116TH CONGRESS 1ST SESSION	S.
	[To be supplied.]

IN THE SENATE OF THE UNITED STATES

Mr. Bennet introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

[To be supplied.]

- 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 "Eviction Crisis Act
- 5 of 2019".
- 6 SEC. 2. LANDLORD-TENANT FOCUSED COMMUNITY
- 7 **COURTS.**
- 8 (a) IN GENERAL.—The Attorney General, through
- 9 the Bureau of Justice Assistance, shall award grants to
- 10 States and local jurisdictions to support landlord-tenant
- 11 focused community courts that offer a mediation-based

1	process with social-service representatives available to pro-
2	vide assistance to tenants.
3	(b) Diversity Requirement.—In making grants
4	under this section, the Attorney General shall ensure that
5	landlord-tenant focused community courts are assisted in
6	urban areas, suburban areas, and rural areas, with an em-
7	phasis on communities that have above-average rates of
8	eviction and eviction filings.
9	(c) Application.—A State or local jurisdiction de-
10	siring a grant under this section shall submit to the Attor-
11	ney General an application at such time, in such manner,
12	and containing—
13	(1) a demonstrated need in the community for
14	a landlord-tenant community court;
15	(2) evidence of support from representatives of
16	various and diverse stakeholders within the commu-
17	nity, including renters' rights groups and legal aid
18	nonprofit organizations;
19	(3) a detailed description of how the grant will
20	be spent;
21	(4) a detailed description of how the community
22	court will interact with the existing landlord-tenant
23	justice system of the State or local jurisdiction, as
24	applicable, including a description of which cases will
25	be diverted to the community court; and

1	(5) any other information as the Attorney Gen-
2	eral may require, including information sought in
3	consultation with the Secretary of Housing and
4	Urban Development.
5	(d) Data.—Beginning 1 year after the date on which
6	a State or local jurisdiction receives a grant under this
7	section, and not later than 2 years after that date, the
8	State or local jurisdiction shall submit to the Attorney
9	General and the Secretary of Housing and Urban Develop-
10	ment a report containing—
11	(1) any aggregate data on landlord-tenant cases
12	filed in that State or local jurisdiction as the Attor-
13	ney General or the Secretary of Housing and Urban
14	Development may require;
15	(2) the data described in subparagraphs (A)
16	and (B) of section $6(c)(1)$ and section $6(c)(2)$, as
17	applicable; and
18	(3) any other information as the Attorney Gen-
19	eral may require.
20	(e) AWARDING GRANTS.—The Attorney General may
21	award grants under this section in 3 rounds, with not
22	fewer than 5 grants awarded in the first round.
23	(f) MATCHING REQUIREMENT.—
24	(1) In general.—As a condition of a grant
25	provided under this section, the Attorney General

1	shall require the recipient of the grant to contribute
2	an amount equal to or more than the amount of the
3	grant, obtained solely from non-Federal sources.
4	(2) FORM.—In addition to cash or other direct
5	funding, the contribution required by the Attorney
6	General under paragraph (1) may include indirect
7	costs or in-kind contributions paid for under non-
8	Federal programs.
9	(g) AUTHORIZATION OF APPROPRIATIONS.—There
10	are authorized to be appropriated such sums as may be
11	necessary to carry out this section.
12	SEC. 3. FUNDING FOR LEGAL SERVICES CORPORATION.
13	Section 1010 of the Legal Services Corporation Act
14	(42 U.S.C. 2996i) is amended by striking subsection (a)
15	and inserting the following:
16	"(a) There are authorized to be appropriated for the
17	purpose of carrying out the activities of the Corporation
18	the following amounts:
19	"(1) For fiscal year 2020, \$527,800,000.
20	"(2) For fiscal year 2021, \$541,968,068.
21	"(3) For fiscal year 2022, \$556,516,458.
22	"(4) For fiscal year 2023, \$571,455,379.
23	"(5) For fiscal year 2024, \$586,795,315.
24	"(6) For fiscal year 2025, \$602,547,031.
25	"(7) For fiscal year 2026, \$618,721,581.

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1	"(8) For fiscal year 2027, \$635,330,313.
2	"(9) For fiscal year 2028, \$652,384,885.
3	"(10) For fiscal year 2029, \$669,897,263.".
4	SEC. 4. NATIONAL DATABASE OF EVICTIONS.
5	(a) DEFINITIONS.—In this section:
6	(1) Committee.—The term "Committee"
7	means the Federal Advisory Committee on Eviction
8	Research established under subsection (g).
9	(2) Department.—The term "Department"
10	means the Department of Housing and Urban De-
11	velopment.
12	(3) FORMAL EVICTION.—The term "formal
13	eviction" means an eviction from a residential prop-
14	erty of a tenant, including a tenant residing in a
15	public housing dwelling unit or receiving tenant-
16	based assistance or project-based assistance under
17	section 8(o) of the United States Housing Act of
18	1937 (42 U.S.C. 1437f(o)), by a landlord for which
19	an eviction case was filed in a court.
20	(4) Informal Eviction.—The term "informal
21	eviction" means an eviction from a residential prop-
22	erty of, or other termination of tenancy for, a ten-
23	ant, including a tenant residing in a public housing
24	dwelling unit or receiving tenant-based assistance or

project-based assistance under section 8(o) of the

1	United States Housing Act of 1937 (42 U.S.C
2	1437f(o)), by a landlord—
3	(A) for which an eviction case was not filed
4	in a court; and
5	(B) that occurred prior to the date of lease
6	expiration on the basis of nonpayment of rent
7	or a lease violation.
8	(5) Public Housing; public Housing agen-
9	CY.—The terms "public housing" and "public hous-
10	ing agency" have the meanings given those terms in
11	section 3(b) of the United States Housing Act of
12	1937 (42 U.S.C. 1437a(b)).
13	(6) Secretary.—The term "Secretary" means
14	the Secretary of Housing and Urban Development
15	(b) Establishment of Database.—Not later than
16	1 year after the date of enactment of this Act, the Sec-
17	retary shall establish and maintain a database that—
18	(1) is accessible to the Office of Policy Develop-
19	ment and Research of the Department of Housing
20	and Urban Development and such other employees
21	of the Department, as determined necessary by that
22	Office; and
23	(2) shall include the data described in sub-
24	section (c) with respect to formal evictions and infor-
25	mal evictions in the United States.

1	(c) Contents.—The database established under
2	subsection (b) shall contain the following data:
3	(1) Data on each formal eviction.—With
4	respect to each formal eviction case filed on or after
5	the date on which the database is established:
6	(A) Information on the tenant who is the
7	subject of the eviction, which shall include—
8	(i) the name, age, and gender of the
9	tenant and, where possible, the age, name,
10	and gender of each other individual resid-
11	ing in the household;
12	(ii) the address of the residential
13	property and the type of housing;
14	(iii) whether the tenant has children
15	residing in the property; and
16	(iv) whether the eviction will put the
17	tenant at risk of homelessness.
18	(B) Information on the landlord who filed
19	the formal eviction case, including—
20	(i) the name of the landlord;
21	(ii) the name of the attorney of the
22	landlord, or an indication that the landlord
23	was a pro se plaintiff; and

landlord repairs;

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(2) AGGREGATE DATA ON FORMAL EVICTION

CASES.—Aggregate data on formal eviction cases

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1	filed on or after the date on which the database is
2	established, including—
3	(A) the total number of cases filed, includ-
4	ing a breakdown by—
5	(i) the number of cases filed for non-
6	payment, other breach of lease, both non-
7	payment and breach of case, and any other
8	reason; and
9	(ii) the outcome of the first hearing,
10	including default judgment, dismissal, a
11	consent agreement, a trial, and a settle-
12	ment with or without mediation;
13	(B) the number of tenants and landlords
14	who showed up for the first hearing of a formal
15	eviction case, and how many were represented
16	by counsel;
17	(C) the average duration of a formal evic-
18	tion case, including the average time from filing
19	to first hearing;
20	(D) the average amount owed by a tenant,
21	per landlord;
22	(E) the average months of rent owed by a
23	tenant;
24	(F) the average amount paid by a tenant
25	to resolve the case and stay in the housing;

1	(G) the number of formal eviction cases
2	with alleged landlord code violations, and the
3	average number of code violations;
4	(H) the number of cases with counter-
5	claims for implied warranty of habitability;
6	(I) the number and percentage of formal
7	eviction cases broken down by age bracket;
8	(J) the number and percentage of formal
9	eviction cases with a tenant or household with
10	children;
11	(K) the number and percentage of formal
12	eviction cases broken down by gender;
13	(L) the number of tenants evicted from
14	public housing, broken down by each public
15	housing agency;
16	(M) the number of tenants evicted from
17	dwelling units who were receiving tenant-based
18	assistance or project-based assistance under
19	section 8(o) of the United States Housing Act
20	of 1937 (42 U.S.C. 1437f(o)); and
21	(N) the number of formal eviction cases
22	where late fees were collected from tenants by
23	landlords and the average amount of late fees
24	in those cases.

1	(3) Data on informal evictions.—With re-
2	spect to each informal eviction occurring on or after
3	the date on which the database is established, as re-
4	ported by local governments and nonprofit organiza-
5	tions receiving grants under subsection (f):
6	(A) The data described in paragraph
7	(1)(A).
8	(B) Information on the landlord, includ-
9	ing—
10	(i) the name of the landlord; and
11	(ii) any amount that the landlord al-
12	leges that the tenant owes, including any
13	penalties.
14	(C) The reason the tenant was evicted.
15	(D) If the tenant was evicted for non-
16	payment, the amount owed.
17	(E) If the tenant was evicted for non-
18	payment, the total number of months owed.
19	(4) Aggregate data on informal evic-
20	TIONS.—Aggregate data on formal eviction cases oc-
21	curring on or after the date on which the database
22	is established, including—
23	(A) the average amount owed by a tenant,
24	per landlord;

1	(B) the average months of rent owed by a
2	tenant;
3	(C) the number and percentage of informal
4	eviction cases broken down by age bracket;
5	(D) the number and percentage of infor-
6	mal eviction cases with a tenant or household
7	with children;
8	(E) the number and percentage of informal
9	eviction cases broken down by race and eth-
10	nicity;
11	(F) the number and percentage of informal
12	eviction cases broken down by gender;
13	(G) the number and percentage of informal
14	eviction cases broken down by disability status
15	and
16	(H) the number and percentage of infor-
17	mal eviction cases broken down by subcat-
18	egories of race, gender, and whether the house-
19	hold includes children.
20	(d) Submission of Data.—Not later than March 1
21	of each year, the clerk of each State or local court that
22	handles landlord-tenant cases shall submit to the Sec-
23	retary data on formal eviction cases that occurred during
24	the preceding calendar year for inclusion in the database
25	established under this section.

1	(e) Guidelines.—The Secretary shall promulgate
2	rules and establish guidelines for the submission of data
3	under subsection (b) and publication of data in the data-
4	base established under this section, which shall include—
5	(1) a technological solution that provides a sin-
6	gle point of entry for data submissions to reduce the
7	burden on clerks of the courts;
8	(2) in consultation with local governments and
9	judges, appropriate safeguards for protecting the
10	privacy of personally identifiable information of vul-
11	nerable populations;
12	(3) standards for—
13	(A) external researchers to be granted per-
14	mission to access data in the database, includ-
15	ing both aggregate data and, if necessary for
16	the conduct of their research, personally identi-
17	fiable information, with appropriate safeguards
18	to ensure identities are protected in any pub-
19	licly released analysis;
20	(B) the establishment of a research data
21	center to support analysis of that data; and
22	(C) using generally accepted statistical
23	principles to validate the data, in consultation
24	with outside participants: and

1	(4) standards for local officials to identify and
2	designate social services agencies that may access
3	the database to provide targeted social services to
4	those tenants.
5	(f) Grant Program to Collect Data on Infor-
6	MAL EVICTIONS.—
7	(1) IN GENERAL.—The Secretary shall award
8	grants to local governments and nonprofit organiza-
9	tions to set up programs to collect data from land-
10	lords on informal evictions in the United States.
11	(2) Authorization of appropriations.—
12	There are authorized to be appropriated such sums
13	as may be necessary for each of fiscal years 2020
14	through 2024 to provide grants under this sub-
15	section.
16	(g) Advisory Committee.—
17	(1) In General.—The Secretary shall establish
18	an advisory committee to be known as the "Federal
19	Advisory Committee on Eviction Research" advise
20	the Secretary on matters relating to the creation,
21	operation, maintenance, methodology, and privacy
22	matters of the eviction database and related statis-
23	tical efforts.
24	(2) Membership.—

1	(A) IN GENERAL.—The Committee shall be
2	composed of 12 members who shall be ap-
3	pointed by the Secretary, in consultation with
4	the chair and ranking member of the Com-
5	mittee on Banking, Housing, and Urban Affairs
6	of the Senate and the chair and ranking mem-
7	ber of the Committee on Financial Services of
8	the House of Representatives, of whom—
9	(i) 5 members shall be from the aca-
10	demic or research community;
11	(ii) 5 members shall be from civil soci-
12	ety, of whom not less than 2 shall be from
13	entities that advocate for civil rights re-
14	lated to housing or eviction; and
15	(iii) 2 members shall be from private
16	industry, civil society, or the academic
17	community with backgrounds in data
18	science and privacy.
19	(B) Chair.—The Secretary shall appoint a
20	chair of the Committee from among the mem-
21	bers of the Committee.
22	(C) PERIOD OF APPOINTMENT; VACAN-
23	CIES.—

(C) hold or host conferences and symposia;

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1	(D) enter into cooperative agreements with
2	third-party experts to obtain relevant advice or
3	expertise, and oversee staff;
4	(E) establish subcommittees; and
5	(F) establish rules of procedure.
6	(5) Gifts.—The Committee may accept, use,
7	and dispose of gifts or donations of services or prop-
8	erty.
9	(6) Travel expenses.—The members of the
10	Committee shall be allowed travel expenses, includ-
11	ing per diem in lieu of subsistence, at rates author-
12	ized for employees of agencies under subchapter I of
13	chapter 57 of title 5, United States Code, while
14	away from their homes or regular places of business
15	in the performance of service for the Committee.
16	(7) Staff.—
17	(A) IN GENERAL.—The chair of the Com-
18	mittee may, without regard to the civil service
19	laws (including regulations), appoint and termi-
20	nate an executive director and such other addi-
21	tional personnel as may be necessary to enable
22	the Commission to perform its duties, except
23	that the employment of an executive director
24	shall be subject to confirmation by the Commis-
25	sion.

1 (B) Compensation.—The chair of the 2 Committee may fix the compensation of the ex-3 ecutive director and other personnel without re-4 gard to chapter 51 and subchapter III of chap-5 ter 53 of title 5, United States Code, relating 6 to classification of positions and General Sched-7 ule pay rates, except that the rate of pay for 8 the executive director and other personnel may 9 not exceed the rate payable for level V of the 10 Executive Schedule under section 5316 of that 11 title. 12 (8) Report.—Not later than [X] after the 13 date on which the Committee terminates, the Com-14 mittee shall submit to the Secretary a report con-15 taining recommendations for the eviction database 16 and related statistical matters. 17 (9) NO ADDITIONAL FUNDS.—The amounts 18 necessary to carry out this subsection shall be de-19 rived from amounts appropriated or otherwise made 20 available to the Secretary. 21 SEC. 5. EMERGENCY ASSISTANCE FUND GRANT PROGRAM. 22 (a) IN GENERAL.—The Secretary of Housing and 23 Urban Development (in this section referred to as the "Secretary") shall establish a competitive grant program under which the Secretary shall award grants to States,

1	local, and Tribal governments to establish crisis assistance
2	programs to prevent extremely low-income households
3	from experiencing housing instability, including an immi-
4	nent risk of eviction or homelessness, by providing short-
5	term financial assistance and housing stabilization serv-
6	ices.
7	(b) Designation.—A State, local, or Tribal
8	overnment that receives a grant under this section may
9	designate 1 or more entities to carry out programs in ac-
10	cordance with this section.
11	(c) Household Eligibility.—A household that is
12	eligible to receive assistance under a program established
13	by a recipient of a grant under this section (in this section
14	referred to as an "eligible household") shall—
15	(1) be extremely low-income, with an income at
16	or below the federal poverty limit or 30 percent of
17	the area median income, whichever is higher; and
18	(2) demonstrate to the grant recipient that the
19	household is experiencing a short-term crisis, which
20	may include—
21	(A) a past due utility or rent notice, evic-
22	tion notice, or other evidence that the household
23	is at risk of housing instability or homelessness;
24	(B) a temporary decline in household in-
25	come;

(C) a family or health crisis;
(D) unexpected expenses;
(E) unsafe or unhealthy living conditions;
and
(F) any other event as determined by the
Secretary.
(d) LIMITATION.—An eligible household may not re-
ceive assistance under this section more than once during
each calendar year.
(e) Use of Funds.—
(1) In general.—A recipient of a grant under
this section shall use grant amounts to help eligible
households overcome a short-term crisis impacting
housing stability and provide financial assistance
and housing stability-related services to those house-
holds.
(2) Financial assistance.—Not less than 75
percent of amounts received by a recipient of a grant
under this section shall be used to provide financial
assistance to eligible households, including the pay-
ment of rent, utilities, and other housing-related ex-
penses.
(3) Housing stability-related services.—
Not more than 25 percent of amounts received by a
recipient of a grant under this section shall be used

1	to provide housing stability-related services to eligi-
2	ble households, including—
3	(A) services for case management, includ-
4	ing community resources to negotiate and re-
5	solve non-financial, non-legal issues to keep in-
6	dividuals and families housed;
7	(B) rehousing services;
8	(C) services to connect those households to
9	other public supports, including long-term hous-
10	ing assistance; and
11	(D) referrals to other services for behav-
12	ioral, emotional, and mental health issues, do-
13	mestic violence, child welfare issues, employ-
14	ment, substance abuse treatment, or other serv-
15	ices.
16	(4) Evaluation.—Not more than 5 percent of
17	amounts received by a recipient of a grant under
18	this section may be used to conduct rigorous evalua-
19	tions of the effectiveness of the activities of the re-
20	cipient in preventing housing instability.
21	(5) Administrative costs.—Grant amounts
22	shall not be used by a grant recipient to cover ad-
23	ministrative costs that are not incurred in carrying
24	out paragraphs (2) , (3) , or (4) .

1	(f) Criteria.—The Secretary, in consultation with
2	the Secretary of Health and Human Services and the Sec-
3	retary of Agriculture, shall develop criteria to evaluate
4	each application for a grant under this section, which
5	shall—
6	(1) include consideration of—
7	(A) the need within the community to be
8	served by the applicant for a program described
9	in subsection (a);
10	(B) the capacity and interest of the appli-
11	cant in providing innovative delivery of housing
12	stability interventions and to connect house-
13	holds to other public benefits;
14	(C) the prior performance of the applicant
15	in providing similar forms of assistance;
16	(D) a demonstration of collaboration with
17	other entities that provide resources to help eli-
18	gible households eligible under a program estab-
19	lished using grant amounts;
20	(E) a demonstration of support from local
21	elected officials, community leaders, residents,
22	and other key stakeholders;
23	(F) a comprehensive plan to improve hous-
24	ing stability among not less than 1 at-risk pop-
25	ulation;

1	(G) the interest in and willingness of the
2	grantee to conduct a rigorous evaluation of the
3	effectiveness of the programs to be established
4	using grant amounts;
5	(H) the estimated impact of the programs
6	to be established by the applicant;
7	(I) a commitment to provide new matching
8	funds from non-Federal sources as required
9	under subsection (g); and
10	(J) such other factors as the Secretary
11	may require; and
12	(2) ensure geographic diversity among the
13	grantees.
14	(g) Matching Amounts.—
15	(1) In General.—The Secretary shall establish
16	a sliding scale for matching funding requirements
17	under this section, based on the size and resources
18	of the jurisdiction, except that each grantee shall
19	provide new matching funds of not less than 25 per-
20	cent of the grant amount from non-Federal sources.
21	(2) Form.—Subject to paragraph (3), a grant-
22	ee shall provide matching funds in the form of cash
23	or an in-kind contribution.
24	(3) Limitations on in-kind contribu-
25	TIONS.—A grantee may provide matching funds

1	under paragraph (1) in the form of an in-kind con-
2	tribution for the cash value of services provided a
3	community served by a grantee by an entity other
4	than the grantee only if there is a memorandum of
5	understanding between the grantee and the other en-
6	tity that those services will be provided.
7	(h) Continuous Improvement.—The Secretary
8	shall establish a process that incorporates findings from
9	rigorous evaluations of programs established by grant re-
10	cipients under this section into the design of subsequent
11	grant competitions.
12	(i) Evaluation of Grantees.—
13	(1) In General.—The Secretary shall—
14	(A) evaluate each recipient of a grant
15	under this section using information requested
16	by the Secretary, including an evaluation of—
17	(i) the ease with which eligible house-
18	holds are able to access assistance;
19	(ii) the effectiveness of the programs'
20	intervention models in preventing housing
21	instability in general and for eligible house-
22	holds of different types and income levels;
23	(iii) the cost-effectiveness of the pro-
24	grams; and

1	(iv) other indicators as determined by
2	the Secretary;
3	(B) publicly disseminate, through internet
4	websites and other means, interim findings as
5	soon as they become available relating to pro-
6	grams established by recipients of a grant
7	under this section; and
8	(C) make the evaluations described in sub-
9	paragraph (A) publicly available.
10	(j) Report.—Not later than 5 years after the estab-
11	lishment of the competitive grant program under this sec-
12	tion, the Secretary shall submit to the Committee or
13	Banking, Housing, and Urban Affairs of the Senate and
14	the Committee on Financial Services of the House of Rep-
15	resentatives and publish in the Federal Register a re-
16	port—
17	(1) evaluating the effectiveness of the strategies
18	pursued under the program; and
19	(2) that includes recommendations for any nec-
20	essary changes to law and a plan to expand the pro-
21	gram to the scale necessary to address housing in-
22	stability.
23	(k) Authorization of Appropriations.—There
24	are authorized to be appropriated such sums as may be

1	necessary for each of fiscal years 2020 through 2024 to
2	carry out this section.
3	SEC. 6. GAO STUDY AND REPORT.
4	(a) Study.—The Comptroller General of the United
5	States shall conduct a comprehensive qualitative and
6	quantitative study to—
7	(1) track evictions during the 30-year period
8	preceding the date of enactment of this Act;
9	(2) analyze local landlord-tenant law; and
10	(3) assess the factors that contribute to evic-
11	tions and whether those factors differ in urban areas
12	versus suburban and rural areas.
13	(b) Report.—Not earlier than 5 years, but not later
14	than 6 years after the date of enactment of this Act, the
15	Comptroller General of the United States shall submit to
16	Congress a report on the grants awarded pursuant to sec-
17	tions 2, 3, and 5 of this Act, including best estimates of
18	the amount saved, if any, at all levels of government on
19	housing, medical, or social welfare programs, as well as
20	any additional revenues generated by participants being
21	more likely to remain employed or for other reasons.
22	(c) Authorization of Appropriations.—There
23	are authorized to be appropriated such sums as may be

24 necessary to carry out this section.