

**Guidance Regarding EIV-SAVE Mandate and Corrective Actions for PHAs
(as of February 19, 2026)**

This Guidance addresses key legal and operational considerations arising from the Enterprise Income Verification (“EIV”) Systematic Alien Verification for Entitlements (“SAVE”) Tenant Matching Report identified in two letters recently issued by HUD’s Office of Public and Indian Housing (“PIH”) to Public Housing Agencies’ (“PHAs”) Executive Directors.

I. Recommended Approach to Implementing HUD’s Directive

Based on our reading of the December 16 and January 22 Letters, as well as communications with and representations made by HUD since the Letters were issued, we understand that HUD’s stated intent of the directive regarding the EIV-SAVE Report is merely to ensure that PHAs meet their current compliance requirements under Section 214. As such, we recommend taking the following approach to implement PIH’s directive:

1. **Follow Existing Verification Hierarchy:** Continue to adhere to the verification procedures established under Section 214 and its implementing regulations, only requesting additional documentation when required under existing regulations. Avoid repeated requests for evidence for the same individual unless a particular individual is identified in the EIV-SAVE Report.
2. **Prioritize Accuracy Over Speed:** Given reported inaccuracies in the EIV-SAVE Report, do not take adverse action without additional evidence. Attempt to first clarify discrepancies through internal review of individuals’ documentation of citizenship or eligible immigration status.
3. **Document Good Faith Efforts:** Maintain records of all review steps, including staff time, correspondence, and verification activities. If certain actions cannot be completed within the January 22 Letter’s 30-day window, PHAs should document operational constraints and efforts made to meet the expectation. This will help demonstrate good-faith compliance in the event of HUD monitoring or enforcement inquiries.
4. **Review Implementation Procedures:** Review internal workflow procedures for potential streamlining and addressing administrative burdens with compliance obligations.
5. **Seek Clarification Where Needed:** Where HUD guidance is vague or contradictory regarding timelines or scope of required action, communicate in writing with the EIV Help Desk at EIV_Help@hud.com to confirm expectations. This helps preserve agency discretion while providing a record of compliance efforts.
6. **Exercise Reasonable Discretion:** In areas where HUD “strongly encourages” additional documentation, apply discretion consistent with statutory authority under Section 214 and

its implementing regulations. PHAs are not required to exceed statutory verification obligations in a manner inconsistent with the law.

Based on our understanding of PIH's directive regarding the EIV-SAVE Report and subsequent conversations with HUD, we believe that following these steps should allow PHAs to implement the directive while mitigating operational risk, minimizing unnecessary administrative burdens, and adhering to Section 214's requirements.

II. Potential Consequences and Next Steps

HUD may issue additional notices or letters to clarify timelines and verification expectations. HUD may also formalize the mandates alluded to in the December 16 and January 22 Letters through formal rulemaking. In the interim, PHAs should be prepared to produce documentation demonstrating verification steps, corrective actions, and good-faith efforts to meet deadlines as discussed in this Guidance. PHAs, along with CLPHA, should also monitor the Federal Register for future notices of proposed rulemaking issued by HUD and be prepared to submit comments addressing any concerns with the proposed rules.

We recommend that PHAs follow Section 214's verification procedure, prioritize accuracy, document all implementation efforts, and exercise their statutory discretion to implement PIH's directive regarding the EIV/SAVE Report. We encourage PHAs to carefully document actions taken, seek clarification when needed, and remain vigilant for potential monitoring or guidance updates from HUD.