

119TH CONGRESS
1ST SESSION

H. R. 3459

To amend title 23, United States Code, to authorize real property acquired with assistance under chapter 1 of such title to be transferred to certain entities for the development of transit-oriented dwelling units, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2025

Mr. MULLIN (for himself and Mr. EDWARDS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to authorize real property acquired with assistance under chapter 1 of such title to be transferred to certain entities for the development of transit-oriented dwelling units, 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 “Empty Lots to Hous-
5 ing Act”.

1 **SEC. 2. TRANSFER OF REAL PROPERTY NO LONGER NEED-**
2 **ED.**

3 (a) IN GENERAL.—Chapter 1 of title 23, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 180. Transfer of real property no longer needed**

7 “(a) IN GENERAL.—If a recipient of assistance under
8 this chapter decides real property acquired at least in part
9 with such assistance is no longer needed for the purpose
10 for which such real property was acquired, the Secretary
11 may authorize the recipient to transfer such real property,
12 with no further obligation to the Government, to—

13 “(1) a local governmental authority or nonprofit
14 organization for the development of transit-oriented
15 dwelling unit; or

16 “(2) to a third-party entity for the development
17 of transit-oriented dwelling units, if the Secretary
18 determines that—

19 “(A) a local government authority or non-
20 profit organization is unable to receive the real
21 property;

22 “(B) the overall benefit of allowing the
23 transfer of the real property is greater than the
24 interest of the Government in selling the prop-
25 erty, after considering fair market value and
26 other factors; and

1 “(C) the third-party entity has dem-
2 onstrated a satisfactory history of construction
3 or operating an affordable housing development.

4 “(b) AUTHORIZATION BY THE SECRETARY.—The
5 Secretary may only authorize a transfer under this section
6 if the Secretary has determined that the recipient has con-
7 tractually required the entity to which the recipient pro-
8 poses to transfer the real property to, for the duration
9 of the 30-year period beginning on the date such real
10 property is transferred to such entity—

11 “(1) reserve not less than 40 percent of any
12 housing units developed on such real property for
13 families whose adjusted income, as such term is de-
14 fined by the Secretary, in consultation with the Sec-
15 retary of Housing and Urban Development by rule,
16 is less than or equal to 60 percent of the area me-
17 dian income and offer such units to such families
18 with a rent that does not exceed 30 percent of the
19 adjusted income of such family; and

20 “(2) of the 40 percent of unit reserved under
21 paragraph (1), reserve not less than 20 percent of
22 such units for families whose income is less than or
23 equal to 30 percent of the area median income.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 1 of title 23, United States Code, is amended by add-
3 ing at the end the following:

“180. Transfer of real property no longer needed.”.

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