

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5196
OFFERED BY MS. WATERS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Expediting Assistance
3 to Renters and Landlords Act of 2021”.

**4 SEC. 2. EXPEDITING APPLICATIONS FOR ASSISTANCE SUB-
5 MITTED BY LANDLORDS.**

6 (a) IN GENERAL.—Section 501(f)(1) of subtitle A of
7 title V of division M of the Consolidated Appropriations
8 Act, 2021 (15 U.S.C. 9058a(f)(1)) is amended—

9 “(3) APPLICATIONS SUBMITTED ON BEHALF OF
10 TENANT WITHOUT TENANT CONSENT.—

11 “(A) ESTABLISHMENT OF APPLICATION
12 PROCESS.—

13 “(i) APPLICATION PROCESS.—

14 “(I) IN GENERAL.—The Sec-
15 retary shall, not later than 30 days
16 after the date of the enactment of this
17 paragraph, establish a process, in con-
18 sideration of the conditions on assist-

1 ance described in clause (ii), for a
2 landlord to submit an application on
3 behalf of a renter when such landlord
4 is unable to obtain the consent of
5 such renter to submit such application
6 for after taking reasonable steps to
7 obtain such consent, as determined by
8 the Secretary.

9 “(II) ATTESTATION.—The proc-
10 ess established by the Secretary under
11 subparagraph (I) shall require the
12 landlord to attest under penalty of
13 perjury in the application the amount
14 of rental arrears owed to such land-
15 lord by the renter on whose behalf the
16 landlord is applying.

17 “(ii) CONDITIONS ON ASSISTANCE.—

18 “(I) IN GENERAL.—A landlord
19 who submits an application for assist-
20 ance under this paragraph shall com-
21 ply with any conditions the Secretary
22 of the Treasury may prescribe to en-
23 sure that renters remain stably
24 housed.

1 “(II) 120-DAY EVICTION PROHI-
2 BITION.—

3 “(aa) IN GENERAL.—The
4 Secretary of the Treasury shall,
5 not later than 30 days after the
6 date of the enactment of this
7 paragraph, to ensure that renters
8 remain stably housed, prohibit
9 any landlord that applies for as-
10 sistance under this paragraph
11 from evicting the renter on behalf
12 of whom the landlord submits an
13 application during the 120-day
14 period after the date on which
15 the landlord applies to an eligible
16 grantee for assistance, unless the
17 tenancy—

18 “(AA) constitutes a di-
19 rect threat to the health and
20 safety of other individuals;
21 or

22 “(BB) would result in
23 substantial physical damage
24 to the property of others

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“(bb) ASSISTANCE FOR 120-DAY EVICTION PROHIBITION PERIOD.—

“(AA) IN GENERAL.—
When submitting an application for assistance under this paragraph, a landlord may request an amount equal to the amount of rent due during the 120-day period during which the landlord is prohibited from evicting the renter under item (aa).

“(BB) APPROVAL.—If an eligible grantee approves the application submitted by a landlord under this paragraph, the eligible grantee may provide, if requested by the landlord, the amount equal to the amount of rent due during the 120-day period during which the landlord is prohibited from evict-

1 ing the renter under item
2 (aa) unless the eligible
3 grantee determines that the
4 amount requested is incon-
5 sistent with the amount of
6 monthly arrearages in the
7 application.

8 “(CC) LATER REQUEST
9 FOR ASSISTANCE.—If a
10 landlord, after approval of
11 an application, later re-
12 quests assistance in amount
13 equal to the amount of rent
14 due during the 120-day pe-
15 riod during which the land-
16 lord is prohibited from evict-
17 ing the renter under item
18 (aa), this additional applica-
19 tion for assistance shall not
20 trigger an additional 120-
21 day prohibition on eviction
22 under this subclause.

23 “(iii) NOTICE OF APPLICATION.—The
24 process established by the Secretary under
25 this subparagraph shall require a landlord

1 of a residential dwelling who submits an
2 application for assistance under this para-
3 graph to, not less than 10 days before the
4 date on which such landlord submits such
5 application—

6 “(I) notify the renter on whose
7 behalf the landlord intends to submit
8 the application of the intent of the
9 landlord to submit such application;

10 “(II) inform such renter that if
11 the application to be submitted is ap-
12 proved, the landlord would be prohib-
13 ited from terminating any lease agree-
14 ment with the renter or evicting such
15 renter during the 120 days after the
16 date on which the landlord submits
17 the application, unless the tenancy
18 constitutes a direct threat to the
19 health and safety of other individuals
20 or would result in substantial physical
21 damage to the property of others; and

22 “(III) inform such renter wheth-
23 er the landlord intends to apply to a
24 eligible grantee for assistance in the
25 amount of rent due during the 120-

1 day period after the landlord submits
2 the application during which the land-
3 lord is prohibited from evicting the
4 renter.

5 “(iv) DOCUMENTATION.—

6 “(I) IN GENERAL.—The Sec-
7 retary shall, with respect to docu-
8 mentation required for applications
9 for assistance under this paragraph,
10 establish a method for a landlord to
11 establish the income of a renter when
12 the landlord does not have the consent
13 of the renter, including the use of
14 proxies of income.

15 “(II) 4 OR FEWER DWELLINGS.—
16 The Secretary shall, where possible,
17 limit the amount of documentation re-
18 quired for an application for assist-
19 ance in the case of a landlord that
20 owns 4 or fewer residential dwellings.

21 “(v) VACANT PROPERTIES.—The Sec-
22 retary shall establish a process for a land-
23 lord to submit an application for assistance
24 under this paragraph on behalf of a renter
25 who vacated a dwelling before September

1 7, 2021, and such process shall require the
2 landlord to attest under penalty of perjury
3 that the landlord did not—

4 “(I) file an eviction notice on the
5 renter, unless such eviction notice was
6 filed because the tenancy constituted
7 a direct threat to the health and safe-
8 ty of other individuals or resulted in
9 substantial physical damage to the
10 property of others;

11 “(II) sever any utilities or order
12 the severing of any utilities to the res-
13 idential dwelling while the renter re-
14 sided in the residential dwelling;

15 “(III) change the locks of the
16 residential dwelling or attempt to bar
17 the renter from entering the residen-
18 tial dwelling while the renter occupied
19 the residential dwelling; or

20 “(IV) take any other action iden-
21 tified by the Secretary to be an action
22 that is taken by a landlord to pressure
23 a renter to vacate a dwelling.

1 “(B) ESTABLISHMENT OF APPLICATION
2 PROCESS WHEN TENANT RESIDES IN FEDER-
3 ALLY ASSISTED RESIDENTIAL DWELLING.—

4 “(i) IN GENERAL.—The Secretary
5 shall, not later than 30 days after the date
6 of the enactment of this paragraph, estab-
7 lish a process for a landlord to submit an
8 application on behalf of a renter when—

9 “(I) the renter resides in a Fed-
10 erally assisted residential dwelling;
11 and

12 “(II) such landlord is unable to
13 obtain the consent of such renter to
14 submit such application for after tak-
15 ing reasonable steps to obtain such
16 signature, as determined by the Sec-
17 retary.

18 “(ii) CONDITIONS FOR ASSISTANCE.—
19 When establishing a process for a landlord
20 to submit an application on behalf of a
21 renter pursuant to clause (i), the Secretary
22 shall require the landlord to comply with
23 all of the conditions for assistance de-
24 scribed in subparagraph (A)(ii).

1 “(iii) DOCUMENTATION.—For pur-
2 poses of documenting in an application for
3 assistance the eligibility of a renter for as-
4 sistance that resides in a Federally as-
5 sisted residential dwelling, a landlord
6 may—

7 “(I) document the income eligi-
8 bility of the renter on behalf of whom
9 the landlord is applying by certifying
10 the income of such household based
11 on the information the landlord has
12 about the renter because the residen-
13 tial dwelling in which the renter re-
14 sides is a Federally assisted residen-
15 tial dwelling;

16 “(II) attest under penalty of per-
17 jury in the application the amount of
18 rental arrears owed to such landlord
19 by the renter;

20 “(III) attest under penalty of
21 perjury that the renter is eligible for
22 assistance because the renter owes an
23 amount equal to more than 2 months
24 of rent unpaid during the period be-
25 tween the date on which the national

1 emergency concerning the novel
2 coronavirus disease (COVID-19 out-
3 break) was declared by the President
4 and the date on which the application
5 is submitted by the landlord.

6 “(iv) NOTIFICATION.—When submit-
7 ting an application under this subpara-
8 graph, the landlord shall notify each renter
9 not less than 20 days before submitting an
10 application for assistance that the landlord
11 intends to apply for assistance under this
12 subparagraph, and that the renter may re-
13 quest that the landlord not proceed with
14 such application.

15 “(v) OPT-OUT.—If a renter requests,
16 in writing or electronically, that a landlord
17 not submit an application for assistance on
18 behalf of the landlord, the landlord is pro-
19 hibited from submitting an application for
20 assistance on behalf of such renter.

21 “(vi) SUBMISSION.—When submitting
22 an application for assistance on behalf of a
23 renter under this subparagraph a the land-
24 lord shall attest under penalty of perjury

1 that the renter did not request the land-
2 lord not submit such application.

3 “(vii) PENALTY.—If a landlord of a
4 Federally assisted rental dwelling evicts a
5 renter in violation of this paragraph or
6 does not accept a rental payment from
7 such renter, such landlord shall, beginning
8 on the date of the violation of this para-
9 graph, be—

10 “(I) prohibited from participating
11 in the program for rental assistance
12 under section 8 of the United States
13 Housing Act of 1937; and

14 “(II) receiving any credit under
15 section 42 of the Internal Revenue
16 Code of 1986.

17 “(viii) FEDERALLY ASSISTED RESI-
18 DENTIAL DWELLING.—In this subpara-
19 graph, the term ‘Federally assisted resi-
20 dential dwelling’ means a residential dwell-
21 ing unit that—

22 “(I) is made available for rental
23 and for which assistance is provided
24 under the program for rental assist-
25 ance under section 8 of the United

1 States Housing Act of 1937 (42
2 U.S.C. 1437f); or

3 “(II) which is located in a build-
4 ing with respect to which a taxpayer
5 received a credit under section 42 of
6 the Internal Revenue Code of 1986.

7 “(C) SATISFACTION OF OUTSTANDING
8 MONETARY CLAIM.—If a landlord of a residen-
9 tial dwelling submits an application for assist-
10 ance under this paragraph and receives assist-
11 ance in an amount equal to the amount re-
12 quested in such application, such amount re-
13 ceived shall be deemed to satisfy all monetary
14 claims relating to rent such landlord may have
15 against the renter on whose behalf the landlord
16 applied for assisted during the period between
17 March 13, 2020, and the date on which the ap-
18 plication is submitted by the landlord.

19 “(D) NOTICE OF APPROVED APPLICA-
20 TION.—If an eligible grantee approves an appli-
21 cation for assistance under this paragraph, the
22 landlord that submitted such application for as-
23 sistance shall, in the period between the date on
24 which the eligible grantee approves the applica-

1 tion and the date on which the landlord receives
2 assistance from the eligible grantee—

3 “(i) notify the renter on whose behalf
4 the landlord submitted an application for
5 assistance that the application was ap-
6 proved by the eligible grantee;

7 “(ii) notify such renter if the request
8 of the landlord for assistance in the
9 amount of rent due during the 120-day pe-
10 riod described in subparagraph (A)(ii) was
11 approved; and

12 “(iii) inform such renter that the
13 landlord is prohibited from terminating the
14 lease agreement or evicting such renter, ex-
15 cept when the tenancy constitutes a direct
16 threat to the health and safety of other in-
17 dividuals or would result in substantial
18 physical damage to the property of others,
19 during the 120 day period after the land-
20 lord submitted the application for assist-
21 ance; and

22 “(iv) inform the eligible grantee that
23 the landlord has provided the notices and
24 information required in clauses (i), (ii),
25 and (iii).

1 “(E) GRANTEE NOTIFICATION PROCESS.—

2 Each eligible grantee that provides assistance to
3 a landlord that applies for assistance under this
4 paragraph shall establish a process to notify
5 State and local courts and the renter on whose
6 behalf the landlord applied that—

7 “(i) rent is no longer past due with
8 respect to such renter;

9 “(ii) any eviction proceedings relating
10 to the nonpayment of rent by such renter
11 should be halted; and

12 “(iii) any pending eviction proceeding
13 or action relating to the nonpayment of
14 rent should be sealed.

15 “(F) NOTIFICATION OF RIGHTS.—

16 “(i) IN GENERAL.—Each eligible
17 grantee that approves an application for
18 assistance submitted by a landlord on be-
19 half of a renter under this paragraph shall,
20 before providing assistance to the landlord,
21 inform the renter about—

22 “(I) the rights of such renter
23 under the Fair Housing Act and rel-
24 evant State and local laws relating to
25 fair housing;

1 “(II) how such renter can file
2 complaints with respect to violations
3 of the Fair Housing Act and viola-
4 tions of relevant State and local laws
5 relating to fair housing; and

6 “(III) a statement describing the
7 protections against evictions provided
8 under the Emergency Rental Assist-
9 ance program established under sec-
10 tion 501.

11 “(ii) EXCEPTION.—An eligible grantee
12 does not need to provide a renter with the
13 information described in clause (i) if the
14 application was submitted by the landlord
15 on behalf of a renter who vacated a dwell-
16 ing before September 7, 2021, as described
17 in subparagraph (G).

18 “(G) RULE OF CONSTRUCTION.—Nothing
19 in this paragraph may be construed to prevent
20 a renter from applying for assistance related to
21 items described in section 501(c)(2)(A) that are
22 not included in an application submitted by a
23 landlord on behalf of the renter.”.

24 (b) AGGREGATE APPLICATIONS.—Section 501(f) of
25 subtitle A of title V of division M of the Consolidated Ap-

1 appropriations Act, 2021 (15 U.S.C. 9058a(f)) is amended
2 by adding at the end the following:

3 “(3) AGGREGATE APPLICATIONS.—

4 “(A) IN GENERAL.—The Secretary shall
5 require eligible grantees to accept an aggregate
6 application from a landlord and shall require el-
7 igible grantees to establish reasonable proce-
8 dures for—

9 “(i) accepting aggregate applications;

10 “(ii) approving aggregate applications;

11 and

12 “(iii) providing assistance to landlords
13 in a single payment on the basis of an ap-
14 proved aggregate application.

15 “(B) AGGREGATE APPLICATION DE-
16 FINED.—For the purposes of this paragraph,
17 the term ‘aggregate application’ means an ap-
18 plication for assistance submitted by a landlord
19 of one or more residential dwellings on behalf of
20 multiple renters.”.

21 (c) PRIORITIZATION OF ASSISTANCE.—Section
22 501(c)(4) of subtitle A of title V of division M of the Con-
23 solidated Appropriations Act, 2021 (15 U.S.C.
24 9058a(c)(4)) is amended by adding at the end the fol-
25 lowing:

1 “(D) The eligible grantee shall prioritize
2 applications filed by renters and applications
3 filed by landlords on behalf of renters with the
4 consent of the renter over any application filed
5 by a landlord without the consent of a renter.

6 “(E) The eligible grantee shall prioritize
7 payments to landlords and renters that apply
8 for assistance in the following order:

9 “(i) First, payments of rent.

10 “(ii) Second, payments of rental ar-
11 rears.

12 “(iii) Third, payments of utilities and
13 home energy costs.

14 “(iv) Fourth, payments of utilities
15 and home energy costs arrears.

16 “(v) Fifth, payments of other ex-
17 penses related to housing incurred directly
18 or indirectly as a result of the novel
19 coronavirus disease (COVID-19) outbreak,
20 as defined by the Secretary.”.

21 **SEC. 3. MANDATING TENANT ACCESS TO FINANCIAL AS-**
22 **SISTANCE.**

23 (a) IN GENERAL.—Section 501(c) of subtitle A of
24 title V of division M of the Consolidated Appropriations
25 Act, 2021 (15 U.S.C. 9058a(c)) is amended—

1 (1) in paragraph (2)—

2 (A) in subparagraph (A)—

3 (i) by striking “12 months” and in-
4 sserting “20 months”; and

5 (ii) by striking “for an additional 3
6 months” and inserting “for an additional 4
7 months”;

8 (B) in subparagraph (B)(i), by striking “3
9 months” and inserting “4 months”; and

10 (C) in subparagraph (C)(i)(I) by striking
11 “the grantee may make such payments” and in-
12 sserting “the grantee shall make such pay-
13 ments”; and

14 (2) in paragraph (3), by striking “to provide el-
15 igible households” and inserting “to provide ‘low-in-
16 come families’ as such term is defined in section
17 3(b) of the United States Housing Act of 1937 (42
18 U.S.C. 1437a(b))”.

19 (b) EXTENDED PERIOD FOR ASSISTANCE.—Section
20 3201(d)(1)(A) of the American Rescue Plan Act of 2021
21 is amended—

22 (1) in clause (i), by striking “18 months” and
23 inserting “24 months”; and

24 (2) in clause (ii), by striking “18 months” and
25 inserting “24 months”.

1 (c) LIMITATION OF LIABILITY.—Section 501 of sub-
2 title A of title V of division M of the Consolidated Appro-
3 priations Act, 2021 (15 U.S.C. 9058a) is amended by add-
4 ing at the end the following:

5 “(m) SAFE HARBOR.—An eligible grantee may not
6 be subject to liability for the provision of assistance under
7 this section to a renter who does not meet the eligibility
8 requirements set forth under this section if such eligible
9 grantee provides such assistance in good faith reliance on
10 attestations of eligibility or use of proxies of income pro-
11 vided by the renter pursuant to the requirements of this
12 section or rules issued by the Secretary under this sec-
13 tion.”.

14 (d) ELIGIBLE HOUSEHOLD DEFINED.—Section
15 501(k)(3) of subtitle A of title V of division M of the Con-
16 solidated Appropriations Act, 2021 (15 U.S.C.
17 9058a(k)(3)) is amended—

18 (1) in subparagraph (A)—

19 (A) by striking “with respect to which the
20 eligible grantee involved determines” and insert-
21 ing “with respect to which the eligible grantee
22 determines by accepting any attestation of the
23 household as true,”; and

1 (B) by striking “hardship due, directly” an
2 inserting “hardship, during or due, directly”;
3 and

4 (2) by striking in subparagraph (C) and insert-
5 ing the following:

6 “(C) INCOME DETERMINATION.—In deter-
7 mining the income of a household for purposes
8 of determining such household’s eligibility for
9 assistance from a payment made under this sec-
10 tion (including for purposes of subsection
11 (e)(4)), the eligible grantee involved shall accept
12 any attestation of the household with respect to
13 eligibility as true.”.

14 (e) LEASE REQUIREMENT PROHIBITED.—Section
15 501 of subtitle A of title V of division M of the Consoli-
16 dated Appropriations Act, 2021 (15 U.S.C. 9058a) is
17 amended by adding at the end the following:

18 “(n) LEASE REQUIREMENT PROHIBITED.—The Sec-
19 retary shall prohibit eligible grantees from requiring a
20 renter to submit a written lease agreement to be eligible
21 for assistance under this section.”.

22 (f) PRIORITIZATION OF ASSISTANCE.—Section
23 501(e)(4) of subtitle A of title V of division M of the Con-
24 solidated Appropriations Act, 2021 (15 U.S.C.

1 9058a(c)(4)) is amended by adding at the end the fol-
2 lowing:

3 “(C) An eligible grantee shall process all
4 applications for eligible households with incomes
5 of not more than 80 percent of the area median
6 income, notwithstanding the preference for eli-
7 gible households with incomes of not more than
8 50 percent of area median income described in
9 subparagraph (A).”.

10 (g) GARNISHABLE EVICTION JUDGEMENTS.—Section
11 501(c)(2)(v) of subtitle A of title V of division M of the
12 Consolidated Appropriations Act, 2021 (15 U.S.C.
13 9058a(c)(2)(v)) is amended by striking “, as defined by
14 the Secretary” and inserting “, as defined by the Sec-
15 retary and including garnishable eviction judgements.”.

16 (h) PERSONS EXPERIENCING HOMELESSNESS.—

17 (1) IN GENERAL.—Section 501(k)(3) of subtitle
18 A of title V of division M of the Consolidated Appro-
19 priations Act, 2021 (15 U.S.C. 9058a(k)(3)) is
20 amended by adding at the end the following:

21 “(D) PRESUMPTION OF ELIGIBILITY.—An
22 eligible grantee shall presume that a person
23 who is homeless (as such term is defined in
24 paragraphs 1 and 4 of section 583.5 of title 24,

1 Code of Federal Regulations) meets all of the
2 eligibility criteria described in this paragraph.”.

3 (2) PRESUMPTION OF ELIGIBILITY.—Section
4 3201(f)(2) of the American Rescue Plan Act of 2021
5 is amended by adding at the end the following:

6 “(E) PRESUMPTION OF ELIGIBILITY.—An
7 eligible grantee shall presume that a person
8 who is homeless (as such term is defined in
9 paragraphs 1 and 4 of section 583.5 of title 24,
10 Code of Federal Regulations) meets all of the
11 eligibility criteria described in this paragraph.”.

12 (i) LANGUAGE ACCESS REQUIREMENTS.—

13 (1) IN GENERAL.—Section 501(c) of subtitle A
14 of title V of division M of the Consolidated Appro-
15 priations Act, 2021 (15 U.S.C. 9058a(c)) is amend-
16 ed by adding at the end the following:

17 “(5) LANGUAGE ACCESS.—Each eligible grantee
18 shall make available a written application for assist-
19 ance and shall provide—

20 “(A) versions of such written application in
21 each of the 3 most spoken languages in the
22 State in which the eligible grantee operates, as
23 determined in the most recent American Com-
24 munity Survey of the Bureau of the Census; or

1 “(B) provide translation services for rent-
2 ers and landlords that apply for assistance.”.

3 (2) LANGUAGE ACCESS REQUIREMENT.—Sec-
4 tion 3201(d) of the American Rescue Plan Act of
5 2021 is amended by adding at the end the following:

6 “(3) LANGUAGE ACCESS.—Each eligible grantee
7 shall make available a written application for assist-
8 ance and shall provide—

9 “(A) versions of such written application in
10 each of the 3 most spoken languages in the
11 State in which the eligible grantee operates, as
12 determined in the most recent American Com-
13 munity Survey of the Bureau of the Census; or

14 “(B) provide translation services for rent-
15 ers and landlords that apply for assistance.”.

16 **SEC. 4. PERFORMANCE IMPROVEMENT PLANS.**

17 Section 501(c) of subtitle A of title V of division M
18 of the Consolidated Appropriations Act, 2021 (15 U.S.C.
19 9058a(c)) is amended by adding at the end the following:

20 “(6) PERFORMANCE IMPROVEMENT PLANS.—

21 The Secretary shall require any eligible grantee that
22 has, on September 30, 2021, obligated less than 25
23 percent of any amounts such eligible grantee has re-
24 ceived under this section to provide to the Secretary
25 a performance improvement plan that explains how

1 such eligible grantee will expedite the delivery of as-
2 sistance to renters and landlords.”.

3 **SEC. 5. OUTREACH TO RENTERS AND LANDLORDS AND**
4 **TECHNICAL ASSISTANCE.**

5 Section 501 of subtitle A of title V of division M of
6 the Consolidated Appropriations Act, 2021 (15 U.S.C.
7 9058a) is amended by adding at the end the following:

8 “(o) OUTREACH AND TECHNICAL ASSISTANCE.—

9 “(1) OUTREACH.—The Secretary and the eligi-
10 ble grantee shall conduct outreach to renters and
11 landlords to ensure maximum participation in the
12 emergency rental assistance program established
13 under this section, including by—

14 “(A) not later than 30 days after the date
15 of the enactment of this subsection, sending di-
16 rect mail to all taxpayers that educates the tax-
17 payers about the emergency rental assistance
18 program established under this section and how
19 the taxpayer may qualify for assistance;

20 “(B) not later than 30 days after the date
21 of the enactment of this subsection, sending di-
22 rect mail to taxpayers who received rental in-
23 come in 2020 that informs such taxpayers that
24 renters of their dwellings may qualify for the

1 emergency rental assistance program estab-
2 lished under this section; and

3 “(C) purchasing television, radio, and elec-
4 tronic advertisement to educate Americans
5 about the emergency rental assistance program
6 established under this section and how Ameri-
7 cans may qualify for assistance.

8 “(2) TECHNICAL ASSISTANCE.—The Secretary
9 shall provide technical assistance to eligible grantees
10 and this technical assistance shall include—

11 “(A) assisting eligible grantees with the
12 development and administration of programs
13 under this section;

14 “(B) providing technical advice and tech-
15 nology to eligible grantees, including software
16 and automated payment disbursement tools;
17 and

18 “(C) other information and technical as-
19 sistance as the Secretary determines appro-
20 priate to assist eligible grantees to achieve the
21 objectives of this section.

22 “(3) AUTHORIZATION OF APPROPRIATIONS.—
23 There are authorized to be appropriated to the Sec-
24 retary of the Treasury to carry out the outreach and
25 technical assistance required under this subsection,

1 and to establish the online portal and telephone hot-
2 line described in section 8 of the Expediting Assist-
3 ance to Renters and Landlords Act of 2021,
4 \$50,000,000 for use in fiscal year 2022.”.

5 **SEC. 6. ALLOCATION AND RECAPTURE PROCESS MODIFICA-**
6 **TION.**

7 (a) ALLOCATIONS.—Section 501(d) of subtitle A of
8 title V of division M of the Consolidated Appropriations
9 Act, 2021 (15 U.S.C. 9058a(d)) is amended—

10 (1) by striking “Beginning on September 30,
11 2021,” and inserting the following:

12 “(1) IN GENERAL.—Beginning on September
13 30, 2021,”;

14 (2) by striking “The amount of any such re-
15 allocation” and inserting the following:

16 “(2) AMOUNT.— The amount of any such re-
17 allocation”;

18 (3) in paragraph (1)—

19 (A) by striking “uses described under sub-
20 section (c).” and inserting “uses described
21 under subsection (c);”

22 (B) by striking “to eligible grantees” and
23 inserting the following:

24 “(A) to eligible grantees”; and

1 (C) by inserting after subparagraph (A)
2 the following:

3 “(B) to any nonprofit entity that primarily
4 provides housing services and operates in the
5 jurisdiction of the eligible grantee from whom
6 the funds were recaptured; or

7 “(C) to a public or private entity super-
8 vised by a court that primarily provides housing
9 services and operates in the jurisdiction of the
10 eligible grantee from whom the funds were re-
11 captured.”; and

12 (4) by adding at the end the following:

13 “(3) CONSIDERATIONS.—

14 “(A) IN GENERAL.—When deciding wheth-
15 er to reallocate amounts to a particular eligible
16 entity, nonprofit, or public or private entity de-
17 scribed in paragraph (1), the Secretary shall
18 consider, with respect to the jurisdiction in
19 which the eligible entity, nonprofit, or public or
20 private entity operates—

21 “(i) the percentage of the total popu-
22 lation of the jurisdiction that are renters;

23 “(ii) the percentage of renters in the
24 jurisdiction that have an income that is not

1 greater than 50 percent of the area median
2 income; and

3 “(iii) the percentage of renters that
4 spend more than 50 percent of their in-
5 come on rent.

6 “(B) ADDITIONAL CONSIDERATION.—the
7 Secretary shall consider reallocating amounts
8 from local and State jurisdictions to eligible
9 grantees operating in that jurisdiction.”.

10 (b) UNREQUESTED AMOUNTS.—Section 501(b) of
11 subtitle A of title V of division M of the Consolidated Ap-
12 propriations Act, 2021 (15 U.S.C. 9058a(b)) is amended
13 by adding at the end the following:

14 “(4) UNREQUESTED AMOUNTS.—If a State, lo-
15 cality, or territory declines an amount under this
16 section, the Secretary may allocate such amount
17 to—

18 “(A) any nonprofit entity that primarily
19 provides housing services and operates in the
20 jurisdiction of the State, locality, or territory
21 that declined such amounts; or

22 “(B) a public or private entity supervised
23 by a court that primarily provides housing serv-
24 ices and operates in the jurisdiction of the eligi-
25 ble State, locality, or territory.”.

1 **SEC. 7. COLLABORATION WITH PUBLIC ENTITIES.**

2 (a) IN GENERAL.—Section 501 of subtitle A of title
3 V of division M of the Consolidated Appropriations Act,
4 2021 (15 U.S.C. 9058a) is amended—

5 (1) in subsection (c)(5)(A)—

6 (A) by striking “10 percent” and inserting
7 “15 percent”; and

8 (B) by striking “related to such funds.”
9 and inserting “related to such funds and for
10 collaboration with public entities as described in
11 subsection (p).”; and

12 (2) by adding at the end the following:

13 “(p) COLLABORATION WITH PUBLIC ENTITIES.—

14 “(1) IN GENERAL.—The Secretary of the
15 Treasury shall, not later than 30 days after the en-
16 actment of this subsection, issue guidance designed
17 to instruct eligible grantees with respect to how best
18 to collaborate with public entities to provide applica-
19 tion assistance services.

20 “(2) USE OF AMOUNTS PAID TO ELIGIBLE
21 GRANTEE.—Notwithstanding subsection (c)(5), an
22 eligible grantee that collaborates with public entities
23 pursuant to the guidance issued by the Secretary of
24 the Treasury pursuant to paragraph (1) may use
25 amounts available for administrative costs under sec-
26 tion (c)(5) to, in coordination with one or more pub-

1 lic entities, develop any administrative infrastructure
2 necessary to provide application assistance services,
3 including—

4 “(A) training the employees of a public en-
5 tity or other designated institutional representa-
6 tive of a public entity about how to complete
7 the emergency rental application process;

8 “(B) maintaining physical and electronic
9 copies of all documents needed to apply for as-
10 sistance;

11 “(C) establishing methods of communica-
12 tion between eligible grantees, public entities,
13 community organizations, and individual house-
14 holds;

15 “(D) providing language translation serv-
16 ices;

17 “(E) developing community outreach mate-
18 rials, programs, and initiatives;

19 “(F) collecting and storing relevant docu-
20 mentation on-site at the public entity, or with
21 a third party in a manner that complies with
22 Federal, State, and local law; and

23 “(G) coordinating, including with courts
24 that handle eviction related matters, on the cre-

1 ation and advertisement of eviction diversion
2 plans.

3 “(3) DEFINITIONS.—In this subsection:

4 “(A) APPLICATION ASSISTANCE SERV-
5 ICES.—The term ‘application assistance serv-
6 ices’ means—

7 “(i) distributing applications for as-
8 sistance to individuals that may qualify for
9 assistance; and

10 “(ii) assisting individuals applying or
11 assistance.

12 “(B) PUBLIC ENTITY.—The term public
13 entity includes—

14 “(i) public elementary schools and
15 public secondary schools (as such terms
16 are defined under section 8101 of the Ele-
17 mentary and Secondary Education Act of
18 1965);

19 “(ii) public libraries;

20 “(iii) HUD-approved housing coun-
21 seling agencies and other entities receiving
22 funds under section 3204 of the American
23 Rescue Plan Act of 2021;

24 “(iv) courts that handle eviction re-
25 lated matters;

- 1 “(v) public housing agencies;
2 “(vi) public transit systems;
3 “(vii) State departments of motor ve-
4 hicles;
5 “(viii) the United States Postal Serv-
6 ice; and
7 “(ix) Federal, State, and local social
8 service providers, including food banks and
9 Federally qualified health centers.”.

10 (b) COLLABORATION WITH PUBLIC ENTITIES.—Sec-
11 tion 3201 of the American Rescue Plan Act of 2021 is
12 amended by adding at the end the following:

13 “(i) COLLABORATION WITH PUBLIC ENTITIES.—

14 “(1) IN GENERAL.—The Secretary of the
15 Treasury shall, not later than 30 days after the en-
16 actment of this subsection, issue guidance designed
17 to instruct eligible grantees with respect to how best
18 to collaborate with public entities to provide applica-
19 tion assistance services.

20 “(2) USE OF AMOUNTS PAID TO ELIGIBLE
21 GRANTEE.—An eligible grantee that collaborates
22 with public entities pursuant to the guidance issued
23 by the Secretary of the Treasury pursuant to para-
24 graph (1) may use not more than 15 percent of the
25 amount paid to such eligible grantee under this sec-

1 tion to, in coordination with one or more public enti-
2 ties, develop any administrative infrastructure nec-
3 essary to provide application assistance services, in-
4 cluding—

5 “(A) training the employees of a public en-
6 tity or other designated institutional representa-
7 tive of a public entity about how to complete
8 the emergency rental application process;

9 “(B) maintaining physical and electronic
10 copies of all documents needed to apply for as-
11 sistance;

12 “(C) establishing methods of communica-
13 tion between eligible grantees, public entities,
14 community organizations, and individual house-
15 holds;

16 “(D) providing language translation serv-
17 ices;

18 “(E) developing community outreach mate-
19 rials, programs, and initiatives;

20 “(F) collecting and storing relevant docu-
21 mentation on-site at the public entity, or with
22 a third party in a manner that complies with
23 Federal, State, and local law; and

24 “(G) coordinating, including with courts
25 that handle eviction related matters, on the cre-

1 ation and advertisement of eviction diversion
2 plans.

3 “(3) DEFINITIONS.—In this subsection:

4 “(A) APPLICATION ASSISTANCE SERV-
5 ICES.—The term ‘application assistance serv-
6 ices’ means—

7 “(i) distributing applications for as-
8 sistance to individuals that may qualify for
9 assistance; and

10 “(ii) assisting individuals applying or
11 assistance.

12 “(B) PUBLIC ENTITY.—The term public
13 entity includes—

14 “(i) public elementary schools and
15 public secondary schools (as such terms
16 are defined under section 8101 of the Ele-
17 mentary and Secondary Education Act of
18 1965);

19 “(ii) public libraries;

20 “(iii) HUD-approved housing coun-
21 seling agencies and other entities receiving
22 funds under section 3204 of the American
23 Rescue Plan Act of 2021;

24 “(iv) courts that handle eviction re-
25 lated matters;

- 1 “(v) public housing agencies;
2 “(vi) public transit systems;
3 “(vii) State departments of motor ve-
4 hicles;
5 “(viii) the United States Postal Serv-
6 ice; and
7 “(ix) Federal, State, and local social
8 service providers, including food banks and
9 Federally qualified health centers.”.

10 **SEC. 8. OVERSIGHT AND ENFORCEMENT.**

11 (a) IN GENERAL.—Nothing in this Act shall be con-
12 strued to preclude the Attorney General, the Secretary of
13 Housing and Urban Development, the Inspector General
14 of the Treasury, or the Director of the Bureau of Con-
15 sumer Financial Protection from using their full enforce-
16 ment authorities to ensure that Federal funds are spent
17 in accordance with the law.

18 (b) HOTLINE FOR COMPLAINTS.—

19 (1) IN GENERAL.—The Secretary of the Treas-
20 ury shall establish an online portal and a telephone
21 hotline to—

22 (A) provide information about—

23 (i) the Emergency Rental Assistance
24 program; and

1 (ii) the protections against evictions
2 provided under the Emergency Rental As-
3 sistance program;

4 (B) collect complaints with respect to the
5 implementation of the Emergency Rental As-
6 sistance program; and

7 (C) collect suggestions for improvements to
8 the implementation of the Emergency Rental
9 Assistance program and responses to such sug-
10 gestions from eligible grantees of the Emer-
11 gency Rental Assistance Program.

12 (2) PUBLICATION OF FEEDBACK.—The Sec-
13 retary of the Treasury shall publish the complaints
14 received through the online portal and telephone hot-
15 line established pursuant to paragraph (1) on the
16 website of the Department of the Treasury in a mat-
17 ter that protects the privacy of individuals who sub-
18 mit complaints and suggestions.

19 (3) REFERRAL OF COMPLAINTS.—

20 (A) WITH RESPECT TO FRAUD.—The Sec-
21 retary of the Treasury shall refer any com-
22 plaints received through the online portal and
23 telephone hotline established pursuant to para-
24 graph (1) that relate to fraud to the Attorney
25 General.

1 (B) WITH RESPECT TO CONSUMER FINAN-
2 CIAL LAW VIOLATIONS.—The Secretary of the
3 Treasury shall refer any complaints received
4 though the online portal and telephone hotline
5 established pursuant to paragraph (1) that re-
6 late to potential violations of consumer financial
7 protection laws to the Director of the Bureau of
8 Consumer Financial Protection.

9 (C) WITH RESPECT TO LANDLORDS.—The
10 Secretary of the Treasury shall refer any com-
11 plaints received though the online portal and
12 telephone hotline established pursuant to para-
13 graph (1) that—

14 (i) relate to landlords generally to the
15 Chairman of the Federal Trade Commis-
16 sion; and

17 (ii) relate to landlords of federally as-
18 sisted rental dwellings (as such term is de-
19 fined in Section 501(f)(3)(J) of subtitle A
20 of title V of division M of the Consolidated
21 Appropriations Act, 2021), the Secretary
22 of the Department of Housing and Urban
23 Development.

24 (D) WITH RESPECT TO FAIR HOUSING LAW
25 VIOLATIONS.—The Secretary of the Treasury

1 shall refer any complaints received through the
2 online portal and telephone hotline established
3 pursuant to paragraph (1) that relate to poten-
4 tial violations of fair housing laws to the Attor-
5 ney General, the Secretary of Housing and
6 Urban Development and as appropriate, State
7 and local governments.

8 (4) EMERGENCY RENTAL ASSISTANCE PRO-
9 GRAM.—For the purposes of this section, the term
10 “Emergency Rental Assistance program” means the
11 program established under section 501 of subtitle A
12 of title V of division M of the Consolidated Appro-
13 priations Act, 2021 (15 U.S.C. 9058a).

14 **SEC. 9. APPLICATION OF FALSE CLAIMS ACT.**

15 Section 501of subtitle A of title V of division M of
16 the Consolidated Appropriations Act, 2021 (15 U.S.C.
17 9058a) is amended, by adding at the end the following:

18 “(o) APPLICATION OF FALSE CLAIMS ACT.—On or
19 after the date of the enactment of this subsection, any
20 claim made under this section by an individual who di-
21 rectly receives assistance under this section shall be sub-
22 ject to the False Claims Act.”.

