

**DRAFT TENANT PROTECTIONS LEGISLATIVE OUTLINE
05.03.2023**

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Introduction: Why this is needed

- To be drafted
- Materials to cite:
 - ABA 10 Guidelines for Residential Evictions
 - White House Blueprint for Renters Rights
 - [NHLP transition memo on strengthening tenant rights](#)
- Scope:
 - This outline applies to rental housing; not to SROs, congregate living facilities, etc.

SECTION 1: RIGHT TO BE FREE FROM DISCRIMINATION AT ALL STAGES

101A. Prohibit source of income discrimination under the Fair Housing Act, including discrimination based on a person's status as a Housing Choice Voucher holder

Many [state and local laws](#) prohibit discrimination on the basis of a person's source of income. In fact, by some estimates (PRRAC and CBPP), over 57% of voucher families nationwide are now covered by SOI anti-discrimination protections. To ensure that all tenants across the country receive the same protection, Congress should amend the Fair Housing Act to outlaw discrimination on the basis of a person's source of income, including their status as a Housing Choice Voucher holder. In addition, Source of Income anti-discrimination laws should explicitly cover emergency rental assistance. The importance of covering emergency rental assistance was elevated during the pandemic when tenants needed to be able to use their emergency rental assistance to remain housed.

Tenants would also benefit if the Fair Housing Act prohibited discrimination on the basis of the following: eviction history, criminal history, rental debt, immigration status, sexual orientation and gender identity, and status as a survivor of gender-based violence. See, e.g., [H.R. 2542](#) (proposed Fair Housing for Domestic Violence and Sexual Violence Survivors Act of 2021).

101B. Increase funding for civil rights enforcement, specifically for:

1. Fair housing testing and enforcement, and
2. Title VI, Sec. 109, and Title VIII enforcement to ensure that federal funding recipients do not use their funding to engage in discrimination. Examples of such discrimination include the use of crime-free programs and nuisance property ordinances; registries for "bad" tenants; exclusionary zoning; aggressive code enforcement or other fines and fees that reduce the supply of affordable housing.

101C. Enable stronger enforcement of the right to accessible housing for people with disabilities under the Fair Housing Act, Section 504, and the Americans with Disabilities Act

1. Codify the right to an interactive process for reasonable accommodations and modifications for people with disabilities under the Fair Housing Act, Section 504, and the Americans with Disabilities Act. Require federal agencies to provide more clarity and a better process on reasonable accommodations requests and determinations for people with disabilities
2. Require Title VI/Section 109 recipients to document and identify where city funded accessible housing in their community. This will greatly aid an evaluation of available accessible housing and future steps to increase supply.
3. Require federally funded localities to require the owners they fund to have written RA policies and attach them to the lease
4. Codify that LIHTC properties are covered under Section 504.

101D. Ensure that tenants have the right to assert the landlord’s discriminatory conduct as an affirmative defense against discriminatory or retaliatory evictions in state court

SECTION 2: RIGHT TO ORGANIZE

Collective tenant action is often necessary to secure improved conditions when landlords, owners, or responsible agencies fail to comply with their obligations. Tenants often face harassment or retaliation for organizing or standing up for their rights. Most states do not protect tenants from retaliation for organizing their fellow tenants. And even some of the federally assisted programs (most notably LIHTC) do not protect tenant organizing. Federal policy must establish tenants’ right to organize independently of management. Federally assisted programs must also provide funding for tenant outreach, education, and organizing; and agencies must take enforcement action against violations of the right to organize. For the private rental market, a long-term goal is for Congress to create a right to organize for all tenants.

201A. Strengthen tenants’ right to organize in federally subsidized programs as set out in the Tenants’ Right to Organize Act by:

1. Ensuring that HCV and LIHTC tenants have the same right to organize as public housing residents do under 24 CFR 245.100, including:
 - a. The right to establish and operate a tenant organization;
 - b. The right for owners/agents to recognize legitimate tenant organizations and the concerns that they raise; and
 - c. The right to engage in activities listed in 24 CFR § 245.115.
2. Providing funding outreach, training, and technical assistance for tenants in two ways:

- a. Increasing the per-unit funding in the Public Housing Operating Fund; allocating the increased amount to tenant participation funds that resident councils can use; and giving resident councils more autonomy in how they use the money; and
- b. Expanding eligibility for Section 514 grants to include HCV and LIHTC tenants
3. Prohibiting retaliation against tenants who exercise their organizing rights
 - a. Owners cannot interfere with a tenant's right to organize a tenant association, convene meetings, distribute literature, post information, and provide building access to an outside tenant organizer. This includes access to the common areas of the property and tenants' own units.
 - b. Includes a rebuttable presumption that an adverse action taken within 6 months of the tenant's participation in organizing activities is an act of retaliation.
4. Providing tenants with a meaningful role on oversight, specifically allowing tenants to:
 - a. Participate in of HUD's physical inspection and management review process;
 - b. Enforce the HAP contract between landlords and PHAs;
 - c. Where the property is being redeveloped and transition to private management, tenant should have a role in the selection of private management; the development of the management plan; in Section 3 job/training plan and resident services and resident programs.

201B. Provide funding incentives to states and localities to promote tenant organizing on the private rental market. Similar to Washington [DC's Tenant's Right to Organize Act](#), states and localities should ensure that tenants on the private rental market have:

1. The right to organize
 - a. Including protection against landlord interference with the right to organize a tenant association, convene meetings, distribute literature, post information, and provide building access to an outside tenant organizer.
 - i. *Example:* D.C. Official Code § 42-3505.06
2. Protection from retaliation for exercising the tenant's right to organize; and
 - a. Retaliation includes: unlawfully seeking to recover possession of tenant's unit, increase the rent, decrease services, increase tenant's obligations; and violating privacy, harassment, or refusing to honor lease.
 - i. *Examples:* D.C. Official Code § 42-3505.02; New Haven prohibition against retaliatory evictions based on a tenant's membership in a tenant union.
3. The right to remedies for violations of these rights, including civil penalties; injunctive order; liability for damages to tenants, or a tenant organization or its members; suspension or revocation of owner/agent's business license or registration; and reasonable attorney's fees.
4. The right for tenant organizations to take part in the oversight of their buildings

- a. *Example:* New Haven gives tenant's unions a role in their fair rent commission
5. Funding for outreach, training and technical assistance needed to exercise the above organizing rights.

SECTION 3: RIGHT TO A FAIR AND TRANSPARENT TENANT APPLICATION PROCESS

The application process is stacked against the lowest income, most marginalized renters with increasing restrictions and almost no transparency. In private rental housing, landlords have broad authority to choose their tenants, limited only by fair housing laws that prohibit discrimination against protected classes. For federally assisted units, there are very few additional constraints on landlords. And even these protections have limited enforcement. The tenant screening process is increasingly controlled by tenant screening companies, and the screening criteria determined by landlords often denies access to large portions of applicants. These criteria include credit scores, eviction records, and criminal history, which bar anyone with a mark in any category. The data sets used for tenant screening have significant quality issues and are often riddled with inaccuracies. Because of the inherent racism in the criminal justice system, in eviction filings, and in the unregulated use of this data, these practices often conceal discriminatory bias and reinforce a history of systemic racism and discrimination against people with disabilities. Further, the process has no transparency, with applicants rarely able to access the application criteria, the reports detailing reasons for their denials (which are often riddled with inaccuracies that applicants have no opportunity to correct), or a chance to appeal the decisions.

SUBSECTION 301: Regulate rental screening practices by landlords

301A. Increase the transparency of the rental application process by requiring landlords and their agents to:

1. To make their tenant screening criteria publicly available and in sufficient detail to allow a meaningful estimation of one's likelihood of admission
2. To give applicants a written copy of their tenant screening criteria and notice of their rights as tenants
3. To accept portable tenant screening reports and not charge a screening fee if a portable report is available
4. Upon request, to provide denied applicants with:
 - a. The specific reasons for denial in writing, plus access to any relevant supporting information;
 - b. An opportunity to correct inaccurate information and offer evidence to mitigate negative information;

- c. The opportunity to appeal the denial

301B. Ensure that landlords engage in fair tenant screening practices by

- 1. Requiring a narrowly-tailored nexus between tenant screening criteria (e.g., credit score) and housing performance; and bar adverse actions by landlords based on outdated, disputed, incomplete, or irrelevant negative information (e.g., disputed rental arrearages, criminal history after X number of years, eviction filings absent case disposition).
- 2. Enumerating mitigating factors for landlords to consider for negative information
- 3. Prohibiting automated or algorithmic screening without human review
 - a. *Example:* European Union GDPR Art. 22

301C. Eliminate application fees, similar to the state of Vermont (“A landlord or a landlords’ agent shall not charge an application fee to any individual in order to apply to enter into a rental agreement for a residential dwelling unit.”) Elimination of application fees address steering and fair housing issues laid out in [this article](#). States must also ensure that they are not predicating certain applicant protections upon the payment of a fee (as eliminating the fee then eliminates those protections). Example: RCW 59.18.257(b) <https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.257>

SUBSECTION 302: [Strengthen regulation of tenant screening companies](#)

302A. Amend the Fair Credit Reporting Act, similar to Rep. Ayanna Pressley’s [tenant screening bill](#)

- 1. Define “tenant screening purposes” and add protections parallel to employment purposes
- 2. Prohibit the inclusion of certain types of information in consumer reports for tenant screening purposes
 - a. Criminal history information: arrests without convictions, convictions older than X years, juvenile adjudications, etc. and acts unrelated to performance as a tenant or safety of other tenants/property
 - b. Eviction history information:
 - i. Eviction filings that do not result in judgment, etc.
 - ii. Eviction cases where the tenant prevailed on any substantive or procedural defense, even if a judgment was entered (e.g., this would cover a nonpayment case where a tenant successfully seeks a rent abatement for bad conditions--the case would result in a judgment for the LL but in a reduced amount);
 - iii. Cases in which a tenancy is reinstated after judgment,
 - iv. Cases brought during any eviction moratorium
 - v. Cases brought during Covid-19 emergency
 - vi. Cases sealed or made of limited dissemination

3. Conditions for furnishing and using consumer reports for tenant screening purposes
4. Clarification for sources of information, as well as the immediate source from which the report author received the information
5. Duties of users of consumer reports for housing purposes: imposes on landlords/agents a duty to provide applicant with a written notice within 3 days after denial, as well as the specific reasons for such denial
6. Additional exclusion of information from consumer reports
7. In addition to provisions under Pressley bill:
 - a. Expand consumer disclosure rights
 - b. Require tenant screening companies to make available their rates of inaccuracy (alternative: number and type of consumer complaints) so that landlords can make informed decisions about the likely accuracy of the consumer reports that they are purchasing. "Rates of accuracy" needs to be defined; should not be simply dispute rates reported by CRAs

SECTION 4: RIGHTS DURING TENANCY

SUBSECTION 401: Leases and Occupancy

401A. Incentivize states and localities to impose the following requirements related to written leases:

1. Lease must clearly articulate tenant and landlord rights and responsibilities in plain language and be available in multiple languages.
2. Lease must include the following disclosures:
 - a. Detailed breakdown of fees other than monthly rent charges
 - b. Clear articulation of tenant's right to be free from retaliation from assert their rights
 - c. Information about whether the property has a federally-backed mortgage and a right to notice when the landlord has refinanced into or out of a federally-backed mortgage
3. Leases must not include the following unreasonable terms:
 - a. Waivers of tenant protections otherwise provided by statute
 - b. Especially abusive terms (e.g., denial of right to jury, confessions of judgment, indemnity, class action waiver)
4. Landlord must provide tenant with (1) a written copy of the lease, and (2) a user-friendly explanation (FAQ) of tenant rights to the tenant, attached to the lease.
 - a. *Example: Chicago RLTO*
5. Lease must allow for necessary amendments before the lease term is complete (e.g., adding a caregiver to the lease)
6. Tenants should have the right to bifurcate lease in specific circumstances (survivors, roommates? others?)

7. Term leases should not automatically revert to a month-by-month lease upon expiration.

401B. Incentivize states and localities to stabilize rent

1. Create an incentive for states to cap rent increases on an annual basis and subject to a specific formula.
2. Create an incentive for states not to preempt local rent stabilization efforts
3. Create a grant program to create local rent commissions, including:
 - a. Tenant's ability to appeal rent increases to a commission and pay the current rent until resolved; and
 - b. Tenant union's ability to make consolidated complaints related to unjust rent increases

401C. Regulate additional fees and charges imposed on tenants through a consumer protection lens

1. Tenants should have the right to:
 - a. Multiple methods of making rent payments (at least one of which should be cost-free);
 - b. Receipts of their rent payments;
 - c. Allocation of payments to rent before any other charges or fees; and
 - d. Reasonable access to their rent ledger.
2. **Security deposits**
 - a. Options:
 - i. Eliminate; or
 - ii. Limit amounts, in which case tenants should have the following protections:
 1. During tenancy, landlord must provide information about where the deposit is held and the accruing interest. States should entitle tenant to interest if they don't already.
 2. Upon completion of tenancy, landlords must provide a walkthrough inspection and a written checklist. Landlords must provide a timely return of security deposits with accrued interest and may not retain any amount of the security deposit for normal wear and tear, turnkey items, or permissible early lease terminations.
3. **Late fees** must be limited and proportionate to the amount of monthly rent.
 - a. *Example:* CRLTO prohibits late fee in excess of \$10 per month for the first \$500 in monthly rent plus 5% for any amount in excess of \$500
4. Landlords should be required to pay for the cost of **utilities**.
5. Cap on any additional fees in addition to rent
6. Tenants should have the right to choose their rental insurance provider.

SUBSECTION 402: [Right to Live in a Habitable Housing](#)

When habitability issues are identified, owners and responsible agencies must be required to take action. The responsible parties should have clear and enforceable remediation obligations with established timelines. Owners who do not comply must be sanctioned and possibly barred from future program participation. Responsible agencies should be fully transparent in their enforcement activities.

Ensure tenants' full rights to remediate habitability concerns. Tenants should be able to report violations, participate in inspections and in remediation, and contribute to redevelopment and relocation planning; and do all of this protected from retaliation. Tenants must also have enforcement rights, including rights to demand remediation of hazardous or unhealthy conditions and appropriate compensation. They must have timely, temporary relocation to safe and habitable affordable housing near the property while remediation occurs.

If the property requires substantial rehabilitation and longer-term relocation, it is essential to minimize permanent displacement. Tenants must have a right to return to the rehabilitated property without eligibility re-screening. The property should demonstrate that no affordable units have been lost as a result of the remediation. And tenants permanently displaced from federally assisted housing must receive a choice of replacement housing or full Uniform Relocation Act benefits.

402A. Provide funding incentives to states and localities to ensure that tenants have the right to habitable housing and practical means of enforcing that right

1. Units must meet minimum health and safety requirements
2. Tenants cannot waive the right to these health and safety requirements (e.g., via lease) or forfeit them if rent is delinquent, including enforcement procedures.
3. Applicants should have the right to the maintenance history of the prospective housing unit before signing the lease. (see, e.g., military housing bill of rights)
4. Maintenance and repairs
 - a. Upon notice of a problem related to health and safety by the tenant, landlord has a duty to repair.
 - b. With respect to maintenance and repairs to a housing unit, tenant has the right to:
 - i. Prompt and professional maintenance and repair within a specific time period depending on the nature of the problem; and
 - ii. To be informed of the required time frame for maintenance or repairs when a maintenance request is submitted; and
 - c. In case of maintenance or repairs necessary to ensure habitability of a housing unit, to prompt relocation into suitable lodging or other housing at no cost to the tenant until the maintenance or repairs are completed at the tenant's request or consent

- d. Tenants should have the right to repair and deduct (i) for properties that do not meet health or safety standard; or (ii) for material breaches of the lease agreement. The right to repair-and-deduct recognizes the reduced value of property that does not meet health and safety standard. Tenant should be able to exercise this right through a user-friendly system so that tenants do not put their housing at peril when exercising it.
- e. Tenant unions have the right to make consolidated complaints about their buildings.
5. Tenants should have the right to access information about federally subsidized units (repair requests, reasonable accommodations number, pre-RAD and post-RAD repairs) without extensive public information act request. Tenants should also have the same right about units on the private rental market.
6. Tenants have the right to be free from retaliatory eviction. Rebuttable presumption that eviction is retaliatory if it takes place w/in 6 months of repair request.

SUBSECTION 403: [Security of Tenure \(or Lease Termination\)](#)

403A. Provide funding incentives to states and localities to ensure that tenants have the following protections to ensure security of tenure

1. States and localities must impose a **good cause** requirement for evictions, lease non-renewals, and “no fault” terminations.
2. Tenants have the right to **reasonable notice** before lease termination.
 - a. Number of days = 14 days
 - b. Cure period =
 - c. Include specific requirements for form and content
3. Tenant has a **right to cure** before lease termination (e.g., for nonpayment of rent or other lease violation).
4. Tenants may terminate the lease early without incurring an excessive financial penalty (e.g., 3x rent, remainder of lease term) in specific circumstances:
 - a. Tenant becomes eligible for subsidized housing
 - b. Tenant is a survivor of gender-based violence and other victims of crimes (note that most states allow this only for survivors).
 - c. Tenant loses employment.
 - d. Tenant has a new job opportunity that requires a move.
 - e. Unit has poor or unsafe conditions, including indoor and outdoor environment, water quality, etc.
 - f. *Examples under federal law:*
 - i. Deployment under the Servicemembers Civil Relief Act
 - ii. VAWA for federal housing programs

SUBSECTION 404: [Right to Information About and Clear Communications with Landlords](#)

404A. Provide funding incentives and technical assistance to states and localities:

1. To create **rental registries** with information about landlords. Information should name, address, other contact information, and any information about beneficial ownership. Include definition of landlord; possible: legal owner entity, management agent, entity with right of possession. Affiliated companies with rental properties should be treated as a single landlord for purposes of applying “small owner” exemptions.
2. To require landlords to provide each tenant with their contact information and the contact information of their agents; to include such information in the physical unit; and to provide adequate interpretation and translation services for tenants with limited English proficiency.

SUBSECTION 405: [Right to Live Free of Harassment](#)

405A. Provide funding incentives and technical assistance to states and localities:

1. To place limits on when a landlord and its agents (including security and police) can enter a unit; include notice requirements.
 - i. *Example:* CRLTO: 48 hrs advance notice unless in case of emergency and then notice after the fact

SUBSECTION 406: [Rights when ownership changes](#)

406A. Provide funding incentives and technical assistance to states and localities:

1. To ensure that tenants have a right to purchase or pay out when property is sold
 - a. *Examples:* Chicago and other jdx during condo boom
2. To create a right of first refusal for non-profit affordable housing developers or municipalities when multifamily housing is for sale
3. To prohibit unreasonable rent increases when ownership changes
4. To ensure that lease terms survive the change in ownership so that the new landlord steps into the shoes of the former landlord

SECTION 5: RIGHT TO EVICTION AS A LAST RESORT (OR EVICTION PREVENTION & EVICTION LEGAL SYSTEM SPECIFICALLY)

SUBSECTION 501: [Establish a permanent emergency rental assistance program](#)

- 501A. Establish a permanent emergency rental assistance program, as set out in the Evictions Crisis Act.** Include protection against evictions of tenants for nonpayment of rent where their landlords have received emergency rental assistance.

SUBSECTION 502: [Eviction court system](#)

502A. Provide funding incentives and technical assistance to states and localities through DOJ Access to Justice to enact and implement the following procedural protections in the eviction court system:

1. For lease terminations:

- a. Notice of lease termination
 - i. Landlords must provide sufficient notice using a reliable method of delivery and within a specific notice period.
 - ii. Landlords must receive confirmation that the tenants received the notice.
 - iii. The notice must include a statement of the tenant's rights and process.
- b. Pre-suit (or pre-filing) mediation/diversion
 - i. Landlords must participate in good faith in pre-filing mediation/diversion before filing for eviction.
 - ii. Courts should set up mediation in a way that properly balances the rights of landlords and tenants. Currently, mediation favors landlords, especially if landlords hire the mediators.
 - iii. There should be federal funding for such eviction diversion programs.

2. Eviction court procedures

- a. Cases must be filed under seal, similar to California.
- b. Courts should be subject to a minimum amount to charge for an eviction filing fee.
- c. Tenants are entitled to a guaranteed hearing before eviction. In other words, eviction hearing does not depend on meeting a bond requirement or filing a written answer in court.
- d. Tenants have the right to full legal representation.
- e. For non-payment of rent cases, landlords must apply for emergency rental assistance prior to filing, if available. Additionally, there should be protections against evictions for non-payment after receipt of emergency rental assistance.
- f. Tenants should have an adequate opportunity to prepare and present defense, which includes preparation time and an opportunity for discovery.
- g. Tenants are entitled to a meaningful hearing on the merits.
 - i. Judge must be legally trained. Justice of the peace cannot preside over eviction cases.
 - ii. Tenants should have the opportunity to present proofs and arguments on relevant issues.
 - iii. Tenants have the right to assert relevant defenses (e.g., habitability, discrimination, moratoria, etc.).
- h. Tenants have the right to appeal that landlords enjoy.

- i. Tenant should not be subject to a cost-prohibitive bond requirement.
- ii. Tenant's right to appeal should not be conditioned on payment of bond.
- i. Tenants have the right to adequate post-judgment procedures, including:
 - i. The right to reinstate tenancy by paying off judgment before physical eviction;
 - ii. Availability of hearing on emergency stay because of new evidence, changed circumstances, etc.; and
 - iii. Automatic sealing/limiting dissemination of eviction records after a specific period of time
- j. Standards for when the sheriff (or other actor) takes possession (no guns blazing, etc.)

SUBSECTION 503: [Increase Funding for Legal Assistance for Eviction Defense](#)

503A. Make the HUD Eviction Prevention Grant a permanent program to provide funding for eviction defense for tenants

SUBSECTION 504: [Right to be Free from Extrajudicial Evictions](#)

504A. Provide funding incentives and technical assistance to states and localities to protect tenants from extrajudicial evictions by:

1. Requiring judicial action to remove tenants and avoid lock-outs and Arkansas-style police actions
2. Providing a practical, accessible, and pro se friendly court procedure to regain entry of unit where landlord violates this requirement;
3. Educating landlords and law enforcement about prohibition against illegal evictions;
4. Requiring law enforcement to collect and provide data about illegal evictions

SUBSECTION 505: [Relocation of Tenants](#)

505A. Provide funding incentives and technical assistance to states and localities to require landlords to provide relocation assistance for displaced tenants:

1. *Example from Los Angeles:* Relocation assistance can be in the form of money, a comparable accommodation, and/or services from a relocation specialist in locating a new place to live – all provided by the landlord.

SUBSECTION 506: [National Evictions Database](#)

506A. Create a national database with information about evictions to identify areas in need of policy interventions, such as the database outlined in the Evictions Crisis Act

SUBSECTION 507: [Additional eviction prevention measures](#)

507A. Create additional eviction prevention measures, such as:

1. Eviction moratoria during any federal or state-declared emergencies
2. Funding also for other actors in addition to attorneys, such as housing navigators, social workers, etc.

SECTION 6: CHARGE A GOVERNMENT BODY WITH ADVOCATING ON BEHALF OF TENANTS AND ENFORCING TENANTS RIGHTS

Possibilities to consider:

1. Create a standalone independent government agency with regulatory power over landlords
2. Expand authority of existing agency: e.g., CFPB jurisdiction over leases
3. Create Office of Tenant Ombudsperson at existing agencies (e.g., HUD, Treasury)
4. Form a permanent interagency council similar to USICH to focus on policy and research

SECTION 7: RIGHTS SPECIFIC TO FEDERALLY SUBSIDIZED HOUSING

1. Application process
 - a. Implement a single, streamlined application for all federally assisted housing in each region.
 - b. Prohibit application fee
 - c. Admission criteria should be approved by the responsible agency, publicly available, and limited to those necessary to fulfill affordable lease obligations.
 - d. Any rejection of application should be delivered in writing with an opportunity for tenant to appeal.
2. Lease & lease addendums
 - a. Required standard lease for each federal subsidy program
 - b. Required lease addendums across all programs (e.g., VAWA)
 - c. Prohibit unreasonable terms and conditions in leases and house rules
 - d. All current occupancy-related policies of PHAs and affordable housing owners should be freely available to tenants and applicants without charge, or by website posting.
3. Keep rent in all programs affordable to very low-income tenants.
 - a. Prevent HUD/LIHTC evictions for current tenants who are over-income and can't afford to move or have no place to move to
 - b. Reasonable utility allowances that cover all utilities (heating, cooling, trash, water, cooking gas, etc.) should be provided to tenants who pay utilities. UAs

should reflect actual consumption rates and ideally use the system set up for PHAs.

- i. Additionally, when sub owners receive funds like IRA, they will directly financially benefit from the improvements to their housing. Tenants should be able to maintain the UAs or a portion of the proceeds of the UA, which would otherwise go down because of the energy improvements.
4. Establish federal good cause protections. All tenants deserve good cause protections for both eviction and lease non-renewal, including those tenants with enhanced vouchers.
5. Make all federal housing programs compliant with Title VI Limited English Proficiency; increase compliance monitoring & enforcement
6. Establish an Office of Tenant Ombudsperson at each responsible agency.
7. Right to organize (see discussion in Section 2 on Tenant's Right to Organize)
8. LIHTC
 - a. Definition of good cause
 - b. In programs where rent is not based on tenant income, such as LIHTC, rents must reflect a below-market discount and owners should be required to seek and accept any available subsidy.
 - c. Ensure that LIHTC is treated as "federal financial assistance" so that tenants have rights to coverage by the Uniform Relocation Act and other civil rights protections.
9. HUD
 - a. End "one-strike" eviction policies that violate due process and fair housing standards
 - b. Require covered housing providers to show compliance with VAWA, including detailed, locally developed emergency transfer policies that are shared with tenants.
 - c. Require housing providers to have a written reasonable accommodation policy and process that is made available to the tenants/applicants.
 - d. Require housing providers to show compliance with the hardship exemption to the minimum rent policy, including written policies made available to tenants and applicants.
 - e. Limit on what basis housing providers can deny admission, especially as to prior acts related to homelessness, poverty, victimization, and discrimination.
 - f. No compliance with crime-free or nuisance ordinances if in conflict with federal housing obligations.
 - g. Strengthen and enforce HUD's Section 3 requirements to create good-paying job opportunities for low-income residents and resident-owned businesses, and provide tenants with funding opportunities for job and education training. HUD should make residents aware of these opportunities and the process for participation

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- h. HUD should create a database accessible to the public that would allow tenants to see the outcome of enforcement measures, including what actions HUD has taken and how issues have been resolved

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