

110TH CONGRESS  
1ST SESSION

# H. R. 173

To protect innocent elderly and disabled tenants in public housing and housing assisted under the rental assistance program under section 8 of the United States Housing Act of 1937 from eviction by reason of criminal activity.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Ms. LEE introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To protect innocent elderly and disabled tenants in public housing and housing assisted under the rental assistance program under section 8 of the United States Housing Act of 1937 from eviction by reason of criminal activity.

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 “One Strike and You’re  
5 Out! Act of 2007”.

6 **SEC. 2. PUBLIC HOUSING TENANTS.**

7 Paragraph (6) of section 6(l) of the United States  
8 Housing Act of 1937 (42 U.S.C. 1437d(l)(6)) is amended

1 by inserting after the first semicolon the following: “except  
2 that such criminal or drug-related criminal activity, en-  
3 gaged in by a member of a tenant’s household or any guest  
4 or other person under the tenant’s control, shall not be  
5 cause for termination of tenancy of the tenant if (A) the  
6 tenant is an elderly person (as such term is defined in  
7 section 202(k) of the Housing Act of 1959 (12 U.S.C.  
8 1701q)) or a person with disabilities (as such term is de-  
9 fined in section 811(k) of the Cranston-Gonzalez National  
10 Affordable Housing Act (42 U.S.C. 8013(k)), and (B) the  
11 tenant did not know and should not have known of the  
12 activity or the tenant or member of household was the vic-  
13 tim of the criminal activity; and”.

14 **SEC. 3. TENANTS OF HOUSING ASSISTED UNDER SECTION 8**  
15 **PROGRAM.**

16 Clause (iii) of section 8(d)(1)(B) of the United States  
17 Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(B)(iii)) is  
18 amended by striking the comma before “except that: (I)”  
19 and inserting the following: “; except that such criminal  
20 or drug-related criminal activity, engaged in by a member  
21 of a tenant’s household or any guest or other person under  
22 the tenant’s control, shall not be cause for termination of  
23 tenancy of the tenant if (I) the tenant is an elderly person  
24 (as such term is defined in section 202(k) of the Housing  
25 Act of 1959 (12 U.S.C. 1701q)) or a person with disabil-

1 ities (as such term is defined in section 811(k) of the  
2 Cranston-Gonzalez National Affordable Housing Act (42  
3 U.S.C. 8013(k)), and (II) the tenant did not know and  
4 should not have known of the activity or the tenant or  
5 member of household was the victim of the criminal activ-  
6 ity; and”.

7 **SEC. 4. REPORTING BY PHAS ON ONE-STRIKE EVICTIONS.**

8 Section 6 of the United States Housing Act of 1937  
9 (42 U.S.C. 1437d) is amended by inserting after sub-  
10 section (o) the following new subsection:

11 “(p) **REPORTS ON ONE-STRIKE EVICTIONS.**—Each  
12 public housing agency shall submit a report annually to  
13 the Secretary on the number of persons whose tenancy in  
14 public housing of the agency was terminated, and the  
15 number whose tenancy in housing assisted by the agency  
16 with amounts made available under section 8 was termi-  
17 nated, because of criminal activity.”.

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