



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 20410-0500

**RE: Public Comment on HUD Proposed Rule: Equal Access to Housing in HUD Programs
FR-6518-P-01 (April 28, 2026)**

Dear Secretary Turner,

Thank you for the opportunity for AIDS Foundation Chicago (AFC) and Pride Action Tank (PAT), a project of AFC, to provide comments on the Department of Housing and Urban Development's ("HUD") proposed rule, *Equal Access to Housing in HUD Programs Revisions* (the "Proposed Rule"), published on April 28, 2026.

My name is Kim L. Hunt, and I serve as Vice President of Special Projects and Innovation at AFC as well as Executive Director of Pride Action Tank at AFC, a nonprofit agency based in Chicago, Illinois. AFC's mission is to mobilize communities to create equity and justice for people living with and vulnerable to HIV or other chronic conditions. PAT's mission is to co-create opportunities with LGBTQ+ community members and our allies to dream, define and enact strategies that create conditions for our collective liberation in Illinois. We have been providing and advocating for housing as healthcare for over 40 years.

AFC and our community partners provide critical life-saving services to people across Chicagoland. We are proud to partner with the Chicago and Illinois Departments of Public Health to co-lead statewide efforts to align with the goals and objectives of [Getting to Zero Illinois](#), our shared plan to end the HIV epidemic in Illinois. Further, AFC's Care Division is a national leader in driving positive health outcomes for our clients. Our experience and data have shown us that with uninterrupted health care, stable housing, and other vital supports, people can live long and healthy lives with HIV. AFC served 8,247 people living with HIV through case management, housing, emergency financial assistance, and food support.ⁱ Additionally, Pride Action Tank has connected numerous LGBTQ+ individuals to resources and policy changes that have led to improved opportunities for the most vulnerable in our community. We submit this comment because changes to the Equal Access Rule would directly affect the populations we serve and our ability to serve them effectively.

PAT/AFC strongly oppose the proposed changes to the rule entitled *Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs* (the “Equal Access Rule”) and urges HUD to withdraw the Proposed Rule in its entirety. We are concerned that the Proposed Rule would be harmful to people living with and vulnerable to HIV as well as the LGBTQ+ community overall and be especially devastating for the transgender and gender nonconforming (“TGN”) community. Further, the Proposed Rule would make it extremely difficult for LGBTQ+-affirming service providers to operate. Repealing the Equal Access Rule would threaten the safety and dignity of many individuals and force shelters and other HUD funding recipients into discriminatory practices.

I. The Proposed Rule Would Harm and Discriminate Against the TGN Community

Through our work, we have seen firsthand the barriers LGBTQ+ individuals—especially transgender and nonbinary people—face in accessing safe housing. These lived experiences are reflected in research findings.

A study by the Williams Institute at the University of California-Los Angeles (UCLA) found that 17% of LGBTQ+ adults have experienced homelessness in their lifetime, more than twice the rate of the general population, with 20% experiencing homelessness before age 18.ⁱⁱ

According to Chapin Hall at the University of Chicago, LGBTQ+ youth are 120% more likely to experience homelessness than their non-LGBTQ+ peers.ⁱⁱⁱ

Research has shown that homeless individuals are 16x more likely to acquire HIV than the general population.^{iv} Additionally, among adults living with HIV, transgender people experience the highest rate of unstable housing or homelessness (29%), compared with 18% among cisgender men.^v Homelessness among TGN individuals is part of a broader pattern of structural inequities. Due to persistent discrimination, many TGN individuals face economic insecurity, increasing their risk of housing instability. Findings from the 2022 U.S. Transgender Survey indicate that 30% of respondents reported experiencing homelessness at some point in their lives.^{vi}

The shelter environment itself often presents additional barriers. Nearly 26% of transgender individuals who experienced homelessness reported avoiding shelters due to fear of mistreatment.^{vii} Additionally, 71% of transgender survivors of domestic violence reported being denied shelter because of their gender identity.^{viii} More than half of transgender individuals report that finding alternative shelter would be extremely difficult if denied access.^{ix}

In our work at AFC and PAT, we have observed that individuals who are unable to access safe, affirming shelter are more likely to remain in unsafe environments or become unsheltered, increasing their risk of violence, exploitation, and untreated health conditions. The Equal

Access Rule was designed to address these barriers, and its removal would reverse critical progress.

HUD's original implementation of the Equal Access Rule aligns with federal law. In *Bostock v. Clayton County*, the U.S. Supreme Court affirmed that discrimination based on gender identity or sexual orientation constitutes sex discrimination under the Civil Rights Act.^x This precedent reinforces the legal and moral imperative to maintain protections for LGBTQ+ individuals in federally funded programs.

II. The Proposed Rule Undermines Service Providers and Creates Unsafe Conditions

Since the Equal Access Rule took effect, providers have seen increased access to shelter for transgender individuals.^{xi} The Proposed Rule threatens to reverse this progress, forcing individuals into unsafe conditions, including remaining in abusive households or unsheltered environments.^{xii}

Data show that 8% of respondents in the 2022 U.S. Transgender Survey were expelled from their homes due to their gender identity.^{xiii} Additionally, the prevalence of HIV is significantly higher among individuals who have experienced homelessness.^{xiv} Our work has shown over and over again that stable housing increases the likelihood that an individual will become virally suppressed. In 2025 AFC and our partners, including our subsidiary, the Center for Housing and Health provided 2,048 individuals with housing and supportive programming and 78% of these individuals were virally suppressed. According to CDC data published this year, viral suppression among all people living with HIV in the US is 69%.^{xv} Clearly, policies that increase housing instability will directly harm public health efforts.

Unsheltered individuals face increased exposure to violence, barriers to medical care, and challenges in maintaining consistent treatment. Among people living with HIV, housing stability is essential to achieving positive health outcomes. Any policy that increases housing instability undermines years of public health progress.

The Proposed Rule also creates serious operational and ethical challenges for service providers. By allowing providers to request “reasonable assurances” of a person’s sex, the rule opens the door to invasive and degrading practices.^{xvi} Individuals—both transgender and cisgender—may be subjected to intrusive questioning or examinations or denied shelter altogether.

This would undermine trust between providers and clients, create unsafe environments, and conflict with the mission of organizations like ours that are committed to providing equitable and dignified care. Providers could face federal penalties—including loss of funding—for maintaining inclusive practices.^{xvii} This creates an untenable situation where organizations must choose between compliance and their core values.

III. Conclusion

The Proposed Rule defies decades of learning, lived experience, development of evidence-based interventions and sound public policy. On the contrary, HUD has presented no evidence demonstrating a need for the Proposed Rule. The Equal Access Rule is not merely a regulatory framework—it is a critical protection that ensures safety, dignity, and equitable access to shelter in Chicago and beyond.

For these reasons, Pride Action Tank/AIDS Foundation Chicago strongly urges HUD to withdraw the Proposed Rule in its entirety and maintain the existing Equal Access Rule.

Thank you for the opportunity to provide these comments. Please contact me at khunt@aidschicago.org with any questions.

Sincerely,



Kim L. Hunt
Vice President, Special Projects & Innovation,
AIDS Foundation Chicago
Executive Director, Pride Action Tank

Endnotes

ⁱ AIDS Foundation Chicago Annual Report 2025

ⁱⁱ Wilson, B., Kyu Choi, S., Harper, G., Lightfoot, M., Russell, S., & Meyer, I. (2020). *Homelessness Among LGBT Adults in the US*. Williams Institute UCLA School of Law. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Homelessness-May-2020.pdf>

ⁱⁱⁱ Chapin Hall. *Voices of Youth Count: LGBTQ Youth Homelessness in America*.

^{iv} Storholm, E.D., Klein, D.J., Pedersen, E.R, D'Amico, E.J., Rodriguez, A., Garvey, R., Tucker, J.S. (2024). Sociodemographic and Behavioral Risk Correlates of PrEP Interest and Use Among Young Adults Experiencing Homelessness in Los Angeles, *AIDS and Behavior*, 28(4), 1216-1226.

^v CDC, *Transgender Women Experiencing Homelessness – National HIV Behavioral Surveillance Among Transgender Women, Seven Urban Areas, United States, 2019-2020* (MMWR, 2024)

^{vi} James, S. E., et al. (2024). *2022 U.S. Transgender Survey Early Insights*.

^{vii} James, S. E., et al. (2016). *2015 U.S. Transgender Survey*.

^{viii} National Coalition of Anti-Violence Programs (2016).

^{ix} Mahowald, L., et al. (2020). *Center for American Progress Poll*.

^x *Bostock v. Clayton County*, 590 U.S. 644 (2020).

^{xi} SAGE (2025); National Alliance to End Homelessness (2025).

^{xii} Staff, T. (2025, February 7) HUD's Equal Access Rule Suspension Endangers Transgender Women. Transvitae.com <https://www.transvitae.com/huds-equal-access-rule-suspension-endangers-transgender-women/>

^{xiii} 2022 U.S. Transgender Survey.

^{xiv} USTS Health & Wellbeing Report (2025).

^{xv} CDC, *National HIV Prevention and Care Objectives: 2026 Update* <https://www.cdc.gov/hiv-data/nhss/national-hiv-prevention-and-care-objectives-2026.html>

^{xvi} 91 Fed. Reg. 22780 n.10 (April 28, 2026).

^{xvii} 91 Fed. Reg. 22780 n.10 (April 28, 2026).