CITY OF LONG BEACH

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June 22, 2026

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

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

Dear Office of the General Counsel,

On behalf of the City of Long Beach, (City), this comment is provided in opposition to the Department of Housing and Urban Development's (HUD) proposed rule change published in the Federal Register on April 28, 2026, Equal Access to Housing in HUD Programs Revisions (FR-6518-P-01). The City requests that HUD withdraw the proposed rule in its entirety.

The City's Housing Authority and Homeless Services Bureau operate and oversee a significant portion of the City's affordable housing programs and shelters beds available for individuals and families experiencing homelessness. This work provides the City with unique insight on how the existing Equal Access Rule has benefited individuals in need of housing services and support as they pursue housing stability.

The Equal Access Rule requires recipients of HUD's Community Planning and Development funding, including owners, operators, and managers of shelter, to grant equal access to such facilities and services in accordance with an individual's gender identity. The Rule also requires that these services be provided in a manner that affords equal access to the individual's family. The Equal Access Rule has protected access to HUD-assisted housing and shelter for individuals regardless of sexual orientation or gender identity since 2012, following a robust public comment and engagement process. Housing providers, domestic violence support groups, and civil rights advocacy organizations overwhelmingly supported the rule in 2012, and the following expansion of the rule in 2016.

HUD's proposed rule would dismantle the existing Equal Access Rule and require HUD-funded programs to place individuals in programs in accordance with an individual's biological sex, as opposed to their self-identified gender identity. These changes would force members of the trans community who are experiencing homelessness to stay in shelters that are not welcoming or safe for them, due to harassment or threats of physical violence. In addition to making the shelter an uncomfortable and unwelcoming space for trans people, it may similarly impact cisgender shelter participants, as a biological woman could be sharing the space with a trans male, who is biologically a woman, and vice versa. If an individual is unable to find shelter opportunities that align with their gender identity, they may decide to remain unsheltered for their own safety, despite resources being available.

At a time when homelessness remains a challenge for many communities and affordable housing is scarce, cities and service providers can't afford to exclude anyone from shelter unnecessarily. Under the proposed rule, if an individual does not have any form of ID, which many people experiencing homelessness lack, the shelter will have to spend valuable time and resources verifying an individual's gender, adding additional delay and bureaucracy to the process.

Additionally, the proposed rule puts local jurisdictions at risk of violating the Fair Housing Act and violates the California Fair Employment and Housing Act (FEHA), which prohibits discrimination based on sexual orientation and gender identity, among other protected characteristics. The rule does not adequately outline HUD's authority to preempt state law. If implemented, the rule would expose local agencies to unnecessary legal risk, which detracts from the ability to provide services while they are already constrained by high demand and limited resources.

The proposed rule will result in fewer people receiving services and more people living unsheltered on streets in every community across the country. Targeting an already vulnerable population will not decrease the number of people experiencing homelessness and will only make it harder for cities, continuums of care, and service providers to build the trust needed for an individual to accept services. Again, the City strongly urges HUD to withdraw the proposed rule and keep the Equal Access Rule in place so that anyone seeking services can access them with confidence.

Thank you for the opportunity to comment on these proposed rules. Please contact Sarah Patterson, Manager of Government Affairs, at Sarah.Patterson@longbeach.gov for any questions or further information regarding these comments.

Sincerely,

THOMAS B. MODICA
City Manager