

107TH CONGRESS
1ST SESSION

H. R. 3539

To provide for the transfer of certain real property by the Secretary of
Housing and Urban Development.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2001

Mr. DEUTSCH introduced the following bill; which was referred to the
Committee on Government Reform

A BILL

To provide for the transfer of certain real property by the
Secretary of Housing and Urban Development.

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. TRANSFER OF PROPERTY.**

4 (a) ASSIGNMENT TO HUD.—The Administrator of
5 General Services shall assign to the Secretary of Housing
6 and Urban Development the surplus property known as
7 the Poinciana Plaza Housing property and located in the
8 City of Key West, Florida, for disposal only as provided
9 under subsection (b).

1 (b) SALE BY HUD.—The Secretary of Housing and
2 Urban Development shall dispose of the property referred
3 to in subsection (a) by sale to the City of Key West, Flor-
4 ida, in accordance with the procedures and requirements
5 of section 203(k)(6) of the Federal Property and Adminis-
6 trative Services Act of 1949 (40 U.S.C. 484(k)(6)), except
7 that—

8 (1) notwithstanding such section, the property
9 shall be used exclusively for the purpose of providing
10 housing or housing assistance for low- and mod-
11 erate-income individuals or families, as provided in
12 paragraph (2), for the 30-year period beginning
13 upon transfer of the property, and the Secretary
14 shall include in the deed transferring the property
15 such restrictions, and enter into any other such le-
16 gally binding agreements, as may be necessary to en-
17 sure compliance with this paragraph;

18 (2) during the period referred to in paragraph
19 (1), of the dwelling units in the property—

20 (A) 60 percent shall be available only for
21 occupancy by low-income individuals and fami-
22 lies; and

23 (B) 40 percent shall be available only for
24 occupancy by moderate-income individuals and
25 families;

1 (3) notwithstanding subparagraphs (B) and (C)
2 of such section, such transfer shall not be subject to
3 the disapproval of the Administrator of General
4 Services;

5 (4) the provisions of subparagraph (C)(i) of
6 such section (relating to self-help labor) shall not
7 apply to such transfer;

8 (5) notwithstanding subparagraph (E) of such
9 section, the Secretary shall fix the sale value of the
10 property at \$5,000,000 less any costs incurred at
11 the property by the City of Key West during any pe-
12 riod that such City held a leasehold interest in the
13 property, which shall be payable over the 30-year pe-
14 riod referred to in paragraph (1), as provided by the
15 Secretary; and

16 (6) during the 30-year period beginning on the
17 date that the Secretary transfers the property pur-
18 suant to this subsection, if the Secretary determines
19 that the property is not being used and occupied in
20 accordance with this subsection, all right, title, and
21 interest in and to the property, including any im-
22 provements thereon, shall revert to the United
23 States and, upon such reversion, the United States

1 shall immediately proceed to a public sale of the
2 property.

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