

117TH CONGRESS
1ST SESSION

H. R. 5077

To study and facilitate the abatement and removal of environmental hazards in homes rehabilitated with community participation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 23, 2021

Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. SUOZZI) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To study and facilitate the abatement and removal of environmental hazards in homes rehabilitated with community participation, 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 “Removing Environ-
5 mental Hazards And Building Safely Act of 2021” or the
6 “REHABS Act of 2021”.

1 **SEC. 2. STUDY AND REMOVAL OF ENVIRONMENTAL HAZ-**
2 **ARDS IN HOMES BEING REHABILITATED.**

3 (a) STUDY.—Not later than 1 year after the date of
4 enactment of this Act, the Secretary of Housing and
5 Urban Development shall conduct a study on—

6 (1) the best methods to assess the amount of
7 mold in a single family home prior to such home
8 being rehabilitated;

9 (2) the danger posed by mold in a single family
10 home prior to such home being rehabilitated; and

11 (3) best practices for safely removing mold
12 when rehabilitating a single family home.

13 (b) REPORT.—Not later than 30 days after the com-
14 pletion of the study pursuant to subsection (a), the Sec-
15 retary shall submit a report to Congress containing the
16 results of such study, and make such report available on
17 a public website of the Department.

18 **SEC. 3. GRANT PROGRAM FOR THE ABATEMENT AND RE-**
19 **MOVAL OF ENVIRONMENTAL HAZARDS FROM**
20 **HOMES.**

21 (a) GRANT AUTHORITY.—The Secretary may, to the
22 extent amounts are available to carry out this section and
23 the requirements of this section are met, make grants to
24 provide for or facilitate the abatement and removal of en-
25 vironmental hazards in homes being rehabilitated to na-
26 tional and regional organizations and consortia that have

1 experience in providing for or facilitating the abatement
2 and removal of environmental hazards from homes.

3 (b) GOALS AND ACCOUNTABILITY.—In making
4 grants under this section, the Secretary shall take such
5 actions as may be necessary to ensure that—

6 (1) assistance provided under this section is
7 used to provide for or facilitate the abatement and
8 removal of environmental hazards in homes being re-
9 habilitated through the provision of self-help hous-
10 ing, under which the homeowner contributes a sig-
11 nificant amount of sweat equity toward the rehabili-
12 tation of the dwelling;

13 (2) the dwellings for which abatement or re-
14 moval is performed in connection with assistance
15 provided under this section are quality dwellings
16 that comply with local building and safety codes and
17 standards and are available at prices below the pre-
18 vailing market prices;

19 (3) the provision of assistance under this sec-
20 tion establishes and fosters a partnership between
21 the Federal Government and organizations and con-
22 sortia, resulting in efficient rehabilitation of afford-
23 able housing with minimal governmental interven-
24 tion, limited governmental regulation, and signifi-
25 cant involvement by private entities;

1 (4) activities to rehabilitate housing assisted
2 pursuant to this section involve community partici-
3 pation in which volunteers assist in the rehabilita-
4 tion of dwellings; and

5 (5) assistance under this section for the abate-
6 ment or removal of environmental hazards is pro-
7 vided for dwellings on a geographically diverse basis,
8 which shall include areas having high housing costs,
9 rural areas, and areas underserved by other home-
10 ownership opportunities that are populated by low-
11 income families unable to otherwise afford housing.

12 If, at any time, the Secretary determines that the goals
13 under this subsection cannot be met by providing assist-
14 ance in accordance with the terms of this section, the Sec-
15 retary shall immediately notify the applicable Committees
16 in writing of such determination and any proposed
17 changes for such goals or this section.

18 (c) NATIONAL COMPETITION.—The Secretary shall
19 select organizations and consortia referred to in subsection
20 (a) to receive grants through a national competitive proc-
21 ess, which the Secretary shall establish.

22 (d) USE.—Amounts from grants made under this
23 section, including any recaptured amounts, shall be used
24 only for the abatement and removal of environmental haz-
25 ards in connection with rehabilitating existing homes to

1 make them decent, safe, and sanitary nonluxury dwellings
2 in the United States for families and persons who other-
3 wise would be unable to afford to purchase a dwelling.

4 (e) ESTABLISHMENT OF GRANT FUND.—

5 (1) IN GENERAL.—Any amounts from a grant
6 made under this section shall be deposited by the
7 grantee organization or consortium in a fund that is
8 established by such organization or consortium for
9 such amounts, administered by such organization or
10 consortium, and available only for the uses described
11 in subsection (d). Any interest, fees, or other earn-
12 ings of the fund shall be deposited in the fund and
13 shall be considered grant amounts for purposes of
14 this section.

15 (2) ASSISTANCE TO AFFILIATES.—Any organi-
16 zation or consortia that receives a grant under this
17 section may use amounts in the fund established for
18 such organizations or consortia pursuant to para-
19 graph (1), for the uses described in subsection (d),
20 by providing assistance from the fund to local affili-
21 ates of such organizations and consortia.

22 (f) REQUIREMENTS FOR ASSISTANCE.—The Sec-
23 retary may make a grant to an organization or consortium
24 under subsection (a) only pursuant to—

1 (1) an expression of interest by such organiza-
2 tion or consortia to the Secretary for a grant for
3 such purposes; and

4 (2) a grant agreement entered into under sub-
5 section (g).

6 (g) GRANT AGREEMENT.—A grant under this section
7 shall be made only pursuant to a grant agreement entered
8 into by the Secretary and the organization or consortia
9 receiving the grant, which shall—

10 (1) require such organization or consortia to
11 use grant amounts only as provided in this section;

12 (2) require the organization or consortia to use
13 the grant amounts in a manner that leverages other
14 sources of funding other than grants under this sec-
15 tion, including private or public funds, in rehabili-
16 tating dwellings;

17 (3) provide that the Secretary shall recapture
18 any grant amounts provided to the organization or
19 consortia that are not used within 24 months after
20 such amounts are first disbursed to the organization
21 or consortia; and

22 (4) contain such other terms as the Secretary
23 may require to provide for compliance with sub-
24 section (b) and the requirements of this section.

1 (h) FULFILLMENT OF GRANT AGREEMENT.—If the
2 Secretary determines that an organization or consortia
3 awarded a grant under this section has not, within 24
4 months after grant amounts are first made available to
5 the organization or consortia, substantially fulfilled the ob-
6 ligations under the grant agreement, the Secretary shall
7 use any such undisbursed amounts remaining from such
8 grants for other grants in accordance with this section.

9 (i) RECORDS AND AUDITS.—During the period begin-
10 ning upon the making of a grant under this section and
11 ending upon close-out of the grant under subsection (j)—

12 (1) the organization awarded the grant shall
13 keep such records and adopt such administrative
14 practices as the Secretary may require to ensure
15 compliance with the provisions of this section and
16 the grant agreement; and

17 (2) the Secretary and the Comptroller General
18 of the United States, and any of their duly ap-
19 pointed representatives, shall have access for the
20 purpose of audit and examination to any books, doc-
21 uments, papers, and records of the grantee organiza-
22 tion or consortia and its affiliates that are pertinent
23 to the grant made under this section.

24 (j) ADMINISTRATION.—The Secretary shall admin-
25 ister the program under this section through the same of-

1 fice or official under the Assistant Secretary for Commu-
2 nity Planning and Development that administers the Self-
3 Help and Assisted Homeownership Opportunity Program,
4 as authorized under section 11 of the Housing Oppor-
5 tunity Program Extension Act of 1996 (42 U.S.C. 12805
6 note)

7 (k) CLOSE-OUT.—The Secretary shall close out a
8 grant made under this section upon determining that the
9 aggregate amount of any assistance provided from the
10 fund established under subsection (e)(1) by the grantee
11 organization or consortium exceeds the amount of the
12 grant. For purposes of this subsection, any interest, fees,
13 and other earnings of the fund shall be excluded from the
14 amount of the grant.

15 (l) REPORT TO CONGRESS.—Not later than 90 days
16 after close-out of all grants under this section is com-
17 pleted, the Secretary shall submit a report to the applica-
18 ble Committees describing—

- 19 (1) the grants made under this section;
- 20 (2) the grantees;
- 21 (3) the housing for which abatement or removal
22 of environmental hazards was performed in connec-
23 tion with the grant amounts; and
- 24 (4) the purposes for which the grant amounts
25 were used.

1 **SEC. 4. DEFINITIONS.**

2 For purposes of this Act, the following definitions
3 shall apply:

4 (1) APPLICABLE COMMITTEES.—The term “ap-
5 plicable Committees” means the House Committee
6 on Financial Services and the Senate Committee on
7 Banking, Housing, and Urban Affairs.

8 (2) ENVIRONMENTAL HAZARD.—The term “en-
9 vironmental hazard” means any condition that
10 causes exposure to lead, asbestos, mold, and other
11 hazards as determined by the Secretary.

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

14 (4) UNITED STATES.—The term “United
15 States” includes the States of the United States, the
16 District of Columbia, the Commonwealth of Puerto
17 Rico, the Commonwealth of the Northern Mariana
18 Islands, Guam, the Virgin Islands, American Samoa,
19 and any other territory or possession of the United
20 States.

21 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated such sums as
23 may be necessary to carry out this Act.

1 **SEC. 6. SUNSET.**

2 The Secretary shall not enter into any grant agree-
3 ment, contract, or obligation under this Act after the con-
4 clusion of fiscal year 2024.

