

**BOSTON HOUSING AUTHORITY**  
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June 25, 2019

Regulations Division,  
Office of General Counsel  
Department of Housing and Urban Development  
451 7th Street SW, Room 10276,  
Washington, DC 20410-0500.  
Also submitted electronically: <http://www.regulations.gov>

RE: Proposed Rule Change to Section 214 of the Housing and Community Development Act of 1980

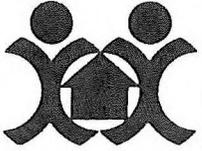
Dear HUD Regulations Division and Secretary Carson:

I am writing to oppose the US Department of Housing and Urban Development's proposed rule change to Section 214 of the Housing and Community Development Act of 1980. If implemented, this rule will force mixed status families to choose between homelessness and eviction. In many instances, it will be children and our seniors, who are in fact American citizens, who will be forced into homelessness. It will also place a costly administrative burden on underfunded housing authorities further curtailing them from fulfilling their mission of providing decent and safe housing to those in need.

Under current regulations, housing authorities across the nation prorate assistance for resident families that include both eligible and ineligible members. This proration provides housing subsidy for citizens and eligible non-citizens but does not provide housing subsidy for any ineligible persons. While ineligible persons do reside with their eligible family members, often who are United States citizens under the age of 18, those members pay full rent. The current policy is a fair and equitable way of assisting citizens who happen to have some family members who are not yet citizens. If the proposed rule is enacted, there are about 250 families at the Boston Housing Authority that would be forced into homelessness or to separate; about two thirds of the members of those families are citizens. This includes about 450 citizen children who would be put out on the street as they cannot choose to live without their parents. This is an unconscionable action to take against American citizen children and is not one we can support in any way. **HUD itself estimates that the enactment of this rule will cause 55,000 citizen children to be displaced across the country and we know that over 250 children under the age of ten will be so affected in Boston.**

In addition, the proposed rule requires housing authority staff across the nation to determine the immigration status of every household member, potentially including the elderly who were previously exempted from the rule, and report it to a federal database for potential use by Immigration and Customs Enforcement purposes. The mission of housing authorities is to provide affordable housing for those in need, not to become part of immigration enforcement. Housing authorities are not immigration agencies and should not be forced to alter their mission, as established by the Housing Act of 1937, to document and enforce what is basically an anti-immigrant policy placed in the midst of our communities.

In addition to creating an extreme departure from the mission of the public housing and Housing Choice Voucher Programs, this is an extremely costly and burdensome provision of the rule. Cash strapped



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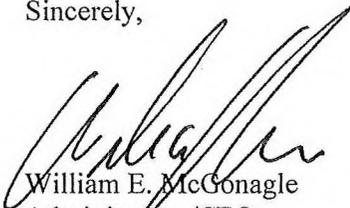
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housing authorities across the nation are struggling to provide basic and decent housing for those in need. To overlay immigration documentation with no additional funding further diminishes the needed funding for housing services and increases homelessness, an opposite outcome to the desired mission.

**The projected impact on communities should not be underestimated, including the cost of increasing numbers of homeless individuals and families. HUD's own economic impact analysis, which tends to understate the costs and impacts, admits that costs associated with homelessness range from \$20,000 to \$50,000 per person per year. HUD also estimates that elimination of mixed families will cost the Federal government an additional \$179-210 million per year, which would require a significant increase in HUD's budget by \$193-227 million to provide subsidies to the replacement households.** HUD also admits that its ability to obtain higher budget amounts for these needs is likely limited, leading to decreases in the number of households able to be served, or an overall decrease in the quality of housing across the board.

We take our mission at the Boston Housing Authority seriously and work hard every day to provide decent affordable housing to as many households as possible. We simply cannot support this proposed rule which contravenes our mission; this letter serves to document our strong objection.

Sincerely,



William E. McGonagle  
Administrator/CEO