

Tenant Empowerment Act of 2021

Introduced by Congresswoman Ayanna Pressley (MA-07), Chairwoman Maxine Waters (CA-43) and Congresswoman Rashida Tlaib (MI-13)

Background: In the face of an unprecedented affordable housing crisis, millions of cost-burdened families in America have seen their lives improved as a result of the Department of Housing and Urban Development (HUD)'s public and assisted rental housing programs. However, for some HUD residents, housing comes at the cost of their health. Too many residents face ongoing issues with the physical condition of their homes due to chronic underfunding, insufficient HUD oversight and enforcement, and lack of compliance with HUD requirements by some property owners.

Across the country, some tenants have been forced to live in substandard conditions, lacking sufficient hot water, reliable heat, or a roof that keeps out rain and snow. Tenants of color, in particular, are disproportionately impacted by health-related hazards in these homes such as mold, allergens, lead, and poor air quality¹.

Safe and stable housing should be a right and reality for every person in America. For decades, federally assisted tenants have organized, strategized, and demanded robust protections to improve substandard and unsafe housing conditions, stop retaliation, and hold housing providers accountable for neglectful and unfair practices. Congress must heed their calls. It is time for a comprehensive approach to equity and justice in housing, centering the fair treatment of tenants, enforcement of their rights, and ensured housing stability.

The Tenant Empowerment Act will empower tenants with the tools they need to hold HUD and providers accountable for poor housing conditions and improve the quality of their homes by:

- Enabling tenants living in project-based housing to hold their rent contribution in escrow if HUD determines a unit is in serious violation of safe housing standards with the option of a negotiated rent release if the project owner reaches measurable repairs benchmarks;
- Providing them with the right to judicial enforcement of project owner agreements with HUD to ensure they address serious violations of housing standards or repeated violations of other program requirements, including the rights of residents to organize;
- Increasing transparency to residents by enabling them to access certain building information, including property management, annual operating statement of profits and loss, management reviews, inspection reports, and capital needs assessments;
- Funding tenant participation services, such as outreach and training of tenants and technical assistance;
- Extending right to organize protections to tenants in project-based voucher buildings;
- Establishing a national repair and deduct policy for housing choice voucher holders;
- Providing tenants with a seat at the table by allowing them to participate in certain portions of HUD's physical inspection and management review process; and
- Instituting measures that would ensure tenants' rental assistance payments are uninterrupted in case of a foreclosure.

¹ National Center for Healthy Housing, Housing and Health: New Opportunities for Dialogue and Action.