

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 6644
OFFERED BY MRS. BEATTY OF OHIO**

Page 57, line 14, add at the end the following:

1 (n) REALLOCATION NOT AVAILABLE FOR CERTAIN
2 JURISDICTIONS.—Section 217(d) of the Cranston-Gon-
3 zalez National Affordable Housing Act (42 U.S.C.
4 12747(d)) is amended—

5 (1) in paragraph (1), by striking the second
6 sentence and inserting the following: “Subject to
7 paragraph (4), jurisdictions eligible for such re-
8 allocations shall include participating jurisdictions
9 and jurisdictions meeting the requirements of this
10 title, including the requirements in paragraphs (3),
11 (4), and (5) of section 216.”; and

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

13 “(4) REALLOCATION NOT AVAILABLE FOR CER-
14 TAIN JURISDICTIONS.—The Secretary may decline to
15 make a reallocation available to a jurisdiction eligible
16 for such reallocation if such jurisdiction has failed to
17 meet or comply with any requirement under this
18 title.”.

1 (o) AMENDMENTS TO QUALIFICATION AS AFFORD-
2 ABLE HOUSING.—Section 215(a) of the Cranston-Gon-
3 zalez National Affordable Housing Act (42 U.S.C.
4 12745(a)) is amended—

5 (1) in paragraph (1)(E), by striking “except
6 upon a foreclosure by a lender (or upon other trans-
7 fer in lieu of foreclosure) if such action (i) recog-
8 nizes any contractual or legal rights of public agen-
9 cies, nonprofit sponsors, or others to take actions
10 that would avoid termination of low-income afford-
11 ability in the case of foreclosure or transfer in lieu
12 of foreclosure, and (ii) is not for the purpose of
13 avoiding low income affordability restrictions, as de-
14 termined by the Secretary; and” and inserting the
15 following: “except—

16 “(i) upon a foreclosure by a lender (or
17 upon other transfer in lieu of foreclosure)
18 if such action—

19 “(I) recognizes any contractual
20 or legal rights of public agencies, non-
21 profit sponsors, or others to take ac-
22 tions that would avoid termination of
23 low-income affordability in the case of
24 foreclosure or transfer in lieu of fore-
25 closure; and

1 “(II) is not for the purpose of
2 avoiding low-income affordability re-
3 strictions, as determined by the Sec-
4 retary; or

5 “(ii) where existing affordable housing
6 is no longer financially viable due to un-
7 foreseen acts or occurrences beyond the
8 reasonable contemplation or control of the
9 participating jurisdiction in which the af-
10 fordable housing is located or the owner of
11 the affordable housing that significantly
12 impact the financial or physical condition
13 of the affordable housing, as determined by
14 the Secretary; and”; and

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

16 “(7) SMALL-SCALE HOUSING.—

17 “(A) IN GENERAL.—Small-scale housing
18 shall qualify as affordable housing under this
19 title if—

20 “(i) each dwelling unit in such hous-
21 ing bears rent in an amount that complies
22 with the requirements described in para-
23 graph (1)(A);

24 “(ii) each dwelling unit in such hous-
25 ing is occupied by a low-income family;

1 “(iii) no dwelling unit in such housing
2 is refused for leasing to a holder of a
3 voucher under section 8 of the United
4 States Housing Act of 1937 (42 U.S.C.
5 1437f) because of the status of the pro-
6 spective tenant as a holder of such vouch-
7 er;

8 “(iv) such housing complies with the
9 requirement described in paragraph
10 (1)(E); and

11 “(v) the participating jurisdiction in
12 which such small-scale housing is located
13 monitors the compliance of such housing
14 with the requirements of this title in a
15 manner consistent with the purposes of
16 section 226(b), as determined by the Sec-
17 retary.

18 “(B) SMALL-SCALE HOUSING DEFINED.—
19 In this paragraph, the term ‘small-scale hous-
20 ing’ means housing with not more than 4 dwell-
21 ing units each of which is made available for
22 rental.”.

23 (p) TENANT AND PARTICIPANT PROTECTIONS FOR
24 SMALL-SCALE AFFORDABLE HOUSING.—Section 225 of
25 the Cranston-Gonzalez National Affordable Housing Act

1 (42 U.S.C. 12755) is amended by adding at the end the
2 following:

3 “(e) EXCEPTION.—Paragraphs (2), (3), and (4) shall
4 not apply to small-scale housing, as such term is defined
5 in section 215(a)(7).”.

6 (q) REVISION OF DEFINITION OF COMMUNITY LAND
7 TRUST.—Section 104 of the Cranston-Gonzalez National
8 Affordable Housing Act (42 U.S.C. 12704) is amended by
9 adding at the end the following:

10 “(26) The term ‘community land trust’ means
11 a nonprofit entity, a State, a unit of local govern-
12 ment or instrumentality of a State or unit of local
13 government that—

14 “(A) is not managed by, or an affiliate of,
15 a for-profit organization;

16 “(B) has as a primary purpose of acquir-
17 ing, developing, or holding land to provide hous-
18 ing that is permanently affordable to low- and
19 moderate-income persons;

20 “(C) monitors properties to ensure afford-
21 ability is preserved;

22 “(D) provides housing that is permanently
23 affordable to low- and moderate-income persons
24 using a ground lease, deed covenant, or other

1 similar legally enforceable measure, determined
2 acceptable by the Secretary, that—

3 “(i) keeps housing affordable to low-
4 and moderate-income persons for not less
5 than 30 years; and

6 “(ii) enables low- and moderate-in-
7 come persons to rent or purchase the hous-
8 ing for homeownership; and

9 “(E) maintains preemptive purchase op-
10 tions to purchase the property if such purchase
11 would allow the housing to remain affordable to
12 low-and moderate-income persons.”.

13 (1) CONFORMING AMENDMENTS.—The Cran-
14 ston-Gonzalez National Affordable Housing Act (42
15 U.S.C. 12701 et seq.) is amended—

16 (A) in section 233 by striking subsection
17 (f); and

18 (B) in section 223(b)(6), by striking “to
19 community land trusts (as such term is defined
20 in subsection (f))” and inserting “to community
21 land trusts (as such term is defined in section
22 104)”.

23 (r) MINIMUM ALLOCATIONS.—Section 217(b) of the
24 Cranston-Gonzalez National Affordable Housing Act (42
25 U.S.C. 12747 (b)) is amended—

1 (1) in paragraph (2), by striking “\$500,000”
2 each place that term appears and inserting
3 “\$750,000”;

4 (2) in paragraph (3)—

5 (A) by striking “jurisdictions that are allo-
6 cated an amount of \$500,000 or more” and in-
7 serting “jurisdictions that are allocated an
8 amount of \$750,000 or more”;

9 (B) by striking “that are allocated an
10 amount less than \$500,000” and inserting
11 “that are allocated an amount less than
12 \$500,000 before the date of the enactment of
13 the Housing for the 21st Century Act or less
14 than \$750,000 on or after the date of the en-
15 actment of the Housing for the 21st Century
16 Act”; and

17 (C) by striking “, except as provided in
18 paragraph (4)”;

19 (3) by striking paragraph (4).

20 (s) ADDITIONAL TECHNICAL CORRECTIONS.—The
21 Cranston-Gonzalez National Affordable Housing Act (42
22 U.S.C. 12701 et seq.) is amended—

23 (1) in section 108(a)(1), by striking “section
24 105(b)(15)” and inserting “section 105(b)(18)”;

1 (2) in section 217(b)(1)(F), by striking “Sub-
2 committee on Housing and Community Develop-
3 ment” and inserting “Subcommittee on Housing,
4 Transportation, and Community Development”.

