

117TH CONGRESS  
1ST SESSION

# H. R. 1710

To provide emergency assistance to homeowners to respond to the coronavirus pandemic, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2021

Mr. DAVID SCOTT of Georgia (for himself and Ms. WATERS) introduced the following bill; which was referred to the Committee on Appropriations

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## A BILL

To provide emergency assistance to homeowners to respond to the coronavirus pandemic, 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 “Coronavirus Home-  
5 owner Assistance Act of 2021”.

6 **SEC. 2. HOMEOWNER ASSISTANCE FUND.**

7 (a) APPROPRIATION.—There is appropriated, out of  
8 amounts in the Treasury not otherwise appropriated, for  
9 the fiscal year ending September 30, 2021, to remain  
10 available until September 30, 2025, \$9,961,000,000 to the

1 Homeowner Assistance Fund established under subsection  
2 (c) for qualified expenses that meet the purposes estab-  
3 lished under subsection (c) and expenses described in sub-  
4 section (d)(1).

5 (b) DEFINITIONS.—In this section:

6 (1) CONFORMING LOAN LIMIT.—The term “con-  
7 forming loan limit” means the applicable limitation  
8 governing the maximum original principal obligation  
9 of a mortgage secured by a single-family residence,  
10 a mortgage secured by a 2-family residence, a mort-  
11 gage secured by a 3-family residence, or a mortgage  
12 secured by a 4-family residence, as determined and  
13 adjusted annually under section 302(b)(2) of the  
14 Federal National Mortgage Association Charter Act  
15 (12 U.S.C. 1717(b)(2)) and section 305(a)(2) of the  
16 Federal Home Loan Mortgage Corporation Act (12  
17 U.S.C. 1454(a)(2)).

18 (2) DWELLING.—The term “dwelling” means  
19 any building, structure, or portion thereof which is  
20 occupied as, or designed or intended for occupancy  
21 as, a residence by one or more individuals.

22 (3) ELIGIBLE ENTITY.—The term “eligible enti-  
23 ty” means—

24 (A) a State; or

1 (B) any entity eligible for payment under  
2 subsection (f).

3 (4) MORTGAGE.—The term “mortgage” means  
4 any credit transaction—

5 (A) that is secured by a mortgage, deed of  
6 trust, or other consensual security interest on a  
7 principal residence of a borrower that is (i) a 1-  
8 to 4-unit dwelling, or (ii) residential real prop-  
9 erty that includes a 1- to 4-unit dwelling; and

10 (B) the unpaid principal balance of which  
11 was, at the time of origination, not more than  
12 the conforming loan limit.

13 (5) FUND.—The term “Fund” means the  
14 Homeowner Assistance Fund established under sub-  
15 section (c).

16 (6) SECRETARY.—The term “Secretary” means  
17 the Secretary of the Treasury.

18 (7) STATE.—The term “State” means any  
19 State of the United States, the District of Columbia,  
20 the Commonwealth of Puerto Rico, Guam, American  
21 Samoa, the United States Virgin Islands, and the  
22 Commonwealth of the Northern Mariana Islands.

23 (c) ESTABLISHMENT OF FUND.—

24 (1) ESTABLISHMENT; QUALIFIED EXPENSES.—

25 There is established in the Department of the Treas-

1       ury a Homeowner Assistance Fund to mitigate fi-  
2       nancial hardships associated with the coronavirus  
3       pandemic by providing such funds as are appro-  
4       priated by subsection (a) to eligible entities, and to  
5       require an eligible entity that receives funds pursu-  
6       ant to this section to periodically submit to the Sec-  
7       retary a report that describes the activities carried  
8       out by the eligible entity using the funds provided  
9       under this section, for the purpose of preventing  
10      homeowner mortgage delinquencies, defaults, fore-  
11      closures, loss of utilities or home energy services,  
12      and displacements of homeowners experiencing fi-  
13      nancial hardship after January 21, 2020, through  
14      qualified expenses related to mortgages and housing,  
15      which include—

16                   (A) mortgage payment assistance;

17                   (B) financial assistance to allow a home-  
18      owner to reinstate a mortgage or to pay other  
19      housing related costs related to a period of for-  
20      bearance, delinquency, or default;

21                   (C) principal reduction;

22                   (D) facilitating interest rate reductions;

23                   (E) payment assistance for—

24                       (i) utilities, including electric, gas,  
25                       and water;

- 1                   (ii) internet service, including  
2 broadband internet access service, as de-  
3 fined in section 8.1(b) of title 47, Code of  
4 Federal Regulations (or any successor reg-  
5 ulation);
- 6                   (iii) property taxes;
- 7                   (iv) homeowner’s insurance, flood in-  
8 surance, and mortgage insurance; and
- 9                   (v) homeowner’s association, condo-  
10 minium association fees, or common  
11 charges;
- 12               (F) reimbursement of funds expended by a  
13 State, local government, or designated entity  
14 under subsection (e) during the period begin-  
15 ning on January 21, 2020, and ending on the  
16 date that the first funds are disbursed by the  
17 eligible entity under the Homeowner Assistance  
18 Fund, for the purpose of providing housing or  
19 utility payment assistance to individuals or oth-  
20 erwise providing funds to prevent foreclosure or  
21 eviction of a homeowner or tenant or prevent  
22 mortgage delinquency or loss of housing or util-  
23 ities as a response to the coronavirus disease  
24 (COVID) pandemic; and

1 (G) any other assistance to promote hous-  
2 ing stability for homeowners, including pre-  
3 venting eviction, mortgage delinquency or de-  
4 fault, foreclosure, or the loss of utility or home  
5 energy services, as determined by the Secretary.

6 (2) TARGETING.—Not less than 60 percent of  
7 amounts made to each eligible entity allocated  
8 amounts under subsection (d) or (e) shall be used  
9 for qualified expenses that assist homeowners having  
10 incomes equal to or less than 100 percent of the  
11 area median income for their household size or equal  
12 to or less than 100 percent of the median income for  
13 the United States, as determined by the Secretary of  
14 Housing and Urban Development, whichever is  
15 greater. The eligible entity shall prioritize remaining  
16 funds to populations or geographies experiencing the  
17 greatest need.

18 (d) ALLOCATION OF FUNDS.—

19 (1) ADMINISTRATION.—Of any amounts made  
20 available under this section, the Secretary shall re-  
21 serve—

22 (A) to the Department of the Treasury, an  
23 amount not to exceed \$40,000,000 to admin-  
24 ister and oversee the Fund, and to provide tech-  
25 nical assistance to eligible entities for the cre-

1           ation and implementation of State and tribal  
2           programs to administer assistance from the  
3           Fund; and

4                   (B) to the Inspector General of the De-  
5           partment of the Treasury, an amount not to ex-  
6           ceed \$2,600,000 for oversight of the program  
7           under this section.

8           (2) FOR STATES.—After the application of  
9           paragraphs (1), (4), and (5) of this subsection and  
10          subject to paragraph (3) of this subsection, the Sec-  
11          retary shall establish such criteria as are necessary  
12          to allocate the remaining funds available within the  
13          Homeowner Assistance Fund to each State of the  
14          United States, the District of Columbia, and the  
15          Commonwealth of Puerto Rico, taking into consider-  
16          ation, for such State relative to all States of the  
17          United States, the District of Columbia, and the  
18          Commonwealth of Puerto Rico, as of the date of the  
19          enactment of this Act—

20                   (A) the number of individuals who are un-  
21          employed;

22                   (B) the total number or mortgagors with—

23                           (i) mortgage payments that are more  
24          than 30 days past due; or

25                           (ii) mortgages in foreclosure.

1 (3) SMALL STATE MINIMUM.—

2 (A) IN GENERAL.—Each State of the  
3 United States, the District of Columbia, and  
4 the Commonwealth of Puerto Rico shall receive  
5 no less than \$40,000,000 for the purposes es-  
6 tablished in (b).

7 (B) PRO RATA ADJUSTMENTS.—The Sec-  
8 retary shall adjust on a pro rata basis the  
9 amount of the payments for each State of the  
10 United States, the District of Columbia, and  
11 the Commonwealth of Puerto Rico determined  
12 under this subsection without regard to this  
13 subparagraph to the extent necessary to comply  
14 with the requirements of subparagraph (A).

15 (4) TERRITORY SET-ASIDE.—Notwithstanding  
16 any other provision of this section, of the amounts  
17 appropriated under subsection (d), the Secretary  
18 shall reserve \$30,000,000 to be disbursed to eligible  
19 entities for Guam, American Samoa, the United  
20 States Virgin Islands, and the Commonwealth of the  
21 Northern Mariana Islands based on each such terri-  
22 tory's share of the combined total population of all  
23 such territories, as determined by the Secretary. For  
24 the purposes of this paragraph, population shall be  
25 determined based on the most recent year for which

1 data are available from the United States Census  
2 Bureau.

3 (5) TRIBAL SET-ASIDE.—The Secretary shall  
4 allocate funds to any eligible entity designated under  
5 subsection (f) pursuant to the requirements of that  
6 subsection.

7 (e) DISTRIBUTION OF FUNDS TO STATES.—

8 (1) IN GENERAL.—The Secretary shall make  
9 payments, beginning not later than 45 days after en-  
10 actment of this Act, from amounts allocated under  
11 subsection (d) to eligible entities that have notified  
12 the Secretary that they request to receive payment  
13 from the Fund and that the eligible entity will use  
14 such payments in compliance with this section.

15 (2) REALLOCATION.—If a State does not re-  
16 quest allocated funds by the 90th day after the date  
17 of enactment of this Act, such State shall not be eli-  
18 gible for a payment from the Secretary pursuant to  
19 this section, and the Secretary shall reallocate any  
20 funds that were not requested by such State among  
21 the States that have requested funds by the 90th  
22 day after the date of enactment of this Act. For any  
23 such reallocation of funds, the Secretary shall ad-  
24 here to the requirements of subsection (d), except  
25 for paragraph (1), to the greatest extent possible,

1 provided that the Secretary shall also take into con-  
2 sideration in determining such reallocation a State's  
3 remaining need and a State's record of using pay-  
4 ments from the Fund to serve homeowners at dis-  
5 proportionate risk of mortgage default, foreclosure,  
6 or displacement, including homeowners having in-  
7 comes equal to or less than 100 percent of the area  
8 median income for their household size or 100 per-  
9 cent of the median income for the United States, as  
10 determined by the Secretary of Housing and Urban  
11 Development, whichever is greater, and minority  
12 homeowners.

13 (f) TRIBAL SET-ASIDE.—

14 (1) SET-ASIDE.—Notwithstanding any other  
15 provision of this section, of the amounts appro-  
16 priated under subsection (a), the Secretary shall use  
17 5 percent to make payments to entities that are eli-  
18 gible for payments under clauses (i) and (ii) of sec-  
19 tion 501(b)(2)(A) of subtitle A of title V of division  
20 N of the Consolidated Appropriations Act, 2021  
21 (Public Law 116–260) for the purposes described in  
22 subsection (c).

23 (2) ALLOCATION AND PAYMENT.—The Sec-  
24 retary shall allocate the funds set aside under para-  
25 graph (1) using the allocation formulas described in

1 clauses (i) and (ii) of section 501(b)(2)(A) of sub-  
2 title A of title V of division N of the Consolidated  
3 Appropriations Act, 2021 (Public Law 116–260),  
4 and shall make payments of such amounts to enti-  
5 ties eligible for payment under clauses (i) and (ii) of  
6 section 501(b)(2)(A) of subtitle A of title V of divi-  
7 sion N of the Consolidated Appropriations Act, 2021  
8 (Public Law 116–260) that notify the Secretary that  
9 they intend to receive payments allocated by the Sec-  
10 retary for purposes described under subsection (c)  
11 and will use such payments in compliance with this  
12 section.

13 (3) ADJUSTMENT.—Allocations provided under  
14 this subsection may be further adjusted as provided  
15 by section 501(b)(2)(B) of subtitle A of title V of di-  
16 vision N of the Consolidated Appropriations Act,  
17 2021 (Public Law 116–260).

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