

April 21, 2026

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

**Re: HUD's Verification of Eligible Status Proposed Rule  
(Docket No. FR-6524-P-01)**

To Whom it May Concern:

The National Housing Conference (NHC) appreciates the opportunity to comment on the U.S. Department of Housing and Urban Development's (HUD) proposed rule revising verification requirements for U.S. citizenship or eligible immigration status in covered HUD programs and making prorated assistance temporary. NHC strongly opposes the proposed rule and requests that it be withdrawn. It would upend a longstanding policy framework that has balanced statutory compliance, family stability, administrative feasibility, and prudent stewardship of scarce federal housing resources for more than three decades. HUD's concerns over immigration issues can and should be addressed through appropriate enforcement of existing laws, not wholesale eviction of families who are in this country legally, including tens of thousands of U.S. citizens.

NHC is a politically diverse, nonpartisan 501(c)(3) coalition representing housing stakeholders across the industry including financial institutions, for-profit and nonprofit developers, consumer advocates and civil rights organizations. Since 1931, NHC has played a central role in shaping federal housing policy, contributing to the development of landmark legislation including the National Housing Act of 1937, the Housing and Community Development Act of 1968, the Housing and Economic Recovery Act of 2008, and the Homeowners Assistance Fund of 2021.

We are alarmed by the agency's proposal that will lead to the displacement of an estimated 20,000 households that will face the decision of either separating their families or losing their housing assistance.<sup>1</sup> Moreover, HUD estimates that 80% of those households include children, meaning that approximately 36,000 children, the majority of which are U.S. citizens, would experience housing instability and an increased likelihood of homelessness.<sup>2</sup> As a result, this policy would exacerbate an already growing homelessness crisis. This damage would be both predictable and self-inflicted. Further, the proposal would have a chilling effect on other eligible, vulnerable populations, such as the elderly, people with disabilities, and those exiting homelessness, who may struggle to produce the required documentation and risk losing their housing as a result. Importantly, the current prorated assistance structure already ensures that federal subsidies are not provided on behalf of ineligible individuals.

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<sup>1</sup> <https://www.cbpp.org/research/federal-budget/executive-action-watch?item=30507>

<sup>2</sup> <https://www.regulations.gov/document/HUD-2026-0199-0006>

The proposal isn't just misguided housing policy; it is bad budget policy. Making the prorated housing assistance temporary would cause taxpayers to pay more to house fewer families. Because mixed-status families do not require a full subsidy payment, it will cost the program more to replace those families with households who will require full subsidy payments. HUD's own Regulatory Impact Analysis estimates the costs of this difference to be between \$311 to \$385 million in order to maintain the same number of assisted households, with no additional funding mechanism to address that gap. The costs of implementing the proposal are further estimated to be between \$17 and \$33 million for responsible entities and tenants.<sup>3</sup> These added financial pressures would strain already thin operating margins, likely resulting in reduced investment in maintenance, capital improvements, and resident services that help ensure safe, decent housing units.

The government-directed unhousing of nearly 80,000 people will likely result in tens of thousands of additional homeless people. According to the National Alliance to End Homelessness, a chronically homeless person costs the taxpayer an average of \$35,578 per year.<sup>4</sup> For every 10,000 additional homeless people, the cost to the taxpayer will be as much as \$355 million.

Finally, the rule would impose significant administrative burdens on public housing authorities, affordable housing providers, and landlords. Expanded documentation and reporting requirements would create an unfunded mandate, discouraging participation by private owners and financial partners and threatening the public-private partnerships that are essential to preserving and expanding our nation's affordable housing stock. This runs counter to the Administration's goal of regulatory streamlining and undermines its most recent economic report highlighting the costs of regulation for affordable housing.<sup>5</sup> The job of housing providers has always been, and should remain, providing and maintaining housing—not acting as immigration enforcement entities.

The retroactive effect of the proposal is particularly troubling. Applying this change to existing assisted households would punish families who entered housing in reliance on a clear and longstanding regulatory framework and who may have structured work, caregiving, and schooling around that stability. If HUD nevertheless proceeds, any final rule should at minimum be limited to new admissions, preserve existing households from displacement, and provide a meaningful transition period that minimizes abrupt loss of assistance.

For these reasons, the only responsible course of action is full withdrawal of the proposed rule. If HUD elects to proceed, the policy should, at a minimum, apply only to new program entrants and avoid retroactive enforcement that would trigger widespread displacement.

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<sup>3</sup> <https://www.regulations.gov/document/HUD-2026-0199-0006>

<sup>4</sup> <https://endhomelessness.org/wp-content/uploads/2024/10/Cost-Savings-from-PSH.pdf>

<sup>5</sup> <https://www.whitehouse.gov/releases/2026/04/2026-economic-report-of-the-president-released/>

The central, unavoidable consequence of this rule would be to inflict immense hardship on thousands of families, particularly children who are U.S. citizens or have legal resident status. The proposal would force mixed-status families into an impossible choice: either separate from their loved ones to keep their housing or face eviction and the risk of homelessness. At a time of profound and growing housing need, it is indefensible for HUD to advance a policy that actively diminishes its capacity to serve vulnerable households and presents no clear benefits to the program or its stakeholders. We respectfully ask that HUD withdraw the proposal.

Sincerely,



David M. Dworkin  
President and Chief Executive Officer