FHFA Request for Information on Tenant Protections

The Honorable Sandra Thompson

Federal Housing Finance Agency

Washington, DC

Director Thompson,

Thank you for the opportunity to provide feedback in support of increased tenant protections. I write on behalf of PATH, one of California’s largest homeless services providers and affordable housing developers. We serve 13% of all Californians experiencing homelessness in 5 regions, 150 cities, and 60 locations. Stronger rental protections in federally backed homes are crucial in our mission to end homelessness, by preventing millions of vulnerable tenants from ever losing their housing.

California’s affordable housing shortage, like in the rest of the nation, is only exacerbating the inherent power imbalance between tenants and landlords. Lacking stiffer protections, tenants are vulnerable to harassment and displacement, pushing many into homelessness. The FHFA can play a role in implementing solutions protecting tenants residing in federally backed homes.

To increase tenant protections, we believe that FHFA should create protections for tenants residing on properties with federally backed mortgages, including:

* **Source of Income protections** to prohibit landlords from discriminating against tenants who receive invaluable housing assistance, including Supplemental Security Income (SSI), Section 8 Security Housing, or local rental assistance. By allowing for the diversification of acceptable assistance programs, it allows for tenants to have the freedom to select where they choose to live.
* **“Just cause” eviction standards**, which limit the causes for which a landlord can evict a tenant or refuse to renew a tenant’s lease when the tenant is not at fault or in violation of any law
* **Rent gouging protections** to stop landlords from dramatically and unreasonably raising rents
* Requirements to ensure housing is **safe, decent, accessible, and healthy** for tenants and their families

Tenant protection is homelessness prevention. At PATH, we do whatever it takes to bring our neighbors out of homelessness – but we are all better off when an individual or family can avoid homelessness altogether. Source of income protections guard the most vulnerable tenants from discrimination, deriving greater value out of government assistance, but those protections must be instituted and rigorously enforced. In California, denying a rental application based on a tenant’s voucher is expressly illegal, but our case managers and housing navigators constantly confront landlords violating the spirit or even letter of the law. Just-cause eviction standards give tenants the chance to address lease issues before their landlord resorts to eviction. Caps on rent increases can allow landlords to reasonably cover costs without pushing tenants to the brink of homelessness. Health, safety, and accessibility standards are a common-sense requirement that needs consistent and regular enforcement. Alert and equitable enforcement is especially crucial as we know housing injustices disproportionately harm racial minorities, and make it more difficult for people of color to find stable housing for themselves and their families. Each of these protections play an important role in decreasing homelessness.

We strongly support these substantial regulatory efforts and urge you to take action.

Sincerely,

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Jennifer Hark Dietz

CEO

PATH