



21st Century ROAD to Housing Act

Title II, Section 209: *Accelerating Home Building Act*

[Link to Section 209 Text](#)

SUMMARY

Section 209 authorizes a grant program to establish “pre-reviewed designs of covered structures of mixed-income housing” to streamline permitting and other local housing requirements. Funding cannot be used for construction. States are not eligible applicants, but units of general local governments (UGLGs) may consult with state agencies about this grant opportunity. There is a 10% set-aside for rural communities. HUD would also have a small amount of funding available to provide technical assistance.

There is no specific amount of funding authorized for this grant program. Congress would need to decide to appropriate funding.

IMPLEMENTATION TIMELINE AND RESPONSIBILITIES

Subsection (b): Authority

The Secretary is authorized to award grants to eligible entities utilizing funds appropriated for such purpose to select pre-reviewed designs of covered structures of mixed-income housing for use in the jurisdiction of the eligible entity, except that such grant awards may not be used for construction, alteration, or repair work.

Subsection (c): Considerations

In reviewing applications submitted by eligible entities for a grant under this section, the Secretary shall consider –

- (1) the need for affordable housing in the service area of the eligible entity;
- (2) the presence of high opportunity areas in the jurisdiction of the eligible entity;
- (3) coordination between the eligible entity and a State agency; and
- (4) coordination between the eligible entity and State, local, and regional transportation planning authorities.

Subsection (d): Set-Aside for Rural Areas

Of the amount made available in each fiscal year for grants under this section, the Secretary shall ensure that not less than 10 percent shall be used for grants to eligible entities that are located in rural areas.

Subsection (e): Reports

The Secretary shall require eligible entities receiving grants under this section to report on:

- (1) the impacts of the activities carried out using the grant amounts in improving the production and supply of affordable housing;
- (2) the pre-reviewed designs selected using the grant amounts in their communities;

- (3) the number of permits issued for housing development utilizing pre-reviewed designs; and
- (4) the number of housing units produced in developments utilizing the pre-reviewed designs.

Subsection (f): Availability of Information

The Secretary shall –

- (1) to the extent possible, encourage localities to make publicly available through a website information on the pre-reviewed designs selected and submitted to the Secretary by eligible entities receiving grants under this section, including information on the benefits of use of those designs; and
- (2) collect, identify, and disseminate best practices regarding such designs and make such information publicly available on the website of the Department of Housing and Urban Development.

Subsection (g): Design Adoption and Repayment

The Secretary may require an eligible entity to return to the Secretary any grant funds received under this section if the selected pre-reviewed designs submitted under this section have not been adopted during the 5-year period following receipt of the grant, unless that period is extended by the Secretary.

Subsection (h): Technical Assistance

The Secretary may set aside not more than 5 percent of amounts appropriated in a fiscal year to provide technical assistance to grant recipients under this section and pre-grant technical assistance to prospective applicants.

GENERAL PROVISIONS

Subsection (a): Definitions

- (1) Affordable Housing – means housing for which the total monthly housing cost payment is not more than 30 percent of the monthly household income for a household earning not more than 80 percent of the area median income.
- (2) Covered Structure – means
 - (A) a low-rise or mid-rise structure with not more than 25 dwelling units; and
 - (B) includes –
 - (i) an accessory dwelling unit;
 - (ii) infill development;
 - (iii) a duplex;
 - (iv) a triplex;
 - (v) a fourplex;
 - (vi) a cottage court;
 - (vii) a courtyard building;
 - (viii) a townhouse;
 - (ix) a multiplex; and

(x) any other structure with not less than 2 dwelling units that the Secretary considers appropriate.

(3) Eligible Entity – means

(A) a unit of general local government, as defined in section 102(a) of the Housing and Community Development Act of 1974 ([42 U.S.C. 5302\(a\)](#));

(B) a municipal membership organization; and

(C) an Indian tribe, as defined in section 102(a) of the Housing and Community Development Act of 1974 ([42 U.S.C 5302\(a\)](#)).

(4) High Opportunity Area – has the meaning given the term in [section 1282.1 of title 12, Code of Federal Regulations](#), or any successor regulation.

(5) Infill Development — means residential development on small parcels in previously established areas for replacement with new or refurbished housing that utilizes existing utilities and infrastructure.

(6) Mixed-Income Housing – means a housing development that is comprised of housing units that promote differing levels of affordability in the community.

(7) Pre-reviewed Designs - also known as pattern books, means sets of construction plans that are assessed and approved by localities for compliance with local building and permitting standards to streamline and expedite approval pathways for housing construction.

(8) Rural Area – means any area other than a city or town that has a population of less than 50,000 inhabitants.

(9) Secretary – means the Secretary of Housing and Urban Development.