

The Honorable Sandra Thompson
Federal Housing Finance Agency
Washington, D.C.

Director Thompson,

Thank you for the opportunity to provide feedback on the Federal Housing Finance Agency (FHFA) Request for Information on tenant protections. My name is Wolf Bomgardner, and I am an attorney with the New Mexico Center on Law and Poverty. The New Mexico Center on Law and Poverty is a non-profit advocacy organization and law firm dedicated to working with low-income New Mexicans to advance social and economic justice. We are dedicated to advancing access to safe and affordable housing here in New Mexico.

I am writing to share my experience and to urge FHFA to take bold action to create clear, strong, and enforceable renter protections for households living in rental properties with federally backed mortgages. Given the broad reach of FHFA's work, any renter protections created by FHFA should cover a significant share of renters across the nation and put America on a pathway towards stronger protections for all renters.

Federal renter protections are critically needed to address the power imbalance between landlords and renters that puts renters at greater risk of housing instability, harassment, and homelessness and fuels racial and gender inequity.

To help ensure greater housing stability, FHFA should create new renter protections for households living in properties with federally backed mortgages, including:

1. **Source of income protections** to prohibit landlords from discriminating against households receiving rental housing assistance such as Section 8 Housing Choice Vouchers, or Supplemental Security Income (SSI), or local rental assistance, so that families can have greater choice about where to live.
2. **"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.
3. **Rent gouging protections** to stop landlords from dramatically and unreasonably raising rents.
4. **Requirements to ensure housing is safe, decent, accessible, and healthy** for renters and their families.

I have seen what happens in communities without strong, enforceable tenant protections.

New Mexico is experiencing a housing crisis. The average rent in Albuquerque has nearly doubled since 2020, and over the same period the number of people who are unhoused has more than doubled. Evictions rates are higher than they were prior to when the Covid-19 pandemic began. There are not nearly enough shelter beds for the homeless. Of the people who have remained in housing, over half are cost burdened under HUD standards. I have clients who's rent has doubled overnight, others who cannot find landlords who will accept vouchers, and many who live in housing that is not safe or decent.

We urge FHFA to take bold action to implement mandatory, standardized protections – paired with strong enforcement – for all households living in properties with federally backed mortgages, including larger developments and smaller properties. FHFA must continue to engage tenants and directly impacted people throughout its process of establishing and implementing renter protections, and protections must be centered on racial and social equity as explicit goals. These protections– along with large-scale, sustained investments and anti-racist reforms – are necessary to ensure that everyone, including the lowest-income and most marginalized renters, have a safe, quality, affordable, and accessible place to call home.

Sincerely,

Wolfgang J. Bomgardner
Economic Equity Attorney
New Mexico Center on Law and Poverty