



July 27, 2020

GENERAL NEWS

HUD Publishes Proposed Modification to the Equal Access Rule

On July 2, we reported that the Department of Housing and Urban Development ([HUD](#)) announced a proposed modification to the 2016 portion of the [Equal Access Rule](#). Last Friday HUD officially published the [proposed rule](#) in the *Federal Register*. The Equal Access Rule requires all HUD-funded housing services to be provided without discrimination based on sexual orientation or gender identity. According to the notice:

This proposed rule would provide that grant recipients, subrecipients, owners, operators, managers, and providers under HUD programs that permit single-sex or sex specific facilities (such as temporary, emergency shelters, or other facilities with physical limitations or configurations that require and are permitted to have shared sleeping quarters or bathrooms) may establish a policy, consistent with federal, state, and local law, to accommodate persons based on sex.

The notice also states that the proposed rule requires that if a shelter denies access to a person based on a determination of sex, the shelter must provide a transfer recommendation to an alternative shelter or accommodation.

HUD justifies the proposal stating that “the 2016 Rule impermissibly restricted single-sex facilities in a way not supported by congressional enactment, minimized local control, burdened religious organizations, manifested privacy issues, and imposed regulatory burdens.”

The proposed rule would maintain requirements from HUD’s 2012 final rule entitled “Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity” and would require shelters to uniformly and consistently apply any such policy the shelter develops. Comments on the proposed rule are due no later than **September 22, 2020**.

The National Low-Income Housing Coalition ([NLIHC](#)), the National Housing Law Project ([NHLP](#)), and other national organizations have launched the [Housing Saves Lives](#) campaign to oppose HUD’s proposed rule.

HCV PROGRAM NEWS

HUD Commemorates One-Year Anniversary of the FYI initiative

In a [press release](#) Friday, HUD announced the one-year anniversary of the Foster Youth to Independence ([FYI](#)) initiative, launched in July 2019. The program offers housing vouchers to local public housing authorities to prevent or end homelessness among young adults under the age of 25 who are leaving, or have recently left, the foster care system. Funding is provided in the form of tenant protection vouchers (TPVs) to certain PHAs that do not participate in HUD’s Family Unification Program ([FUP](#)). Since the initiative was established, 26 states have received FYI funding, for a total of 677 individual vouchers and over \$5.4 million in funds.

According to the press release, “the U.S. Department of Health and Human Services ([HHS](#)) estimates that more than 20,000 young people age out of foster care each year. The National Center for Housing and Child Welfare ([NCHCW](#)) estimates that approximately 25 percent of these young people experience homelessness within four years of leaving foster care and an even higher share are precariously housed.”



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