



HOUSING WINS UNDER THE BIDEN ADMINISTRATION

Major Proposals:

- [Blueprint for a Renter's Bill of Rights](#)
- [10% rent cap at LIHTC properties](#)
- [Rent caps directive to Congress](#)
- [Inflation Reduction Act](#)
- [Racial Equity Executive Order](#)
- [Violence Against Women Reauthorization Act](#)
- COVID response
 - Multiple extensions of the [CDC Eviction Halt](#) during COVID-19
 - [Emergency Rental Assistance Program](#)
 - [CARES Act 30-day eviction notice](#)
- [Title VI Interagency Guidance on Civil Rights and Environmental Justice](#)

Housing and Urban Development (HUD)

- HUD [improved processes for survivors seeking emergency transfers](#), recognizing that survivors experiencing economic or technological abuse are covered by 2022 Violence Against Women Reauthorization Act (VAWA).
- Small Area Fair Market Rents (SAFMR) are a critical fair housing tool that allows voucher families to access higher resourced, less racially segregated neighborhoods. The [program was expanded](#) so that a majority of voucher families are now living in jurisdictions where public housing authorities (PHAs) have adopted SAFMRs.
- For the first time ever, HUD spoke out about PHAs' role in the oversight and enforcement of state and local nondiscrimination protections for voucher families and released guidance to PHAs on [source of income \(SOI\) discrimination](#).
- The [Housing Opportunity through Modernization Act](#) of 2016 (HOTMA) streamlined the rules for all of HUD's housing programs and the Biden administration issued the final set of regulations to PHAs and other housing providers.
- HUD's Community Choice Demonstration program awards funding to PHAs to study the efficacy of mobility programs at local PHAs. HUD [released additional funds for planning grants for mobility programs](#). Providing mobility services to voucher families is an evidence-based way to improve voucher families' housing and mobility options.

- The administration moved to restore rulemaking to [Affirmatively Further Fair Housing](#) (AFFH) and finalized rulemaking on [disparate impact](#).
- HUD's Office of Fair Housing and Equal Opportunity released [tenant screening guidance](#).
- HUD changed inspection protocol for its housing programs that engaged tenants through the [NSPIRE](#) program.
- HUD [debarred Millennia](#), one of the largest owners and operators of project-based Section 8 housing.
- HUD made improvements to [loss mitigation options](#) for single family borrowers insured by the Federal Housing Administration (FHA).
- HUD made [improvements to servicing and loss mitigation guidance](#) for reverse mortgages.
- HUD released [guidance](#) on compliance with Title VI in affirmative marketing of subsidized multifamily housing and specifically prohibited multifamily owners from categorically denying applicants with eviction records.
- HUD released a [proposed rule](#) to reform use of criminal records in admission and eviction decisions. This included conducting an internal agency-wide review of policies that create barriers for people with records, which set the foundation for the proposed rule and additional subregulatory actions, including additional fair housing guidance on use of criminal records.
- HUD [strengthened public housing](#) by [preserving approximately 900,000 public housing units](#).
- HUD expanded affordable housing supply via utilization of [Faircloth-to-RAD](#).
- HUD expanded energy efficient and resilient affordable housing via its [Green and Resilient Retrofit program](#).
- HUD's [Eviction Protection Grant Program](#) provides funding for legal services and collaboration with eviction defense.

Department of Agriculture (USDA)

- USDA increased resources for tenants, including creating a [tenant rights and responsibilities brochure](#) and [tenant grievance FAQ](#).
- USDA released a [pilot program](#) to keep rural housing affordable.
- USDA [expanded voucher eligibility](#) for Rural Development so that most former Section 515 renters receive vouchers when the property they're living in leaves the program.

Federal Housing Finance Agency (FHFA)

- FHFA Multifamily announced some tenant protections like [notice requirements and late fee grace period](#).
- Freddie Mac, a government-sponsored entity regulated by the FHFA, [surveyed tenant protections](#).

Federal Trade Commission (FTC)

- FTC and CFPB announced a [Request for Information on tenant screening](#).
- FTC [proposed a rule](#) to prohibit junk fees.

Consumer Financial Protection Bureau (CFPB)

- CFPB released an advisory [opinion](#) to end name-only matching, common with eviction records in some jurisdictions.
- CFPB announced an [interpretive rule](#) that helps protect state tenant screening laws against arguments that the [Fair Credit Reporting Act](#) (FCRA) preempts.
- CFPB released an advisory [opinion](#) on background reports that prohibits FCRA reporting of sealed records, duplicative information, and criminal or civil litigation records without disposition.
- CFPB released an advisory [opinion](#) that prohibits screening companies from demanding excess identification to produce a report, requiring disclosures in a reasonably understandable format, and disclosing all intermediary sources of the information.
- CFPB published a report affirming the importance of consumer reporting agencies' reinvestigation practices for background check disputes and released [guidance](#) on better procedures.
- CFPB took [enforcement action](#) against TransUnion tenant screening for failing to identify sources of background information and using inaccurate information in generating algorithmic decision reports.
- CFPB released [information and data about tenant screening](#).
- CFPB [cracked down on junk fees](#) in home mortgage servicing.
- CFPB and FTC announced a [Request for Information on tenant screening](#).