

# Talking Points on HUD's Proposed Mixed-Status Family Rule

## EFFECTIVE MESSAGING OFTEN FOLLOWS A VPSA MODEL: VALUE, PROBLEM, SOLUTION, ACTION

On May 10, 2019, the U.S. Department of Housing and Urban Development (HUD) published a proposed rule that would prohibit "mixed-status families" from living in public housing and Section 8 programs. Mixed-status families are households that include both members who are eligible and ineligible for housing assistance based on their immigration status. Current law allows members of mixed-status families to live together in subsidized housing so long as the housing subsidy is decreased to prohibit the ineligible members from receiving assistance. Importantly, just because a household member is an "ineligible" immigrant, it doesn't mean that they are undocumented. Immigrants can have legal status and still not be eligible for public housing and Section 8 programs.

The rule would further require all residents under the age of 62 to have their immigration status screened through the Systematic Alien Verification for Entitlements Program (SAVE), which is operated by the Department of Homeland Security. Families with members who are deemed "ineligible" will be evicted from subsidized housing after 18 months or sooner. Additionally, the rule would impose new citizenship and immigration documentation requirements for U.S. citizens and individuals 62 years old or older. Citizens and the elderly who are not able to provide proof of citizenship and immigration status will be at risk of losing their assistance and facing homelessness.



### LEAD WITH A SHARED VALUE

- We all share the concern that millions of U.S. households struggle to find affordable housing in the ongoing nationwide housing crisis.



### DESCRIBE THE PROBLEM

- HUD recently proposed a rule that would force families of mixed immigration status to break up to receive housing assistance, to forego the assistance altogether, or face termination from the programs.
- Blaming struggling families will not fix this problem. The real issue is the lack of sufficient 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.
- This rule will directly impact thousands of immigrant families' access to housing and will have a chilling effect that puts thousands more at risk of homelessness.
- The proposed rule is not about keeping undocumented immigrants from benefiting from federal housing assistance. The law already prohibits undocumented immigrants from accessing these subsidies.
- Just because someone is "ineligible" for public housing and Section 8 doesn't mean that they are undocumented. There are immigrants with legal status who are "ineligible" and live in mixed-status households with their assistance decreased.

- HUD's own analysis shows that more than 55,000 children, who are U.S. citizens or otherwise eligible to receive housing benefits, could face eviction under the proposed rule.
- Nine million U.S. citizens currently receiving HUD assistance and about 120,000 elderly immigrants are at risk of losing their housing assistance, if they cannot meet the proposed rule's new requirements to provide proof of citizenship or immigration status.
- While HUD claims the agency proposed the rule out of concern for long wait lists, this rule will reduce the number of subsidies provided to families. By getting rid of mixed-status families, about \$200 million new dollars would have to be provided to families with all eligible members. To pay for the higher costs, HUD would be forced to reduce the quality and quantity of assisted housing.
- If the Trump Administration were truly concerned about the affordable housing crisis, it would not have repeatedly proposed severe cuts to housing assistance.
- The proposed rule will continue to engender fear and chaos among immigrants and their families and cause thousands of eligible families to forgo their housing assistance and face homelessness.
- The proposed rule will be administratively burdensome to implement for housing authorities and private owners of Section 8-assisted properties. Housing providers will be forced to focus their resources on terminating and evicting families, while diverting resources away from property maintenance and the employment-related resident services they already provide to pay for additional staff and regulatory compliance. These additional burdens could deter private housing providers from participating in the Section 8 programs, worsening the affordable housing crisis.



## FRAME THE SOLUTION

- To address our affordable housing crisis and ensure everyone has a safe, accessible, and decent affordable place to call home, the Trump Administration with Congress should make significant new investments in affordable housing resources, rather than blame families of modest means, regardless of their immigration status.



## SHARE THE ACTION

- We need elected officials of all levels, organizations, and individuals to publicly call on the Administration to rescind the proposed mixed-status rule and to submit comments to the HUD detailing the harm it would do to our communities.

For more information, visit [www.keep-families-together.org](http://www.keep-families-together.org), or contact Sonya Acosta, NLIHC Policy Analyst, at [sacosta@nlihc.org](mailto:sacosta@nlihc.org), or Karlo Ng, NHLP Supervising Attorney, at [kng@nhlp.org](mailto:kng@nhlp.org).

