

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 6644  
OFFERED BY MS. WILLIAMS OF GEORGIA**

Add at the end the following:

**TITLE VI—OTHER MATTERS**  
**SEC. 601. GRANTS FOR ADOPTION OF THE UNIFORM PARTI-  
TION OF HEIRS PROPERTY ACT; ASSISTANCE  
RELATING TO PROPERTY RESOLUTION.**

(a) GRANTS FOR JURISDICTIONS THAT ADOPT THE  
UNIFORM PARTITION OF HEIRS PROPERTY ACT.—

(1) IN GENERAL.—The Secretary of Housing  
and Urban Development shall, not later than 1 year  
after the date of the enactment of this section, es-  
tablish a pilot program that awards grants to eligi-  
ble jurisdictions that—

(A) before the date of the enactment of  
this section, had enacted or adopted the Uni-  
form Partition of Heirs Property Act as ap-  
proved and recommended for enactment in all  
the States by the National Conference of Com-  
missioners on Uniform State Laws in 2010 or  
a similar law that the Secretary determines is  
a substantial equivalent; and

1 (B) on or after the date of the enactment  
2 of this section, enact or adopt the Uniform Par-  
3 tition of Heirs Property Act as approved and  
4 recommended for enactment in all the States by  
5 the National Conference of Commissioners on  
6 Uniform State Laws in 2010 or a similar law  
7 that the Secretary determines is a substantial  
8 equivalent.

9 (2) USE OF AMOUNTS.—

10 (A) IN GENERAL.—An eligible jurisdiction  
11 that is awarded amounts under this subsection  
12 shall use such amounts to assist residents of  
13 such eligible jurisdiction with expenses related  
14 to establishing and documenting property own-  
15 ership rights or settling a decedent's estate, in-  
16 cluding fees and costs related to—

- 17 (i) obtaining title reports and title ab-  
18 stracts;  
19 (ii) obtaining copies of public records;  
20 (iii) land surveys;  
21 (iv) estate planning;  
22 (v) heirs search or tracing services;  
23 (vi) recording and filing fees;  
24 (vii) notary fees; and  
25 (viii) legal fees and expenses.

1 (B) LAYERING OF ASSISTANCE.—An eligi-  
2 ble jurisdiction that receives amounts under  
3 this subsection may use such amounts to assist  
4 residents of such State who are receiving assist-  
5 ance from other sources, including Federal,  
6 State, local, private, public, and nonprofit  
7 sources.

8 (3) REGULATIONS AND CRITERIA FOR SELEC-  
9 TION.—The Secretary shall, not later than 1 year  
10 after the date of the enactment of this subsection,  
11 issue a rule to carry out this subsection that in-  
12 cludes any additional criteria that the Secretary  
13 shall use when selecting grant recipients.

14 (4) SUNSET.—The pilot program established  
15 under this subsection shall terminate on the date  
16 that is 4 years after the date of the enactment of  
17 this section.

18 (5) ELIGIBLE JURISDICTION DEFINED.—In this  
19 subsection:

20 (A) IN GENERAL.—The term “eligible ju-  
21 risdiction” means—

- 22 (i) a State;  
23 (ii) an insular area; or  
24 (iii) an Indian Tribe.

1 (B) OTHER DEFINITIONS.—The terms  
2 “State”, “insular area”, and “Indian tribe”  
3 have the meaning given those terms, respec-  
4 tively, in section 102 of the Housing and Com-  
5 munity Development Act of 1974 (42 U.S.C.  
6 5302).

7 (b) GRANTS TO PROVIDE ASSISTANCE RELATING TO  
8 HEIRS’ PROPERTY RESOLUTION.—

9 (1) IN GENERAL.—The Secretary of Housing  
10 and Urban Development shall, not later than 1 year  
11 after the date of the enactment of this section, es-  
12 tablish a pilot program to award grants to eligible  
13 entities to use to provide assistance relating to heirs’  
14 property resolution.

15 (2) USE OF AMOUNTS.—An eligible entity that  
16 is awarded amounts under this subsection shall use  
17 such amounts to provide housing counseling, legal  
18 assistance, and financial assistance to homeowners  
19 and their heirs relating to title clearing and home  
20 retention efforts of heirs’ property.

21 (3) CONSIDERATIONS FOR AWARDS.—The Sec-  
22 retary, in awarding grants under this subsection,  
23 shall consider—

24 (A) whether the eligible entity has a prov-  
25 en track record of—

1 (i) providing assistance to home-  
2 owners;

3 (ii) targeting services to low- and  
4 moderate-income persons; and

5 (iii) providing services in neighbor-  
6 hoods that have a high concentrations of  
7 low- and moderate-income persons;

8 (B) whether the eligible entity has planned  
9 or existing partnerships with other eligible enti-  
10 ties; and

11 (C) whether the eligible entity is located in  
12 an area with a high number of owners of heirs'  
13 property, as determined by the Secretary.

14 (4) SUNSET.—The pilot program established  
15 under this subsection shall terminate on the date  
16 that is 4 years after the date of the enactment of  
17 this section.

18 (5) DEFINITIONS.—In this subsection:

19 (A) ELIGIBLE ENTITY.—The term “eligible  
20 entity” means—

21 (i) a HUD approved housing coun-  
22 seling agency;

23 (ii) a legal services clinic operated by  
24 an institute of higher education; or

25 (iii) a qualifying nonprofit.

1 (B) HEIRS' PROPERTY.—The term “heirs’  
2 property” means residential property for  
3 which—

4 (i) title passed by operation of law  
5 through intestacy; and

6 (ii) is held by 2 or more heirs as ten-  
7 ants in common.

8 (C) HUD APPROVED HOUSING COUNSELING  
9 AGENCY.—The term “HUD approved housing  
10 counseling agency” means a housing counseling  
11 agency that is eligible to receive assistance by  
12 the Secretary under section 106 of the Housing  
13 and Urban Development Act of 1968 (12  
14 U.S.C. 1701x),

15 (D) LOW- AND MODERATE-INCOME PER-  
16 SONS.—

17 (i) IN GENERAL.—The term “low- and  
18 moderate-income persons” means an indi-  
19 vidual whose household income does not  
20 exceed 120 percent of the median income  
21 for the area, as determined by the Sec-  
22 retary.

23 (ii) EXCEPTION.—If the area de-  
24 scribed in subparagraph (A) is a high-cost  
25 area, as determined by the Secretary, the

1 term “low- and moderate-income persons”  
2 means a homeowner whose household in-  
3 come does not exceed 140 percent of the  
4 median income for the area.

5 (E) QUALIFYING NONPROFIT.—The term  
6 “qualifying nonprofit” means a nonprofit, mis-  
7 sion-driven entity that, as determined by the  
8 Secretary—

9 (i) has a track record of providing as-  
10 sistance to homeowners;

11 (ii) targets services to low- and mod-  
12 erate-income persons; or

13 (iii) provides services in neighborhoods  
14 that have high concentrations of low- and  
15 moderate-income persons.

16 (c) REPORTS.—

17 (1) SECRETARY REPORT.—The Secretary shall,  
18 on an annual basis until the terminations described  
19 in subsections (a)(4) and (b)(4), submit to the Com-  
20 mittee on Financial Services of the House of Rep-  
21 resentatives and the Committee on Banking, Hous-  
22 ing, and Urban Affairs of the Senate a report that  
23 describes a summary of activities taken pursuant to  
24 subsections (a) and (b).

1 (2) INSPECTOR GENERAL REPORT.—Not less  
2 frequently than twice until the terminations de-  
3 scribed in subsections (a)(4) and (b)(4), the Inspec-  
4 tor General of the Department of Housing and  
5 Urban Development shall submit to the Committee  
6 on Financial Services of the House of Representa-  
7 tives and the Committee on Banking, Housing, and  
8 Urban Affairs of the Senate a report that describes  
9 the implementation of the pilot programs under sub-  
10 sections (a) and (b).

11 (d) HEIRS' PROPERTY HOUSING COUNSELING.—Sec-  
12 tion 106(g) of the Housing and Urban Development Act  
13 of 1968 (12 U.S.C. 1701x(g)) is amended by adding at  
14 the end the following:

15 “(6) COUNSELING WITH RESPECT TO HEIRS’  
16 PROPERTY.—

17 “(A) IN GENERAL.—Any nonprofit organi-  
18 zation that receives amounts under this section  
19 shall, when providing homeownership counseling  
20 services to an individual—

21 “(i) explain to such individual—

22 “(I) what heirs’ property is;

23 “(II) the risks associated with

24 heirs’ property; and



1 “(III) how to avoid heirs’ prop-  
2 erty issues; and

3 “(ii) inform such individual of all  
4 available estate planning and title clearing  
5 options, assistance, and services.

6 “(B) REFERRAL.—The Secretary shall en-  
7 sure that each nonprofit organization that re-  
8 ceives amounts under this section has proce-  
9 dures to refer individuals, where appropriate, to  
10 mission-driven nonprofit organizations and legal  
11 services clinics operated by institutes of higher  
12 education that are capable of assisting an indi-  
13 vidual—

14 “(i) to clear title with respect to heirs’  
15 property; and

16 “(ii) with general estate planning.

17 “(C) HEIRS’ PROPERTY.—The term ‘heirs’  
18 property’ means residential property for  
19 which—

20 “(i) title passed by operation of law  
21 through intestacy; and

22 “(ii) is held by 2 or more heirs as ten-  
23 ants in common.”.



