



March 19, 2025

To Whom It May Concern,

Thank you for this opportunity to submit a statement for the record to the Office of Information and Regulatory Affairs regarding the proposed rule titled **Equal Access to Housing in HUD Programs Revisions (FR-6518)**.

On behalf of our nationwide membership of affordable senior housing providers, we urge the Department of Housing and Urban Development (HUD) to prioritize the need for secure, stable access to housing and services for all older adults, including LGBTQ older adults.

About LeadingAge

We represent more than 5,400 nonprofit aging services providers and other mission-driven organizations serving older adults that touch millions of lives every day. Alongside our members and 36 partners in 41 states, we use advocacy, education, applied research, and community-building to make America a better place to grow old. Our membership encompasses the entire continuum of aging services, including skilled nursing, assisted living, memory care, affordable housing, retirement communities, adult day programs, community-based services, hospice, and home-based care. We bring together the most inventive minds in the field to lead and innovate solutions that support older adults wherever they call home. For more information visit leadingage.org.

Lack of Housing Access for LGBTQ Older Adults with Low Incomes

In partnership with private housing providers, HUD administers critically-needed and highly effective rental assistance and other housing programs. However, these programs only work if they can be consistently accessed by qualifying individuals, including LGBTQ older adults. Further, the cost-efficiencies gained through age-appropriate and service-enriched housing assistance can only be realized if people who qualify for these supports can fairly access them.

LeadingAge urges HUD to consider how changes to the Equal Access Rule would impact both the effectiveness and the efficiency of housing and services programs. The Equal Access Rule protects access to housing and services, including homeless shelters, for older adults in the LGBTQ community. We know from a study conducted prior to the Equal Access Rule that rescinding or substantially altering the 2016 Equal Access rule will make shelters less accessible and safe for transgender people¹; we also know from HUD's annual Point in Time data shows that transgender people disproportionately experience homelessness, compared to non-transgender individuals.²

¹ James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). *The Report of the 2015 U.S. Transgender Survey*. Washington, DC: National Center for Transgender Equality.

² <https://endhomelessness.org/resources/research-and-analysis/transgender-homeless-adults-unsheltered-homelessness-what-the-data-tell-us/>

Lastly, we know that not having access to shelter is costly for states and municipalities. For example, transgender people being unsheltered results in significant increases in ambulance rides, emergency room visits, and police contacts compared to when transgender people are sheltered, which results in more costs for taxpayers.³ We therefore ask HUD to consider the cost implications of reversing the Equal Access Rule, and in general, the impacts on program effectiveness that would result from pulling back those housing and services protections.

Partnerships Between Private Housing Providers and HUD

Our membership is made up of industry partners, including between 2,000 and 3,000 businesses and organizations providing housing and services for older adults with low incomes. Our housing members are private affordable housing operators who rely on HUD as a partner in the project-based Section 8 and Section 202 programs, as well as other federal programs and incentives for affordable senior housing. They make up the vital “private” side of the public-private partnership between the federal government and the private market, through which they receive HUD project-based rental assistance contracts to run their businesses and provide stable, affordable multifamily homes for older adults.

LeadingAge staff have had the opportunity to visit with many of our members operating these highly successful and critically-needed housing communities in partnership with HUD. It’s been an honor to visit these flourishing communities, meet with residents, staff, and leadership, and see the great housing and services work that HUD programs enable.

LeadingAge members operate affordable housing communities in rural areas like Oklahoma and Appalachia, as well as suburban areas like Eugene, OR and the outskirts of Portland, Maine, and finally heavily concentrated urban areas, like downtown LA, Chinatown in NYC, Baltimore, MD and Philadelphia, PA. Each community has a different character, but the need for, and the effectiveness of, the HUD rental assistance programs remain the same.

Effective and Efficient Affordable Housing Programs

The impact that our private housing provider members, in partnership with HUD, have on low income older adults and communities across the nation is profound; it goes beyond housing to include a continuum of services that are not only effective, but highly efficient, too.

For example, HUD’s project based rental assistance programs, when paired with HUD’s unique Service Coordination program, invest in stable, safe, and service-enriched independent living apartments that allow older adults to age independently longer, which is exponentially more cost-effective for both the federal government and state and local governments than, for example, nursing home care or other, higher levels of care.

Similarly, in the midst of America’s affordable housing crisis, HUD’s Green and Resilient Retrofit Program (GRRP), the Rental Assistance Demonstration (RAD), and other preservation programs allow the existing affordable housing stock to be preserved and operating efficiently for the long-

³ Richards, Jessica, Randall Kuhn, Randall (2022) [*Unsheltered Homelessness and Health: A Literature Review*](#)

term; this protects our country's affordable housing supply without steep federal investments in creating new housing developments.

Overall, while there is certainly room for improvement, HUD's affordable housing programs are not only critically-needed, but they are highly effective and even efficient for the government in many ways, and our provider members rely on them to operate their businesses and bring housing and services to aging adults.

Minimally Burdensome Housing Protections

In LeadingAge's view, any weakening of even parts of the Equal Access Rule would erode housing access for the older adult LGBTQ community and diminish both the effectiveness and cost-effectiveness of HUD's investment in the American people. To illustrate this, let's look at HUD data on equal access: In 2020, HUD received nearly 200 housing discrimination claims based on sexual orientation and gender identity, and the number increased in 2021.⁴ Our housing providers know that housing and services are critical for LGBTQ older adults and are committed to filling that need.

Our members are, at their core, very practical people, and they are always searching for improvements within HUD operations, including opportunities to better provide housing and services for their communities. That said, the Equal Access Rule is not an area of high burden for our membership. Serving older adults with housing and services needs does not, in LeadingAge's view, hinge on excluding LGBTQ older adults from care and service. In fact, LeadingAge housing provider members from across the country have successfully implemented the Equal Access Rule and similar protections, to the extent applicable, and are not calling for those requirements to be reversed or sharing that they are in need of regulatory relief in the area of Equal Access.

We ask HUD to consider this final data point: In LeadingAge's year-end survey of our nationwide membership at the end of 2024, we asked our housing provider members what their primary concern is as they kick off 2025. Out of many options, including regulatory burden, HUD compliance, and HUD funding, our providers overwhelmingly selected "resident mental health issues and lack of access to services" as their primary concern for early 2025.

We urge HUD to prioritize the need for secure, stable access to housing and services for all older adults, including LGBTQ older adults, as we all work together to advance effective and efficient approaches to affordable housing for America.

Please direct any questions to Juliana Bilowich, LeadingAge's Senior Director of Housing Operations and Policy, at jbilowich@leadingage.org.

Sincerely,

Juliana Bilowich
LeadingAge

⁴ National Fair Housing Alliance: [2022 Fair Housing Trends Report](#)