

MOTION BY SUPERVISORS HILDA L. SOLIS AND  
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June 4, 2019

**Supporting Mixed-Status Families Receiving Federal Housing Assistance**

On May 14, 2019, the Los Angeles County Board of Supervisors (Board) voted unanimously to oppose a rule proposed by the U.S. Department of Housing and Urban Development (HUD) that would prevent ineligible immigrants from living with their families in federally-assisted housing, even when the ineligible family members pay their fair rent share. Under the proposed HUD rule, all residents under the age of 62 would be required to have their immigration status verified through the Department of Homeland Security’s Alien Verification for Entitlements program. The Board voted to send 5-signature letters to HUD Secretary Ben Carson and the Los Angeles County (County) congressional delegation indicating the County’s opposition to the proposed rule. Furthermore, the Los Angeles County Development Authority/Housing Authority of the County of Los Angeles, in consultation with County Counsel, was directed to submit comments to HUD to express the negative impacts of the proposed rule and the Board’s opposition.

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The proposed HUD rule is yet another attempt, albeit a bit more subtle one, to separate families. This latest attack against immigrants and their families threatens to displace thousands of mixed-status families, including seniors and children, placing them at risk of homelessness. Under current federal law, undocumented immigrants and immigrants who have U-visas (visas for victims of domestic violence, sexual assault, or other crimes) are already ineligible to receive housing subsidies, but can live with their family if the direct recipient of the housing subsidy is eligible for federal housing assistance. In fact, HUD's own analysis of the rule's impact indicated that half of current residents living in mixed-status households are children who are eligible for federal aid. Moreover, because immigrants with U-visas are already ineligible for federal assistance, certain survivors of domestic violence and sexual assault living in mixed-status households also face losing their housing if the HUD proposal gets approved. According to HUD, the proposed rule would impact approximately 108,000 individuals in 25,000 families nationwide, including 55,000 children who would face eviction and could become homeless.

This cruel and short-sighted proposal could also lead to fewer households receiving federal housing subsidies overall. Mixed-status families currently receive prorated assistance, which requires that household members who are ineligible for aid pay their rent share so that they do not benefit from the federal subsidy. Therefore, mixed-status households already pay significantly more for housing than do similarly-situated households who are not mixed-status. Providing housing subsidies only for families in which all members are citizens or eligible noncitizens would actually be more costly. As a result, should the proposed rule go into effect the federal government would

provide housing assistance for fewer families without increasing funding for federal housing assistance.

The proposed HUD rule change was published on May 10, 2019, and a 60-day public comment period ends on July 9, 2019. This Board should do everything within its power to fight this proposed rule and provide outreach to families and individuals who currently receive or are eligible to receive federal housing assistance. As Los Angeles County continues to face an unprecedented and growing homelessness crisis, we must work to defeat any proposal that would use immigration status as a means to deny any family a place to live.

**WE, THEREFORE, MOVE** that the Board of Supervisors

1. Instruct all County Departments and agencies, with the exception of the Los Angeles County Development Authority (LACDA), to refer to the Los Angeles County Department of Consumer and Business Affairs' Office of Immigrant Affairs (OIA) all inquiries and requests for assistance relating to the proposed HUD rule change that would bar mixed-status families from receiving federally-assisted housing. LACDA may determine whether to refer requests for assistance to OIA on a case-by-case basis.
2. Direct the Office of Immigrant Affairs, in consultation with LACDA, community-based immigration and housing rights organizations, County Counsel, the Los Angeles County Office of Education, the Chief Executive Officer's Office of Countywide Communications, the Housing Authority of the City of Los Angeles, and other affected Departments, agencies, and relevant

stakeholders, to draft an outreach and education plan, to inform and direct affected immigrants and their families to available wrap-around County and external services when responding to requests for assistance related to the proposed HUD rule change, and report back to the Board within 60 days.

3. Instruct County Counsel to analyze the proposed rule change and monitor any legal action aimed at challenging the proposed HUD rule from taking effect and present recommendations to the Board to file and/or join in as amicus or as plaintiff in litigation, as deemed appropriate by County Counsel.

**WE FURTHER MOVE** that the Board of Supervisors, also acting as the Board of Commissioners of the Los Angeles County Development Authority (LACDA):

1. Instruct the LACDA's Executive Director, in collaboration with the Chief Executive Officer, Department of Consumer and Business Affairs and its Office of Immigrant Affairs, Los Angeles Homeless Services Authority, Coordinated Entry System Lead Agencies for Families, Department of Public Social Services, and County Counsel, to develop a plan with recommendations to prevent the displacement or eviction of families that would be impacted by the proposed HUD rule change. The plan shall include, but not be limited to:
  - a. Strategic and linguistically and culturally appropriate outreach to families in Los Angeles County that would be impacted by the proposed HUD rule and currently receive, or are in the process of applying for, federal housing assistance to inform them of the proposed

rule, the federal rulemaking process, and information about wrap-around County services available to them and their families;

- b. Identify all rental assistance, including but not limited to any assistance funded by Measure H, that could supplant federal subsidies for impacted families, with special consideration for funding that allows impacted families to remain in their current homes;
- c. Report back to the Board in writing within 60 days.

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