

June 29, 2026

Regulations Division
Office of General Counsel
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10276
Washington, DC 20410

RE: Docket No. FR-6518-P-01 Equal Access to Housing in HUD Programs Revisions

To Whom It May Concern:

On behalf of MidPen Housing, we write to oppose the proposed rule “Equal Access to Housing in HUD Programs Revisions” (FR-6518-P-01) and urge HUD to withdraw it. Founded in 1970, MidPen Housing is one of the nation’s leading nonprofit developers, owners, and managers of high-quality, affordable housing and onsite resident services. We have developed 140 communities throughout 14 Congressional Districts in Northern California that serve as home for over 22,000 residents.

First, removing the Equal Access Rule will create unnecessary bureaucracy that burdens providers and excludes people of all identities from services. The proposed rule change will create more red tape for homeless services providers, who already are often operating on limited budgets, are stretched for time, and lack adequate staffing. Frontline staff, who may face low wages and their own housing insecurity, will be tasked with taking on additional administrative burdens. Adding another step of bureaucracy hinders our efforts at getting people off the streets. If clients cannot produce an ID – which many lack due to not having money, supporting documents, or stable place to keep their belongings – providers cannot verify gender, and clients may lose access to shelter.

Second, removing the Equal Access Rule will strain existing programs and local budgets. Homelessness programs are already significantly underfunded. As vulnerable populations are rejected from shelters and have no option but to sleep outside, communities will have to incur more costs associated with caring for more people on the streets – leading to greater financial strain on emergency services and local budgets. These economic impacts will also strain social relationships in the community.

Third, the proposal will remove important anti-discrimination protections for accessing HUD programs. By removing “actual or perceived sexual orientation” and/or “gender”/ “gender identity” from HUD’s regulations, the proposed rule would restrict access to HUD programs, including federal rental assistance that provides a long-term solution to homelessness. This change would allow a housing agency or owner of a HUD-subsidized property to deny applicants on the basis of someone’s sexual orientation or gender identity. As a housing provider with a significant stock of HUD-subsidized units, we are concerned about the impact to the communities we serve and do not find this proposed change justified.



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Ultimately, removing the Equal Access Rule will prolong unsheltered homelessness and make the experience more dangerous. The harder it is for someone to seek shelter, the longer they may be on the street. If people cannot seek shelter in accordance with their sexual orientation or gender identity, they may be forced to sleep outside. Unsheltered people, particularly unsheltered trans and gender non-conforming people, face unsafe housing conditions as well as increased risk of violence.

The country faces a housing crisis. Removing the Equal Access Rule would exclude unsheltered people from housing needlessly, when there is already a scarcity of affordable housing options. The proposed rule does not advance HUD's mission to create strong, sustainable, inclusive communities. Instead, it will result in housing instability. For these reasons, MidPen Housing respectfully urges HUD to withdraw this proposed rule.

Best Regards,

A handwritten signature in blue ink, appearing to read "Matthew O. Franklin", with a stylized flourish at the end.

Matthew O. Franklin
President and CEO

CC: Nevada V. Merriman, Vice President of Policy & Advocacy, MidPen Housing