

117TH CONGRESS
1ST SESSION

H. R. 1728

To provide rental assistance to low-income tenants in certain multifamily rural housing projects financed by the Rural Housing Service of the Department of Agriculture, and to develop and implement a plan for preserving the affordability of rural rental housing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2021

Mrs. AXNE introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To provide rental assistance to low-income tenants in certain multifamily rural housing projects financed by the Rural Housing Service of the Department of Agriculture, and to develop and implement a plan for preserving the affordability of rural rental housing, 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 “Strategy and Invest-
5 ment in Rural Housing Preservation Act of 2021”.

1 **SEC. 2. PERMANENT ESTABLISHMENT OF HOUSING PRES-**
2 **ERVATION AND REVITALIZATION PROGRAM.**

3 Title V of the Housing Act of 1949 (42 U.S.C. 1471
4 et seq.) is amended by adding at the end the following
5 new section:

6 **“SEC. 545. HOUSING PRESERVATION AND REVITALIZATION**
7 **PROGRAM.**

8 “(a) ESTABLISHMENT.—The Secretary shall carry
9 out a program under this section for the preservation and
10 revitalization of multifamily rental housing projects fi-
11 nanced under section 515 or both sections 514 and 516.

12 “(b) NOTICE OF MATURING LOANS.—

13 “(1) TO OWNERS.—On an annual basis, the
14 Secretary shall provide written notice to each owner
15 of a property financed under section 515 or both
16 sections 514 and 516 that will mature within the 4-
17 year period beginning upon the provision of such no-
18 tice, setting forth the options and financial incen-
19 tives that are available to facilitate the extension of
20 the loan term or the option to decouple a rental as-
21 sistance contract pursuant to subsection (f).

22 “(2) TO TENANTS.—

23 “(A) IN GENERAL.—For each property fi-
24 nanced under section 515 or both sections 514
25 and 516, not later than the date that is 2 years
26 before the date that such loan will mature, the

1 Secretary shall provide written notice to each
2 household residing in such property that in-
3 forms them of the date of the loan maturity,
4 the possible actions that may happen with re-
5 spect to the property upon such maturity, and
6 how to protect their right to reside in federally
7 assisted housing after such maturity.

8 “(B) LANGUAGE.—Notice under this para-
9 graph shall be provided in plain English and
10 shall be translated to other languages in the
11 case of any property located in an area in which
12 a significant number of residents speak such
13 other languages.

14 “(c) LOAN RESTRUCTURING.—Under the program
15 under this section, the Secretary may restructure such ex-
16 isting housing loans, as the Secretary considers appro-
17 priate, for the purpose of ensuring that such projects have
18 sufficient resources to preserve the projects to provide safe
19 and affordable housing for low-income residents and farm
20 laborers, by—

21 “(1) reducing or eliminating interest;

22 “(2) deferring loan payments;

23 “(3) subordinating, reducing, or reamortizing
24 loan debt; and

1 “(4) providing other financial assistance, in-
2 cluding advances, payments, and incentives (includ-
3 ing the ability of owners to obtain reasonable re-
4 turns on investment) required by the Secretary.

5 “(d) RENEWAL OF RENTAL ASSISTANCE.—When the
6 Secretary offers to restructure a loan pursuant to sub-
7 section (c), the Secretary shall offer to renew the rental
8 assistance contract under section 521(a)(2) for a 20-year
9 term that is subject to annual appropriations, provided
10 that the owner agrees to bring the property up to such
11 standards that will ensure its maintenance as decent, safe,
12 and sanitary housing for the full term of the rental assist-
13 ance contract.

14 “(e) RESTRICTIVE USE AGREEMENTS.—

15 “(1) REQUIREMENT.—As part of the preserva-
16 tion and revitalization agreement for a project, the
17 Secretary shall obtain a restrictive use agreement
18 that obligates the owner to operate the project in ac-
19 cordance with this title.

20 “(2) TERM.—

21 “(A) NO EXTENSION OF RENTAL ASSIST-
22 ANCE CONTRACT.—Except when the Secretary
23 enters into a 20-year extension of the rental as-
24 sistance contract for the project, the term of
25 the restrictive use agreement for the project

1 shall be consistent with the term of the restruc-
2 tured loan for the project.

3 “(B) EXTENSION OF RENTAL ASSISTANCE
4 CONTRACT.—If the Secretary enters into a 20-
5 year extension of the rental assistance contract
6 for a project, the term of the restrictive use
7 agreement for the project shall be for 20 years.

8 “(C) TERMINATION.—The Secretary may
9 terminate the 20-year use restrictive use agree-
10 ment for a project prior to the end of its term
11 if the 20-year rental assistance contract for the
12 project with the owner is terminated at any
13 time for reasons outside the owner’s control.

14 “(f) DECOUPLING OF RENTAL ASSISTANCE.—

15 “(1) RENEWAL OF RENTAL ASSISTANCE CON-
16 TRACT.—If the Secretary determines that a matur-
17 ing loan for a project cannot reasonably be restruc-
18 tured in accordance with subsection (c) and the
19 project was operating with rental assistance under
20 section 521, the Secretary may renew the rental as-
21 sistance contract, notwithstanding any provision of
22 section 521, for a term, subject to annual appropria-
23 tions, of at least 10 years but not more than 20
24 years.

1 “(2) RENTS.—Any agreement to extend the
2 term of the rental assistance contract under section
3 521 for a project shall obligate the owner to con-
4 tinue to maintain the project as decent, safe and
5 sanitary housing and to operate the development in
6 accordance with this title, except that rents shall be
7 based on the lesser of—

8 “(A) the budget-based needs of the project;
9 or

10 “(B) (ii) the operating cost adjustment
11 factor as a payment standard as provided under
12 section 524 of the Multifamily Assisted Hous-
13 ing Reform and Affordability Act of 1997 (42
14 U.S.C. 1437 note).

15 “(g) MULTIFAMILY HOUSING TRANSFER TECHNICAL
16 ASSISTANCE.—Under the program under this section, the
17 Secretary may provide grants to qualified non-profit orga-
18 nizations and public housing agencies to provide technical
19 assistance, including financial and legal services, to bor-
20 rowers under loans under this title for multifamily housing
21 to facilitate the acquisition of such multifamily housing
22 properties in areas where the Secretary determines there
23 is a risk of loss of affordable housing.

24 “(h) TRANSFER OF RENTAL ASSISTANCE.—After the
25 loan or loans for a rental project originally financed under

1 section 515 or both sections 514 and 516 have matured
2 or have been prepaid and the owner has chosen not to
3 restructure the loan pursuant to subsection (c), a tenant
4 residing in such project shall have 18 months prior to loan
5 maturation or prepayment to transfer the rental assist-
6 ance assigned to the tenant’s unit to another rental project
7 originally financed under section 515 or both sections 514
8 and 516, and the owner of the initial project may rent
9 the tenant’s previous unit to a new tenant without income
10 restrictions.

11 “(i) ADMINISTRATIVE EXPENSES.—Of any amounts
12 made available for the program under this section for any
13 fiscal year, the Secretary may use not more than
14 \$1,000,000 for administrative expenses for carrying out
15 such program.

16 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
17 is authorized to be appropriated for the program under
18 this section \$200,000,000 for each of fiscal years 2022
19 through 2026.”.

20 **SEC. 3. ELIGIBILITY FOR RURAL HOUSING VOUCHERS.**

21 Section 542 of the Housing Act of 1949 (42 U.S.C.
22 1490r) is amended by adding at the end the following new
23 subsection:

24 “(c) ELIGIBILITY OF HOUSEHOLDS IN SECTION 514,
25 515, AND 516 PROJECTS.—The Secretary may provide

1 rural housing vouchers under this section for any low-in-
2 come household (including those not receiving rental as-
3 sistance) residing in a property financed with a loan made
4 or insured under section 514 or 515 (42 U.S.C. 1484,
5 1485) which has been prepaid, has been foreclosed, or has
6 matured after September 30, 2005, or residing in a prop-
7 erty assisted under section 514 or 516 that is owned by
8 a nonprofit organization or public agency.”.

9 **SEC. 4. AMOUNT OF VOUCHER ASSISTANCE.**

10 Notwithstanding any other provision of law, in the
11 case of any rural housing voucher provided pursuant to
12 section 542 of the Housing Act of 1949 (42 U.S.C.
13 1490r), the amount of the monthly assistance payment for
14 the household on whose behalf such assistance is provided
15 shall be determined as provided in subsection (a) of such
16 section 542.

17 **SEC. 5. USE OF AVAILABLE RENTAL ASSISTANCE.**

18 Subsection (d) of section 521 of the Housing Act of
19 1949 (42 U.S.C. 1490a(d)) is amended by adding at the
20 end the following new paragraph:

21 “(3) In the case of any rental assistance contract au-
22 thority that becomes available because of the termination
23 of assistance on behalf of an assisted family—

24 “(A) at the option of the owner of the rental
25 project, the Secretary shall provide the owner a pe-

1 riod of 6 months before such assistance is made
2 available pursuant to subparagraph (B) during
3 which the owner may use such assistance authority
4 to provide assistance of behalf of an eligible unas-
5 sisted family that—

6 “(i) is residing in the same rental project
7 that the assisted family resided in prior to such
8 termination; or

9 “(ii) newly occupies a dwelling unit in such
10 rental project during such period; and

11 “(B) except for assistance used as provided in
12 subparagraph (A), the Secretary shall use such re-
13 maining authority to provide such assistance on be-
14 half of eligible families residing in other rental
15 projects originally financed under section 515 or
16 both sections 514 and 516 of this Act.”.

17 **SEC. 6. FUNDING FOR MULTIFAMILY TECHNICAL IMPROVE-**
18 **MENTS.**

19 There is authorized to be appropriated to the Sec-
20 retary of Agriculture \$50,000,000 for fiscal year 2022 for
21 improving the technology of the Department of Agri-
22 culture used to process loans for multifamily housing and
23 otherwise managing such housing. Such improvements
24 shall be made within the 5-year period beginning upon the

1 appropriation of such amounts and such amount shall re-
2 main available until the expiration of such 5-year period.

3 **SEC. 7. PLAN FOR PRESERVING AFFORDABILITY OF RENT-**
4 **AL PROJECTS.**

5 (a) PLAN.—The Secretary of Agriculture (in this sec-
6 tion referred to as the “Secretary”) shall submit a written
7 plan to the Congress, not later than the expiration of the
8 6-month period beginning on the date of the enactment
9 of this Act, for preserving the affordability for low-income
10 families of rental projects for which loans were made
11 under section 515 or made to nonprofit or public agencies
12 under section 514 and avoiding the displacement of tenant
13 households, which shall—

14 (1) set forth specific performance goals and
15 measures;

16 (2) set forth the specific actions and mecha-
17 nisms by which such goals will be achieved;

18 (3) set forth specific measurements by which
19 progress towards achievement of each goal can be
20 measured;

21 (4) provide for detailed reporting on outcomes;
22 and

23 (5) include any legislative recommendations to
24 assist in achievement of the goals under the plan.

25 (b) ADVISORY COMMITTEE.—

1 (1) ESTABLISHMENT; PURPOSE.—The Sec-
2 retary shall establish an advisory committee whose
3 purpose shall be to assist the Secretary in preserving
4 section 515 properties and section 514 properties
5 owned by nonprofit or public agencies through the
6 multifamily housing preservation and revitalization
7 program under section 545 and in implementing the
8 plan required under subsection (a).

9 (2) MEMBER.—The advisory committee shall
10 consist of 14 members, appointed by the Secretary,
11 as follows:

12 (A) A State Director of Rural Develop-
13 ment for the Department of Agriculture.

14 (B) The Administrator for Rural Housing
15 Service of the Department of Agriculture.

16 (C) Two representatives of for-profit devel-
17 opers or owners of multifamily rural rental
18 housing.

19 (D) Two representatives of non-profit de-
20 velopers or owners of multifamily rural rental
21 housing.

22 (E) Two representatives of State housing
23 finance agencies.

24 (F) Two representatives of tenants of mul-
25 tifamily rural rental housing.

1 (G) One representative of a community de-
2 velopment financial institution that is involved
3 in preserving the affordability of housing as-
4 sisted under sections 514, 515, and 516 of the
5 Housing Act of 1949.

6 (H) One representative of a nonprofit or-
7 ganization that operates nationally and has ac-
8 tively participated in the preservation of hous-
9 ing assisted by the Rural Housing Service by
10 conducting research regarding, and providing fi-
11 nancing and technical assistance for, preserving
12 the affordability of such housing.

13 (I) One representative of low-income hous-
14 ing tax credit investors.

15 (J) One representative of regulated finan-
16 cial institutions that finance affordable multi-
17 family rural rental housing developments.

18 (3) MEETINGS.—The advisory committee shall
19 meet not less often than once each calendar quarter.

20 (4) FUNCTIONS.—In providing assistance to the
21 Secretary to carry out its purpose, the advisory com-
22 mittee shall carry out the following functions:

23 (A) Assisting the Rural Housing Service of
24 the Department of Agriculture to improve esti-
25 mates of the size, scope, and condition of rental

1 housing portfolio of the Service, including the
2 time frames for maturity of mortgages and
3 costs for preserving the portfolio as affordable
4 housing.

5 (B) Reviewing current policies and proce-
6 dures of the Rural Housing Service regarding
7 preservation of affordable rental housing fi-
8 nanced under sections 514, 515, 516, and 538
9 of the Housing Act of 1949, the Multifamily
10 Preservation and Revitalization Demonstration
11 program (MPR), and the rental assistance pro-
12 gram and making recommendations regarding
13 improvements and modifications to such policies
14 and procedures.

15 (C) Providing ongoing review of Rural
16 Housing Service program results.

17 (D) Providing reports to the Congress and
18 the public on meetings, recommendations, and
19 other findings of the advisory committee.

20 (5) TRAVEL COSTS.—Any amounts made avail-
21 able for administrative costs of the Department of
22 Agriculture may be used for costs of travel by mem-
23 bers of the advisory committee to meetings of the
24 committee.

1 **SEC. 8. COVERED HOUSING PROGRAMS.**

2 Paragraph (3) of section 41411(a) of the Violence
3 Against Women Act of 1994 (34 U.S.C. 12491(a)(3)) is
4 amended—

5 (1) in subparagraph (I), by striking “and” at
6 the end;

7 (2) by redesignating subparagraph (J) as sub-
8 paragraph (K); and

9 (3) by inserting after subparagraph (I) the fol-
10 lowing new subparagraph:

11 “(J) rural development housing voucher
12 assistance provided by the Secretary of Agri-
13 culture pursuant to section 542 of the Housing
14 Act of 1949 (42 U.S.C. 1490r), without regard
15 to subsection (b) of such section, and applicable
16 appropriation Acts; and”.

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