



January 30, 2024

Regulations Division  
Office of the General Counsel  
U.S. Department of Housing and Urban Development  
451 Seventh Street SW, Room 10276  
Washington, DC 20410-0500

**RE: Docket No. FR-6387-P-01, 30-Day Notification Requirement Prior to Termination of Lease for Nonpayment of Rent**

Thank you for the opportunity to comment in support of HUD’s December 1 proposed rule, “30-Day Notification Requirement Prior to Termination of Lease for Nonpayment of Rent,” which would require 30-day notifications to HUD-assisted residents prior to lease terminations for nonpayment of rent. The proposed rule formalizes and extends a policy temporarily in place related to the public health emergency.

On behalf of our membership of mission-driven senior housing and other aging services providers, we value HUD’s efforts to improve housing stability among HUD-assisted households by extending public health emergency-related eviction notification policies, and urge HUD to take a further step to collect and maintain data related to evictions among HUD-assisted households.

**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.

**Improving Housing Stability**

There is a severe shortage of affordable housing for older adults with very low incomes. According to a January 25 report<sup>i</sup> from the Joint Center for Housing Studies (JCHS) at Harvard University, a record number of 22.4 million renter households spent more than 30% of their incomes for housing—and 12.1 million renter households spent more than 50%—for rent in 2022. Additional reporting by JCHS<sup>ii</sup> in December 2023 found that Housing cost burdens become more and more common as people age.

This is a critical time for additional housing stability protections for older adults with low incomes. Under the proposed rule, when tenants residing in public housing or in properties receiving project-based rental assistance (PBRA) face eviction for nonpayment of rent, housing providers would need to provide those tenants with written notification at least 30 days prior to the commencement of a formal judicial eviction procedure for lease termination.

In a November 2021 letter to HUD, we urged the agency to extend the pandemic-era eviction notification requirements far into the future, not contingent upon a state of emergency. We therefore

applaud and strongly support HUD's proposed rule, which formalizes those temporary policies and helps older adult renters maintain access to quality, affordable, accessible housing options beyond the public health emergency.

### **Eviction Data**

Despite the ongoing affordable housing crisis, HUD does not currently collect eviction data, even for its own subsidized programs. We strongly urge HUD to launch a nationwide evictions data collection program that maintains data on race, ethnicity, age, income, and other factors. We also urge HUD to amend the proposed rule to require reporting to HUD of the non-payment evictions that are initiated among participants of the housing programs covered by the rule.

Again, thank you for the opportunity to comment. We look forward to working together to improve housing stability for older adults with low incomes. Please address any questions to Juliana Bilowich ([jbilowich@leadingage.org](mailto:jbilowich@leadingage.org)).

Sincerely,

Juliana Bilowich  
Director, Housing Operations and Policy

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<sup>i</sup> America's Rental Housing 2024: <https://leadingage.org/renters-cost-burdened-at-record-levels/>

<sup>ii</sup> Housing America's Older Adults 2023: <https://leadingage.org/report-housing-cost-burdens-at-all-time-high/>