



Congress Isn't Buying HUD Felon Policy

Federal law bans HUD from accepting felons, fugitives, parole and probation violators from living in public or federally subsidized housing. That's the terse message Sen. Charles Grassley (R-IA) sends to HUD Secretary Julian Castro in a harshly worded letter objecting to the department's new felon housing policy.

The Senate Judiciary Committee chairman, who frequently addresses housing issues and HUD shenanigans, accuses HUD of deciding to place greater emphasis on federal regulations over federal law.

In April, HUD issued a directive to the nation's landlords that refusing to rent to those with criminal records could be a form of racial discrimination and therefore a violation of the Fair Housing Act.

While the directive only held public housing authorities and Section 8 private landlords accountable, the implication of fair housing enforcement cast a gloom over the private rental community as well.

HUD rushed the policy and subsequent guidelines into action to coordinate housing options with the Obama administration's policy to release non-violent drug felons from long prison sentences.

The blowback has been caustic and unrelenting from landlords, property owners, and managers furious over losing the right to cull criminals from housing applicants.

Grassley's intervention likely will crimp HUD's plans, at least until the department can develop a new strategy.

"Congress included a provision in the Personal Responsibility & Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), which requires the immediate termination of any fugitive felons, as well as probation and parole violators in federally subsidized housing," Grassley tells Castro.

"Specifically, Section 903 of the law states that 'it *shall* be cause for *immediate termination*

(Grassley's emphasis) of the tenancy of a public housing tenant if such a tenant is fleeing to avoid prosecution, or custody or confinement after a conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws from which the individual flees."

Grassley seized on a disclosure in online news report *Daily Caller* to propel the controversy to the forefront. The report revealed an unreleased 2012 HUD inspector general report that was not intended for public consumption.

"A recent article in the *Daily Caller* raised concerns about an unreleased HUD Inspector General (IG) report from 2012 that documents 1300 'felony fugitives' living in public housing just in HUD Region 10 alone," Grassley tells Castro. "The IG report, linked to the article, stated that the 'query resulted in approximately 1,300 matches for individual fugitives wanted for a wide range of felony crimes including rape, murder, aggravated assault, narcotics trafficking, felony theft and fraud charges."

Grassley tells Castro to provide the number of fugitive felons currently living in public housing and detail the steps HUD has taken, and will take, to ensure the safety of tenants while the department allows wanted felons to occupy public housing. Grassley told Castro to provide his response by Aug. 26.

Info: See the Grassley letter at www.cdpublications.com/docs/8943

8/11/16 9:17 PM