

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**54**

**OFFERED BY MR. NADLER OF NEW YORK**

Page 1691, after line 20, insert the following:

1 **SEC. 40002. REMOVAL OF DEBRIS RESULTING FROM A**  
2 **MAJOR DISASTER IN RESIDENTIAL COMMON**  
3 **INTEREST COMMUNITIES.**

4 (a) IN GENERAL.—Section 407 of the Robert T.  
5 Stafford Disaster Relief and Emergency Assistance Act  
6 (42 U.S.C. 5173) is 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 resulting from a major disaster is in the public  
16 interest when a State or local government determines in  
17 writing such debris or wreckage constitutes a threat to  
18 life, to public health or safety, or to the economic recovery  
19 of the residential common interest community.”.

1 (b) CONDOMINIUMS AND HOUSING COOPERATIVES  
2 DAMAGED BY A MAJOR DISASTER.—Section 408(c)(2)(A)  
3 of the Robert T. Stafford Disaster Relief and Emergency  
4 Assistance Act (42 U.S.C. 5174(c)(2)(A)) is amended—

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

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

7 and

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

9 “(ii) the repair of essential common  
10 elements of a condominium or housing co-  
11 operative (such as a roof, exterior wall,  
12 heating and cooling equipment, elevator,  
13 stairwell, utility access, plumbing, and elec-  
14 tricity) provided an individual’s or house-  
15 hold’s pro rata share of essential common  
16 element repair costs are satisfactorily doc-  
17 umented; and”.

18 (c) DEFINITIONS.—Section 102 of the Robert T.  
19 Stafford Disaster Relief and Emergency Assistance Act  
20 (42 U.S.C. 5122) is amended by adding at the end the  
21 following:

22 “(13) RESIDENTIAL COMMON INTEREST COM-  
23 MUNITY.—The term ‘residential common interest  
24 community’ means any nonprofit mandatory mem-  
25 bership organization comprising owners of real es-

1       tate described in a declaration or created pursuant  
2       to a covenant or other applicable law with respect to  
3       which a person, by virtue of the person's ownership  
4       of a unit, is obligated to pay for a share of real es-  
5       tate taxes, insurance premiums, maintenance, or im-  
6       provement of, or services or other expenses related  
7       to, common elements, other units, or any other real  
8       estate other than that unit described in the declara-  
9       tion.

10           “(14) CONDOMINIUM.—The term ‘condo-  
11       minium’ means a multi-unit housing project in which  
12       each dwelling unit is separately owned, and the re-  
13       maining portions of the real estate are designated  
14       for common ownership solely by the owners of those  
15       units, each owner having an undivided interest in  
16       the common elements, and which is represented by  
17       a condominium association consisting exclusively of  
18       all the unit owners in the project, which is, or will  
19       be responsible for the operation, administration, and  
20       management of the project.

21           “(15) HOUSING COOPERATIVE.—The term  
22       ‘housing cooperative’ means a multi-unit housing en-  
23       tity in which each dwelling unit is subject to sepa-  
24       rate use and possession by one or more cooperative  
25       members whose interest in such unit, and in any un-

1       divided assets of the cooperative association that are  
2       appurtenant to such unit, is evidenced by a member-  
3       ship or share interest in a cooperative association  
4       and a lease or other document of title or possession  
5       granted by such cooperative as the owner of all coop-  
6       erative property.”.

7       (d) APPLICABILITY.—The amendments made by this  
8       section shall apply to a major disaster or emergency de-  
9       clared by the President under the Robert T. Stafford Dis-  
10      aster Relief and Emergency Assistance Act (42 U.S.C.  
11      5121 et seq.) on or after the date of enactment of this  
12      Act.

