July 1, 2022

President Joseph R. Biden
Office of the President
The White House
1600 Pennsylvania Ave, NW
Washington, DC 20500

The Honorable Rohit Chopra
Director
Consumer Financial Protection Bureau
1700 G Street NW
Washington, D.C. 20552

The Honorable Sandra L. Thompson
Director
Federal Housing Finance Agency
400 7th Street, SW
Washington, D.C. 20219

The Honorable Marcia Fudge
United States Secretary
U.S. Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

The Honorable Janet Yellen
United States Secretary
U.S. Department of The Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220.

The Honorable Thomas J. Vilsack
United States Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear President Biden, Director Chopra, Director Thompson, Secretary Fudge, Secretary Yellen, and Secretary Vilsack:

The undersigned organizations represent a diverse group of housing providers, including private property owners, managers, lenders and public housing authorities (PHAs) who provide rental housing for families and individuals across the country. We appreciate the Administration's efforts to address the nation's housing challenges and share the goals of improving affordability and stability for America's renters. We thank you for the opportunity to provide our industries' perspectives on the topic of "renters' rights and responsibilities" during recent White House-hosted stakeholder listening sessions. We look forward to working with you to promote sustainable and responsible solutions to the issues facing housing providers and their residents. However, we have serious concerns about the workability of various proposals which would expand tenant protections, presumably through a federal "renters bill of rights."

The relationship between housing providers and their residents, the community and the broader housing market is governed by layers of statutes, case law, regulations and private contractual agreements – all providing for specific protections and responsibilities. This includes extensive renter protections in building code, landlord and tenant, fair housing, eviction, consumer reporting and debt collection laws. Fundamentally, lease agreements outline the rights and responsibilities between residents and housing providers; leases are legally-binding on all parties and enforced by state and local courts. An additional federal renters' bill of rights on top of these already complex and diverse state, local and federal landscapes is not constructive.

The adoption of a federal renters' bill of rights would:

- Create unnecessary duplication of renter protections that are already required by and disclosed in landlord-tenant, eviction and fair housing laws;
- Far exceed the parties' responsibilities in a standard leasing transaction; and
- Create a confusing patchwork of requirements on housing providers that can circumvent or, in some cases, conflict with the lease agreement which governs rights and the responsibilities that both parties agree to during the lease term, according to long-established contract law.

Instead, we would like to work with the Administration to focus on viable solutions for fostering housing affordability and availability and to avoid unworkable or counterproductive policies. We encourage the federal government to exercise its authority to incentivize housing providers' voluntary participation in federal affordable housing programs.

Further, we urge your continued emphasis on housing supply challenges, which are a core driver of affordability struggles, and focus on breaking down barriers to new housing development. Our organizations support the goals of the Administration's Housing Supply Action Plan to increase the production of affordable rental housing units.

In addition, we encourage the federal government to exercise its authority to incentivize voluntary participation of housing providers in federal affordable housing programs and to improve the dozens of federally-assisted housing programs and funding mechanisms it has under its purview. Improving the Section 8 Housing Choice Voucher program to attract more housing providers and removing the financial and administrative barriers that deter them from participating would be great steps toward addressing the housing needs of low and moderate-income Americans in critical need of housing. Our organizations support the bipartisan Choice in Affordable Housing Act, which would expand and improve the housing choice voucher program to incentivize landlord participation via one-time incentive payments to landlords, security deposit payments, and bonuses to public housing agencies that employ landlord liaisons. Further simplification of the regulatory process for federal housing programs would also make a big difference. The Department of Housing and Urban Development should be supporting housing providers who seek to evict troublesome, dangerous, or noncompliant tenants. Finally, Fannie Mae and Freddie Mac should continue to support investment in affordable rental housing and equitable access to housing in all markets.

Broad federal action on well-established policies regarding the contractual agreement between housing providers and their residents will only serve to undermine the Administration's affordability and supply goals by disincentivizing participation in federal housing programs and generally raising the costs of providing rental housing. We look forward to working with you to develop policies that further the Administration's goals to increase the supply of affordable housing and assisting our memberships in helping to bring them to fruition.

Sincerely,

CCIM Institute
Council for Affordable and Rural Housing
Institute of Real Estate Management
Manufactured Housing Institute
Mortgage Bankers Association
National Apartment Association

National Affordable Housing Management Association
National Association of Home Builders of the United States
National Association of REALTORS®
National Leased Housing Association
National Multifamily Housing Council