

April 20, 2026

Regulations Division
Office of General Counsel
Department of Housing and Urban Development
451 7th Street SW, Room 10276
Washington, DC 20410-0500

Re: Comments on Interim Final Rule: Revocation of the 30-Day Notification Requirement Prior to Termination of Lease for Nonpayment of Rent, Docket No. FR-6529-I-01

To Whom It May Concern:

The Council of Large Public Housing Authorities ("CLPHA") submits these comments in support of the U.S. Department of Housing and Urban Development's ("HUD") Interim Final Rule published in the Federal Register on February 26, 2026, revoking the 30-day notification requirement prior to termination of lease for nonpayment of rent, Docket No. FR-6529-I-01 (the "Interim Final Rule"). CLPHA is a non-profit organization that works to preserve and improve public and affordable housing through advocacy, research, policy analysis, and public education. CLPHA supports the nation's largest and most innovative public housing authorities ("PHAs") by advocating for policies and programs that most effectively serve low-income residents and provide them with long-term economic opportunities. Our members own and manage nearly half of the nation's public housing program, administer a quarter of the Housing Choice Voucher ("HCV") program, and operate a wide array of other housing programs. CLPHA members collectively serve over one million low-income households.

As CLPHA's Chief Executive Officer, La Shelle Dozier, stated upon publication of the Interim Final Rule:

“CLPHA appreciates HUD’s action to revoke the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 requirement for PHAs to provide 30 days’ notice prior to termination for nonpayment. While research shows that PHAs make every effort to avoid terminating residents, the 30-day notice requirement creates unnecessary administrative burdens and additional liabilities for PHAs. Revoking this requirement restores state and local authority over eviction notification procedures and returns to the standard notification requirements that existed prior to the implementation of the CARES Act.”

— La Shelle Dozier, Chief Executive Officer, Council of Large Public Housing Authorities

CLPHA's support is grounded in the practical realities facing PHAs across the country, and we write to elaborate on the reasons why this Interim Final Rule represents sound policy, while also urging HUD to ensure that appropriate tenant protections and supportive services remain available to residents.

I. Revoking the 30-Day Notice Requirement Reduces Unnecessary Administrative Burden on PHAs

CLPHA strongly supports the revocation of the 30-day notice requirement as an important step toward reducing unnecessary administrative burden on PHAs. As CLPHA documented in its January 30, 2024, comments on the 2023 Interim Final Rule, the uniform federal 30-day notice mandate imposed a HUD-directed mechanism on all PHAs regardless of whether local circumstances, state law, or PHA policies already provided equivalent or superior protections for residents.

The 2024 final rule required PHAs to amend all current and future leases to incorporate the 30-day notice requirement, provide tenants with notice of those amendments, and develop systems to track compliance. These obligations came at significant administrative cost and without corresponding funding from HUD to support implementation. For those PHAs that already had comparable policies in place, the rule created not only duplicative administrative burden, but also potential liability for technical violations arising from minor procedural deviations. HUD's own data confirms that national Tenant Accounts Receivable for 2024 represented over a 200% increase from 2019 pre-pandemic levels, underscoring that the extended notice period did not achieve the intended outcome of meaningfully reducing evictions or resolving rent arrears.

The Interim Final Rule appropriately returns HUD's regulations to the pre-2021 framework, which provides PHAs with notice timelines ranging from 5 to 30 days depending on the program. These timelines remain consistent with state law requirements and the operational realities of managing affordable housing.

II. Revoking the Requirement Restores Critical State and Local Authority

One of the most significant concerns with the 2024 final rule was its displacement of state and local authority over eviction notification procedures. Eviction law is fundamentally an area of state and local governance, and the wide variation across jurisdictions reflects the legitimate diversity of housing markets, court systems, and tenant-landlord relationships nationwide.

Many states and localities have enacted their own robust tenant notification requirements, some of which provide protections equal to or greater than the federal 30-day mandate. By imposing a uniform federal floor regardless of state law, the 2024 rule created tension and complexity in jurisdictions where existing state and local frameworks were already working effectively. The Interim Final Rule's return to standards that accommodate state and local law, requiring notice "in accord with the rental agreement and state law" for nonpayment terminations under the Section 8 programs, is a more appropriate approach.

CLPHA urges HUD to continue deferring to state and local authority on eviction procedures and to refrain from imposing uniform federal notice requirements that override or complicate existing state and local frameworks. PHAs are deeply embedded in their communities and are well-positioned to work within applicable state and local law to serve residents effectively.

III. PHAs Exhaust Extensive Interventions Before Eviction and Evict Only as a Last Resort

A central premise of the 2024 final rule was that PHAs need a federally mandated extended notice period to connect residents with resources and prevent evictions. This premise does not reflect the on-the-ground reality of how PHAs operate. PHAs do not treat eviction as an enforcement tool of first resort. On the contrary, PHAs are on the front lines every day working proactively with residents to prevent loss of housing and ensure that families have access to available resources.

Typical PHA interventions prior to initiating any formal eviction action include:

- Early and ongoing outreach to residents facing rent delinquency, including phone calls, letters, and in-person contact from housing counselors and property managers;
- Income redetermination and rent recalculation upon notification of job loss, income reduction, or changed household circumstances to ensure that tenant rent contributions accurately reflect ability to pay;
- Negotiation of repayment agreements and payment plans that allow residents to address arrears over time while remaining housed;
- Referrals to emergency rental assistance programs, community action agencies, social services, and legal aid organizations;
- Hardship exemption processes that allow residents to reduce or temporarily waive minimum rent obligations;
- Coordination with case managers, social workers, and supportive services for residents facing complex challenges, including mental health issues, disabilities, and domestic violence; and
- Grievance procedures that provide residents with an opportunity to contest the grounds for termination before any formal eviction action.

These efforts reflect both the mission of public housing, which is to provide stable, safe, and affordable housing for low-income families, and the practical reality that it is more cost-effective for PHAs to keep residents housed than to pursue eviction and unit turnover. Federal mandates that presuppose PHAs are not already taking these steps mischaracterize PHA operations and impose duplicative requirements without adding meaningful resident protection.

IV. HUD Should Ensure Residents Retain Access to Safe, Stable Housing Opportunities

While CLPHA supports revocation of the 30-day notice mandate, we urge HUD to address several considerations that are essential to ensuring that residents, particularly the most vulnerable, retain meaningful access to safe, stable, and affordable housing:

A. Additional Rental Assistance Funding

The most effective tool for preventing evictions is ensuring that residents can pay their rent. CLPHA reiterates its longstanding call for HUD to provide additional rental assistance resources, including Emergency Rental Assistance Program (ERAP)-type funding, to help residents resolve rent arrears. Mandating procedural delay through extended notice requirements without providing accompanying financial resources to cure the underlying nonpayment does not address the root causes of eviction. HUD should work with Congress to provide new funding streams that directly assist residents in paying rent and remaining housed.

B. Addressing the Conflict Between PHA Performance Scoring and Tenant Protections

As CLPHA noted in its 2024 comments, there is a fundamental tension between HUD's goals of preventing evictions and the metrics used in the Public Housing Assessment System ("PHAS"). PHAs that provide residents with additional time to cure rent arrears, through informal repayment agreements, extended outreach, or voluntary adherence to practices more protective than the minimum federal standard, may nonetheless be penalized under PHAS scoring for elevated Tenant Accounts Receivable (TARs) and delayed unit turnover. CLPHA urges HUD to modify PHAS scoring metrics to ensure that PHAs are not penalized for pursuing best practices that support residents, including by excluding rent arrears subject to active repayment agreements from TAR calculations.

C. Preservation of PHA Authority to Provide Enhanced Local Protections

While CLPHA supports the revocation of the federal 30-day mandate, we wish to be clear that PHAs should retain full authority to implement notice procedures that exceed the federal minimum where local conditions, state law, or PHA policy warrants. Many PHAs have adopted best practices that provide residents with substantial notice and opportunity to cure before any eviction is filed, not because they are required to do so by federal regulation, but because it reflects their commitment to keeping residents housed. The Interim Final Rule appropriately removes the federal mandate while leaving PHAs free to maintain or adopt policies that are more protective of residents.

CONCLUSION

CLPHA supports the Interim Final Rule revoking the 30-day notice requirement and commends HUD for restoring regulatory flexibility to PHAs and returning authority over eviction notification procedures to state and local law. PHAs are committed to keeping residents housed and exhaust extensive outreach, assistance, and intervention before pursuing eviction. The 30-day federal mandate imposed administrative burdens and liabilities on PHAs without providing the funding or policy reforms necessary to address the root causes of nonpayment.

At the same time, CLPHA urges HUD not to treat revocation of this requirement as the end of HUD's responsibility to support resident housing stability. HUD must address the underfunding crisis, provide additional rental assistance resources, and align PHAS performance metrics with the realities of tenant support work. Keeping families housed requires not only appropriate procedural rules but also adequate resources, holistic policy alignment, and a recognition of the critical role PHAs play in providing a safety net for our nation's most vulnerable households.

Thank you for the opportunity to submit these comments. CLPHA looks forward to continued engagement with HUD on these important issues.

Respectfully submitted,

A handwritten signature in black ink that reads "La Shelle Dozier". The signature is written in a cursive, flowing style.

La Shelle Dozier
Chief Executive Officer
Council of Large Public Housing Authorities (CLPHA)