B) the prior performance of the grantee,
13 including whether the eligible grantee has any
14 unresolved, systemic housing-related civil rights
15 violations; and

16 (C) other factors as determined by the Sec-
17 retary.

18 (2) NOTIFICATION OF INITIAL ELIGIBILITY.—
19 The Secretary shall notify eligible grantees of their
20 initial eligibility for funding within 30 days of the
21 date of enactment of the appropriate Act making ap-
22 propriations for the Department for the fiscal year.

23 (3) STATEMENT OF GRANTEE INTEREST AND
24 COMMITMENT.—Within 90 days of receiving the no-

1 tification described in paragraph (2), each eligible
2 grantee shall—

3 (A) notify the Secretary of its intent to
4 participate in the program authorized by this
5 section during the fiscal year for which the Sec-
6 retary is making funds available; and

7 (B) if the eligible grantee notifies the Sec-
8 retary of its intent to participate in the pro-
9 gram, the eligible grantee shall concurrently
10 submit—

11 (i) a detailed plan describing how the
12 eligible grantee will—

13 (I) use the funds to prevent evic-
14 tions, homelessness, and other hous-
15 ing instability, consistent with the re-
16 quirements of this section, including
17 any plans to distribute the funds to
18 private nonprofit organizations, other
19 government entities, public housing
20 agencies, or other entities as deter-
21 mined by the Secretary;

22 (II) implement and administer a
23 program to distribute funds quickly
24 and efficiently to eligible households,

1 including through the use of appro-
2 priate technology;

3 (III) make the plan publicly ac-
4 cessible; and

5 (IV) raise awareness of the avail-
6 ability of assistance under the plan,
7 including among renters and rental
8 property owners; and

9 (ii) a statement that the eligible
10 grantee will participate in a rigorous eval-
11 uation of the effectiveness of the program,
12 if requested to do so by the Secretary.

13 (4) PLAN SUBMISSION AND PUBLIC AVAIL-
14 ABILITY.—An eligible grantee shall—

15 (A) make the plan submitted under para-
16 graph (3)(B)(i) publicly available on a website
17 of the eligible grantee, including in a format
18 that is accessible to individuals with disabilities;
19 and

20 (B) conduct public hearings and solicit
21 comment on the plan submitted under para-
22 graph (3)(B)(i) using the procedure described
23 in paragraph (5).

24 (5) PUBLIC HEARING AND SOLICITATION OF
25 COMMENTS.—

1 (A) IN GENERAL.—In conducting public
2 hearings and soliciting comments on a plan sub-
3 mitted under paragraph (3)(B)(i), each eligible
4 grantee shall follow the requirements of the cit-
5 izen participation plan adopted pursuant to sec-
6 tion 91.105 of title 24, Code of Federal Regula-
7 tions, or any successor regulation, except as
8 provided in this paragraph.

9 (B) INITIAL HEARING.—Before submitting
10 the plan to the Secretary required under para-
11 graph (3)(B)(i), an eligible grantee shall—

12 (i) hold a public hearing on the plan;

13 and

14 (ii) provide the public with a reason-
15 able opportunity to view and comment on
16 the plan, which shall be for a period of not
17 less than 10 days.

18 (C) SUBSEQUENT HEARINGS.—Not later
19 than 60 days after the initial hearing under
20 subparagraph (B), an eligible grantee shall con-
21 duct a public hearing to solicit feedback on
22 grants provided under this section.

23 (D) CONSULTATION.—In addition to any
24 other citizen participation and consultation re-
25 quirements, in developing and implementing a

1 plan to carry out this section, each eligible
2 grantee shall consult with—

3 (i) the applicable Continuum or Con-
4 tinuums of Care for the area served by the
5 eligible grantee;

6 (ii) organizations representing under-
7 served communities and populations; and

8 (iii) organizations with expertise in af-
9 fordable housing, fair housing, and services
10 for individuals with disabilities.

11 (6) ALLOCATION OF PRORATED FUNDS.—Not
12 later than 120 days after the enactment of appro-
13 priations Act making appropriations for the program
14 authorized under this section, the Secretary shall al-
15 locate to each eligible grantee that notified the Sec-
16 retary of its intent to participate in the program,
17 consistent with the requirements in paragraph (3),
18 the amount of funding for which the eligible grantee
19 is eligible under the formula described in paragraph
20 (1), plus any additional prorated amounts made
21 available as a result of State, local, and Tribal gov-
22 ernments having notified the Secretary of their in-
23 tent to decline to participate or has indicated its in-
24 tent not to participate under the terms of paragraph

1 (3), in accordance with the payment schedule de-
2 scribed in paragraph (8).

3 (7) DISTRIBUTION OF DECLINED FUNDS.—

4 (A) IN GENERAL.—If the Secretary deter-
5 mines as of 120 days after the enactment of ap-
6 propriations for the program authorized under
7 this section that an eligible grantee has declined
8 to receive its full allocation or has not indicated
9 its intent to participate, not later than 15 days
10 after such date, the Secretary—

11 (i) except as provided in clause (ii)
12 and subparagraph (B), shall redistribute,
13 on a pro rata basis, such allocation among
14 the other eligible grantees in the State (or
15 States, if the eligible grantee is a Tribal
16 government with jurisdiction in more than
17 1 State) that have not declined to receive
18 their allocations; or

19 (ii) if no other eligible grantees exist
20 in a relevant State, may contract with
21 units of local government within the State
22 to administer funds within the State.

23 (B) EXCEPTION.—If a redistribution under
24 subparagraph (A)(i) would result in eligible
25 grantees in a State receiving an increase of not

1 less than 20 percent in funds received under
2 the grant program, any amount above the 20
3 percent increase in funds shall be returned to
4 the Secretary and distributed across all eligible
5 grantees that did not decline their full alloca-
6 tion.

7 (h) CONTINUOUS IMPROVEMENT.—The Secretary
8 shall establish a process that incorporates findings from
9 rigorous evaluation of the grant program authorized under
10 this section into subsequent guidance and best practices
11 for eligible grantees.

12 (i) EVALUATION OF GRANTEES.—The Secretary
13 shall—

14 (1) using data provided by eligible grantees,
15 conduct a rigorous evaluation of the grant program
16 authorized under this section that includes an as-
17 sessment of—

18 (A) the ease with which eligible households
19 are able to access assistance;

20 (B) the effectiveness of the intervention
21 models of the program in preventing housing
22 instability in general and for eligible households
23 of different types and income levels;

24 (C) the cost-effectiveness of the program;
25 and

1 (D) other indicators as determined by the
2 Secretary;

3 (2) publicly disseminate, through internet
4 websites and other means, interim findings as soon
5 as they become available relating to programs estab-
6 lished by recipients of a grant under this section;
7 and

8 (3) make the evaluations described in para-
9 graph (1) publicly available.

10 (j) REPORTING REQUIREMENTS.—

11 (1) IN GENERAL.—The Secretary shall publish
12 public reports not less frequently than annually re-
13 garding the use of funds made available under this
14 section, which shall include, with respect to each eli-
15 gible grantee under this section—

16 (A) the number of eligible households that
17 receive assistance;

18 (B) the acceptance rate of applicants for
19 assistance;

20 (C) the type or types of assistance pro-
21 vided to each eligible household;

22 (D) the average amount of funding pro-
23 vided per eligible household receiving assistance;

24 (E) the average number of monthly rental
25 or utility payments that were covered by the

1 funding amount that an eligible household re-
2 ceived, as applicable;

3 (F) the rate of evictions in the jurisdiction;
4 and

5 (G) the rate of evictions of households that
6 received assistance under this program in the
7 jurisdiction.

8 (2) DATA.—Each report under this subsection
9 shall disaggregate the information relating to eligible
10 households by the gender, race, and ethnicity of the
11 primary applicant for assistance in those eligible
12 households.

13 (3) ALTERNATIVE REQUIREMENTS.—The Sec-
14 retary may establish alternative reporting require-
15 ments for Tribal and territorial eligible grantees and
16 Tribally designated housing entities in carrying out
17 activities under this section, including exempting
18 Tribal eligible grantees and Tribally designated
19 housing entities from—

20 (A) the Fair Housing Act (42 U.S.C. 3601
21 et seq.); and

22 (B) the citizen participation and consulta-
23 tion requirements under subpart B of part 91
24 of title 24, Code of Federal Regulations, or any
25 successor regulation.

1 (4) PRIVACY REQUIREMENTS.—

2 (A) IN GENERAL.—Each eligible grantee
3 that receives a grant under this section shall es-
4 tablish data privacy and security requirements
5 for the information described in paragraph (1)
6 that—

7 (i) include appropriate measures to
8 ensure that the privacy of individuals is
9 protected;

10 (ii) provide that the information, in-
11 cluding any personally identifiable informa-
12 tion, is collected and used only for the pur-
13 pose of submitting reports under para-
14 graph (1); and

15 (iii) provide confidentiality protections
16 for data collected about any individuals
17 who are survivors of intimate partner vio-
18 lence, sexual assault, or stalking.

19 (B) STATISTICAL RESEARCH.—

20 (i) IN GENERAL.—The Secretary—

21 (I) may provide full and
22 unredacted information provided
23 under subparagraphs (A) through (F)
24 of paragraph (1), including personally
25 identifiable information, for statistical

1 research purposes in accordance with
2 existing law; and

3 (II) may collect and make avail-
4 able for statistical research, at the
5 census block group level, information
6 collected under subparagraph (A).

7 (ii) APPLICATION OF PRIVACY RE-
8 QUIREMENTS.—A recipient of information
9 under clause (i) shall establish for such in-
10 formation the data privacy and security re-
11 quirements described in subparagraph (A).

12 (5) PROVISION OF DATA.—Each eligible grantee
13 shall provide to the Secretary such data as may be
14 necessary for the Secretary to complete the report-
15 ing requirements under this subsection.

16 (k) REPORT ON PROGRAM.—Not later than 5 years
17 after the establishment of the program under this section,
18 the Secretary shall submit to the Committee on Banking,
19 Housing, and Urban Affairs of the Senate and the Com-
20 mittee on Financial Services of the House of Representa-
21 tives and publish in the Federal Register a report—

22 (1) evaluating the effectiveness of the strategies
23 pursued under the grant program; and

24 (2) that includes recommendations for any nec-
25 essary changes to law.

1 (l) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) IN GENERAL.—There is authorized to be
3 appropriated \$3,000,000,000 for each of fiscal years
4 2022 through 2026, and such sums as may be nec-
5 essary for each fiscal year thereafter, to carry out
6 this section.

7 (2) RESERVATION OF FUNDS FOR TRIBAL COM-
8 MUNITIES.—Of the amount appropriated under
9 paragraph (1), the Secretary shall reserve
10 \$9,600,000 for activities and assistance authorized
11 under titles I and VIII of the Native American
12 Housing Assistance and Self-Determination Act of
13 1996 (25 U.S.C. 4111 et seq.) and title I of the
14 Housing and Community Development Act of 1974
15 (42 U.S.C. 5301 et seq.) with respect to Indian
16 Tribes, which shall be made available for entities
17 that are eligible for payments under clauses (i) and
18 (ii) of section 501(b)(2)(A) of subtitle A of title V
19 of division N of the Consolidated Appropriations
20 Act, 2021 (Public Law 116–260).

21 (3) ALLOCATION FOR STATES, TERRITORIES,
22 AND UNITS OF LOCAL GOVERNMENT.—The amount
23 appropriated under paragraph (1) for a fiscal year
24 that remains after the application of paragraph (2)
25 shall be allocated to eligible grantees that are eligible

1 under subtitle A of title II of the Cranston-Gonzalez
2 National Affordable Housing Act (42 U.S.C. 12741
3 et seq.), to be used in a manner that conforms to
4 the formula authorized under subsection (f).

5 (4) PRO RATA AVAILABILITY.—The Secretary
6 shall only distribute a pro rata amount of the total
7 appropriated under paragraph (1) in a fiscal year
8 based on the number of eligible grantees that are eli-
9 gible to receive a grant due to the limitation de-
10 scribed in subsection (m)(4).

11 (m) AVAILABILITY.—

12 (1) IN GENERAL.—Each eligible grantee shall—

13 (A) with respect to the first 2 fiscal years
14 in which grants are awarded under this sec-
15 tion—

16 (i) obligate not less than 60 percent of
17 such grant amounts within 2 years of the
18 date that such funds become available to
19 the eligible grantee for obligation; and

20 (ii) obligate 100 percent of such grant
21 amounts within 3 years of such date; and

22 (B) for each subsequent fiscal year—

23 (i) obligate not less than 60 percent of
24 such grant amounts within 1 year of the

1 date that such funds become available to
2 the eligible grantee for obligation; and

3 (ii) obligate 100 percent of such grant
4 amounts within 2 years of such date.

5 (2) REALLOCATION AFTER 2 YEARS.—

6 (A) IN GENERAL.—The Secretary may re-
7 capture any amounts not obligated in compli-
8 ance with paragraph (1)(A) and reallocate and
9 repay such amounts to eligible grantees in com-
10 pliance that, at the time of reallocation, have
11 obligated not less than 65 percent of the
12 amount originally allocated and paid to the eli-
13 gible grantee.

14 (B) AMOUNT.—The amount of a realloca-
15 tion described in subparagraph (A) shall be de-
16 termined based on demonstrated need within
17 the jurisdiction covered by the eligible grantee,
18 as determined by the Secretary.

19 (3) RESCISSION AND REALLOCATION OF
20 FUNDS.—An eligible grantee may use any funds
21 from grants made under this section that are unobli-
22 gated within 3 years for purposes in addition to
23 those specified in this section, provided that such
24 other purposes are affordable housing purposes, as
25 defined by the Secretary, serving very low-income

1 families (as such term is defined in section 3(b) of
2 the United States Housing Act of 1937 (42 U.S.C.
3 1437a(b))).

4 (4) LIMITATION ON AVAILABILITY OF FUNDS.—
5 An eligible grantee may only receive a grant under
6 this section after the earlier of—

7 (A) the date on which the eligible grantee
8 has expended all funds provided under the
9 emergency rental assistance programs under
10 section 501 of division N of the Consolidated
11 Appropriations Act, 2021 (Public Law 116–
12 260) and section 3201 of the American Rescue
13 Plan Act (Public Law 117–2); or

14 (B) the date on which funds provided
15 under the emergency rental assistance pro-
16 grams under section 501 of division N of the
17 Consolidated Appropriations Act, 2021 (Public
18 Law 116–260) and section 3201 of the Amer-
19 ican Rescue Plan Act (Public Law 117–2) are
20 no longer available for obligation.

21 (n) PROHIBITION ON PREREQUISITES.—None of the
22 funds made available pursuant to this section may be used
23 to require any eligible household receiving assistance
24 under the program under this section to receive treatment

1 or perform any other prerequisite activities as a condition
2 for receiving shelter, housing, or other services.

3 (o) USE OF SELF-CERTIFICATION OR SELF-ATTES-
4 TATION.—The Secretary shall require eligible grantees to
5 allow eligible households to use self-certification or self-
6 attestation to meet statutory or regulatory requirements,
7 to the greatest extent possible.

8 (p) TREATMENT OF ASSISTANCE.—Assistance pro-
9 vided to an eligible household from a payment made under
10 this section shall not be regarded as income and shall not
11 be regarded as a resource for purposes of determining the
12 eligibility of the eligible household or any member of the
13 eligible household for benefits or assistance, or the amount
14 or extent of benefits or assistance, under any Federal pro-
15 gram or under any State, local, or Tribal program fi-
16 nanced in whole or in part with Federal funds.

17 (q) WRITTEN NOTICE OF DENIAL OF ASSISTANCE.—
18 An eligible household that is denied assistance by an eligi-
19 ble grantee under the grant program under this section
20 shall receive written notice of the denial of assistance with-
21 in 5 days of the denial, which shall describe the basis for
22 the denial and provide the eligible household with not less
23 than 10 days to correct or amend the application.

24 (r) NON-SUPPLANTATION REQUIREMENT.—An eligi-
25 ble grantee under this section shall expend, from other

1 Federal funding sources available to the eligible grantee,
2 an amount equal to the average fiscal year amount of total
3 expenditures the eligible grantee made for eviction preven-
4 tion, housing stabilization, and homelessness assistance
5 for fiscal years 2017, 2018, and 2019 for those same ac-
6 tivities during the fiscal year for which funds are paid to
7 an eligible grantee under this section.

8 (s) DEFINITIONS.—In this section:

9 (1) DEPARTMENT.—The term “Department”
10 means the Department of Housing and Urban De-
11 velopment.

12 (2) PUBLIC HOUSING; PUBLIC HOUSING AGEN-
13 CY.—The terms “public housing” and “public hous-
14 ing agency” have the meanings given those terms in
15 section 3(b) of the United States Housing Act of
16 1937 (42 U.S.C. 1437a(b)).

17 (3) SECRETARY.—The term “Secretary” means
18 the Secretary of Housing and Urban Development.

19 (4) TRIBALLY DESIGNATED HOUSING ENTI-
20 TY.—The term “tribally designated housing entity”
21 has the meaning given the term in section 4 of the
22 Native American Housing Assistance and Self-De-
23 termination Act of 1996 (25 U.S.C. 4103).

○