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Ensuring Housing Stability and Protections for the Nation's Renters: Avenues for Federal Action

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ABSTRACT

What would it take to ensure housing stability and protections for the nation's renters? This essay reviews the current literature on landlord-tenant laws, eviction court policies, the provision of legal aid, and the residential security of renter households. It then lays out avenues through which the federal government—particularly the Department of Housing and Urban Development (HUD)—might work to improve renters' stability. These include targeted efforts to improve engagement with both tenants and landlords, robust implementation of the Affirmatively Furthering Fair Housing provision of the federal Fair Housing Act, especially around source of income discrimination, and facilitation of reforms to state and local housing policies. These are pragmatic steps that HUD can and should take, either unilaterally or in coordination with other agencies, without the need for Congress to grant additional authority or appropriate significant new funding.

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What would it take to ensure housing stability and protections for the nation's renters? In this essay, we reflect on current knowledge about landlord-tenant laws, rental housing quality, eviction court policies, the provision of legal aid, and the residential security of renter households. We then explore avenues through which the federal government—particularly the U.S. Department of Housing and Urban Development (HUD)—might work to improve renter security. As with the other articles in this collection, we first presented these proposals as invitees to the Next Generation of Housing Policy Roundtable, a group convened by HUD to bring housing researchers and Department officials into conversation around key housing issues.

The ideas that we present here are meant to complement much-needed systemic reforms aimed at strengthening renters' rights, addressing power imbalances in tenant-landlord relationships, and advancing racial equity. For example, the Biden administration and advocacy groups have produced detailed proposals for a tenants' bill of rights—comprehensive plans for protecting renters that should serve as a roadmap moving forward (DPC & NEC, 2023; NHLP et al., 2024). Likewise, Congress could pursue legislation to expand access to housing subsidies (e.g., making Housing Choice Vouchers (HCVs) an entitlement program), improve the supply of affordable housing (e.g., through passage of the Homes Act, expansion of the Low-Income Housing Tax Credit (LIHTC) program), address eviction (e.g., passing the Eviction Crisis Act), or tackle rental housing cost burden through the tax code (Kimberlin & Kneebone, 2024). These larger-scale proposals reflect the concerted efforts of advocates and tenant organizers who have meaningfully

shifted policy debates about tenants' rights, residential security, and housing supply over the last decade (Aiken et al., 2024; Rosales et al., 2025).

Our proposals here focus on pragmatic steps that HUD can and should take, either unilaterally or in coordination with other agencies, without the need for Congress to grant additional authority. Each is likely to have disproportionate positive impacts on historically disadvantaged populations. We close with thoughts on how researchers should evaluate the effects of these shifts in policy and more general avenues for future research.

Renter Protections and Residential Stability

Rental Housing Demographics, Affordability, and Quality

Approximately one-third of all American households rent their homes (U.S. Census Bureau, 2023). More than a century of discriminatory housing policy has constrained opportunities for households of color while subsidizing housing for white Americans, contributing to enormous racial disparities in homeownership and wealth (Rothstein, 2017; Rucks-Ahidiana, 2023; Taylor, 2021). While the absolute majority of renters are white, rates of renting are higher among Black and Hispanic-headed households than among white-headed households (DeSilver, 2021; JCHS, 2024). Relative to homeowners, renters have lower, less stable incomes (Scally & Gonzalez, 2018). Many renters work in the service and retail sectors (Brennan et al., 2020) and are increasingly exposed to unstable and irregular work schedules—especially non-white workers and women (Storer et al., 2020). These sorts of schedules shift risk from employers to employees, leaving the latter struggling to consistently make rent (Hacker, 2006; Kalleberg, 2011). Nearly half of renter households are housing cost burdened, spending more than 30% of their income on rent, and a quarter spend half or more (U.S. Census Bureau, 2024). Rates of housing cost burden are highest among low-income, Black, and Hispanic-headed households (JCHS, 2024).

Housing cost burdens arise in the context of stagnant wages and the declining supply of affordable housing (see Reid et al., 2025 in this collection for more on housing supply). There is no state in the nation where a full-time, minimum-wage job is sufficient to affordably rent a two-bedroom apartment (Harati et al., 2024). The U.S. faces a shortage of up to 7.3 million affordable housing units (Aurand et al., 2024). For decades, renters' wage growth has lagged far behind rent increases (CBPP, 2024). While rent growth cooled in 2023 and 2024, large increases in the preceding years mean that current asking rents far exceed pre-pandemic levels (JCHS, 2024).

Rental assistance programs—e.g., public housing, HCVs, project-based rental assistance—help to reduce housing cost burdens, but reach far too few households: less than 1 in 4 eligible households receives assistance (Deluca & Rosen, 2022). Potential recipients often spend an extended period on a waitlist, and many public housing authorities (PHAs) have closed access to these waitlists for years because demand so far exceeds supply. For example, the Philadelphia Housing Authority opened its HCV waitlist in 2023 for the first time in 12 years; over the course of two weeks, more than 37,000 households applied for one of 10,000 spots on the waitlist (Peters, 2024). In the context of persistent underfunding for these programs, PHAs exercise considerable discretion in determining which families are deserving of assistance and moved off of waitlists, a pernicious form of poverty governance (McCabe, 2023). Even then, only 60% of HCV recipients are able to find a unit and successfully lease up within the time limit, meaning that 4 out of 10 potential beneficiaries miss out on assistance (Ellen, O'Regan, et al., 2024).

Renters devoting more than half their income to rent typically have little in personal savings that would allow them to weather an unexpected financial event and minimal residual income to cover other needs (Airgood-Obrycki et al., 2023; Lusardi et al., 2011). After paying rent, the typical low-income renter has only \$310 available per month (JCHS, 2024). Cost-burdened renters report lower life satisfaction (Acolin & Reina, 2022), experience higher rates of material hardship (Shamsuddin & Campbell, 2022), report worse health (Jenkins Morales & Robert, 2022; Park &

Seo, 2022), and have higher mortality rates (Graetz et al., 2024; Park et al., 2023). Cost burdens lead families to cut back spending on food, healthcare, and children's education and enrichment (Colburn et al., 2024; Holme, 2022; Newman & Holupka, 2014). Children living in cost-burdened households have higher obesity rates, more adverse childhood experiences, and more educational delays than peers whose households are not cost burdened (Hess et al., 2024; Nobari & Whaley, 2021; Nobari et al., 2019).

U.S. rental housing stock is of varying quality. The most recent estimates suggest that lead-based paint is present in over a quarter of renter-occupied units, and that the prevalence is higher in units occupied by low-income households (Cox et al., 2021). Nearly a quarter of renter-occupied units have a cockroach infestation and/or mold hazard, one-third have a carbon monoxide hazard, and over two-thirds have no working fire extinguisher (Cox et al., 2024). As of 2017, 15% of all rental housing—more than five million units—were categorized as seriously deficient, containing multiple issues or lacking essential elements for habitability (U.S. Government Accountability Office 2020). These estimates may well underestimate the true prevalence of housing quality issues (Robinson & Swanstrom, 2024).

In a recent survey, 43% of renters reported worries that housing quality—particularly air and water quality, infestations, and flooding—may negatively affect their health or that of other residents (Will, 2022). These concerns are justified: poor housing quality is associated with worse mental and physical health, and higher medical utilization (Boch et al., 2020; Bonnefoy, 2007; Krieger & Higgins, 2002; Pevalin et al., 2017). Indeed, the housing quality–health link is so strong that measures of housing-sensitive health issues can be used to identify buildings with histories of code violations (Chakraborty et al., 2024).

Housing Insecurity and Eviction

Housing security—residential stability, affordability, and safety in high-quality neighborhoods—fosters a wide range of benefits for renters and their families (Cunningham & MacDonald, 2012; Galvez & Luna, 2014). Every year, however, millions of renter households face eviction (Gromis et al., 2022; Hartman & Robinson, 2003), a deeply destabilizing form of residential insecurity that carries a wide range of repercussions for renters' health and well-being (Desmond, 2016; Hatch & Yun, 2021; Khadka et al., 2020). Eviction increases the risk of homelessness (Collinson et al., 2024) and often leads families to double up with friends or neighbors (Desmond et al., 2015). Because landlords consider eviction history when screening potential tenants (Rosen et al., 2021; So, 2023), those attempting to find new housing after an eviction case are often limited to low-quality apartments in less-desirable neighborhoods (Desmond et al., 2015). This increases exposure to environmental hazards, crime, and violence (Desmond & Shollenberger, 2015; Gomory & Desmond, 2023). Evictions impoverish families (Collinson et al., 2024; Desmond, 2016), inhibiting parents' ability to invest in their children. These cases precipitate residential and school moves that have negative effects on children's well-being, school engagement, and academic performance (Mehana & Reynolds, 2004; Pribesh & Downey, 1999; Rumberger, 2003).

Not all rent-burdened, low- and moderate-income renter households are at equal risk of eviction, however. Landlord discretion determines who faces eviction and who does not, with research highlighting significant variations at the tenant, building, business, and neighborhood levels, as well as differences driven by state and local landlord–tenant policy.

Each year, 7.6 million individuals risk losing their homes to formal eviction (Graetz et al., 2023). Women face the threat of eviction more often than men (Hepburn et al., 2020), and there are vast racial disparities in eviction risk: despite making up only 18.6% of all renters, over half of those facing eviction are Black (Graetz et al., 2023). Every year, 2.9 million children face the threat of eviction; 1 in 4 children born into deep poverty are evicted by age 15 (Lundberg & Donnelly, 2019). Many of these cases are resolved with court-ordered move-out agreements (Summers & Steil, 2024), or end in a form of civil probation that diminishes tenants' rights (Summers, 2023).

Unknown millions more face informal or illegal evictions that occur entirely outside of the court system (Buchholtz, 2021; Collyer et al., 2021; Gromis & Desmond, 2021).

In many jurisdictions, a relatively small subset of buildings and landlords are responsible for a large share of eviction cases (Rutan & Desmond, 2021; Seymour & Akers, 2021a, 2021b). For example, of the 30,698 eviction cases filed in Shelby County, TN in 2023, 41.1% (12,610 cases) originated from just 100 buildings (Hepburn, Haas, Louis, et al., 2023). Landlords with larger holdings have higher rates of eviction (Gomory, 2022; Immergluck et al., 2020; Raymond et al., 2021). These larger operators are also more likely to routinely file repeated, serial eviction cases against tenants, using the courts to collect rent (Garboden & Rosen, 2019; Immergluck et al., 2019; Leung et al., 2021).

There is ongoing debate about the effect of federal housing subsidies on property managers' eviction practices (Ellen, Lochhead, et al., 2024; Leung et al., 2023; Lundberg et al., 2021; Preston & Reina, 2021). Preston and Reina (2021) offer a framework for understanding how various subsidies may affect eviction risk. In a case study of multifamily properties in Philadelphia, they show—relative to unsubsidized buildings—lower eviction filing rates from public housing and developments supported through Section 8 and Section 202 project-based rental assistance, but no significant difference for LIHTC-supported properties (Preston & Reina, 2021). In a similar case study in Atlanta, Harrison et al. (2021) find lower eviction filing rates for subsidized buildings catering to seniors (relative to unsubsidized, non-senior housing), but no significant difference in non-senior subsidized housing. More recent work using larger samples has shown that public housing developments are often eviction hotspots, accounting for a disproportionate share of filings and serial filings (Ellen, Lochhead, et al. 2024; Gromis et al., 2022; Leung et al., 2023).

Landlords behave differently in different neighborhoods and submarkets (Teresa & Howell, 2021). Eviction filing rates are generally higher in neighborhoods with higher poverty rates and a larger share of Black renters (Johns-Wolfe, 2018; Raymond et al., 2018; Robinson & Steil, 2021). Research also suggests that landlord profits are largest in these areas, where investments are often smallest (Desmond & Wilmers, 2019). While often treated as synonymous with displacement, gentrification is usually not a strong predictor of eviction risk (Hepburn et al., 2024; Lens et al., 2020; Sims, 2016). Eviction is not simply an “urban” issue: eviction rates have been increasing over time in suburbs (Rutan et al., 2023), and at least 200,000 rural renting households face eviction annually (Gershenson & Desmond, 2024).

Protections afforded to renters vary widely from state to state and affect the likelihood that renters will face eviction filing or judgment (Hatch, 2017, 2021; Summers, 2022). Two landlord-tenant laws are particularly important: eviction filing fees and notice periods. On average, the fee to file an eviction case in the U.S. is \$109, but this ranges from \$15 in Washington, DC to \$350 in Lee County, Alabama (Gomory et al., 2023). Eviction notice requirements specify the number of days a landlord must wait between notifying their tenant of intent to evict and filing a case with the courts. For nonpayment of rent cases—the most common cause for eviction (Deluca & Rosen, 2022)—these notice periods vary from zero days (e.g., New Jersey, West Virginia) to 14 days (e.g., Vermont, Tennessee) (Gromis et al., 2022). Higher filing fees and longer notice periods are associated with lower eviction and serial eviction filing rates (Gomory et al., 2023; Gromis et al., 2022; Leung et al., 2021). They may also result in higher housing costs, though the relationship remains open to debate (Coulson et al., 2020; Humphries et al., 2024).

Renters in some jurisdictions are subject to third-party policing tactics that undermine residential security. Crime-free housing policies (CFHPs) and criminal activity nuisance ordinances (CANOs) enlist landlords to monitor tenants and punish “disorder” with eviction (Buerger & Mazerolle, 1998; Cullen, 2022). CFHPs are municipal programs that enroll and train landlords on crime-reduction tactics; participating landlords make physical modifications to their properties and incorporate a supplemental lease agreement that makes tenants' engagement in or facilitation of a criminal act grounds for eviction (Archer, 2019; Prochaska, 2023; Werth, 2013). CANOs operate similarly, but do not require landlords to opt in: through these ordinances, cities threaten

property owners who do not abate “nuisance activities” at their properties—typically identified by repeated calls for emergency services—with fines and even jail time (Fais, 2008). Both policies build on prior efforts to control crime through eviction, most notably “one-strike” policies implemented by HUD in public housing (Ramsey Mason, 2018). These policies have no demonstrable positive impact on crime or disorder, but research suggests that they lead to increases in eviction (Desmond & Valdez, 2013; Griswold et al., 2024; Kroeger & La Mattina, 2020), have a disproportionate impact on communities of color (Desmond & Valdez, 2013; Griswold et al., 2024), and are particularly harmful to women experiencing domestic violence (Golestani, 2021; Moss, 2019).

The COVID-19 pandemic led policymakers to enact new measures intended to improve renter security. The federal government established two eviction moratoria, first through the CARES Act and then by order of the Centers for Disease Control and Prevention (CDC). In addition, 43 states and the District of Columbia established their own eviction moratoria (Benfer et al., 2023). These policies provided tenants time to secure assistance or income and reduced the number of eviction cases filed with the courts (Fusaro et al., 2023; Hepburn, Haas, Graetz, et al. 2023; Keene et al., 2023), though they may also have had unintended consequences that disproportionately harmed non-white renters (Arefeva et al., 2024). In addition, policymakers vastly expanded the scope of emergency rental assistance (ERA), which aimed at stabilizing tenancies by paying down arrears. The Supreme Court struck down the CDC eviction moratorium in August 2021, all state and local eviction moratoria have expired, and nearly all federal ERA funding has been exhausted.

This period also saw a significant expansion in eviction diversion and right to counsel (RTC) programs. In eviction court, landlords typically have legal representation while tenants do not (NCCRC, 2024). Without representation, tenants struggle to navigate complex housing laws and an expedited summary judgment proceeding (Benfer, 2024; Scherer, 2022; Summers, 2023). Eviction diversion and RTC programs, while differing substantially in design and implementation across jurisdictions, all target this imbalance of power in eviction proceedings, mediating between parties before cases are heard or, if they come before a judge, ensuring that tenants’ defenses are raised and rights protected. Evaluation of these programs is limited, but early studies of RTC in New York City find significant improvement in tenants’ case outcomes and public health (Cassidy & Currie, 2023; Ellen et al., 2021; Leifheit et al., 2024). Eviction diversion programs were relatively rare at the outset of the COVID-19 pandemic, and only six cities had passed an RTC law. As of June 30, 2024, five states, 17 cities, and one county had legislatively adopted RTC and over 80 additional cities and counties and 11 states were actively considering or piloting such programs (Benfer et al., forthcoming). Federal support, via both HUD’s Eviction Prevention Grant Program and the American Rescue Plan, has helped to facilitate this rapid expansion of RTC and eviction diversion. Since launching in 2021, the Eviction Prevention Grant Program has funded 21 grantees across 19 states; collectively, they have provided legal assistance to over 35,000 households (PD&R, 2024). In early 2025, \$40 million in additional funding was announced (HUD, 2025). These programs have also opened the way for other policies that may help to protect tenants, such as just cause eviction statutes and court record sealing laws.

Avenues for Federal Action

Facing this status quo—and given that landlord–tenant law is largely set at the state, county, and municipal level—what role can the federal government play in improving tenant protections and renters’ stability? We propose four areas where HUD should lead the way.

Treat Renters as a Core Constituency

Fairly or not, housing stakeholders often perceive HUD to consider housing developers as its core constituents and partners, with tenants relegated to a secondary or subsidiary role. This all too

often leads to an adversarial posture between tenant advocates and HUD, hindering the Department's ability to achieve its mission. HUD should work to change this perception by establishing a permanent Office of Tenant Protections devoted to improving rental housing security, addressing affordability, and preventing evictions. This office should convene a working group that involves tenants, housing advocates, legal aid providers, state court leadership, multiple HUD offices, PHAs, representatives from the Federal Housing Finance Agency (FHFA), state housing finance agency officials, and mission-driven housing providers. A regular, ongoing working group would help to build relationships and trust required to meaningfully advance housing stability and rental protections. These meetings should be carefully facilitated to ensure that tenant voices are heard. This is not a panacea: people will disagree, tenants and advocates may make demands that HUD cannot meet. But there may well be areas of overlapping interest and innovation that bring some improvement in stability for tenants. At a minimum, it would help demonstrate to tenants that their concerns are being heard and taken seriously by HUD.

Post-disaster recovery serves as one example of a focal area for this Office of Tenant Protections. After disasters such as the recent fires in Los Angeles, renters face tremendous threats to housing security. Those who are most vulnerable face the largest cost increases: in the two years after flooding disasters, rents increase the most for tenants in the bottom decile of the rent distribution (Brennan et al., 2024). Disasters also cause a significant increase in completed evictions (Brennan et al., 2022). The Federal Emergency Management Agency (FEMA) and HUD offer some assistance to renters directly affected by disasters, but those whose units are not damaged are largely ineligible for aid, despite being affected by increased rents. For example, HUD's new Rapid Unsheltered Survivor Housing (RUSH) program is a promising initiative, but is still narrowly targeted to families experiencing or at risk of homelessness. The Office of Tenant Protections should spearhead efforts to enact and enforce eviction moratoria and offer ERA early in the disaster recovery process and expand tenant protections in the medium and long term.

LIHTC, the nation's largest affordable housing program, is another area for potential intervention. Existing evidence suggests that LIHTC-supported properties have eviction filing rates comparable to or even slightly higher than those of unsubsidized buildings (Ellen, Lochhead, et al. 2024; Harrison et al., 2021; Preston & Reina, 2021). While not a HUD program, the Office of Tenant Protections could nonetheless work with the Treasury Department and state housing finance agencies to explicitly prioritize renter protections as a condition of tax credit receipt. This will require enforcement, a role with which the Office of Tenant Protections could be tasked or, at a minimum, for which it could provide technical assistance to state agencies. In addition, the office could work with PHAs to target shallow subsidy programs to rent-burdened tenants living in LIHTC-supported properties (HUD, 2020). If this proves successful, the office could implement a similar model to pursue enhanced tenant protections in properties in FHFA's multifamily portfolio.

Engage with Landlords and Create a National Rental Registry

Landlords are a key partner in ensuring renters' housing stability. Cities nationwide are developing landlord outreach initiatives aimed at increasing participation in supportive housing and tenant assistance, with a range of financial incentives and guarantees (Tsai & Solis, 2024). Best practices are emerging on how to find and engage small landlords in eviction prevention and other housing programs (NLC & Legal Design Lab, 2023). Research points to a willingness among landlords to work with these sorts of supports (Balzarini & Boyd, 2021).

HUD should encourage the expansion of programs engaging landlords to advance housing stability. Working with other federal agencies and local partners, HUD could enhance landlord engagement by constructing national technical assistance, education, webinars, FAQs, toolkits, trainings, and outreach materials for landlord engagement. HUD can dedicate a portion of existing Community Development Block Grant (CDBG) and HOME Investment Partnerships Program funds specifically for the development and implementation of local landlord engagement

programs that educate landlords about housing laws, tenant protections, diversion programs, and best practices for property management. Development and support of these programs will need to be balanced against other priorities that these funds currently underwrite.

This effort should work to improve tenants' living conditions. This should involve both enhancing housing inspection standards and strategies—a delicate area for reform (Bartram, 2022)—and increasing funds and supports for housing improvements (Reid et al., 2025). In collaboration with the EPA, HUD could encourage local partners to use funds for programs that provide low-interest loans or grants to small landlords for home repairs. To avoid unintended post-renovation price hikes, these funds should be paired with affordability requirements (as in, for example, the New Jersey Small Rental Repair Program), which the Office of Tenant Protections could serve to enforce. Funds could be used to fix structural issues, improve energy efficiency, and address health and safety concerns like lead paint and mold remediation. HUD can promote the expansion of existing homeowner rehabilitation programs by offering technical assistance to local governments on how to effectively engage landlords to improve the habitability of their rental units. This could include paying vacancy costs that accrue during rehabilitation. These programs could help remove landlord barriers to participation in the HCV program, address family status discrimination, and improve public health. Likewise, programs facilitating climate change resilience through improvements to building insulation, window replacement, electrification, and heat pump and solar panel installation may help to address rising energy costs that threaten tenants' stability and landlords' bottom line (Greif, 2022; Hatch & Graff, 2024).

A more ambitious, long-term goal is the creation and maintenance of a national registry of rental buildings, so that federal agencies, states, and cities can identify landlords and owners—a crucial predicate of good governance—and the public can better analyze those data. Registries can play an important role in code enforcement and maintaining housing quality standards. Such rental registries currently exist in only a small number of jurisdictions; federal leadership on the design and implementation of these systems could spur wider adoption. Development of such a registry will require coordination across agencies, including Treasury, FEMA, and FHFA, and HUD may ultimately not be the appropriate home for such a database. Still, given its role in the housing ecosystem, HUD should work toward the development of such a system. At a minimum, HUD should maintain standards that comply with and support local landlord licensing requirements (e.g., requiring rental licensure for landlords participating in HCV).

Affirmatively Further Fair Housing

Addressing continuing housing discrimination and the persistent inequality in access to place-based resources must be understood as a foundational dimension of tenant protections. We now have a century's worth of data on practices that foster segregation and restrict housing access (Faber, 2020; Rothstein, 2017; Steil et al., 2021; Williams et al., 2023). The Affirmatively Furthering Fair Housing (AFFH) rule under the federal Fair Housing Act (FHA) is a fundamental tool for ensuring that jurisdictions engage in planning processes that advance equity instead of entrenching inequity. Monitoring progress toward fulfilling those plans is crucial. Robust implementation of the AFFH rule at the regulatory and sub-regulatory levels is particularly important in light of the Supreme Court's recent incursions into administrative law (Weiss, 2024; Weiss & Karam, 2024). HUD should encourage local jurisdictions to adopt AFFH-informed policies and practices. As part of its AFFH implementation, HUD should also impose a presumption against certain policies and practices that have historically served racially discriminatory ends (Kazis, 2021; Weiss, 2023). These include exclusive single-family large-lot zoning, CFHPs and CANOs (DOJ, 2024), and blanket tenant screening on the basis of eviction histories.

For example, source of income (SOI) discrimination is a pervasive obstacle for low-income renters attempting to use housing vouchers, disproportionately affecting renters of color and renters with disabilities (Anthony et al., 2023; see also Reina et al., 2025 in this collection). SOI

protections can help improve housing voucher utilization and the associated security of housing tenure by prohibiting such discrimination (Freeman, 2012) and are a top priority for many housing stakeholders (Tenant Leader Cohort, 2023). Voucher discrimination is often interlinked with discrimination against protected classes under the FHA (Tighe et al., 2017), given that HUD identifies approximately 70% of voucher holders as “minority” (HUD, 2022). Thus, while voucher holders are not a protected class per se, discrimination against voucher holders can violate the FHA under a disparate impact analysis of the sort upheld by the U.S. Supreme Court in the 2015 *Inclusive Communities* case. HUD can significantly expand the reach and strength of SOI protections by leveraging CDBG and HOME funds to incentivize local governments to enact SOI policies as a condition for access to federal resources for affordable housing and community development. HUD should require jurisdictions to engage in an analysis of fair housing, including a consideration of the disparate impacts of local policies and practices such as SOI discrimination, and to adopt equity plans that, for example, include SOI protections. Simultaneously, HUD can provide technical assistance, guidance, meetings, and resources to grantees and their community stakeholders to help them prioritize, develop, and effectively enforce SOI protections. For example, HUD could issue guidance for LIHTC providers or other federally funded housing providers clarifying applications of minimum income or credit score requirements used in screening voucher-holding applicants that are likely to violate the FHA or other HUD regulations. In addition, HUD could partner with the FHFA and other agencies to identify how SOI protections can be integrated into other federal programs (e.g., properties with federally supported mortgages).

Of course, SOI protections will not solve all issues related to voucher utilization. Practical impediments, like high rents and low vacancy rates, also affect the ability of tenants to successfully use vouchers. HUD continues to experiment with other approaches to address these impediments, such as through the use of Small Area Fair Market Rents, and related approaches that implicate questions, like access to opportunity, that go beyond the issue of housing stability. The SOI protection example is offered here simply as an example of how robust implementation of the AFFH rule could help further the overall goal of improving housing stability for tenants.

Facilitate State and Local Reform

In partnership with other agencies and departments, HUD should use federal resources to incentivize reforms at the state and local levels. First, HUD should support state efforts to increase eviction filing fees and notice periods, as well as research evaluating the intended and unintended consequences of these changes. This could include an initiative bringing together governors, attorneys general, mayors, and state policymakers to develop best practices on eviction policy and spotlight promising strategies for regulatory reform and housing stabilization. For residents of public housing and project-based rental assistance properties, HUD recently extended notice periods for nonpayment of rent evictions to 30 days (HUD, 2024), a rule that the Office of Tenant Protections could help to enforce. The Department should study the effects of this change on PHA rent collection metrics and consider extending these protections to HCV recipient households. In addition, HUD should build and maintain an accessible database detailing which properties these protections apply to, so that legal aid advocates and courts can better enforce them.

Second, HUD should use available funding to expand the scale and focus of the Eviction Prevention Grant Program. In particular, HUD should encourage programs that propose creative solutions to expand the scope of coverage, improve tenant education, implement pre-filing mediation (Heinrichs & Treskon, 2023), and reach out to tenants prior to their court dates (Golio et al., 2022; Hoffman & Strezhnev, 2023). These programs could, for example, help federally assisted tenants with income recertification if rent has become unaffordable. In collaboration with the Department of Justice (DOJ), HUD could raise awareness of eviction prevention programs among local state court judges with convenings and Dear Colleague letters.

Third, just as HUD has reformed its own one-strike policies (HUD, 2015), the Department should work to remove CFHPs and CANOs from the housing ecosystem. While the onus should be on DOJ to require repeal of these ordinances, HUD could also offer financial incentives to cities that proactively eliminate such policies. HUD should also coordinate with CFPB and/or FHFA to determine whether the federal government can prohibit properties with federally backed mortgages from enrolling in CFHPs.

Fourth, HUD should provide technical assistance to cities and states to help them access and analyze court data to identify eviction hotspots. To the extent that a small number of properties are driving high rates of instability, these can also be the site of meaningful interventions—but only if they can be identified (Hepburn & Panfil, 2021). Simply having the data is not enough: HUD should also provide guidance on how, for example, attorneys general or PHAs might best engage with these landlords. HUD could also coordinate with Fannie Mae and Freddie Mac to restrict federal mortgage financing for high-evicting developers (Larsen, 2024).

Implications for Future Research

These reforms must be paired with a robust research agenda allowing the evaluation of what works, under what circumstances, and with what unintended consequences. How can SOI protections be effectively enforced, particularly in low-vacancy markets? How do RTC programs affect individual and community stability and well-being, as well as landlord behavior (i.e., rent-setting, screening, maintenance, informal eviction)? Which landlords participate in engagement programs and how does this affect tenant retention rates, eviction filing trends, or markers of housing quality? Which properties get missed in rent registries? What effects do renovation programs have on tenants' health and well-being (Ellen et al., 2020; South et al., 2021)? How effective is ERA (Aiken et al., 2022; Reina & Lee, 2023)?

Answering these and other questions related to housing quality and affordability, residential insecurity, and public policy is hampered by the dearth of high-quality data on housing generally and rental housing in particular (Casey & Gordon, 2022; Hepburn & Panfil, 2021; Robustelli et al., 2020). We still know far too little about where renters live, under what conditions, and at what cost, as well as how often and why they move. Several large-scale surveys provide important insight into these dynamics—e.g., the American Community Survey, the American Housing Survey—but they have a range of limitations (Buchholtz, 2021; Robinson & Swanstrom, 2024). The expansion of knowledge about eviction over the last decade likewise highlights the importance and drawbacks of administrative data: it has allowed us to better understand the prevalence of formal eviction cases, but is not universally accessible, is difficult to compile and interpret (Nelson et al., 2021; Porton et al., 2021), and leaves unexplored the issue of informal evictions. Much more can and should be done with parcel and deed records, tax data, and state and local property registries, as well as adjacent administrative data systems (e.g., Homelessness Management Information Systems, records from Medicaid, the Supplemental Nutrition Assistance Program, the Special Supplemental Nutrition Program for Women, Infants, and Children). There is also considerable potential in secondary data collected from electronic sources. For example, Craigslist ads can be a rich source of data about housing search, market dynamics, and discrimination (Besbris et al., 2021, 2022; Boeing et al., 2021; Kuk et al., 2021; Schachter et al., 2024). Cellphone data can likewise potentially offer new insight into housing and crowding dynamics (Almagro et al., 2021). Future research should explore how these sources can be linked to provide a richer picture of the lived experience of renting in America.

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