

July 9, 2019

Submitted via www.regulations.gov

Office of General Counsel, Rules Docket Clerk
Department of Housing and Urban Development
451 7th Street SW, Room 10276
Washington, DC 20410-0500

Re: HUD Docket No. FR-6124-P-01, RIN 2501-AD89 Comments in Response to Proposed Rulemaking: Housing and Community Development Act of 1980: Verification of Eligible Status

Dear Madam/Sir:

California Rural Legal Assistance, Inc. (CRLA) hereby submits these comments to the Department of Housing and Urban Development (HUD) proposed rule change regarding verification of eligible status, published in the Federal Register on May 10, 2019 (RIN 2501-AD89; HUD Docket No. FR-6124-P-01). CRLA opposes the proposed rule on the grounds that it fails to contemplate the harm caused to low-income individuals currently residing in mixed-status households. We urge HUD to withdraw the proposed rule entirely as its problems cannot be resolved and to ensure that its longstanding regulations remain in effect.

California Rural Legal Assistance, Inc. is a non-profit legal organization that serves and advocates for low-income individuals living in rural and other low-income communities throughout California. CRLA has been providing free legal services since 1966, including in the areas of housing and civil rights. Every year, CRLA assists over 42,000 individuals in 22 of California's counties. CRLA clients include low-income rural residents, farmworkers, individuals with disabilities, immigrant populations, school children, Lesbian/Gay/Bisexual and Transgender (LGBT) populations, seniors, and individuals with limited English proficiency.

CRLA represents low-income tenants, homeowners, mobile home park residents, subsidized housing tenants, many of whom face eviction or foreclosure or who are challenging discriminatory housing practices. CRLA also implements the HUD fair housing initiatives program providing a range of services to support fair housing and civil rights for rural populations facing housing discrimination. CRLA's work includes investigating violations of state and federal fair housing laws, filing administrative complaints, engaging in affirmative litigation, land use and housing element advocacy, and conducting education, outreach, workshops, and training. CRLA also works with state and local fair housing agencies, local governments, and other non-profits and community-based organizations to remedy discrimination in public and private housing markets and to reduce the incidence of practices that perpetuate segregation.

The 2017 American Community Survey shows that rural poverty is consistently higher than in urban communities.¹ A California Commission on Access to Justice 2010 report cites a Housing Assistance Council publication, which noted that at least one-third of low-income individuals in rural communities require legal services to have access to basic human needs.² These data show a chronically impoverished community in need of legal services.

Low-income and disadvantaged rural communities are likely to face harsh consequences if the proposed rule goes into effect. Many of them, including entire families, could be threatened with eviction and forced into homelessness. HUD should reconsider the proposed rule in view of its mission to provide decent, affordable housing to those who can least afford it and build inclusive and sustainable communities free from discrimination.³

HUD acknowledges in its analysis that the result of the rule would be a reduction in the quantity and quality of assisted housing.⁴ CRLA submits these comments to address the potential harmful effect of the proposed rule.

I. The Proposed Rule Will Have a Differential Effect on Already Vulnerable, Disadvantaged Families.

The proposed rule likely will have a differential adverse effect on a much broader group than HUD appears to recognize in its analysis. The proposed rule would require that all recipients of federal housing assistance verify their citizenship or non-citizen eligibility by providing proof such as a birth certificate or passport. Data collected from HUD by the Center on Budget and Policy Priorities in 2019 show that 10.4 million individuals, constituting 5.2 million households,⁵ receive federal housing assistance (roughly three percent of the U.S. population).⁶ The proposed rule thus would require that all 10.4 million individuals affirmatively prove eligibility—an administrative burden that could prove to be an insurmountable challenge for many otherwise eligible recipients.

A 2006 study from the Brennan Center for Justice at NYU School of Law that a substantial proportion of U.S. citizens do not have access to citizenship documents.⁷ That constituted

¹ U.S. DEP'T OF AGRIC., ECON. RESEARCH SERV., *Rural Poverty & Well-Being*, <https://www.ers.usda.gov/topics/rural-economy-population/rural-poverty-well-being>, (last visited March 25, 2019).

² *Improving Civil Justice in Rural California*, THE CAL. COMM'N ON ACCESS TO JUSTICE (September 2010), http://www.calbar.ca.gov/Portals/0/documents/accessJustice/CAAJ_2010__FINAL_2.pdf?ver=2017-05-19-133105-073.

³ HUD, About HUD, *Mission*, <https://www.hud.gov/about/mission> (last visited June 25, 2019).

⁴ HUD Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1908*, Docket No. FR-612-P-01, at 3 (Apr. 15, 2019).

⁵ Note: HUD uses data from 2017 in its supplementary materials, which shows that over 9.5 million individuals and 4.6 million households receive housing assistance. Here, we rely on CBPP's analysis of more recent data. See *United States Federal Rental Assistance Fact Sheets*, CTR. FOR BUDGET AND POLICY PRIORITIES, <https://www.cbpp.org/research/housing/federal-rental-assistance-fact-sheets#US> (last visited June 25, 2019).

⁶ *Id.*

⁷ *Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification*, BRENNAN CENTER FOR JUSTICE (Nov. 2006), https://www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf.

thirteen million individuals at the time. Current U.S. population estimates of 329 million,⁸ applying the study's findings, would mean that approximately 23 million individuals currently might not have access to citizenship documents. Applying earlier estimates of the percentage of total population receiving housing assistance, it can be estimated that 690,000 of those 23 million do not have access to citizenship documents. The proposed rule requires affirmative proof of citizenship, meaning that these estimated 690,000 could be unable to meet the additional administrative burden that the proposed rule imposes. HUD does not account for these individuals in its analysis of the effects of the proposed rule and needs to address them before it can be finalized.

The elderly and people of color are less likely to possess a government-issued identification (a requisite for acquiring a U.S. Passport), so they likely will face additional challenges because of the proposed rule. The same Brennan Center study showed that in 2005, eighteen percent of (or, 6 million) U.S. citizens over the age of 65 did not possess current government ID.⁹ The study also showed that African-American citizens disproportionately lack a government ID, noting that twenty-five percent of African-Americans do not possess a current ID, where the percentage of white voting-age citizens who lack an ID is eight percent.¹⁰ Hispanic and low-income residents similarly face the challenges of obtaining valid identification.¹¹

Individuals with disabilities also are less likely to possess a government ID. A recent analysis of the adverse effects of voter ID laws on the disabled community demonstrates that 7.2 percent of registered voters with disabilities did not have government-issued identification in 2012.¹² The disabled community faces additional challenges obtaining the required documents, so the proposed rule will cause them to face additional barriers to affordable housing and increased burdens for retaining it. HUD's analysis fails to acknowledge this concern. HUD should address the impact that requiring affirmative proof of citizenship will have on the elderly, people of color, and the disabled.

II. The Proposed Rule Will Harm Immigrant Families.

The proposed rule would force mixed-status immigrant and citizen families out of their homes and potentially onto the streets, a process that can inflict incalculable harm for families, especially children in those families. Individuals and families receiving housing assistance, as a function of the program itself, are unable to afford rent without the assistance due to their low-

⁸ *U.S. and World Population Clock*, U.S. CENSUS BUREAU, <https://www.census.gov/popclock> (last viewed June 25, 2019).

⁹ *Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification*, BRENNAN CENTER FOR JUSTICE (Nov. 2006), https://www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf.

¹⁰ *Id.* at 3.

¹¹ Sari Horitz, *Getting a Photo ID So You Can Vote is Easy. Unless You're Poor, Black, Latino or Elderly*, WASH. POST (May 23, 2016), https://www.washingtonpost.com/politics/courts_law/getting-a-photo-id-so-you-can-vote-is-easy-unless-youre-poor-black-latino-or-elderly/2016/05/23/8d5474ec-20f0-11e6-8690-f14ca9de2972_story.html?utm_term=.230323008252.

¹² S.E. Smith, *Voting is Already Hard for People with Disabilities. Voter ID Laws Make it Even Harder*, VOX (April 1, 2016), <https://www.vox.com/2016/4/1/11346714/voter-id-laws-disabilities>.

income status. Withdrawing that assistance and forcing families out of their homes through eviction likely will lead to an increase in homelessness for mixed-status households.

A study conducted by researchers at Rice and Harvard Universities shows that evictions have a negative impact on an individual's health, causing toxic stress, depression, and poor physical health.¹³ The American Psychological Association notes that the physical health effects of homelessness include increased rates of TB, hypertension, asthma, diabetes, and HIV/AIDS.¹⁴ The effects of homelessness on children is especially poignant. Children born into homelessness experience lower birth weights, are more likely to be exposed to toxic environments, greater likelihood of developmental delays, stunted growth, and are at a higher risk for infectious disease.¹⁵ CRLA routinely witnesses the various types of trauma caused by homelessness, eviction and the lack of decent, affordable housing. Many of our clients experience stress and anxiety when facing eviction and the prospect of being forced from their home. The pain and the trauma experienced by individuals and families facing evictions is real and well-documented.¹⁶

HUD estimates that 76% of mixed-status households (18,983 households) will either elect to move out of their home because of the proposed rule or will be forcibly evicted.¹⁷ HUD notes that as many as 25% of those households will have to be formally evicted, or approximately 4,745 households (roughly 20,000 individuals).¹⁸

Nowhere in its analysis does HUD address the physical or emotional harm that will inevitably result from displacing thousands of families. HUD contemplates two primary costs associated with the proposed rule: (1) moving costs for the displaced households, and (2) costs associated with evictions *as borne by HUD*. HUD's analysis mentions the effect of homelessness, but it gives it a cursory review and discounts associated costs as "somewhat speculative."¹⁹

III. The Proposed Rule Will Lead to Hundreds of Thousands of Homeless.

The new rule could result in more than 100,000 people unable to pay their rent.²⁰ The American Psychological Association (APA) has observed that "safe, stable, affordable housing is a basic need, and its absence can negatively impact cognitive development, academic success, family

¹³ David Ruth & Amy McCaig, *Eviction Can Result in Depression, Poorer Health and Higher Stress, According to New Rice and Harvard Study*, RICE UNIV. NEWS & MEDIA (March 9, 2015), <https://news.rice.edu/2015/03/09/eviction-can-result-in-depression-poorer-health-and-higher-stress-according-to-new-rice-and-harvard-study>.

¹⁴ *Health and Homelessness*, AM. PSYCHOLOGICAL ASS'N, <https://www.apa.org/pi/ses/resources/publications/homelessness-health> (last visited June 25, 201).

¹⁵ Ellen Hart-Shegos, *Homelessness and its Effects on Children*, FAMILY HOUSING FUND, 2 (December 1999), http://www.fhfund.org/wp-content/uploads/2014/10/Homlessness_Effects_Children.pdf.

¹⁶ *See generally Health and Homelessness*, AM. PSYCHOLOGICAL ASS'N, <https://www.apa.org/pi/ses/resources/publications/homelessness-health> (last visited June 25, 201).

¹⁷ HUD Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1908*, Docket No. FR-612-P-01, at 8 (Apr. 15, 2019).

¹⁸ *Id.*

¹⁹ *Id.* at 16.

²⁰ Press Release, Am. Psychological Ass'n, Proposed HUD Rule Could Lead to Hundreds of Thousands of Homeless, Says APA (May 21, 2019) <https://www.apa.org/news/press/releases/2019/05/hud-rule-homeless>.

cohesion and physical and mental health — including higher rates of hypertension, asthma, HIV/AIDS, mental illness, depression and suicide.”²¹ The proposed rule stands to drive up homelessness rates which, in turn, will exacerbate the nationwide housing crisis.

“Families would be presented with an impossible choice: Either stay together as a family or separate so that eligible family members could still receive aid.”²² HUD’s own analysis demonstrates that 108,000 people who now live in mixed-status households have at least one ineligible family member.²³ That number includes 55,000 eligible children, all citizens or legal residents, who well could be displaced.²⁴

The APA further finds that families who choose to separate, with only eligible members remaining in subsidized housing, could face serious psychological consequences.²⁵ A large body of psychological research shows that family separations can cause immense distress, leading to emotional trauma for children, and the longer the separations last, the greater the reported incidence of fear, anxiety, and depression.²⁶

HUD acknowledges that the proposed rule would lead to homelessness for families who choose to remain intact.²⁷ It is widely known that when low-income renters cannot find a decent, affordable apartment, they are more likely to become homeless. Families without housing confront the daily stress of finding adequate food and shelter. The effects of homelessness are particularly damaging for children, who are likely to suffer increased stress and behavioral problems because of the proposed rule.²⁸

The effects of HUD’s policy change will increase the scope and magnitude of the housing crisis. Today, 10.4 million people in 5.2 million households rely on some form of federal rental assistance to afford modest housing.²⁹ Four in ten million low-income people in the United States are homeless or pay over half their income on rent, and of those, most do not receive any

²¹ Letter from Am. Psychological Ass’n to The Honorable Ben Carson, M.D., United States Secretary of Housing and Urban Development (May 20, 2019), <http://www.google.com/> (search “APA Letter to Secretary Ben Carson”; then follow “[PDF] May 20, 2019 The Honorable Ben Carson, MD” hyperlink) (last visited July 3, 2019).

²² *Id.* at 1.

²³ HUD Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1908*, Docket No. FR-612-P-01, at 7 (Apr. 15, 2019).

²⁴ *Id.*

²⁵ Letter from Am. Psychological Ass’n to The Honorable Ben Carson, M.D., United States Secretary of Housing and Urban Development (May 20, 2019), <http://www.google.com/> (search “APA Letter to Secretary Ben Carson”; then follow “[PDF] May 20, 2019 The Honorable Ben Carson, MD” hyperlink) (last visited July 3, 2019).

²⁶ *Id.* at 1-2.

²⁷ HUD Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1908*, Docket No. FR-612-P-01, at 7 (Apr. 15, 2019) (“HUD assumes that most mixed households will leave HUD’s assisted housing as a result of this rule... HUD expects that fear of the family being separated would lead to prompt evacuation by most mixed households.”).

²⁸ Letter from Am. Psychological Ass’n to The Honorable Ben Carson, M.D., United States Secretary of Housing and Urban Development (May 20, 2019), <http://www.google.com/> (search “APA Letter to Secretary Ben Carson”; then follow “[PDF] May 20, 2019 The Honorable Ben Carson, MD” hyperlink) (last visited July 3, 2019).

²⁹ *United States Federal Rental Assistance Fact Sheets*, CTR. FOR BUDGET AND POLICY PRIORITIES, <https://www.cbpp.org/research/housing/federal-rental-assistance-fact-sheets#US> (last visited June 25, 2019).

kind of federal assistance.³⁰ Half a million people experienced homelessness in the United States on a single night in 2018.³¹ An estimated 1.3 million school children have unstable housing; many live in shelters, on the street, doubled up with other families, or in hotels or motels during the 2016-2017 school year.³²

More than a million people in use federal rental assistance to pay for modest housing in California alone, the state with the most residents expected to be affected by HUD's new rule.³³ About 5 in 10 low-income people in this state are homeless or pay over half their income in rent.³⁴ Some 129,970 people experience homelessness in California on a single night in 2018, and it is estimated that 229,990 California school children have to survive in unstable housing.³⁵

The proposed rule likely will lead to the eviction of vulnerable and disadvantaged families from subsidized housing, exacerbating the nationwide housing crisis. Consequently, it should be withdrawn.

IV. The Proposed Rule Will Burden Public Housing Authorities and Private Assisted Housing Owners.

HUD also neglects to account for other administrative costs borne by Public Housing Authorities (PHAs) and private housing owners, so it significantly underestimates the cost of the proposed rule. HUD estimates that twenty-four percent of mixed-status households who will become ineligible due to the proposed rule will have to be formally evicted, at a cost of between \$3.3 and \$4.4 million.³⁶ This number does not account for the administrative costs that PHAs and private owners will incur, including:

- Costs associated with reletting units, including cleaning fees and loss of income during a lapse in tenancy;
- Administrative costs of updating and printing updated forms and notices provided to applicants to inform them of the rule change;
- Additional administrative staff hours to execute the 4,700-6,250 evictions that HUD anticipates.³⁷

HUD admits that many mixed-status households will have to be formally evicted and that it would bear the costs of formal evictions. That does not account for the costs incurred by PHAs and private owners that are associated with eviction that are incidental to the legal fees.

The proposed rule will harm family stability and impose a burden on all households receiving housing assistance. It also will have a negative impact on housing providers by creating financial

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ HUD Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1908*, Docket No. FR-612-P-01, at 15 (Apr. 15, 2019).

³⁷ *Id.*

and administrative burdens not contemplated by HUD in its analysis. The proposed rule threatens to undermine HUD's mission.

V. The Proposed Rule Will Harm Vulnerable Populations, Including Children, the Disabled, LGBTQIA+ Persons.

a. The Proposed Rule could harm tens of thousands of children.

More than half of the individuals who will likely lose their housing as a result of the proposed rule are children (58,200 of the estimated 109,500 individuals estimated to lose their housing are children).³⁸ An estimated 56,000 are United States citizens.³⁹ The proposed rule presents two alternatives for households affected by the change, both of which are harmful to children: terminate housing assistance, or separate and exclude ineligible members from households receiving assistance.⁴⁰ Children will be harmed in either circumstance.

Termination of housing assistance due to ineligible members will lead to housing precarity for families, many of whom have children. HUD notes in its supporting documents that households that elect to terminate their assistance would have to replace an average of \$1,900 per household member annually.⁴¹ It is self-evident that if paying market rate for housing were a viable option for households currently receiving assistance, they would not be eligible for housing assistance. HUD further concedes that termination of housing assistance will likely lead to homelessness.⁴² Children experiencing homelessness suffer severe negative physical and mental health impacts.⁴³ The termination of housing assistance invariably will cause housing instability because households will not be able to absorb the increased cost of housing caused by the termination of their assistance. Housing precarity can also have lifelong effects on children.

A Sandstrom and Huerta study notes that children of economically unstable households experience stifled cognitive development and academic achievement.⁴⁴ It further notes that residential instability affects the mental health and vocabulary development of children, can cause negative social behaviors, and increases the likelihood of teenagers dropping out of high school.⁴⁵

³⁸ Alicia Mazzara, *Demographic Data Highlight Potential Harm of New Trump Proposal to Restrict Housing Assistance*, CTR. FOR BUDGET AND POLICY PRIORITIES, July 1, 2019, <https://www.cbpp.org/research/housing/demographic-data-highlight-potential-harm-of-new-trump-proposal-to-restrict-housing>.

³⁹ *Id.*

⁴⁰ HUD Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1908*, Docket No. FR-612-P-01, at 4, 15 (Apr. 15, 2019).

⁴¹ *Id.* at 15.

⁴² *Id.* at 16.

⁴³ Ellen Hart-Shegos, *Homelessness and its Effects on Children*, FAMILY HOUSING FUND, 2 (December 1999), http://www.fhfund.org/wp-content/uploads/2014/10/Homlessness_Effects_Children.pdf.

⁴⁴ Heather Sandstrom & Sandra Huerta, *The Negative Effects of Instability on Child Development*, URBAN INST., 1, (Sept. 2013), <https://www.urban.org/sites/default/files/publication/32721/412908-The-Negative-Effects-of-Instability-on-Child-Development-Fact-Sheet.PDF>.

⁴⁵ *Id.* at 2.

Excluding ineligible members from households receiving assistance will cause emotional trauma on children separated from their families. It is well-evidenced that children who experience separation from a caregiver may develop posttraumatic responses.⁴⁶ Posttraumatic responses caused by separation may include: negative beliefs about themselves, negative mood changes, increased anger and aggressiveness, self-destructive thoughts or actions, difficulty thinking, as well as physical symptoms such as stomach and headaches.⁴⁷ These responses also might affect the child's self-perception, friendships, and school performance.⁴⁸ The National Child Traumatic Stress Initiative, an initiative of the U.S. Department of Health & Human Services, finds that childhood trauma survivors are more likely to have long term health problems, learning problems, and, as a result, an increased involvement in the juvenile justice systems.⁴⁹

HUD has made clear that there are two alternatives for mixed-status households under the rule: lose housing assistance or separate families. The effects of either alternative can be immediate and long-lasting harm on children.

b. The proposed rule will harm individuals with disabilities by increasing the barrier to accessible, affordable housing.

Individuals with disabilities will be forced by the proposed rule into a rental market that is inaccessible and that they likely cannot afford. There currently are an estimated 5,200 individuals with disabilities who live in mixed-status households.⁵⁰ HUD acknowledges in its Regulatory Impact Analysis, individuals currently living in mixed-status households will either lose their housing assistance or exclude ineligible members from the household.⁵¹ This will increase homelessness and housing insecurity as families struggle to make up the assistance for which they will no longer be eligible. Households with disabled individuals will suffer a more harmful burden as affordable, accessible housing is exceptionally rare.

An *Atlantic* article cites a Harvard study detailing the current housing crisis impact on the disabled community, stating that “very few single-family homes—which account for 40 percent of rental properties—offer accessibility features at all, and they’re not required to. And in some

⁴⁶ “Children with Traumatic Separation: Information for Professionals.” The National Child Traumatic Stress Network, 1, https://www.nctsn.org/sites/default/files/resources/children_with_traumatic_separation_professionals.pdf (last viewed July 3, 2019).

⁴⁷ *Id.* at 2-3.

⁴⁸ *Id.*

⁴⁹ “Recognizing and Treating Child Traumatic Stress,” Substance Abuse and Mental Health Services Administration, <https://www.samhsa.gov/child-trauma/recognizing-and-treating-child-traumatic-stress#impact> (last viewed July 3, 2019).

⁵⁰ Alicia Mazzara, *Demographic Data Highlight Potential Harm of New Trump Proposal to Restrict Housing Assistance*, CTR. FOR BUDGET AND POLICY PRIORITIES, July 1, 2019, <https://www.cbpp.org/research/housing/demographic-data-highlight-potential-harm-of-new-trump-proposal-to-restrict-housing>.

⁵¹ HUD Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1908*, Docket No. FR-612-P-01, 7 (Apr. 15, 2019).

places, especially more rural locales, those are the only types of rental properties available.”⁵² This makes individuals with disabilities at more risk of homelessness as they struggle to find housing that accommodate their disabilities. Arc notes that the supply of affordable, accessible housing is far surpassed by the need.⁵³

A recent report by the Technical Assistance Collaborative and the Consortium for Citizens with Disabilities, finds that in 2014 the national average rent for a modest one-bedroom apartment exceeded the national average monthly income of a single individual receiving Supplemental Security Income (SSI).⁵⁴ Limited incomes of individuals with disabilities coupled with unaffordable housing options, means that many individuals with disabilities are chronically homeless.⁵⁵ Forcing individuals with disabilities living in mixed-status households out of their current living situation exacerbates this problem.

c. The proposed rule will harm LGBTQIA+ persons.

The proposed rule will cause incredible harm to LGBTQIA+ by forcing them into a housing market where they face higher rates of discrimination than heterosexual or cisgender persons.⁵⁶ Research from the Williams Institute at UCLA School of Law, indicates that there are roughly one million LGBTQIA+ immigrants living in the United States.⁵⁷ It can be assumed that some of those individuals live in mixed-status households subject to HUD’s proposed rule. The result of the proposed rule, as conceded by HUD, will be that many mixed-status households will lose their housing assistance and be either forced into homelessness.⁵⁸

LGBTQIA+ persons will be subjected to more discrimination than heterosexual or cis-gendered as they are forced back into the housing market by the effects of the proposed rule. Sexual orientation and gender identity classes enjoy fewer discrimination protections than heterosexual

⁵² Gillian B. White, *Nowhere to Go: The Housing Crisis Facing Americans With Disabilities*, THE ATL. (Dec. 15, 2015), <https://www.theatlantic.com/business/archive/2015/12/renting-with-a-disability/420555/>.

⁵³ *Housing Issues for People with Disabilities*, THE ARC, <https://www.thearc.org/what-we-do/public-policy/policy-issues/housing>, (last visited July 3, 2019).

⁵⁴ Emily Cooper, Lauren Knott, Gina Schaak, Lisa Sloane, & Andrew Zovistoski, *Priced Out in 214: The Housing Crisis for People with Disabilities*, TECHNICAL ASSISTANCE COLLABORATIVE, INC. CONSORTIUM FOR CITIZENS WITH DISABILITIES, HOUSING TASK FORCE, 3 (June 2015), <http://www.tacinc.org/media/52012/Priced%20Out%20in%202014.pdf>.

⁵⁵ *Id.* at 6.

⁵⁶ See Richard Eisenberg, *Housing Discrimination: The Next Hurdle for LGBT Couples*, FORBES (July 2, 2015, 10:06 AM), <https://www.forbes.com/sites/nextavenue/2015/07/02/housing-discrimination-the-next-hurdle-for-lgbt-couples/#173b7b8c5900>; Diane K. Levy, *Discrimination is Limiting LGBTQ People’s Access to Rental Housing*, URBAN INSTITUTE (August 3, 2017), <https://www.urban.org/urban-wire/discrimination-limiting-lgbtq-peoples-access-rental-housing>; Logan Graves, *Issue at a Glance: LGBTQ Housing Discrimination*, VICTORY INSTITUTE (May 9, 2018), <https://victoryinstitute.org/lgbtq-housing-discrimination/>.

⁵⁷ Gary J. Gates, *LGBT Adult Immigrants in the United States*, THE WILLIAMS INST. (March 2013), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBTImmigrants-Gates-Mar-2013.pdf>.

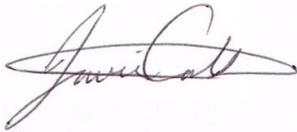
⁵⁸ HUD Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1908*, Docket No. FR-612-P-01, 13 (Apr. 15, 2019).

and cis-gendered individuals.⁵⁹ Only 21 states and the District of Columbia have nondiscrimination laws that protect sexual orientation and gender identity from housing discrimination.⁶⁰ HUD's proposed rule could subject an already vulnerable population to further discrimination in the housing market.

We appreciate the opportunity to submit these comments.

Sincerely,

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⁵⁹ Logan Graves, *Issue at a Glance: LGBTQ Housing Discrimination*, VICTORY INSTITUTE (May 9, 2018), <https://victoryinstitute.org/lgbtq-housing-discrimination/>.

⁶⁰ Maya Brennan, Ally Livingston, & Veronica Gaitán, *Five Facts about Housing Access for LGBT People*, HOW HOUSING MATTERS (June 13, 2018), <https://howhousingmatters.org/articles/five-facts-housing-access-lgbt-people/>.