

103^D CONGRESS
2^D SESSION

H. R. 3943

To prevent persons that have drug use or alcohol use problems from occupying dwelling units in public housing projects designated for occupancy by elderly families, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1994

Mr. BLUTE introduced the following bill; which was referred to the Committee on Banking, Finance and Urban Affairs

A BILL

To prevent persons that have drug use or alcohol use problems from occupying dwelling units in public housing projects designated for occupancy by elderly 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 “Senior Citizens Hous-
5 ing Safety Act”.

1 **SEC. 2. LIMITATION ON OCCUPANCY IN PUBLIC HOUSING**
2 **DESIGNATED FOR ELDERLY FAMILIES.**

3 Section 7(a) of the United States Housing Act of
4 1937 (42 U.S.C. 1437e(a)) is amended—

5 (1) in paragraph (1), by striking “Notwith-
6 standing any other provision of law” and inserting
7 “Subject only to the provisions of this subsection”;

8 (2) in paragraph (4), by inserting “, except as
9 provided in paragraph (5)” before the period at the
10 end; and

11 (3) by adding at the end the following new
12 paragraph:

13 “(5) LIMITATION ON OCCUPANCY IN PROJECTS
14 FOR ELDERLY FAMILIES.—

15 “(A) OCCUPANCY LIMITATION.—Notwith-
16 standing any other provision of law, a dwelling
17 unit in a project (or portion of a project) that
18 is designated under paragraph (1) for occu-
19 pancy by only elderly families or by only elderly
20 and disabled families shall not be occupied by—

21 “(i) any person with disabilities who
22 is not an elderly person and whose use (or
23 history of use) of drugs or alcohol con-
24 stitutes a disability; or

25 “(ii) any person who is not an elderly
26 person whose use of drugs or alcohol (or

1 history of such use) provides reasonable
2 cause for the agency to believe that the oc-
3 cupancy by such person may interfere with
4 the health, safety, or right to peaceful en-
5 joyment of the premises by other tenants.

6 “(B) REQUIRED STATEMENT.—A public
7 housing agency may not make a dwelling unit
8 in such a project available for occupancy to any
9 person or family who is not an elderly family,
10 unless the agency acquires from the person or
11 family a signed statement that no person who
12 will be occupying the unit uses (or has a history
13 of use) of drugs or alcohol that would interfere
14 with the health, safety, or right to peaceful en-
15 joyment of the premises by other tenants.”.

16 **SEC. 3. LEASE PROVISIONS.**

17 Section 6(l) of the United States Housing Act of
18 1937 (42 U.S.C. 1437d(l)) is amended—

19 (1) in paragraph (5), by striking “and” at the
20 end;

21 (2) by redesignating paragraph (6) as para-
22 graph (7); and

23 (3) by inserting after paragraph (5) following
24 new paragraph:

1 “(6) provide that any violation of the provisions
2 of section 7(a)(5)(A) or the furnishing of any false
3 or misleading information pursuant to section
4 7(a)(5)(B) shall be cause for termination of tenancy;
5 and”.

6 **SEC. 4. PROVISION OF SECTION 8 ASSISTANCE TO MOVE**
7 **NONELDERLY TENANTS HAVING DRUG OR**
8 **ALCOHOL USE PROBLEMS FROM PUBLIC**
9 **HOUSING DESIGNATED FOR ELDERLY FAMI-**
10 **LIES.**

11 (a) IN GENERAL.—Section 7(c) of the United States
12 Housing Act of 1937 is amended to read as follows:

13 “(c) LIMITATIONS ON EVICTIONS.—

14 “(1) IN GENERAL.—Except as provided in para-
15 graph (2), any tenant who is lawfully residing in a
16 dwelling unit in a public housing project may not be
17 evicted or otherwise required to vacate such unit be-
18 cause of the designation of the project (or a portion
19 of the project) pursuant to this section or because
20 of any action taken by the Secretary of Housing and
21 Urban Development or any public housing agency
22 pursuant to this section.

23 “(2) EVICTION OF NONELDERLY TENANTS HAV-
24 ING DRUG OR ALCOHOL USE PROBLEMS IN HOUSING
25 DESIGNATED FOR ELDERLY FAMILIES.—A tenant in

1 a project (or portion of a project) that is designated
2 under subsection (a)(1) for occupancy by only elder-
3 ly families or by only elderly and disabled families
4 shall be evicted under this paragraph if—

5 “(A) the tenant’s household includes a per-
6 son described in clause (i) or (ii) of subsection
7 (a)(5)(A); and

8 “(B) upon termination of the tenant’s ten-
9 ency in the project, the public housing agency
10 provides rental assistance under section 8 on
11 behalf of the tenant.”.

12 (b) PREFERENCE FOR SECTION 8 ASSISTANCE.—

13 (1) CERTIFICATES.—Section 8(d)(1)(A)(i) of
14 the United States Housing Act of 1937 (42 U.S.C.
15 1437f(d)(1)(A)(i)) is amended by inserting after “in-
16 come for rent,” the following: “are required to be
17 evicted under section 7(c)(2) if assistance under this
18 section is provided on behalf of the family,”.

19 (2) VOUCHERS.—The first sentence of section
20 8(o)(3)(B) of the United States Housing Act of
21 1937 (42 U.S.C. 1437f(o)(3)(B)) is amended by in-
22 sserting after “displaced,” the following: “are re-
23 quired to be evicted under section 7(c)(2) if assist-
24 ance under this section is provided on behalf of the
25 family,”.

