



(Original Signature of Member)

114TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To ensure that public housing dwelling units are occupied by low-income families, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. ROE of Tennessee introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To ensure that public housing dwelling units are occupied by low-income families, 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.**

4 This Act may be cited as the “Fairness in Public  
5 Housing Act of 2016”.

6 **SEC. 2. TERMINATION OF TENANCY OF OVER-INCOME FAM-**  
7 **ILIES RESIDING IN PUBLIC HOUSING.**

8 (a) IN GENERAL.—Subsection (a) of section 16 of the  
9 United States Housing Act of 1937 (42 U.S.C. 1437n(a))

1 is amended by adding at the end the following new para-  
2 graph:

3           “(5) TERMINATION OF TENANCY OF OVER-IN-  
4           COME FAMILIES RESIDING IN PUBLIC HOUSING.—

5                   “(A) IN ELIGIBILITY.—Except as provided  
6           in subparagraph (C), a public housing agency  
7           shall terminate the tenancy of any family resid-  
8           ing in a dwelling unit in public housing admin-  
9           istered by such agency that is determined, pur-  
10          suant to an income review conducted in accord-  
11          ance with the second sentence of section 3(a)(1)  
12          (42 U.S.C. 1437a(a)((1))), to have an income at  
13          the time of such determination exceeding 125  
14          percent of the area median income, unless, as  
15          of the time of such termination, there are no  
16          families registered on the waiting list for admis-  
17          sion to public housing administered by the  
18          agency and no families applying for occupancy  
19          in public housing administered by the agency.

20                   “(B) NOTICE AND TIMING.—Upon an in-  
21          come determination described in subparagraph  
22          (A) for a family, the public housing agency  
23          shall provide the family with notice of termi-  
24          nation of the tenancy of family. Such termi-  
25          nation, if required pursuant to subparagraph

1 (A), shall take place upon the expiration of the  
2 90-day period beginning upon the income deter-  
3 mination involved.

4 “(C) TREATMENT OF CERTAIN OVER-IN-  
5 COME TENANTS.—Subparagraph (A) shall not  
6 apply to a family occupying a dwelling unit in  
7 public housing pursuant to paragraph (5) of  
8 section 3(a) (42 U.S.C. 1437a(a)(5)).”.

9 (b) REGULATIONS.—Not later than the expiration of  
10 the 90-day period beginning on the date of the enactment  
11 of this Act, the Secretary of Housing and Urban Develop-  
12 ment shall issue such regulations as may be necessary to  
13 implement the amendment made by subsection (a).