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SCANPH

SOUTHERN CALIFORNIA ASSOCIATION OF NONPROFIT HOUSING

June 18, 2019

Mr. Paul Compton
General Counsel
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10276
Washington, D.C. 20410-0500

RE: Docket No. FR-6124-9-01: Verification of Eligible Status

Dear Mr. Compton,

On behalf of the Southern California Association of NonProfit Housing (SCANPH, I am writing to express our opposition to the U.S. Department of Housing and Urban Development's (HUD) proposed rule change, entitled *Verification of Eligible Status*, which would restrict the use of federally-assisted housing covered under Section 214 for ineligible immigrants.

SCANPH is a nonprofit membership association representing affordable housing developers across the five counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura. Our mission is to facilitate the development of affordable homes across Southern California by advancing effective public policies, sustainable financial resources, strong member organizations, and beneficial partnerships.

Our membership consists of developers who provide below market-rate homes for low-to-extremely-low income community members and for people experiencing homelessness. Simply put, we focus on economically disadvantaged individuals and families who are most in need of affordable housing.

Our organization is deeply concerned that this proposed rule change has the potential to force thousands of vulnerable low-income individuals and families to the brink of homelessness.

As such, we oppose this proposed change as its implementation may jeopardize the health, wellbeing, and housing security of residents throughout the Southern California region. We urge the Administration to withdraw this proposal and instead work with local housing providers to develop policies and practices that are safe, supportive, and contribute to healthy communities and residents.

Los Angeles County is the largest of the five counties we serve and is home to just about 3.5 million immigrants and also has some of the highest housing cost burdens in the state.¹ This leaves many of our immigrant and non-immigrant neighbors reliant on subsidized housing in order to remain sheltered. By restricting the use of

¹ U.S. Census Bureau. (2018). *2013-2017 American Community Survey Five-Year Estimates*.

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federally-subsidized housing for ineligible immigrants, this proposed rule change has the potential to force thousands of individuals in Los Angeles County into homelessness, an already growing crisis. The Los Angeles County annual homeless count results just reported a 12 percent increase in homelessness from last year. The other four counties SCANPH represents have also experienced a significant increase in homelessness.

According to the Housing Authority of the City of Los Angeles (HACLA), one of the largest housing authorities in California, the proposed rule change would potentially force over 6,500 individuals out of HACLA-funded public housing, the majority of which – almost 4,500 – are eligible immigrants or U.S. citizens. In addition to public housing, approximately 4,000 more individuals, including children, using HACLA's Housing Choice Voucher (HCV) program would be at risk of losing their housing. There are also just under 400 mixed-status families using the HCV program and just under 100 in public housing at the Housing Authority of the County of Los Angeles (HACoLA) who would also be at risk if this proposed rule goes into effect.

Currently, HUD regulations do not allow for any portion of a housing subsidy to go to an ineligible immigrant. Mixed-status families, families consisting of an ineligible immigrant and eligible immigrants and/or U.S. citizens, receive a prorated subsidy that is based on the number of eligible members of the household. By HUD's own analysis, the removal of prorated subsidies would cost HUD an estimated additional \$193 to \$227 million annually in order to serve the same number of individuals. This means that HUD would need Congress to either significantly increase funding to the public housing and HCV programs or serve significantly fewer households.²

This proposed change forces families to choose between separating or being evicted and becoming vulnerable to homelessness. It will bring financial hardship onto more families, and potentially weaken the familial and social networks that can help defend against homelessness. Additionally, children of ineligible immigrants (many of whom are U.S.-born) may end up in the care of other family members or friends and, quite possibly, even foster care. Thousands of children may end up losing either family members or stable housing.

Immigrant communities are important to Southern California, and as a local organization tasked with housing the most vulnerable residents, we believe we must advocate for policies that allow them to access resources to prevent homelessness, instead of using these resources in a punitive manner.

We appreciate the opportunity to provide comment on this rule change. We look forward to working with HUD to craft policies that ensure opportunity and safety for all residents of our communities.

Sincerely,



Alan Greenlee
Executive Director
Southern California Association of NonProfit Housing

² U.S. Department of Housing and Urban Development. (April 2019). "Regulatory Impact Analysis: Amendments to Further Implement Provisions of the Housing and Community Development Act of 1980."