

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To require the Secretary of Housing and Urban Development to create a database of owners of properties receiving tenant-based assistance, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. HAWLEY introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## **A BILL**

To require the Secretary of Housing and Urban Development to create a database of owners of properties receiving tenant-based assistance, 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 “Bad Landlord Database  
5 Act of 2020”.

1 **SEC. 2. OVERSIGHT OF LANDLORD COMPLIANCE WITH**  
2 **HOUSING QUALITY STANDARDS.**

3 Section 8 of the United States Housing Act of 1937  
4 (42 U.S.C. 1437f) is amended by adding at the end the  
5 following:

6 “(ee) HOUSING CHOICE VOUCHER LANDLORD DATA-  
7 BASE.—

8 “(1) ESTABLISHMENT.—Not later than 1 year  
9 after the date of enactment of this subsection, the  
10 Secretary shall, in cooperation with all public hous-  
11 ing agencies, create a database of owners of prop-  
12 erties receiving tenant-based assistance, which shall  
13 include—

14 “(A) a comprehensive list of all properties  
15 owned by each owner that are receiving or have  
16 previously received tenant-based assistance;

17 “(B) for each property listed under sub-  
18 paragraph (A), the identity of any private indi-  
19 vidual or entity that has the legal right to lease  
20 or sublease dwelling units within the property;

21 “(C) a comprehensive list of all actions  
22 taken by the Secretary and any public housing  
23 agency against an owner for violations of the  
24 terms of a housing assistance payments con-  
25 tract related to the property or of the housing

1 quality standards established under subsection  
2 (o)(8)(B); and

3 “(D) a comprehensive list of all previous or  
4 ongoing litigation related to the programs au-  
5 thorized under subsection (o) between the  
6 owner and any public housing agency.

7 “(2) PUBLIC DISCLOSURES.—

8 “(A) IN GENERAL.—The Secretary shall  
9 maintain and make available to the public a  
10 list, using information from the database estab-  
11 lished under paragraph (1), of all owners of  
12 properties receiving tenant-based assistance,  
13 which shall include—

14 “(i) the identity of any private indi-  
15 vidual or entity that has the legal right to  
16 lease or sublease dwelling units within each  
17 property;

18 “(ii) all actions described to in para-  
19 graph (1)(C); and

20 “(iii) all litigation described in para-  
21 graph (1)(D).

22 “(B) PRIVACY.—Any information made  
23 available under subparagraph (A)—

1                   “(i) shall be made available in a man-  
2                   ner that protects the privacy of current  
3                   and former tenants of the properties; and

4                   “(ii) shall not include, and where ap-  
5                   propriate shall redact, the addresses of the  
6                   properties and dwelling units owned by the  
7                   owners or other personally identifiable in-  
8                   formation of tenants.

9                   “(3) PENALTY.—Any property owner who  
10                  knowingly provides misleading or inconsistent infor-  
11                  mation to the Secretary or public housing agencies,  
12                  or to units of general local government or other enti-  
13                  ties approved by the Secretary to conduct inspec-  
14                  tions under subsection (o)(11), relating to the data-  
15                  base established under paragraph (1) with the intent  
16                  to undermine transparency or avoid sanction, shall  
17                  be guilty of a violation of section 1012 of title 18,  
18                  United States Code, and shall be prohibited there-  
19                  after from being awarded any contract by the Fed-  
20                  eral Government.

21                  “(4) INSPECTOR GENERAL.—

22                  “(A) INVESTIGATIONS.—The Inspector  
23                  General of the Department of Housing and  
24                  Urban Development may investigate any sus-  
25                  pected or alleged effort by an owner to cir-

1           cumvent the data collection needs identified by  
2           the Secretary to carry out this subsection by  
3           providing misleading or inconsistent informa-  
4           tion.

5           “(B) REPORT.—Not later than 2 years  
6           after the date of enactment of this subsection,  
7           the Inspector General of the Department of  
8           Housing and Urban Development shall issue a  
9           report documenting obstacles to maintaining  
10          consistent records within the database estab-  
11          lished under paragraph (1), including—

12                   “(i) deficiencies in information sub-  
13                   missions by owners;

14                   “(ii) inconsistent documentation by  
15                   public housing agencies; and

16                   “(iii) legal restructuring or renaming  
17                   of ownership entities by owners with the  
18                   intent to evade transparency.

19          “(5) AUDITS AND ASSESSMENTS.—Not later  
20          than 2 years after the date of enactment of this sub-  
21          section, the Secretary shall—

22                   “(A) audit the performance of public hous-  
23                   ing agencies with the requirements under this  
24                   subsection; and

1                   “(B) update the section 8 management as-  
2                   sessment program of the Department of Hous-  
3                   ing and Urban Development to consider compli-  
4                   ance with the requirements under this sub-  
5                   section.”.