

104TH CONGRESS
1ST SESSION

H. R. 1619

To amend section 227 of the Housing and Urban-Rural Recovery Act of 1983 to prohibit owners and managers of federally assisted rental housing from preventing elderly residents of such housing from owning or having household pets in such housing.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 1995

Ms. MOLINARI (for herself, Mrs. MALONEY, Mr. WILSON, and Mr. PAXON) introduced the following bill; which was referred to the Committee on Banking and Financial Services

A BILL

To amend section 227 of the Housing and Urban-Rural Recovery Act of 1983 to prohibit owners and managers of federally assisted rental housing from preventing elderly residents of such housing from owning or having household pets in such housing.

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 “National Senior Citi-
5 zens Pet Ownership Protection Act”.

1 **SEC. 2. PET OWNERSHIP.**

2 Section 227 of the Housing and Urban-Rural Recov-
3 ery Act of 1983 (12 U.S.C. 1701r-1) is amended—

4 (1) by striking the section heading and insert-
5 ing the following new section heading:

6 “PET OWNERSHIP BY ELDERLY AND DISABLED FAMILIES
7 IN FEDERALLY ASSISTED RENTAL HOUSING”;

8 (2) by striking subsection (d);

9 (3) by redesignating subsection (c) as sub-
10 section (d);

11 (4) by inserting after subsection (b) the follow-
12 ing new subsection:

13 “(c) PET OWNERSHIP BY ELDERLY FAMILIES IN
14 OTHER FEDERALLY ASSISTED HOUSING.—

15 “(1) RIGHTS OF TENANTS.—No owner or man-
16 ager of any other federally assisted rental housing
17 may—

18 “(A) as a condition of tenancy or other-
19 wise, prohibit or prevent any tenant in such
20 housing who is an elderly family from owning
21 common household pets or having common
22 household pets living in the dwelling accom-
23 modations of such tenant in such housing;

24 “(B) as a condition of tenancy or other-
25 wise, prohibit or prevent any tenant in such
26 housing who, during such tenancy, was an el-

1 derly family who owned or had a common
2 household pet living in the dwelling accommoda-
3 tions of such tenant in such housing from con-
4 tinuing to own or have the pet in the accom-
5 modations after the tenant no longer qualifies
6 as an elderly family; or

7 “(C) restrict or discriminate against any
8 elderly family in connection with admission to,
9 or continued occupancy of, such housing by rea-
10 son of the ownership of such pets by, or the
11 presence of such pets in the dwelling accom-
12 modations of, such person.

13 “(2) REGULATIONS.—

14 “(A) REQUIREMENT.—The Secretary of
15 Housing and Urban Development and the Sec-
16 retary of Agriculture shall each issue such regu-
17 lations as may be necessary to ensure—

18 “(i) compliance with the provisions of
19 paragraph (1) with respect to any program
20 of assistance referred to in subsection
21 (e)(3) that is administered by such Sec-
22 retary; and

23 “(ii) attaining the goal of providing
24 decent, safe, and sanitary housing for el-
25 derly families.

1 “(B) MANAGEMENT GUIDELINES.—Such
2 regulations shall establish guidelines under
3 which the owner or manager of any other feder-
4 ally assisted rental housing (i) may prescribe
5 reasonable rules for the keeping of pets in such
6 housing by tenants pursuant to paragraph (1),
7 and (ii) shall consult with the tenants of such
8 housing in prescribing such rules. Such rules
9 may consider factors such as density of tenants,
10 pet size, types of pets, potential financial obli-
11 gations of tenants, and standards of pet care.”;

12 (5) in subsection (d) (as so redesignated by
13 paragraph (3))—

14 (A) by inserting “AUTHORITY TO REMOVE
15 PETS.—” after “(d)”;

16 (B) by inserting after “handicapped” the
17 following: “or of other federally assisted rental
18 housing”;

19 (6) by adding at the end the following new sub-
20 section:

21 “(f) DEFINITIONS.—For purposes of this section:

22 “(1) ELDERLY AND DISABLED FAMILIES.—The
23 terms ‘elderly families’ and ‘disabled families’ shall
24 have the meanings given such terms in section
25 3(b)(3) of the United States Housing Act of 1937.

1 “(2) FEDERALLY ASSISTED RENTAL HOUSING
2 FOR THE ELDERLY OR DISABLED.—The term ‘feder-
3 ally assisted rental housing for the elderly or dis-
4 abled’ means any rental housing project that is as-
5 sisted under—

6 “(A) section 202 of the Housing Act of
7 1959;

8 “(B) section 811 of the Cranston-Gonzalez
9 National Affordable Housing Act; or

10 “(C) the United States Housing Act of
11 1937, the National Housing Act, or title V of
12 the Housing Act of 1949, and is designated for
13 occupancy by elderly or disabled families or by
14 elderly or handicapped families.

15 “(3) OTHER FEDERALLY ASSISTED RENTAL
16 HOUSING.—The term ‘other federally assisted rental
17 housing’ means any—

18 “(A) public housing project (as such term
19 is defined in section 3(b) of the United States
20 Housing Act of 1937);

21 “(B) housing for which project-based as-
22 sistance is provided under section 8 of the
23 United States Housing Act of 1937;

24 “(C) housing financed by a loan or mort-
25 gage insured under section 221(d)(3) of the

1 National Housing Act that bears interest at a
2 rate determined under the proviso of section
3 221(d)(5) of such Act;

4 “(D) housing insured, assisted, or held by
5 the Secretary of Housing and Urban Develop-
6 ment or a State or State agency under section
7 236 of the National Housing Act;

8 “(E) housing constructed or substantially
9 rehabilitated pursuant to assistance provided
10 under section 8(b)(2) of the United States
11 Housing Act of 1937, as in effect before Octo-
12 ber 1, 1983, that is assisted under a contract
13 for assistance under such section; and

14 “(F) rental housing project assisted under
15 title V of the Housing Act of 1949.”.

16 **SEC. 3. REGULATIONS AND EFFECTIVE DATE.**

17 (a) REGULATIONS.—Not later than the expiration of
18 the 12-month period beginning on the date of the enact-
19 ment of this Act, the Secretary of Housing and Urban
20 Development and the Secretary of Agriculture shall each
21 issue any regulations necessary to carry out section 227
22 of the Housing and Urban-Rural Recovery Act of 1983,
23 as amended by section 2 of this Act.

24 (b) EFFECTIVE DATE.—Section 227 of the Housing
25 and Urban-Rural Recovery Act of 1983, as amended by

1 section 2 of this Act, shall take effect upon the earlier
2 of—

3 (1) the effective date of the regulations issued
4 under subsection (a); or

5 (2) the expiration of the 18-month period begin-
6 ning on the date of the enactment of this Act.

7 After the enactment of this Act and before the effective
8 date under the preceding sentence, the provisions of such
9 section 227 shall continue to apply as if the amendments
10 made section 2 of this Act had not been enacted.

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