

**RECOMMENDATION**  
**COMMISSION ON IMMIGRANT AFFAIRS**  
**20140908005B**  
Regarding the Tenant Based Rental Assistance (TBRA) Vouchers  
City of Austin, Texas

Regarding the Immigrant Eligibility Restriction created by the City of Austin's 2013-2014 contract with the Housing Authority of the City of Austin (HACA) regarding the administering of HOME funds for Tenant Based Rental Assistance

WHEREAS, the City of Austin and Travis County have significant diverse immigrant populations and welcome them in our city and county; and

WHEREAS, according to the 2010 U.S. Census approximately 18% of residents are foreign-born; and

WHEREAS, the median household income of immigrants is \$22,325 and 42% of immigrants earn less than \$15,000 a year compared to 34% of all native born individuals at the same income level; and

WHEREAS, approximately 1 in 5 immigrants in Travis County lives below the federal poverty level with 35% of the foreign-born population living in or near poverty; and

WHEREAS, prior to August 2013, HACA was allowing "mixed families" - those with members with differing immigration status - access to Tenant Based Rental Assistance (TBRA), which benefits homeless families at SafePlace (the local domestic violence and rape crisis center) and at the Salvation Army enrolled in the "Passages" program, at a pro-rated amount, based on the number of family members that qualified for HUD housing assistance; and

WHEREAS, following the execution of the most recent contract between the City of Austin and HACA, HACA staff informed Passages leadership on August 30<sup>th</sup>, 2013, that, effective immediately, every member of a Passages family applying for TBRA must be a US citizen (USC) or qualified immigrant, thus forcing mixed immigrant families out of their housing; and

WHEREAS, the legal basis for this new inclusion of full family immigration eligibility restrictions is unclear;

THEREFORE, be it:

RECOMMENDED, That  
Austin City Council re-visit this recent restriction applied to homeless mixed families living in Austin with the City's Legal Department, and request a determination from HUD Regional Counsel, William Daley, in Fort Worth (817.978.5990) as to whether HUD HOME funds would fall under different restrictions or whether any entity administering these funds would need to honor the pro-ration regulations for mixed families.

PASSED by the Commission on Immigrant Affairs on September 8, 2014.

Unanimously approved by the Commission on Immigrant Affairs on a 5-0 vote with Chairman, Peter Shen absent.

Attest:  
Connie H. Gonzales Staff Liaison