

118TH CONGRESS
1ST SESSION

S. 2834

To combat toxic indoor mold, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2023

Mr. BLUMENTHAL introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To combat toxic indoor mold, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Healthy at Home Act of 2023”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Interagency research on health impacts of indoor residential mold.
- Sec. 4. Health, safety, and habitability standards and model standards.
- Sec. 5. Mapping.
- Sec. 6. Housing stock quality requirements.
- Sec. 7. Construction requirements for public housing and certain other federally-assisted construction.
- Sec. 8. Preservation grants for properties receiving section 8 project-based rental assistance.

- Sec. 9. Public information and education campaign.
- Sec. 10. Empowering tenants.
- Sec. 11. Healthy Homes incentive for requiring indoor residential mold and other hazard disclosure.
- Sec. 12. Uniform physical inspection sampling.
- Sec. 13. Denial of depreciation deduction for properties with failed NSPIRE inspections.
- Sec. 14. Supporting landlords to receive timely voucher payments.
- Sec. 15. Project-based contract administrator reporting requirements.
- Sec. 16. Coordination Between USDA and HUD.
- Sec. 17. GAO study on health and safety concerns in federally-assisted housing.
- Sec. 18. Sense of Congress.
- Sec. 19. Administrative provisions.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) INDOOR RESIDENTIAL MOLD.—The term
 4 “indoor residential mold” means any form of multi-
 5 cellular fungi in indoor environments, including
 6 cladosporium, penicillium, alternaria, aspergillus, fu-
 7 sarium, trichoderma, memnoniella, mucor,
 8 stachybotrys chartarum, streptomyces, and
 9 epicoccumoften found in water-damaged indoor envi-
 10 ronments and building materials.

11 (2) RESIDENTIAL MOLD INSPECTION.—The
 12 term “residential mold inspection” means an inspec-
 13 tion, by a certified or licensed mold inspector or
 14 other indoor environmental professional, including
 15 through the Real Estate Assessment Center, of real
 16 property that is designed to discover—

17 (A) indoor mold growth in residential prop-
 18 erties;

1 (B) conditions that facilitate indoor resi-
 2 dential mold growth; or

3 (C) indicia of conditions that are likely to
 4 facilitate indoor residential mold growth.

5 (3) TOXIGENIC MOLD.—The term “toxigenic
 6 mold” means any indoor mold growth that may be
 7 capable of producing a toxin or toxic compound, in-
 8 cluding mycotoxins and mVOCs, that can cause pul-
 9 monary, respiratory, neurological, gastrointestinal,
 10 or dermatological illnesses, or other major adverse
 11 health impacts, as jointly determined by the Director
 12 of the National Institutes of Health, the Secretary
 13 of Housing and Urban Development, the Adminis-
 14 trator of the Environmental Protection Agency, and
 15 the Director of the Centers for Disease Control and
 16 Prevention.

17 **SEC. 3. INTERAGENCY RESEARCH ON HEALTH IMPACTS OF**
 18 **INDOOR RESIDENTIAL MOLD.**

19 (a) RESEARCH.—

20 (1) IN GENERAL.—As soon as practicable after
 21 the date of enactment of this Act, the Director of
 22 the National Institute of Environmental Health
 23 Sciences at the National Institutes of Health, in
 24 conjunction with the Secretary of Housing and
 25 Urban Development, the Director of the Centers for

1 Disease Control and Prevention, the Administrator
2 of the Environmental Protection Agency, the Sec-
3 retary of Energy, the Secretary of Health and
4 Human Services, the President of the National
5 Academy of Sciences, and the Chair of the board of
6 directors of the National Institute of Building
7 Sciences shall jointly conduct a comprehensive study
8 of the health effects of indoor residential mold
9 growth, using the most up-to-date scientific peer-re-
10 viewed medical literature.

11 (2) CONTENTS.—The study conducted under
12 paragraph (1) shall ascertain, among other things—

13 (A) detailed information about harmful or
14 toxigenic mold, as well as any toxin or toxic
15 compound such mold can produce;

16 (B) the most accurate research-based
17 methods of detecting harmful or toxigenic mold;

18 (C) potential dangers of prolonged or
19 chronic exposure to indoor residential mold
20 growth;

21 (D) the hazards involved with inadequate
22 residential mold inspections and improper in-
23 door residential mold remediation;

24 (E) the estimated current public health
25 burden of new or exacerbated physical illness

1 resulting from exposure to indoor residential
2 mold, including its disproportionate impact on
3 vulnerable communities, including children and
4 seniors;

5 (F) improved understanding of the dif-
6 ferent health symptomology that can result
7 from exposure to mold in indoor residential en-
8 vironments;

9 (G) ongoing surveillance of the prevalence
10 of idiopathic pulmonary hemorrhage (AIPH) in
11 infants; and

12 (H) longitudinal studies on the effects of
13 indoor mold exposure in early childhood on the
14 development of asthma and other respiratory
15 illnesses.

16 (3) AVAILABILITY.—Not later than the expira-
17 tion of the 3-year period beginning on the date of
18 the enactment of this Act, the results of the study
19 conducted under paragraph (1) shall be submitted to
20 Congress and the President and made available to
21 the general public.

22 **SEC. 4. HEALTH, SAFETY, AND HABITABILITY STANDARDS**
23 **AND MODEL STANDARDS.**

24 (a) MODEL STANDARDS FOR PREVENTING, DETECT-
25 ING, AND REMEDIATING INDOOR RESIDENTIAL MOLD

1 GROWTH.—Based on the results of the interagency health
2 study conducted under section 3, the Administrator of the
3 Environmental Protection Agency, in conjunction with the
4 Secretary of Housing and Urban Development, the Direc-
5 tor of the Centers for Disease Control and Prevention, the
6 Assistant Secretary of Labor for Occupational Safety and
7 Health at the Occupational Safety and Health Adminis-
8 tration, the Secretary of Energy, the Executive Director
9 of the National Institute of Building Sciences, and the
10 President of the National Academy of Sciences shall, in
11 accordance with section 12(d) of the National Technology
12 Transfer and Advancement Act of 1995 (15 U.S.C. 272
13 note; Public Law 104–113), jointly issue model health,
14 safety, and habitability standards for preventing, detect-
15 ing, and remediating indoor residential mold growth, in-
16 cluding—

17 (1) model indoor residential mold inspection
18 standards;

19 (2) model indoor residential mold remediation
20 standards;

21 (3) standards for testing the toxicity of indoor
22 residential mold and any toxin or toxic compound
23 produced by indoor residential mold;

1 (4) health and safety standards for the protec-
2 tion of indoor residential mold inspectors and re-
3 mediators;

4 (5) standards for indoor residential mold test-
5 ing labs;

6 (6) model ventilation standards for the design,
7 installation, and maintenance of air ventilation or
8 air-conditioning systems to prevent indoor residen-
9 tial mold growth or the creation of conditions that
10 foster indoor mold growth in residential properties;
11 and

12 (7) model building code standards to control
13 moisture and prevent mold growth in indoor residen-
14 tial environments.

15 (b) CONSULTATION.—To the maximum extent pos-
16 sible, model standards issued under this section shall be
17 developed in consideration of the needs and vulnerabilities
18 of low-income populations and with the assistance of—

19 (1) organizations that develop mold and water
20 damage standards;

21 (2) organizations involved in establishing na-
22 tional building construction standards;

23 (3) representatives of State or local authorities
24 responsible for building inspections and issuance of
25 certificates of occupancy;

1 (4) organizations involved in improving indoor
2 air quality;

3 (5) public health advocates; and

4 (6) health and medical professionals, including
5 practitioners that care for children and other vulner-
6 able populations.

7 (c) RESILIENCY.—Model standards issued under this
8 section shall take into account geographic diversity, pro-
9 pensity for extreme weather or flooding, and other resil-
10 iency metrics.

11 (d) DEADLINES.—

12 (1) PUBLIC REVIEW AND COMMENT.—The offi-
13 cers identified in subsection (a) shall make draft
14 standards issued under this section available for
15 public review and comment at least 90 days prior to
16 publication of the final standards or model stand-
17 ards pursuant to paragraph (2).

18 (2) PUBLICATION.—Not later than 3 years
19 after the results of the study conducted under sec-
20 tion 3 are submitted to Congress in accordance with
21 such section, the officers identified in subsection (a)
22 shall issue, and make available to the public, final
23 standards and model standards under this section.

24 (e) REVIEW AND UPDATES.—The officers identified
25 in subsection (a) shall—

1 (1) review the model standards issued under
2 this section at least once every 3 years based on lat-
3 est scientific advances and published studies relating
4 to indoor residential mold growth; and

5 (2) update such standards and model standards
6 as necessary to adequately and effectively inform the
7 public and protect human health, preserve and im-
8 prove the quality of federally-assisted housing, and
9 reduce the displacement of tenants.

10 (f) **PHYSICAL CONDITION INSPECTIONS.**—Not later
11 than 3 years after the publication of standards and model
12 standards under subsection (a), the Secretary of Housing
13 and Urban Development shall revise the requirements for
14 conducting uniform physical condition inspections under
15 part 5 of title 24, Code of Federal Regulations, or any
16 successor regulation, to incorporate the model standards
17 issued under this section, as applicable.

18 **SEC. 5. MAPPING.**

19 (a) **IN GENERAL.**—Not later than one year after the
20 date of the enactment of this Act, the Secretary of Hous-
21 ing and Urban Development shall, using the previous two
22 years of inspection data, establish a geographic informa-
23 tion system mapping tool that identifies areas which are
24 impacted by a known presence of indoor residential mold.

1 (b) REQUIRED INCLUSIONS.—The Secretary shall in-
2 clude, as part of the mapping tool—

3 (1) inspection documentation;

4 (2) management and occupancy reviews;

5 (3) transfers of budget authority for contracts
6 under section 8 of the United States Housing Act of
7 1937 (42 U.S.C. 1437f); and

8 (4) any additional information, as required by
9 the Secretary.

10 (c) UPDATES.—The Secretary shall update the map-
11 ping tool with the latest inspection data not less often than
12 once per year.

13 **SEC. 6. HOUSING STOCK QUALITY REQUIREMENTS.**

14 Section 8 of the United States Housing Act of 1937
15 (42 U.S.C. 1437f) is amended by inserting after sub-
16 section (v) the following new subsection:

17 “(w) STANDARDS FOR PHYSICAL CONDITION AND
18 MANAGEMENT OF HOUSING RECEIVING ASSISTANCE PAY-
19 MENTS.—

20 “(1) STANDARDS.—Any entity receiving hous-
21 ing assistance payments under this section shall
22 maintain decent, safe, and sanitary conditions, as
23 determined by the Secretary, and comply with any
24 standards under applicable State or local laws, rules,
25 ordinances, or regulations relating to the physical

1 condition of any insured or non-insured property
2 covered under a housing assistance payment con-
3 tract for project-based assistance.

4 “(2) REMEDIATION.—The Secretary shall take
5 action under paragraph (3) when a multifamily
6 housing project with a housing assistance payment
7 contract under this section or a contract with the
8 Department of Housing and Urban Development for
9 similar project-based assistance—

10 “(A) receives a failing score on a physical
11 inspection by the Department; or

12 “(B) fails to certify in writing to the Sec-
13 retary within 3 days that all severe health or
14 safety deficiencies identified at the project by
15 the inspector have been corrected.

16 The requirements under this paragraph shall apply
17 to insured and non-insured projects with assistance
18 attached to the dwelling units under this section.

19 “(3) NOTICE OF DEFAULT.—

20 “(A) ISSUANCE.—Within 15 days of the
21 issuance of the Real Estate Assessment Center
22 inspection, the Secretary shall provide the
23 owner with a notice of default that shall include
24 a specified timetable, determined by the Sec-
25 retary, for correcting all deficiencies.

1 “(B) COPIES.—The Secretary shall provide
2 a copy of the notice of default to the tenants of
3 the property, the local government for the juris-
4 diction within which the property is located, any
5 mortgagees, and any contract administrator.

6 “(C) APPEAL; WITHDRAWAL.—If the
7 owner appeals the notice of default and the ap-
8 peal results in a passing Uniform Physical Con-
9 dition Standards score for the property, the
10 Secretary may withdraw the notice of default.

11 “(4) ENFORCEMENT.—If the owner fails to
12 fully correct all deficiencies identified in the notice
13 of default by the end of the time period for cor-
14 recting such deficiencies specified in the notice, the
15 Secretary shall, in consultation with the tenant orga-
16 nization, one or more of the following actions, and
17 provide additional notice of those actions to the
18 owner and the parties specified in paragraph (3)(B)
19 to improve property conditions and preserve housing
20 assistance:

21 “(A) Take any regulatory or contractual
22 remedies available as deemed necessary and ap-
23 propriate by the Secretary to improve property
24 conditions, protect tenants from displacement
25 and harm, and preserve the housing assistance.

1 “(B) Require immediate replacement of
2 the project management with a management
3 agent approved by the Secretary.

4 “(C) Abate the section 8 contract, includ-
5 ing partial abatement, as determined by the
6 Secretary, until all deficiencies have been cor-
7 rected.

8 “(D) Pursue transfer of the project to an
9 owner approved by the Secretary, in consulta-
10 tion with the tenant organization, under estab-
11 lished procedures, who shall be obligated to
12 promptly make all required repairs and to ac-
13 cept renewal of the assistance contract if such
14 renewal is offered, in conjunction with the ap-
15 propriate public housing agency or other local
16 entity.

17 “(E) Transfer the existing section 8 con-
18 tract to another project or projects and owner
19 or owners who have demonstrated financial and
20 organizational capacity to rehabilitate the
21 project, in consultation with tenants and the
22 appropriate public housing agency.

23 “(F) Pursue exclusionary sanctions, in-
24 cluding suspensions or debarments from Fed-
25 eral programs.

1 “(G) Relocate tenants while providing the
2 same level of housing assistance.

3 “(H) Seek judicial appointment of a re-
4 ceiver to manage the property and cure all
5 project deficiencies or seek a judicial order of
6 specific performance requiring the owner to
7 cure all project deficiencies.

8 “(I) Cooperate with receivership efforts by
9 State or local governments or lenders which aim
10 to improve the property conditions and preserve
11 the project-based housing assistance.

12 “(J) Work with the owner, lender, tenants,
13 or other related party to stabilize the property
14 in an attempt to preserve the property through
15 compliance, transfer of ownership, or an infu-
16 sion of capital or other resources.

17 “(5) PROHIBITION ON RENT INCREASES.—Ef-
18 fective upon the expiration of the 12-month period
19 beginning on the date of the enactment of this sub-
20 section, the Secretary shall prohibit any increases in
21 rents for dwelling units in the property until the
22 owner fully corrects all deficiencies identified in the
23 notice of default or demonstrates an ability to finan-
24 cially address conditions by—

1 “(A) providing a rehabilitation plan, devel-
2 oped in consultation with the tenants and ap-
3 proved by the Secretary; and

4 “(B) separately demonstrating a written
5 and enforceable commitment by the tenants and
6 the Secretary that any increases will address
7 the conditions of the property.

8 “(6) INFEASIBLE PROPERTIES.—The Secretary
9 shall take appropriate steps to ensure that project-
10 based contracts for rental assistance remain in ef-
11 fect, subject to the exercise of contractual abatement
12 remedies to assist relocation of tenants for major
13 threats to health and safety, taken after written no-
14 tice to the affected tenants. To the extent the Sec-
15 retary determines, in consultation with the tenants
16 and the local government, that a property is not fea-
17 sible for continued rental assistance payments under
18 such section 8 or other programs, based on consider-
19 ation of—

20 “(A) the costs of rehabilitating and oper-
21 ating the property and all available Federal,
22 State, and local resources, including rent ad-
23 justments under section 524 of the Multifamily
24 Assisted Housing Reform and Affordability Act
25 of 1997 (42 U.S.C. 1437f note), and

1 “(B) environmental conditions that cannot
2 be remedied in a cost-effective fashion,
3 the Secretary may contract for project-based rental
4 assistance payments with an owner or owners of
5 other housing properties, and to the maximum ex-
6 tent practicable, ensure that the project-based rental
7 assistance is available to tenants from the origi-
8 nating site.

9 “(7) REPORTING.—

10 “(A) IN GENERAL.—The Secretary shall
11 submit a report to the Committees on Financial
12 Services of the House of Representatives and
13 Banking, Housing, and Urban Affairs of the
14 Senate semi-annually identifying all properties
15 covered by this subsection that received a fail-
16 ing physical inspection score or have received
17 an unsatisfactory management and occupancy
18 review during the 36-month period ending upon
19 submission of such report. Each such report
20 shall include—

21 “(i) identification of the enforcement
22 actions being taken to address such condi-
23 tions leading to such score at each such
24 property, including imposition of civil
25 money penalties and termination of sub-

1 sidies, and identification of properties that
2 have such conditions multiple times;

3 “(ii) identification of actions that the
4 Department of Housing and Urban Devel-
5 opment is taking to protect tenants of such
6 identified properties; and

7 “(iii) any recommendations for admin-
8 istrative or legislative actions to further
9 improve the living conditions at such prop-
10 erties.

11 “(B) TIMING.—The first report required
12 under subparagraph (A) shall be submitted not
13 later than 30 days after the date of the enact-
14 ment of this subsection, and the second report
15 shall be submitted within 180 days of the sub-
16 mission of the first report.”.

17 **SEC. 7. CONSTRUCTION REQUIREMENTS FOR PUBLIC**
18 **HOUSING AND CERTAIN OTHER FEDERALLY-**
19 **ASSISTED CONSTRUCTION.**

20 (a) EFFECTIVE DATE; APPLICABILITY.—The Sec-
21 retary of Housing and Urban Development shall take such
22 actions and impose such standards and conditions as may
23 be necessary or appropriate to ensure that any public
24 housing constructed after the date of the issuance of the
25 model construction standards and techniques established

1 under subsection (b), is constructed in accordance with
2 such model standards and techniques.

3 (b) MODEL CONSTRUCTION STANDARDS.—

4 (1) IN GENERAL.—The Secretary of Housing
5 and Urban Development, jointly with the Executive
6 Director of the National Institute of Building
7 Sciences, and the President of the National Acad-
8 emy of Sciences, to the extent such Director and
9 President agree to participate, shall develop model
10 construction standards and techniques for pre-
11 venting and controlling indoor residential mold in
12 new residential buildings.

13 (2) CONTENTS.—The model standards and
14 techniques shall provide for geographic differences in
15 construction types and materials, geology, weather,
16 and other variables that may affect indoor residen-
17 tial mold levels in new buildings.

18 (3) CONSULTATION.—To the maximum extent
19 possible, such standards and techniques shall be de-
20 veloped with—

21 (A) the assistance of organizations involved
22 in establishing national building construction
23 standards and techniques;

24 (B) the assistance of organizations that de-
25 velop mold and water damage standards;

1 (C) representatives of State or local au-
2 thorities responsible for building inspections
3 and the issuance of certificates of occupancy;

4 (D) public health advocates; and

5 (E) housing advocates and organizations
6 representing the interests of tenants.

7 (4) PUBLICATION.—The Secretary shall make a
8 draft of the document containing the model stand-
9 ards and techniques available for public review and
10 comment. The Secretary shall make final model
11 standards and techniques available to the public not
12 later than one year after the date of the enactment
13 of this Act.

14 (5) APPLICABILITY TO NEW CONSTRUCTION
15 AND REHABILITATION.—Within 1 year of the publi-
16 cation of the final model standards and techniques
17 required by paragraph (4), the Secretary of Housing
18 and Urban Development, the Secretary of Health
19 and Human Services, the Secretary of Energy, the
20 Administrator of the Environmental Protection
21 Agency, the Secretary of the Treasury, and the Sec-
22 retary of Defense shall each include such model
23 standards and techniques as a requirement for resi-
24 dential rehabilitation or new construction projects

1 funded with Federal appropriations made available
2 by such agencies.

3 (6) APPLICABILITY TO RENTAL ASSISTANCE
4 DEMONSTRATION AND RAD SECTION 18 BLEND PRO-
5 GRAMS.—Within 1 year of the publication of the
6 final model standards and techniques required by
7 paragraph (4), the Secretary of Housing and Urban
8 Development shall ensure that any rehabilitation or
9 new construction through the Rental Assistance
10 Demonstration program under the heading “Rental
11 Assistance Demonstration” in title II of the Trans-
12 portation, Housing and Urban Development, and
13 Related Agencies Appropriations Act, 2012 (division
14 C of Public Law 112–55; 125 Stat. 673), or through
15 any program blending such Rental Assistance Dem-
16 onstration and section 18 of the United States
17 Housing Act of 1937 complies with such model
18 standards and techniques.

19 **SEC. 8. PRESERVATION GRANTS FOR PROPERTIES RECEIV-**
20 **ING SECTION 8 PROJECT-BASED RENTAL AS-**
21 **SISTANCE.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated for the Secretary of Hous-
24 ing and Urban Development to provide assistance to own-
25 ers of properties receiving project-based subsidy contracts

1 under section 8 of the United States Housing Act of 1937
2 (42 U.S.C. 1437f) or to municipalities or other units of
3 local government that may administer repairs to a prop-
4 erty receiving such project-based subsidy contracts,
5 \$250,000,000, which shall remain available until ex-
6 pended.

7 (b) SET ASIDE FOR NEW CONSTRUCTION.—

8 (1) SET ASIDE.—Of the total amount of funds
9 provided pursuant to this section, not less than 10
10 percent shall be available to eligible recipients de-
11 scribed in subsection (a) for the purpose of adding
12 new dwelling units to properties already receiving
13 project-based subsidy contracts under section 8 of
14 the United States Housing Act of 1937.

15 (2) ELIGIBILITY.—Funds made available under
16 this subsection for new construction may only be
17 used by an eligible recipients who are already receiv-
18 ing an award for rehabilitation under this section.

19 (3) PRIORITY OF WORK.—Eligible recipients
20 who receive funds for both new construction and for
21 rehabilitation shall complete rehabilitation work be-
22 fore beginning new construction and shall provide
23 certification to the Secretary, in a manner to be de-
24 termined by the Secretary, that the rehabilitation
25 has been completed in a satisfactory manner to

1 eliminate health and safety risks before receiving
2 any funds for new construction.

3 (4) MODEL BUILDING STANDARDS.—Within one
4 year after the publication of the model building
5 standards under section 7(b)(4), the Secretary shall
6 require eligible recipients who receive funds for new
7 construction and rehabilitation to ensure that new
8 construction and rehabilitation projects are in com-
9 pliance with the model building standards and tech-
10 niques developed under section 7(b)(1).

11 (c) SET-ASIDE FOR TECHNICAL ASSISTANCE.—Of
12 the total amount of funds provided pursuant to this sec-
13 tion, not less than 3 percent shall be used to provide tech-
14 nical assistance to applicants and to advertise the avail-
15 ability of funds under this section to areas disproportion-
16 ately impacted by health and safety concerns in federally-
17 assisted housing.

18 (d) USE OF AMOUNTS.—

19 (1) IN GENERAL.—Amounts provided pursuant
20 to this section shall be used for competitive grants
21 and low-interest loans for capital improvements to
22 such properties, including grants for activities that
23 mitigate threats to the health and safety of resi-
24 dents, reduce lead-based paint hazards, reduce other
25 housing-related hazards, including carbon monoxide,

1 radon, or indoor residential mold, improve water and
2 energy efficiency, or reduce the risk of harm to occu-
3 pants or property from natural hazards, or for low-
4 interest loans for the same use.

5 (2) LOAN AND GRANT ELIGIBILITY.—An owner
6 of such a property shall be eligible for—

7 (A) a grant under this section only if such
8 owner is a nonprofit entity; and

9 (B) a low-interest loan under this section
10 only if such owner is a for-profit individual or
11 entity.

12 (3) ELIGIBILITY OF UNITS OF LOCAL GOVERN-
13 MENT.—A municipal government, county, or other
14 unit of local government may receive a grant under
15 this section if sufficient capacity is demonstrated in
16 their application to the Secretary of Housing and
17 Urban Development.

18 (e) GRANTS FOR AREAS OF HIGH AND PERSISTENT
19 POVERTY.—Of any amounts made available pursuant to
20 this section, not less than 30 percent shall be available
21 without regard to any requirement regarding minimum
22 grant amount and only for eligible uses within or directly
23 benefitting—

24 (1) any county that has consistently had 20
25 percent or more of the population living in poverty

1 during the 30-year period preceding the date of en-
2 actment of this Act, as measured by the decennial
3 census data obtained during those years and the
4 most recent annual Small Area Income and Poverty
5 Estimates as estimated by the Bureau of the Cen-
6 sus;

7 (2) any census tract having a poverty rate of at
8 least 20 percent as measured by the most recent 5-
9 year data series available from the American Com-
10 munity Survey of the Census Bureau; or

11 (3) any census tract having a predominantly
12 disenfranchised population or a population dis-
13 proportionately impacted by health and safety haz-
14 ards in federally-assisted housing (as defined by the
15 Secretary).

16 (f) PRIORITIZATION.—In awarding grants under this
17 section, the Secretary of Housing and Urban Development
18 shall prioritize awards that ameliorate or prevent indoor
19 residential mold or other severe health or safety threats.

20 (g) WAGE RATE REQUIREMENTS.—Projects funded
21 with funds provided under this section shall comply with
22 the same requirements of subchapter IV of chapter 31 of
23 title 40, United States Code that are applicable to con-
24 tracts described in section 3142(a) of such title.

1 (h) POLICIES; PROCEDURES; CONTRACTS.—Grants
2 and low-interest loans under this section shall—

3 (1) be provided through the policies, proce-
4 dures, contracts, and transactional infrastructure of
5 the authorized programs administered by the De-
6 partment of Housing and Urban Development, on
7 such terms and conditions as the Secretary of Hous-
8 ing and Urban Development deems appropriate to
9 ensure the maintenance and preservation of the
10 property, the continued operation and maintenance
11 of energy efficiency technologies, and the timely ex-
12 penditure of funds; and

13 (2) include a financial assessment and physical
14 inspection of such property.

15 (i) ELIGIBLE OWNERS.—To be eligible for a grant
16 or low-interest loan under this section, the owner of the
17 property shall have at least a satisfactory management
18 and occupancy review rating, be in substantial compliance
19 with applicable performance standards and legal require-
20 ments, and commit to an additional period of affordability
21 determined by the Secretary, but of not fewer than 50
22 years. Owners shall include nonprofit owners and preser-
23 vation purchasers, including public housing agencies and
24 nonprofit developers.

25 (j) LOAN TERMS.—

1 (1) IN GENERAL.—A loan under this section
2 shall—

3 (A) bear interest at a rate, determined by
4 the Secretary, that—

5 (i) does not exceed by 3 percentage
6 points the discount window primary credit
7 interest rate most recently published on
8 the Federal Reserve Statistical Release on
9 selected interest rates (daily or weekly),
10 commonly referred to as the “H.15 re-
11 lease” or the “Federal funds rate”; and

12 (ii) is below the average interest rate
13 at the given time for a home improvement
14 loan; and

15 (B) have a term to maturity of 10 years or
16 20 years, as determined by the Secretary based
17 on the credit of the borrower.

18 (2) VIOLATIONS.—If the owner of a property
19 receiving a loan under this section does not use the
20 loan amounts as required under subsection (b)(1),
21 does not maintain the affordability of the property
22 as required under subsection (i), or does not comply
23 with any other requirements established by the Sec-
24 retary, the Secretary shall—

1 (A) work with the owner for not less than
2 30 days to ameliorate any violations; and

3 (B) if after 90 days such violations are not
4 ameliorated—

5 (i) increase the interest rate of the
6 loan by not less than 15 percentage points
7 above the Federal funds rate; and

8 (ii) reduce the term to maturity of the
9 loan to not more than 5 years.

10 (k) CONDITIONS OF RECEIPT OF GRANT OR LOAN.—

11 The Secretary shall establish conditions on the receipt of
12 a loan or grant under this section, as follows:

13 (1) RECORD; CAPACITY.—The Secretary shall
14 take reasonable steps to ensure that the owner or
15 purchaser has no significant record of material non-
16 compliance with applicable program standards and
17 has demonstrated capacity to perform the obliga-
18 tions specified under this section.

19 (2) REPAIRS.—The Secretary shall require own-
20 ers to agree to promptly make all required repairs,
21 and when required by the Secretary, to develop a re-
22 habilitation plan in consultation with the tenants
23 and that will be approved by the Secretary, in con-
24 junction with appropriate capital needs planning and
25 required reserves, to ensure the provision of decent,

1 safe, and sanitary housing throughout the full term
2 of any extended restrictions and contracts.

3 (3) USE RESTRICTIONS.—The Secretary shall
4 require owners to agree to a longer use restriction
5 of 50 years and to agree to a perpetually required
6 renewal of the housing assistance payments contract
7 if offered by the Secretary.

8 (l) TRANSFER AUTHORITY.—Of the amounts made
9 available pursuant to this section, the Secretary of Hous-
10 ing and Urban Development may transfer up to 0.5 per-
11 cent to the account for “Department of Housing and
12 Urban Development, Program Offices—Office of Hous-
13 ing” for necessary costs of administering and overseeing
14 the obligation and expenditure of amounts made available
15 pursuant to this section and such transferred amounts
16 shall remain available until September 30, 2028.

17 **SEC. 9. PUBLIC INFORMATION AND EDUCATION CAMPAIGN.**

18 (a) REQUIREMENT.—The Administrator of the Envi-
19 ronmental Protection Agency, the Secretary of Housing
20 and Urban Development, and the heads of any other rel-
21 evant Federal agencies, as determined by such Adminis-
22 trator and Secretary, shall jointly develop and carry out
23 a public information and education campaign regarding
24 indoor air quality and related issues that provides infor-
25 mation required under this section on a recurring and an-

1 nual basis through public outreach. The campaign shall
2 commence within 1 year after the date of the enactment
3 of this Act.

4 (b) TOPICS.—The information and education cam-
5 paign shall include information on the dangers and pre-
6 vention of indoor residential moisture and mold, volatile
7 organic compounds, dust, smoking, pollution, indoor ori-
8 gins of smoke, including cooking, and any other health
9 risks, as determined by such Administrator and Secretary.

10 (c) INDOOR RESIDENTIAL MOLD INFORMATION.—
11 The information and education campaign shall include, at
12 minimum, the following information regarding indoor resi-
13 dential mold:

14 (1) The conditions that facilitate indoor resi-
15 dential moisture and mold growth.

16 (2) Guidelines for inspecting indoor residential
17 mold growth.

18 (3) Guidelines for remediating indoor residen-
19 tial mold growth.

20 (4) The dangers and health risks of exposure to
21 indoor residential mold growth.

22 (5) The importance of ventilation and methods
23 to prevent moisture accumulation in indoor residen-
24 tial environments.

1 (6) Any other information as determined appro-
2 priate by the heads of the agencies referred to in
3 subsection (a).

4 (d) TENANT RIGHTS INFORMATION.—The informa-
5 tion and education campaign shall include providing cov-
6 ered tenants with information on tenant rights to a safe
7 and habitable living environment and other related infor-
8 mation as determined by the Secretary of Housing and
9 Urban Development, which shall include information on
10 who to contact if a tenant experiences problems or issues
11 with building management or ownership, including, in the
12 case of housing assisted under a contract for project-based
13 assistance how to contact the performance-based contract
14 administrator and, in the case of the Housing Choice
15 Voucher program how to contact the housing authority.

16 (e) MODES OF COMMUNICATION.—

17 (1) IN GENERAL.—The public information and
18 education campaign shall provide education and in-
19 formation through modes of communication that are
20 commonly utilized and able to be easily consumed by
21 relevant individuals or organizations, which shall in-
22 clude communication through advertisements on
23 public transit in all 50 States and in territories and
24 possessions of the United States, and distribution of

1 the pamphlet developed pursuant to subsection (j) as
2 required under such subsection.

3 (2) AVAILABILITY.—All education and informa-
4 tion that is part of the information and education
5 campaign shall be made publicly available on the
6 websites of the Environmental Protection Agency,
7 the Department of Housing and Urban Develop-
8 ment, and any other applicable Federal agencies.

9 (f) TARGETED GROUPS.—The public information and
10 education campaign shall be designed to reach tenants,
11 tenant organizations working directly with tenants in
12 project-based rental assistance and other types of feder-
13 ally-assisted housing, resident groups, landlords, health
14 professionals, the general public, homeowners, prospective
15 homeowners, the real estate industry, the home construc-
16 tion and renovation industries, the health, property and
17 casualty, and life insurance industries, technical and voca-
18 tional schools and colleges, and other academic institu-
19 tions.

20 (g) INFORMATION SPECIFIC TO HEALTH PROFES-
21 SIONS.—The public information and education campaign
22 shall include information about warning signs of mold and
23 other indoor air exposure pollutants and shall include edu-
24 cation for health professions on mold-related illness, in-

1 cluding for health professions who work with vulnerable
2 populations and children in school or daycare settings.

3 (h) COORDINATION.—In developing and carrying out
4 the public information and education campaign, the heads
5 of the agencies referred to in subsection (a) may coordi-
6 nate with the Ad Council.

7 (i) LANGUAGE.—All information provided under the
8 public information and education campaign—

9 (1) shall be provided in at least two languages,
10 as determined by the Secretary, based on the most
11 common languages spoken in the neighborhood,
12 tribe, municipality, State, or region, and may be pro-
13 vided in additional languages based on the most
14 common languages spoken in the neighborhood,
15 tribe, municipality, State, or region, as determined
16 by the Secretary; and

17 (2) shall be provided in language that is at a
18 sixth grade reading level and is easy to understand.

19 (j) PROVISION TO COVERED TENANTS.—

20 (1) TIMING.—The Secretary of Housing and
21 Urban Development, the Secretary of Agriculture,
22 the Secretary of the Treasury, the Secretary of Vet-
23 erans Affairs, and the Attorney General shall ensure
24 that all appropriate information under the informa-
25 tion and education campaign is provided to covered

1 tenants upon signing and any renewal of a lease for
2 the dwelling unit of assisted housing that the cov-
3 ered tenant resides in.

4 (2) COVERED TENANTS.—For purposes of this
5 section, the term “covered tenant” means a tenant
6 who resides in a rental dwelling unit that is assisted,
7 through tenant-based or project-based assistance,
8 under a housing assistance program administered by
9 the Secretary of Housing and Urban Development or
10 the Secretary of Agriculture or who receives rental
11 housing assistance under a program administered by
12 either such Secretary, including the following pro-
13 grams:

14 (A) The program under section 202 of the
15 Housing Act of 1959 (12 U.S.C. 1701q), in-
16 cluding the direct loan program under such sec-
17 tion.

18 (B) The program under section 811 of the
19 Cranston-Gonzalez National Affordable Hous-
20 ing Act (42 U.S.C. 8013).

21 (C) The program under subtitle D of title
22 VIII of the Cranston-Gonzalez National Afford-
23 able Housing Act (42 U.S.C. 12901 et seq.).

1 (D) The programs under title IV of the
2 McKinney-Vento Homeless Assistance Act (42
3 U.S.C. 11360 et seq.).

4 (E) The program under subtitle A of title
5 II of the Cranston-Gonzalez National Afford-
6 able Housing Act (42 U.S.C. 12741 et seq.).

7 (F) The program under paragraph (3) of
8 section 221(d) of the National Housing Act (12
9 U.S.C. 1715l(d)) that bears interest at a rate
10 determined under the proviso under paragraph
11 (5) of such section 221(d).

12 (G) The program under section 236 of the
13 National Housing Act (12 U.S.C. 1715z-1).

14 (H) The programs under sections 6 and 8
15 of the United States Housing Act of 1937 (42
16 U.S.C. 1437d, 1437f).

17 (I) The programs for rural housing assist-
18 ance provided under sections 514, 515, 516,
19 533, 538, and 542 of the Housing Act of 1949
20 (42 U.S.C. 1484, 1485, 1486, 1490m, 1490p-
21 2, 1490r).

22 (J) The low-income housing tax credit pro-
23 gram under section 42 of the Internal Revenue
24 Code of 1986.

1 (K) The provision of assistance from the
2 Housing Trust Fund established under section
3 1338 of the Federal Housing Enterprises Fi-
4 nancial Safety and Soundness Act of 1992 (12
5 U.S.C. 4568).

6 (L) The provision of assistance for housing
7 under the Comprehensive Service Programs for
8 Homeless Veterans program under subchapter
9 II of chapter 20 of title 38.

10 (M) The provision of assistance for hous-
11 ing and facilities under the grant program for
12 homeless veterans with special needs under sec-
13 tion 2061 of title 38, United States Code.

14 (N) The provision of assistance for perma-
15 nent housing under the program for financial
16 assistance for supportive services for very low-
17 income veteran families in permanent housing
18 under section 2044 of title 38, United States
19 Code.

20 (O) The provision of transitional housing
21 assistance for victims of domestic violence, dat-
22 ing violence, sexual assault, or stalking under
23 the grant program under chapter 11 of subtitle
24 B of the Violence Against Women Act of 1994
25 (34 U.S.C. 12351 et seq.).

1 (P) The Low Income Home Energy Assist-
2 ance Program and any other program adminis-
3 tered by the Department of Energy that pro-
4 vides residential home rehabilitation or energy
5 efficiency assistance.

6 (Q) Any other Federal housing programs
7 providing affordable housing to low- and mod-
8 erate-income persons by means of restricted
9 rents or rental assistance, or more generally
10 providing affordable housing opportunities, as
11 identified by the appropriate agency through
12 regulations, notices, or any other means.

13 (k) PAMPHLET.—

14 (1) REQUIREMENT.—The Secretary of Housing
15 and Urban Development, in consultation with the
16 Director of the National Institutes of Health, the
17 Administrator of the Environmental Protection
18 Agency, and the heads of any other agencies the
19 Secretary considers appropriate, shall develop, pub-
20 lish, and revise, not less frequently than every 5
21 years, a pamphlet regarding indoor residential mold
22 hazards.

23 (2) CONTENT.—The pamphlet required under
24 this subsection shall—

1 (A) contain information regarding the
2 health risks associated with exposure to indoor
3 residential mold growth;

4 (B) provide information on the hazards of
5 indoor residential mold growth in federally-as-
6 sisted and federally-owned housing;

7 (C) describe the risks of indoor residential
8 mold exposure for persons residing in a dwelling
9 with toxigenic mold;

10 (D) provide information on approved meth-
11 ods for evaluating and reducing indoor residen-
12 tial mold growth and their effectiveness in iden-
13 tifying, reducing, eliminating, or preventing in-
14 door residential mold growth;

15 (E) provide advice on how to obtain a list
16 of persons certified to inspect or remediate in-
17 door residential mold growth in the area in
18 which the pamphlet is to be used;

19 (F) include a statement that a risk assess-
20 ment or inspection for indoor residential mold
21 growth is recommended prior to the purchase,
22 lease, or renovation of target housing;

23 (G) include a statement that certain State
24 and local laws impose additional requirements
25 related to indoor residential mold growth in

1 housing and provide a listing of Federal, State,
2 and local agencies in each State, including ad-
3 dress, telephone number, and electronic mail
4 address, if available, that can provide informa-
5 tion about applicable laws and available govern-
6 mental and private assistance and financing;

7 (H) provide information considered by the
8 Administrator of the Environmental Protection
9 Agency to be appropriate or necessary to pro-
10 mote awareness of the hazards posed by indoor
11 residential mold;

12 (I) include information on indoor air qual-
13 ity safety generally, including best practices
14 when cooking, taking a shower or bath, and
15 smoking cessation;

16 (J) be publicly available on the websites of
17 the Department of Housing and Urban Devel-
18 opment, the Environmental Protection Agency,
19 and other applicable Federal agencies; and

20 (K) include any other information consid-
21 ered by the Administrator of the Environmental
22 Protection Agency to be appropriate or nec-
23 essary.

24 (3) TENANTS IN FEDERALLY-ASSISTED HOUS-
25 ING.—The Secretary of Housing and Urban Devel-

1 opment and the Secretary of Agriculture shall en-
2 sure that a copy of the pamphlet required under this
3 section is provided annually to all covered tenants
4 mail by a hard copy left at the tenant address, by
5 United States mail sent to the tenant, or by elec-
6 tronic mail sent to the tenant.

7 (1) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated such sums as may be nec-
9 essary to carry out this section.

10 **SEC. 10. EMPOWERING TENANTS.**

11 (a) NOTIFICATION TO TENANTS OF INSPECTION RE-
12 SULTS.—

13 (1) REQUIREMENT.—The Secretary of Housing
14 and Urban Development shall provide direct notifica-
15 tion of the results of any inspection of covered prop-
16 erty to the tenants and resident organizations, as
17 provided in this subsection.

18 (2) METHOD.—Notification shall be provided to
19 tenants in easy-to-understand language in the form
20 of a written hard-copy document provided through
21 United States mail or through electronic mail, or
22 both, with one copy provided for the tenants of each
23 building in the covered property, and shall include
24 the inspection score and a detailed description of the
25 inspection results, including any health and safety

1 violations found and the timeline for their remedi-
2 ation, while ensuring tenant privacy.

3 (3) POSTING.—The owner or manager of the
4 covered property shall post a hard copy of the notifi-
5 cation of the inspection results in at least one cen-
6 trally located and easily-identifiable location each
7 building of the covered property that is accessible to
8 all tenants, which may include next to the front
9 door, in communal space, or next to the mailboxes
10 for tenants.

11 (4) TIMING.—Notification shall be provided—

12 (A) in the case of any inspection that
13 found no severe health or safety issues, no later
14 than 30 days after completion of the inspection;
15 or

16 (B) in the case of any inspection that
17 found severe health and safety issues, as soon
18 as the score is final.

19 (5) OPPORTUNITY FOR TENANT QUESTIONS.—
20 The notification shall include contact information,
21 including electronic mail address, phone number,
22 and mailing address, of the appropriate person or
23 entity to contact should tenants have questions
24 about the results of the inspection. Owners who fail

1 to post the notice shall be subject to a Management
2 and Occupancy Review.

3 (b) REQUEST FOR SECOND INSPECTION.—

4 (1) REQUIREMENTS.—Pursuant to a request
5 made to the Secretary of Housing and Urban Devel-
6 opment, the Secretary shall carry out a subsequent
7 inspection for a covered property that has passed a
8 previous inspection, if the following requirements are
9 met:

10 (A) SCORE.—The passing test score for
11 the previous inspection for the covered property
12 did not exceed the minimum score required to
13 pass inspection by more than 15 percent or the
14 most recent score for an inspection for the cov-
15 ered property is 15 percent or more less than
16 any other score for the property for an inspec-
17 tion of the property conducted during the pre-
18 ceding 10-year period.

19 (B) TENANT VOTE.—A vote of tenants of
20 the covered property was conducted on the
21 proposition of whether the property should have
22 passed the most recent inspection, which vote—

23 (i) was administered by the tenant as-
24 sociation for the property or an inde-
25 pendent third party;

1 (ii) utilizes the democratic process and
2 may have utilized an anonymous voting
3 platform, either electronically or through
4 paper ballots, for casting votes; and

5 (iii) resulted in 51 percent or more of
6 the tenants residing in the property voting
7 against the proposition that the property
8 should have passed the most recent inspec-
9 tion.

10 (C) NOTIFICATION.—

11 (i) TO HUD.—The chief executive offi-
12 cer of the tenants association notifies the
13 Secretary, the project-based contract ad-
14 ministrator for the covered property, and
15 the owner or management of the property
16 of the results of the vote and requests a
17 second inspection for the covered property,
18 which notification and request—

19 (I) includes a copy of the tally of
20 the vote;

21 (II) does not, in verifying the 51
22 percent majority vote, disclose person-
23 ally identifiable information of the
24 tenants, including by their signatures;
25 and

1 (III) is transmitted, both by elec-
2 tronic mail and by mailing a hard
3 copy, not later than 60 days after re-
4 ceipt of the notification under sub-
5 section (a) regarding the passing re-
6 sult of the previous inspection for the
7 covered property.

8 (ii) NOTIFICATION OF SECOND IN-
9 SPECTION SCORE.—Tenants shall be noti-
10 fied of the score of the second inspection
11 using the same notification criteria as
12 apply to the first inspection and shall be
13 provided with the contact information of
14 the person or entity that they can contact
15 with any questions about the second in-
16 spection.

17 (2) MEDIATION.—If a second inspection is con-
18 ducted pursuant to a vote under paragraph (1) and
19 the covered property is assessed a passing score for
20 such second inspection, and if another vote is taken
21 that complies with the same requirements applicable
22 under such paragraph to the first inspection, and
23 such vote results in 51 percent or more of the ten-
24 ants residing in the property voting against the
25 proposition that the property should have passed the

1 second inspection, the Secretary shall provide a ten-
2 ant association representative an opportunity for
3 mediation with the building owner and the project-
4 based contractor administrator regarding continuing
5 issues and inspection findings and the process for a
6 Management and Occupancy Review shall begin con-
7 currently. The mediation shall be conducted within
8 180 days of the second inspection.

9 (c) TENANT HOTLINE.—Commencing not later 90
10 days after the date of the enactment of this Act, the Sec-
11 retary of Housing and Urban Development shall—

12 (1) undertake ongoing activities to advertise the
13 availability and telephone number of the Multifamily
14 Housing Complaint Line of the Multifamily Housing
15 Clearinghouse;

16 (2) periodically provide tenants of covered prop-
17 erty, through the website of the Department and
18 otherwise, as the Secretary considers appropriate,
19 with information about what happens when they call
20 the complaint line;

21 (3) provide sufficient staff for the complaint
22 line to ensure that the complaint line is sufficiently
23 staffed for a minimum of 12 hours each day and so
24 that the waiting time to speak live to an employee

1 of the Department does not exceed 15 minutes on
2 average as measured over a given one-week period;

3 (4) ensure that the complaint line offers ten-
4 ants of covered properties intake for health and safe-
5 ty issues at such properties;

6 (5) ensure that upon calling the complaint line,
7 a tenant of a covered property is first informed of
8 how to contact the project-based contract adminis-
9 trator for the property to discuss the issue the ten-
10 ant called about, and if the tenant has previously
11 contacted such administrator or does not wish to in-
12 volve such administrator, the person answering the
13 call on the complaint line is capable of providing as-
14 sistance for the tenant directly or can intake tenant
15 information to assist with the request;

16 (6) ensure that if the complaint line has re-
17 ceived calls within any 60-day period from tenants
18 of a covered property representing 15 percent or
19 more of the dwelling units in the property, the ap-
20 propriate regional office of the Department shall be
21 notified;

22 (7) ensure that if within three months after the
23 notification of the appropriate regional office of the
24 Department, the tenant hotline has received any ad-
25 ditional calls from tenants of the same covered prop-

1 erty, the headquarters office of the Department shall
2 be notified; and

3 (8) provide availability of translation services
4 for the complaint line.

5 (d) COVERED PROPERTY.—For purposes of this sec-
6 tion, the term “covered property” means a multifamily
7 housing property that is subject to inspection by the Real
8 Estate Assessment Center of the Department of Housing
9 and Urban Development.

10 (e) ADVANCE NOTICE TO TENANTS.—Not later than
11 180 days after the date of the enactment of this Act, the
12 Secretary of Housing and Urban Development shall up-
13 date inspection procedures and requirements to ensure
14 that tenants of covered properties have at least 7 days
15 of advance notice of when their building will be inspected.
16 In the advance notice of inspection, tenants shall be pro-
17 vided the opportunity to inform the Department of Hous-
18 ing and Urban Development or inspectors, or both, of spe-
19 cific issues regarding the unit or building.

20 **SEC. 11. HEALTHY HOMES INCENTIVE FOR REQUIRING IN-**
21 **DOOR RESIDENTIAL MOLD AND OTHER HAZ-**
22 **ARD DISCLOSURE.**

23 (a) SUPPLEMENTAL HEALTHY HOMES FUNDING.—
24 There is authorized to be appropriated to Secretary of
25 Housing and Urban Development for use under the

1 Healthy Homes Initiative, pursuant to sections 501 and
2 502 of the Housing and Urban Development Act of 1970
3 (12 U.S.C. 1701z-1 and 1701z-2), and for related activi-
4 ties and assistance, \$80,000,000, to remain available until
5 September 30, 2028, for financial awards under this sec-
6 tion. Amounts appropriated pursuant to this section shall
7 supplement, but not supplant, amounts otherwise appro-
8 priated.

9 (b) FINANCIAL AWARDS.—The Secretary of Housing
10 and Urban Development shall provide financial awards
11 under this section for a fiscal year to each State, Indian
12 tribe, county, unit of local government, and other unit of
13 government that requires, to the satisfaction of the Sec-
14 retary, that during such fiscal year sellers of residential
15 properties containing not more than 4 dwelling units shall
16 complete and provide to the purchaser a disclosure form
17 indicating the presence of all environmental hazards, in-
18 cluding radon, carbon monoxide, formaldeyde, lead, asbes-
19 tos, and indoor residential mold, that are known to the
20 seller. Such a disclosure form shall be its own conspicuous
21 form that includes information regarding health and dan-
22 gers about such environmental hazards.

23 (c) USE.—Amounts provided as financial awards pur-
24 suant to this section shall be used only for activities that
25 make health-related improvements to housing units that

1 serve primarily low-income persons and are located within
2 the jurisdiction of the State, Indian tribe, county, local
3 government, or other unit of government that is awarded
4 such assistance.

5 **SEC. 12. UNIFORM PHYSICAL INSPECTION SAMPLING.**

6 The Secretary of Housing and Urban Development
7 shall revise the regulations of the Secretary under subpart
8 G of part 5 of title 24, Code of Federal Regulations (relat-
9 ing to physical condition standards and inspection require-
10 ments), as follows:

11 (1) ANNUAL INSPECTIONS.—In section 5.705,
12 as amended by the final rule for National Standards
13 for the Physical Inspection of Real Estate (88 Fed.
14 Reg. 30442), to provide that physical inspections are
15 conducted annually without exception.

16 (2) SAMPLING OF UNITS.—To provide that, in
17 carrying out uniform physical inspection require-
18 ments under an annual inspection, the Department
19 of Housing and Urban Development shall ensure
20 that any units in HUD housing that were not in-
21 spected during the previous two annual inspections
22 shall be inspected during the next occurring annual
23 inspection.

24 (3) INCLUSION OF PRIORITY UNITS IN SCORE.—
25 In carrying out uniform physical inspection require-

1 ments under an annual inspection, the Department
 2 of Housing and Urban Development shall ensure
 3 that any and all individual units requested to be in-
 4 spected by tenants are included as part of the com-
 5 posite score of the property.

6 **SEC. 13. DENIAL OF DEPRECIATION DEDUCTION FOR PROP-**
 7 **ERTIES WITH FAILED NSPIRE INSPECTIONS.**

8 (a) IN GENERAL.—Section 167 of the Internal Rev-
 9 enue Code of 1986 is amended by redesignating subsection
 10 (i) as subsection (j) and by inserting after subsection (h)
 11 the following:

12 “(i) DISALLOWANCE OF DEPRECIATION DEDUCTION
 13 FOR PROPERTY WHICH FAILS NATIONAL STANDARDS
 14 FOR THE PHYSICAL INSPECTION OF REAL ESTATE.—

15 “(1) IN GENERAL.—Except as provided in para-
 16 graph (2), no depreciation deduction shall be allowed
 17 under this section (and no depreciation or amortiza-
 18 tion deduction shall be allowed under any other pro-
 19 vision of this subtitle) to the taxpayer for the taxable
 20 year with respect to any property described in sec-
 21 tion 168(e)(2)(A)(i) which fails an NSPIRE inspec-
 22 tion during the taxable year.

23 “(2) EXCEPTIONS.—

24 “(A) IN GENERAL.—No deduction shall be
 25 denied under paragraph (1) in the case of a

1 health or safety violation which causes a prop-
2 erty to fail an NSPIRE inspection if either—

3 “(i) such violation is cured within 90
4 days of the date of a failed inspection, or

5 “(ii) the inspector finds sufficient evi-
6 dence that such violation was caused by
7 the tenant and not by the owner or man-
8 agement of the property.

9 “(B) EXTENSION OF TIME TO CURE.—The
10 Secretary of Health and Human Services may
11 provide 30-day extensions of the 90-day period
12 described in subparagraph (A)(i) on a case-by-
13 case basis and communicate such extensions to
14 the Secretary of the Treasury.

15 “(3) NSPIRE INSPECTION.—The term
16 ‘NSPIRE inspection’ means any housing inspection
17 required under the National Standards for the Phys-
18 ical Inspection of Real Estate of the Real Estate As-
19 sessment Center of the Department of Housing and
20 Urban Development.

21 “(4) INCREASED DURATION FOR DISALLOW-
22 ANCE IN THE CASE OF MULTIPLE FAILED INSPEC-
23 TIONS.—In the case of a property which fails two
24 consecutive NSPIRE inspections, paragraph (1)
25 shall be applied by substituting ‘for the taxable year,

1 and for the immediately succeeding taxable year,' for
2 'for the taxable year'.

3 “(5) DISALLOWED DEPRECIATION AMOUNTS
4 MAY NOT BE TAKEN IN FUTURE YEAR.—The depre-
5 ciation deduction allowed with respect to the prop-
6 erty described in paragraph (1) with respect to any
7 future taxable year shall be determined without re-
8 gard to the amount denied for any year for which
9 such deduction was denied.

10 “(6) BASIS ADJUSTMENTS.—If, but for this
11 subsection, a depreciation or amortization deduction
12 would be allowable to the taxpayer with respect to
13 any property—

14 “(A) the taxpayer’s basis in such property
15 shall be reduced by any depreciation or amorti-
16 zation deductions disallowed under this sub-
17 section, and

18 “(B) the basis of the remainder interest in
19 such property shall be increased by the amount
20 of such disallowed deductions.

21 “(7) REGULATIONS AND GUIDANCE.—

22 “(A) IN GENERAL.—The Secretary, after
23 consultation with the Secretary of Housing and
24 Urban Development, shall prescribe such regu-

1 lations as may be necessary or appropriate to
2 carry out the purposes of this subsection.

3 “(B) HUD SECRETARY.—Not later than
4 one year after the date of the enactment of this
5 subsection, the Secretary of Housing and
6 Urban Development shall prescribe regulations
7 to establish a mechanism for providing informa-
8 tion to the Secretary detailing which properties
9 have failed an NSPIRE inspection during the
10 taxable year and which properties have received
11 extensions of time to cure. In creating this
12 mechanism, the Secretary of Housing and
13 Urban Development shall ensure that the Sec-
14 retary of the Treasury receives information
15 about failing properties at least once per cal-
16 endar quarter.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall apply to taxable years beginning after
19 the date that is one year after the date of the enactment
20 of this Act.

21 **SEC. 14. SUPPORTING LANDLORDS TO RECEIVE TIMELY**
22 **VOUCHER PAYMENTS.**

23 (a) IN GENERAL.—Notwithstanding and other provi-
24 sion of law, the Secretary of Housing and Urban Develop-
25 ment shall allow public housing agencies to approve a ten-

1 ancy using a voucher provided under section 8(o) of the
2 United States Housing Act of 1937 (42 U.S.C. 1437f(o))
3 and make a payment under such voucher before inspection
4 of the dwelling unit if the inspection will be conducted
5 more than 14 days after receiving a tenancy package.

6 (b) FAILED INSPECTIONS.—If the unit fails inspec-
7 tion and is not brought into compliance within 14 days,
8 the owner of the unit shall repay the payment received
9 from the public housing agency within the following 14
10 days and shall not hold the tenant responsible for payment
11 and shall not evict or terminate the tenant on such basis.
12 If the tenant is in the unit at the time the payment is
13 issued but the unit does not pass inspection, the public
14 housing agency shall be responsible for relocating the ten-
15 ant and providing additional assistance.

16 (c) ADDITIONAL INCENTIVES.—Within 180 days
17 after the date of the enactment of this Act, the Secretary
18 of Housing and Urban Development shall establish addi-
19 tional incentives for public housing agencies to perform
20 expedited inspection of dwelling units.

21 **SEC. 15. PROJECT-BASED CONTRACT ADMINISTRATOR RE-**
22 **PORTING REQUIREMENTS.**

23 The Secretary of Housing and Urban Development
24 shall require, not later than 180 days after the date of
25 the enactment of this Act, that project-based contract ad-

1 administrators shall submit to the Secretary data on projects
2 and project owners covering the previous 180 days, includ-
3 ing an analysis of any trends identified over the previous
4 180 days on housing conditions, tenant complaints, tenant
5 hospitalizations brought to the attention of the contract
6 administrator, and any other information as required by
7 the Secretary.

8 **SEC. 16. COORDINATION BETWEEN USDA AND HUD.**

9 Within 3 years after the date of the enactment of this
10 Act, the Secretary of Agriculture shall ensure, to the
11 greatest extent practicable, that the minimum require-
12 ments and physical quality standards for housing prop-
13 erties assisted by the Department of Agriculture meet or
14 exceed the standards established by the Secretary of
15 Housing and Urban Development pursuant to section 4
16 of this Act.

17 **SEC. 17. GAO STUDY ON HEALTH AND SAFETY CONCERNS**
18 **IN FEDERALLY-ASSISTED HOUSING.**

19 Not later than the expiration of the 3-year period be-
20 ginning on the date of the enactment of this Act, the
21 Comptroller General of the United States shall submit a
22 report to the Congress analyzing and assessing the com-
23 munication, as applicable, between public housing agen-
24 cies, landlords, and tenants over resolving problems with
25 the health, safety, or other issues of dwelling units that

1 are federally subsidized and inspected through subpart G
2 of part 5 of title 24, Code of Federal Regulations, landlord
3 responsiveness regarding such issues, opportunities for im-
4 provement in such communications, and how tenants un-
5 derstand their rights and how they are responded to when
6 issues arise, including protocols for responding to tenant
7 complaints and tenant understanding of such processes.
8 The report shall include recommendations for how to im-
9 prove such communications and the physical quality of the
10 housing stock for which such assistance is provided.

11 **SEC. 18. SENSE OF CONGRESS.**

12 It is the sense of the Congress that the Departments
13 of the Treasury and Housing and Urban Development
14 should work together cooperatively, including through de-
15 velopment of a Memorandum of Understanding if appro-
16 priate, to ensure that implementation of this Act is con-
17 sistent with the provisions of the Fair Housing Act (42
18 U.S.C. 3601 et seq.).

19 **SEC. 19. ADMINISTRATIVE PROVISIONS.**

20 There is authorized to be appropriated to the Sec-
21 retary of Housing and Urban Development—

22 (1) \$50,000,000, to remain available until Sep-
23 tember 30, 2024, for costs to the Department of im-
24 plementing this Act and the amendments made by

1 this Act, including costs of providing staff to carry
2 out this Act and such amendments; and

3 (2) \$10,000,000 for each of fiscal years 2025
4 and 2026 for continuing costs of carrying out this
5 Act and the amendments made by this Act.

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