

Setting the Record Straight:

HUD's Harmful Proposal to Evict Mixed-Status Immigrant Families

The U.S. Department of Housing and Urban Development (HUD) published a proposed rule that would prohibit “mixed-status” immigrant families from living in public housing and Section 8 programs. Mixed-status families contain both members who are eligible and ineligible for housing assistance based on their immigration status. As a result of this proposal, 25,000 families, including 55,000 children, will be forced to either break up their family or face eviction and an increased risk of homelessness.

During his testimony before the House Financial Services Committee and media interviews, HUD Secretary Ben Carson and the Trump administration have asserted that this proposal is in the best interest of low-income families. **We are setting the record straight.**



HUD MYTH:

The proposed rule will help U.S. citizens get off the wait list for housing assistance.

FACT:

HUD's own [analysis](#) states that this policy will not reduce waiting lists; instead, it will result in fewer families receiving the housing assistance they need. By law, mixed-status families do not receive housing assistance for any ineligible family members. Taking assistance away from mixed-status immigrant families to give assistance to other households would require HUD to provide full subsidies for each resident, costing the government at least \$193 million. HUD admits that to pay for these additional costs, the agency could be forced to reduce the quality and quantity of assisted housing, such as providing fewer Section 8 vouchers *for everyone*. This proposal would only exacerbate the housing crisis and lead, in worst cases, to increased homelessness.

Blaming struggling families will not fix the long waitlist for housing assistance. The real issue is the lack of funding to ensure that every family who is eligible for HUD assistance has access to one of the most basic of human rights—a safe, accessible, and affordable place to call home. Instead, the Trump Administration has repeatedly proposed severe cuts to housing assistance.

HUD MYTH:

A roof over someone's head can't be prorated.

FACT:

Under current law, HUD already prorates rental assistance to only cover eligible family members. The family must pay for the remaining rent out of pocket. In this way, HUD *is* essentially prorating the roof over the family's head. When enacting the law, Congress wanted to ensure that people legally eligible for assistance could remain in strong, stable families while making clear that ineligible individuals would not receive any assistance. Under HUD's proposed rule, mixed-status families will face the impossible choice of either breaking up their families so that some members can continue to receive assistance or staying together and facing eviction and potentially homelessness.

HUD MYTH:

The proposed rule will close a loophole allowing ineligible people to receive assistance.

FACT:

Under current law, ineligible individuals do not receive housing assistance. HUD assistance is prorated to only cover eligible family members. Ineligible family members receive no assistance. There is no loophole; there is only a policy that allows families to live together in safe, accessible, and affordable homes. HUD's proposed policy would create a loophole by allowing the agency to take housing assistance away from one set of eligible U.S. citizens and legal residents to give assistance to another set.

HUD MYTH:

The proposed rule only impacts households with members who are undocumented.

FACT:

Contrary to HUD's assertions, the proposed rule is not about keeping undocumented immigrants out of the public housing and Section 8 programs. As explained above, existing federal law already prohibits undocumented individuals from receiving housing assistance. Furthermore, immigrants with legal status would also be impacted by this rule. There are legal immigrants who are ineligible for federal housing assistance and live in mixed-status households with their assistance prorated or decreased. These individuals would also face eviction or family separation under this rule. Currently, legal immigrants ineligible for public housing or Section 8 programs include student visa holders, employment visa holders, U-visa holders (for victims of violence), recipients of Deferred Action for Childhood Arrivals (DACA), and Temporary Protected Status recipients.

HUD MYTH:

The proposed rule won't affect U.S. citizens.

FACT:

The proposed rule would affect the over nine million U.S. citizens and 120,000 elderly immigrants currently receiving assistance. The rule establishes new, burdensome documentation requirements that will disproportionately impact residents who are elderly or have disabilities in the public housing and Section 8 programs and face tremendous obstacles accessing the documentation necessary under the proposed rule.

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