

The Landlord Accountability Act of 2016

Introduced by Representative Nydia Velazquez (NY-7)

Need for Legislation

The nation is currently experiencing an affordable housing crisis. The homeownership rate has declined to 63.5 percent, a 30-year low, while rental demand has increased pushing vacancy rates to 7 percent. Today, the average rental asking price is \$870 dollars, up 23 percent since 2010. This has caused over half of all renters to become cost burdened, approximately 20.8 million households. Over 80 percent of low-income households, those making under \$15,000 per year, are severely cost burdened.

The Section 8 Housing Choice Voucher Program assists our nation's most economically vulnerable, and without it, many of the individuals and families assisted by the Section 8 Program would be at risk of homelessness. Although families and individuals are free to choose any available housing in their community, landlords still discriminate against low-income tenants because they are voucher-holders. As a result, the Section 8 program only has a 60 percent success rate in helping tenants secure affordable housing.

Further compounding the affordability crisis is gentrification. Areas of New York City have undergone rapid revitalization, property values have risen dramatically. As a result, there have been serious allegations that landlords are intentionally allowing their federally-subsidized units to deteriorate in an effort to drive voucher-users out and convert units to higher, market-rate apartments.

Therefore, it is necessary to ban discrimination against source of income, discourage intentional acts to disqualify dwelling units from federal housing programs, and encourage proper maintenance of multifamily house in order to revive the Section 8 program, affirmatively further fair housing policies, and address our national affordability crisis.

Benefits of the *Landlord Accountability Act of 2016*

- Bans housing discrimination based on a tenant's use of a housing voucher at the federal level. Voucher holders would be granted all the rights and remedies currently afforded those classifications currently protected under the Fair Housing Act, including race, gender, etc. (Section 3 of the bill).
- Establishes civil monetary penalties if landlords take actions, or neglect to act, with the intention of disqualifying their units for federal housing programs. Landlords would be fined two ways; up to \$100,000 per instance by the government and also up to \$50,000 per instance to the aggrieved tenant. This section would also allow tenants to recover actual damages that resulted from the intentional actions or inactions of the landlord. (Section 4).
- Establishes a new Multifamily Housing Complaint Resolution Program to receive complaints about multifamily housing projects from voucher-holding tenants. The Program would gather information on complaints, investigate, and attempt to resolve complaints through mediation. (Section 5).
- Requires HUD to publicly disclose information regarding complaints submitted to the Multifamily Housing Complaint Resolution Program. (Section 6).
- Creates a tax credit that will incentivize landlords to make repairs to units in low-income multifamily housing units with the goal of improving living conditions. The tax credit allows owners to claim up to \$2,500 annually for maintenance performed per dwelling unit. (Section 7).
- Requires landlords to post HUD-approved notices within their buildings that list tenants' rights and the complaint hotline phone number. Failure to do so will result in \$500 fines per occurrence. (Section 8).
- Creates a grant program to fund local tenant harassment prevention programs, like New York City's own Tenant Harassment Prevention Task Force. The legislation will provide \$25 million total in grants per year. (Section 9).