



# CITY OF PHILADELPHIA

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July 2, 2019

Mr. Paul Compton  
Regulations Division  
Office of General Counsel, Department of Housing and Urban Development  
451 7<sup>th</sup> Street SW, Room 10276  
Washington, DC 20410-0500

**RE: Proposed Rule: Housing and Community Development Act of 1980: Verification of Eligible Status Docket No. FR-6124-P-01**

Dear Mr. Compton:

As the Mayor of the City of Philadelphia, I am writing to express my strong opposition to the proposed rule from the Department of Housing and Urban Development (HUD) regarding *Verification of Eligible Status* as issued in the May 10, 2019 Federal Register (Docket No. FR-6124-P-01). The proposed rule interferes with Philadelphia's mission of empowering all Philadelphians—including immigrants.

Philadelphia's immigrant communities represent nearly 15 percent of all city residents and 19 percent of its workforce.<sup>i</sup> Including the children of immigrants, the immigrant population accounts for 1 in 4 residents in Philadelphia, nearly 390,000 people.<sup>ii</sup> Much like their native-born counterparts, immigrant Philadelphians sometimes require assistance to stabilize their families and help them to thrive.

Under current regulations, families can live together in federal subsidized housing even if one member is ineligible as long as the housing assistance is appropriately prorated and excludes the ineligible person from assistance. Under this new rule, the presence of residents who are deemed "ineligible" or of a leaseholder without a verified eligible immigration status will cause the entire

household to be evicted from subsidized housing. Tens of thousands of individuals across the country would have to choose between separating from their loved ones or losing their homes.<sup>iii</sup>

This proposed rule threatens the well-being of millions of U.S. citizens and eligible immigrant households. It creates administrative red tape that may lead to eviction of over 55,000 children who are either U.S. citizens or green card holders.<sup>iv</sup> The rule would create a burden for the 9 million residents and 120,000 seniors currently receiving federally subsidized housing because they would have to submit additional documents proving their citizenship or immigration status.<sup>v</sup> If they are unable to produce the documents in the allotted timeframe, they, too, may lose their housing assistance.

For housing authorities and landlords, the rule creates an administrative burden as well. Housing authorities and private landlords will be forced to redirect their limited time and resources from property maintenance and employment-related services to terminating and evicting families. During the Philadelphia task force on eviction and response that my administration lead in 2017, we found that evicting a tenant can have a fiscal consequence to the landlord ranging from \$6,686 to \$60,587.<sup>vi</sup> By HUD's own admission, the agency may be forced to compromise the quality and reduce the quantity of assisted housing.<sup>vii</sup>

I strongly urge you to rescind this proposal and instead advance policies that would help empower immigrant communities, address homelessness, and expand access to stable and healthy housing.

Sincerely,



James F. Kenney  
Mayor of the City of Philadelphia

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<sup>i</sup> "Philadelphia's Immigrants: Who They Are and How They Are Changing the City," *The Pew Charitable Trusts*, June 2018, page 13.

<sup>ii</sup> *Ibid.*

<sup>iii</sup> HUD's Mixed-Status Rule," National Housing Law Project and National Low Income Housing Coalition, 2019.

<sup>iv</sup> Zolan Kanno-Youngs and Glenn Thrush, "HUD Says It Proposed Limit on Public Housing Aid Could Displace 55,000 Children," *The New York Times*, May 10, 2019, <https://www.nytimes.com/2019/05/10/us/politics/hud-public-housing-immigrants.html?module=inline>.

<sup>v</sup> HUD's Mixed-Status Rule," National Housing Law Project and National Low Income Housing Coalition, 2019.

<sup>vi</sup> "The Eviction Process: For Private Landlords and PHA Landlords," City of Philadelphia, November 21, 2017, City of Philadelphia, <https://www.phila.gov/hhs/PDF/Meeting%20%20Materials.pdf>.

<sup>vii</sup> *Ibid.*

<sup>vii</sup> *Ibid.*