



July 27th, 2023

Federal Housing Finance Agency
Constitution Center
400 7th Street, SW
Washington, D.C. 20219

RE: Tenant Protections

There are approximately 35 enterprise-backed multifamily properties in Cameron County, TX. This area is a persistent poverty, majority-Latino population with an Area Median Income of \$62,000. Most 4-person households earn, on average, anywhere from \$30,000-\$45,000. Despite the renter population making up a mere 35% of the total population of Cameron County, there needs to be concrete rental protections in place, especially in Enterprise-backed multifamily properties. Tenant protections are critical for vulnerable populations, especially those who have been consistently left behind by federal institutions, like people of color, immigrants, and low-income families.

Question A-2: What minimum tenant protections should FHFA consider at Enterprise-backed multifamily properties? What are the benefits of each tenant protection, and what associated risks or challenges might the Enterprises face during implementation? Please provide specific examples as appropriate.

Source-of-income protections serve to prevent discrimination by landlords based on their method of payment. This includes lawful sources of income such as emergency rental assistance, Section 8 vouchers, or any other form of public assistance that ensures safe and stable housing for vulnerable populations. Illegal discrimination based on source of income targets low-income families, people of color, women, people with disabilities, or anyone who can be seen as an “undesirable” tenant by landlords. By establishing source-of-income protections, the Enterprises ensure safe and accessible housing to those who struggle finding housing because of the assistance they receive. While it may be challenging to enforce this protection, it is crucial that the Enterprises ensure that landlords are not denying occupancy based on a person’s source of income, which can be done through audits of applications, weekly monitoring of applications, etc.

Anti-rent gouging protections should be established for Enterprise-backed multifamily properties to ensure affordable rent in an increasingly unaffordable economy. Rent increases are driven by a myriad of factors including increased demand for housing, lack of supply, high inflation, or rent gouging practices by landlords who choose to raise the rent as high as possible. Cameron County, particularly Brownsville, TX is seeing instances of rent gouging in the community due to an increase in outside investment, higher demand for housing, and a lack of multifamily housing development in the area. Unfortunately, rent has become increasingly unaffordable for much of the rental population, which includes young professionals, single people, students, and families who have been priced out of homeownership. Anti-rent gouging



protections ensure that Enterprise-backed multifamily populations do not raise rents to exorbitant amounts, which will prevent evictions, displacement, and ensure stable housing for renters.

Safe and decent housing is crucial to the overall wellbeing of a person. Oftentimes we see multifamily properties that are rundown and outdated but are constantly rented out because of the affordable rent. Unfortunately, the older and unkempt properties are the ones that are most affordable but hold unsafe living conditions. Low-income families do not have much of a choice when it comes to housing, leaving them to seek shelter in these properties. For these reasons, it is important that Enterprise-backed properties are not only up to date with basic living standards, such as a pest-free and mold-free rental unit, but also a desirable living experience. Living in unsafe conditions is dehumanizing and impoverished families are constantly in situations that dehumanize them as many face unsafe work environments, food insecurity, and job insecurity. Access to safe and decent housing at an affordable price not only affects a person's physical and mental well-being, but also helps families get back some of the dignity that is lost with poverty. FHFA can take steps to ensure decent-quality living by conducting in-person check-ins, maintaining building codes and standards, fumigating to eliminate pests, and in general maintain a desirable and quality rental property.

Housing affects every aspect of a person's life, and it is FHFA's responsibility to ensure that households living in Enterprise-backed properties have access to safe, affordable, and quality housing to families across the country. We urge FHFA to adopt these tenant protections and we sincerely appreciate the opportunity to advocate for tenants across the country.

Sincerely,

Daniel Elkin

Dr. Daniel Elkin

Director of Policy, Impact, and Innovation

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