



July 31, 2023

Federal Housing Finance Agency
Office of Multifamily Analytics and Policy
9400 7th Street SW, 9th Floor
Washington, DC 20219

Re: Request for Input on Tenant Protections for Enterprise-Backed Multifamily Properties

To Whom It May Concern:

On behalf of the Homeless and Housing Coalition of Kentucky (HHCK), we appreciate the opportunity to share our thoughts on this Request for Input. We are grateful for past protections FHFA has implemented, particularly during the COVID-19 pandemic. Our position is shaped by our work to solve homelessness and fulfill the promise of affordable housing across Kentucky, specifically through the interests of our members as well as a provider of rental assistance through federally-funded housing programs. We are charged by Kentucky Revised Statute with convening and staffing the Kentucky Interagency Council on Homelessness. We see the effects of housing policy, positive and negative, at all levels of government on low-income Kentuckians every day.

With its large role in the multifamily market, FHFA can have a profound impact on housing security nationwide and in Kentucky by incorporating the following:

Source of Income Protections to ensure families with rental assistance such as Housing Choice Vouchers can indeed choose where they want to live and thrive. Housing voucher discrimination prolongs homelessness and limits participants' choice in where they want to live, undermining the purpose and promise of housing vouchers as a tool to bridge the gap between rents and monthly income. It also intersects with disability discrimination, as many voucher programs have requirements or preferences for people with disabling conditions. While Kentucky's largest city, Louisville, has adopted Source of Income protections, the legislature has not. FHFA could play a significant role to expand this protection.

"Just cause" eviction standards to reduce housing instability by non-renewal of leases. In Kentucky, we do not have any protections, statewide or in our largest cities, for renters whose landlord chooses not to renew the lease for an undeclared reason. Depending on the notice required under individual lease terms, they may have as little as weeks to secure a new place to rent and move all their belongings. Due to the housing shortage and rising rents/moving costs, they are likely to end up displaced before securing another home to rent. People who have rented their home for years without issue are shocked to learn that there is little legal protection in such cases.

Anti-rent gouging measures to promote stability in the rental market using a uniformly applied formula, such as 3% or 1.5 times the Consumer Price Index. It is understandable that the price of housing will increase based on labor, taxes, insurance, etc. However, it is unreasonable for someone to face a double-digit monthly rent increase with little notice or option to leave, given the shortage of available homes. In Kentucky, Lexington has seen double-digit median increases over the past year, most recently marked at [18% in May](#). While it may be good for business, it is unsustainable for communities and families.



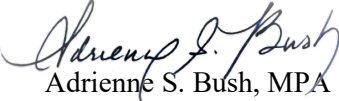


Safe, decent, accessible, and healthy housing is imperative at the household and the community level. In Kentucky, we have no statewide guarantee that a rental home be habitable. Property owners receiving the benefit FHFA provides should be required to keep their properties in good condition and accessible to people with disabilities. FHFA should ensure its Enterprises-backed properties set the standard for affordable housing can be.

All of these protections should be coupled with strong enforcement mechanisms, such as the creation of an Office of Tenant Protections, so that bad actors may be held accountable, and renters have clear recourse when Enterprise-backed property owners violate FHFA policy.

Again, thank you for soliciting perspectives on tenant protections multifamily properties backed by the Enterprises. Should you need additional information, please feel free to contact me at abush@hhck.org or 502-223-1834 x101.

Sincerely,


Adrienne S. Bush, MPA
Executive Director

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