



April 3, 2023

Regulations Division
Office of General Counsel
Department of Housing and Urban Development
451 7th Street SW
Washington, DC 20410

RE: Docket No. FR-6320-A-01, Section 8 Project-Based Rental Assistance: Standard Program Regulation and Renewal Contract; Advance Notice of Proposed Rulemaking and Request for Public Comment

To Whom It May Concern:

On behalf of LeadingAge, thank you for the opportunity to comment on HUD's Advanced Notice of Proposed Rulemaking on Standard Program Regulation and Renewal Contracts for Section 8 Project-Based Rental Assistance.

About LeadingAge

LeadingAge represents more than 5,000 aging services providers, including non-profit owners and managers of federally-subsidized senior housing properties. Alongside our members and 38 state partners, we use applied research, advocacy, education, and community-building to make America a better place to grow old. Our membership encompasses the continuum of services for people as they age, including those with disabilities. We bring together the most inventive minds in the field to lead and innovate solutions that support older adults wherever they call home.

On behalf of our nationwide membership of affordable senior housing providers and the many older adults they serve, we value HUD's thoughtfulness in approaching renewal regulations and contracts. We urge the agency to prioritize preservation incentives and programmatic streamlining in any updates to HUD's "old" and "new" contract renewal frameworks. LeadingAge fully supports the additional comments as outlined in the comment letter submitted by the Preservation Working Group.

In particular, HUD should safeguard access to owner distributions as a means to incentivize owner participation in HUD-assisted housing programs. Distributions also allow housing providers to reinvest in the housing and services they provide, and act as a critical preservation tool for affordable housing.

Similarly, HUD should consider clarifying and consolidating tenant rights and HUD enforcement tools. Currently, some rights differ across Project-Based Section 8 contracts, and HUD should work with stakeholders to improve clarity and to continue to address safe and fair living conditions for residents.

HUD should also carefully consider what to include in a regulatory framework, as opposed to other program guidance. Guidance documents – such as the Section 8 Renewal Guide – provide much more flexibility for future updates, whereas changes to regulations can take years. We therefore urge HUD to

prioritize streamlining, consistency, and core principles within regulatory changes, while incorporating detailed renewal guidance into more flexible guidance documents.

Lastly, HUD should only move forward with updates to the Project-Based Section 8 renewal framework using a transparent process that limits disruptions for both owners and residents. Again, each of these points is more fully outlined in the letter submitted by the Preservation Working Group.

Thank you for the opportunity to comment on the Advance Notice of Proposed Rulemaking. Please direct any questions to Juliana Bilowich, Director of Housing Policy and Operations with LeadingAge (jbilowich@leadingage.org).

We look forward to our continued partnership.

Sincerely,

Juliana Bilowich
Director, Housing Operations and Policy