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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ROUZER introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, 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 “Disaster Assistance
5 Fairness Act”.

1 **SEC. 2. DEFINITIONS.**

2 Section 102 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5122) is
4 amended by adding at the end the following:

5 “(13) RESIDENTIAL COMMON INTEREST COM-
6 MUNITY.—The term ‘residential common interest
7 community’ means any nonprofit mandatory mem-
8 bership organization comprising owners of real es-
9 tate described in a declaration or created pursuant
10 to a covenant or other applicable law with respect to
11 which a person, by virtue of the person’s ownership
12 of a unit, is obligated to pay for a share of real es-
13 tate taxes, insurance premiums, maintenance, or im-
14 provement of, or services or other expenses related
15 to, common elements, other units, or any other real
16 estate other than that unit described in the declara-
17 tion.

18 “(14) CONDOMINIUM.—The term ‘condo-
19 minium’ means a multi-unit housing project in which
20 each dwelling unit is separately owned, and the re-
21 maining portions of the real estate are designated
22 for common ownership solely by the owners of those
23 units, each owner having an undivided interest in
24 the common elements, and which is represented by
25 a condominium association consisting exclusively of
26 all the unit owners in the project, which is, or will

1 be responsible for the operation, administration, and
2 management of the project.

3 “(15) HOUSING COOPERATIVE.—The term
4 ‘housing cooperative’ means a multi-unit housing en-
5 tity in which each dwelling unit is subject to sepa-
6 rate use and possession by 1 or more cooperative
7 members whose interest in such unit, and in any un-
8 divided assets of the cooperative association that are
9 appurtenant to such unit, is evidenced by a member-
10 ship or share interest in a cooperative association
11 and a lease or other document of title or possession
12 granted by such cooperative as the owner of all coop-
13 erative property.

14 “(16) MANUFACTURED HOUSING COMMU-
15 NITY.—The term ‘manufactured housing community’
16 means a residential development or neighborhood
17 specifically designed for the placement of manufac-
18 tured homes, as that term is defined in 24 C.F.R.
19 3280.02, modular homes, prefabricated homes, or
20 any combination of each.”

1 **SEC. 3. REMOVAL OF DEBRIS RESULTING FROM A MAJOR**
2 **DISASTER IN RESIDENTIAL COMMON INTER-**
3 **EST COMMUNITIES.**

4 Section 407 of the Robert T. Stafford Disaster Relief
5 and Emergency Assistance Act (42 U.S.C. 5173) is
6 amended—

7 (1) by redesignating subsections (d) and (e) as
8 subsections (e) and (f); and

9 (2) by inserting after subsection (c) the fol-
10 lowing:

11 “(d) **RULES RELATING TO RESIDENTIAL COMMON**
12 **INTEREST COMMUNITIES.**—The President shall issue
13 rules which provide that removal of debris or wreckage
14 from real estate owned by a residential common interest
15 community, condominium entity, manufactured housing
16 community, or housing cooperative resulting from a major
17 disaster is in the public interest when a State or local gov-
18 ernment determines in writing such debris or wreckage
19 constitutes a threat to life, to public health or safety, or
20 to the economic recovery of the residential common inter-
21 est community.”.

1 **SEC. 4. CONDOMINIUMS, MANUFACTURED HOUSING COM-**
2 **MUNITIES, AND HOUSING COOPERATIVES**
3 **DAMAGED BY A MAJOR DISASTER.**

4 Section 408(c)(2)(A) of the Robert T. Stafford Dis-
5 aster Relief and Emergency Assistance Act (42 U.S.C.
6 5174(c)(2)(A)) is amended—

7 (1) in clause (i) by striking “and” at the end;

8 (2) by redesignating clause (ii) as clause (iii);

9 and

10 (3) by adding after clause (i) the following:

11 “(ii) the repair of essential common
12 elements of a condominium, manufactured
13 housing community, or housing cooperative
14 (such as a roof, exterior wall, heating and
15 cooling equipment, elevator, stairwell, util-
16 ity access, plumbing, and electricity) pro-
17 vided an individual’s or household’s pro
18 rata share of essential common element re-
19 pair costs are satisfactorily documented;
20 and”.

21 **SEC. 5. APPLICABILITY.**

22 The amendments made by this Act shall apply to a
23 major disaster or emergency declared by the President
24 under the Robert T. Stafford Disaster Relief and Emer-
25 gency Assistance Act (42 U.S.C. 5121 et seq.) on or after
26 the date of enactment of this Act.