

**CHAPTER 135—RESIDENCY AND SERVICE REQUIREMENTS IN FEDERALLY ASSISTED HOUSING**

**SUBCHAPTER I—STANDARDS AND OBLIGATIONS OF RESIDENCY IN FEDERALLY ASSISTED HOUSING**

Sec.

13601. Compliance by owners as condition of Federal assistance.  
 13602. Compliance with criteria for occupancy as requirement for tenancy.  
 13603. Establishment of criteria for occupancy.  
 13604. Assisted applications.

**SUBCHAPTER II—AUTHORITY TO PROVIDE PREFERENCES FOR ELDERLY RESIDENTS AND UNITS FOR DISABLED RESIDENTS IN CERTAIN SECTION 8 ASSISTED HOUSING**

13611. Authority.  
 13612. Reservation of units for disabled families.  
 13613. Secondary preferences.  
 13614. General availability of units.  
 13615. Preference within groups.  
 13616. Prohibition of evictions.  
 13617. Treatment of covered section 8 housing not subject to elderly preference.  
 13618. Treatment of other federally assisted housing.  
 13619. "Covered section 8 housing" defined.  
 13620. Study.

**SUBCHAPTER III—SERVICE COORDINATORS FOR ELDERLY AND DISABLED RESIDENTS OF FEDERALLY ASSISTED HOUSING**

13631. Requirement to provide service coordinators.  
 13632. Grants for costs of providing service coordinators in certain federally assisted housing.

**SUBCHAPTER IV—GENERAL PROVISIONS**

13641. Definitions.  
 13642. Applicability.  
 13643. Regulations.

**SUBCHAPTER V—SAFETY AND SECURITY IN PUBLIC AND ASSISTED HOUSING**

13661. Screening of applicants for federally assisted housing.  
 13662. Termination of tenancy and assistance for illegal drug users and alcohol abusers in federally assisted housing.  
 13663. Ineligibility of dangerous sex offenders for admission to public housing.  
 13664. Definitions.

**SUBCHAPTER I—STANDARDS AND OBLIGATIONS OF RESIDENCY IN FEDERALLY ASSISTED HOUSING**

**§ 13601. Compliance by owners as condition of Federal assistance**

The Secretary of Housing and Urban Development shall require owners of federally assisted housing (as such term is defined in section 13641(2) of this title), as a condition of receiving housing assistance for such housing, to comply with the procedures and requirements established under this subchapter.

(Pub. L. 102-550, title VI, §641, Oct. 28, 1992, 106 Stat. 3820.)

**EFFECTIVE DATE**

Chapter applicable upon expiration of 6-month period beginning Oct. 28, 1992, except as otherwise provided, see section 13642 of this title.

**§ 13602. Compliance with criteria for occupancy as requirement for tenancy**

In selecting tenants for occupancy of units in federally assisted housing, an owner of such housing shall utilize the criteria for occupancy in federally assisted housing established by the Secretary, by regulation, under section 13603 of this title. If an owner determines that an applicant for occupancy in the housing does not meet such criteria, the owner may deny such applicant occupancy.

(Pub. L. 102-550, title VI, §642, Oct. 28, 1992, 106 Stat. 3821.)

**§ 13603. Establishment of criteria for occupancy**

**(a) Task force**

**(1) Establishment**

To assist the Secretary in establishing reasonable criteria for occupancy in federally assisted housing, the Secretary shall establish a task force to review all rules, policy statements, handbooks, technical assistance memoranda, and other relevant documents issued by the Department of Housing and Urban Development on the standards and obligations governing residency in federally assisted housing and make recommendations to the Secretary for the establishment of such criteria for occupancy.

**(2) Members**

The Secretary shall appoint members to the task force, which shall include individuals representing the interests of owners, managers, and tenants of federally assisted housing, public housing agencies, owner and tenant advocacy organizations, persons with disabilities and disabled families, organizations assisting homeless individuals, and social service, mental health, and other nonprofit servicer providers who serve federally assisted housing.

**(3) Compensation**

Members of the task force shall not receive compensation for serving on the task force.

**(4) Duties**

The task force shall—

(A) review all existing standards, regulations, and guidelines governing occupancy and tenant selection policies in federally assisted housing;

(B) review all existing standards, regulations, and guidelines governing lease provisions and other rules of occupancy for federally assisted housing;

(C) determine whether the standards, regulations, and guidelines reviewed under subparagraphs (A) and (B) provide sufficient guidance to owners and managers of federally assisted housing to—

(i) develop procedures for preselection inquiries sufficient to determine the capacity of applicants to comply with reasonable lease terms and conditions of occupancy;

(ii) utilize leases that prohibit behavior which endangers the health or safety of other tenants or violates the rights of other tenants to peaceful enjoyment of the premises;