

**AMENDMENT TO H.R. 1851**  
**OFFERED BY MS. WATERS OF CALIFORNIA**

Page 1, line 7, before “Section” insert “(a) IN GENERAL.—”.

Page 3, line 8, strike “and”.

Page 5, line 4, strike the last period and insert “; and”.

Page 5, after line 4, insert the following:

1           (3) by adding at the end the following new sub-  
2 paragraph:

3                   “(F) ENFORCEMENT OF HOUSING QUALITY  
4 STANDARDS.—

5                           “(i) DETERMINATION OF NONCOMPLI-  
6 ANCE.—A dwelling unit that is covered by  
7 a housing assistance payments contract  
8 under this subsection shall be considered,  
9 for purposes of this subparagraph, to be in  
10 noncompliance with the housing quality  
11 standards under subparagraph (B) if—

12                                   “(I) the public housing agency or  
13 an inspector authorized by the State  
14 or unit of local government deter-

1 mines upon inspection of the unit that  
2 the unit fails to comply with such  
3 standards;

4 “(II) the agency or inspector no-  
5 tifies the owner of the unit in writing  
6 of such failure to comply; and

7 “(III) the failure to comply is not  
8 corrected within 90 days after receipt  
9 of such notice.

10 “(ii) WITHHOLDING AND RELEASE OF  
11 ASSISTANCE AMOUNTS.—The public hous-  
12 ing agency shall withhold all of the assist-  
13 ance amounts under this subsection with  
14 respect to a dwelling unit that is in non-  
15 compliance with housing quality standards  
16 under subparagraph (B). Subject to clause  
17 (iii), the agency shall promptly release any  
18 withheld amounts to the owner of the  
19 dwelling unit upon completion of repairs  
20 that remedy such noncompliance.

21 “(iii) USE OF WITHHELD ASSISTANCE  
22 TO PAY FOR REPAIRS.—The public housing  
23 agency may use such amounts withheld to  
24 make repairs to the dwelling unit or to  
25 contract to have repairs made (or to con-

1           tract with an inspector referred to in  
2           clause (i)(I) to make or contract for such  
3           repairs), and shall subtract the cost of  
4           such repairs from any amounts released to  
5           the owner of the unit upon remedying such  
6           noncompliance.

7           “(iv) PROTECTION OF TENANTS.—An  
8           owner of a dwelling unit may not terminate  
9           the tenancy of any tenant or refuse to  
10          renew a lease for such unit because of the  
11          withholding of assistance pursuant to this  
12          subparagraph.

13          “(v) TERMINATION OF LEASE OR AS-  
14          SISTANCE PAYMENTS CONTRACT.—If as-  
15          sistance amounts under this section for a  
16          dwelling unit are withheld pursuant to  
17          clause (ii) and the owner does not correct  
18          the noncompliance before the expiration of  
19          the lease for the dwelling unit and such  
20          lease is not renewed, the Secretary shall  
21          recapture any such amounts from the pub-  
22          lic housing agency.

23          “(vi) APPLICABILITY.—This subpara-  
24          graph shall apply to any dwelling unit for  
25          which a housing assistance payments con-

1                   tract is entered into or renewed after the  
2                   date of the effectiveness of the regulations  
3                   implementing this subparagraph.”.

Page 5, before line 5, insert the following:

4           (b) REGULATIONS.—The Secretary of Housing and  
5 Urban Development shall issue any regulations necessary  
6 to carry out the amendment made by subsection (a)(3)  
7 not later than the expiration of the 12-month period begin-  
8 ning upon the date of the enactment of this Act. Such  
9 regulations shall take effect not later than the expiration  
10 of the 90-day period beginning upon such issuance. This  
11 subsection shall take effect upon enactment of this Act.