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## Non-Citizen Rule Talking Points

- The proposed policy is without any valid justification and is punitive, unnecessary, disruptive, and expensive.
  - 1) No law has changed to justify a re-interpretation of Section 214.
  - 2) HUD's only justification for the change is its own new reading of the "intent" of Section 214.
  - 3) In its own analysis, HUD admits that over 100,000 people would be evicted or terminated from assistance, a majority of whom are children. HUD notes that some families will fearfully vacate "voluntarily."
  - 4) Fewer families will be served by the covered programs as program costs rise. HUD estimates a cost of \$372-437 million in the first year of the policy change for administration of subsidies to new families and increases in subsidy costs.
  - 5) Costs imposed on PHAs will also increase as a result of screening requirements on all household members at recertification, tracking of families, and the need to follow through on evictions and terminations.
- Housing assistance provided to mixed status families is prorated and non-citizens within eligible households are not subsidized.

Section 214 of the Housing and Community Development Act of 1980 explicitly authorizes both those with eligible and ineligible immigration status to occupy units in "covered" housing programs so long as there is pro-ration of assistance.

- The proposed rule would make significant changes to the treatment of mixed status families, and put PHA staff in a position of enforcing immigration laws.
  - 1) It would require all members of a household to have eligible immigration status, including the leaseholder.
  - 2) It would eliminate the ability to pro-rate the subsidy received by a family that permits occupancy by households with at least one person with eligible immigration status.
  - 3) It would require PHAs to verify the eligible immigration status for all household members through SAVE.
- The proposed rule would have harmful impacts on residents and communities.

- 1) 25,000 mixed status families could see their assistance terminated and be rendered homeless.
- 2) The rule would deny eligible minor children their right to receiving housing assistance if their parent does not have eligible immigration status.
- 3) Much like the proposed rule for public charge, the rule would have a chilling effect on individuals and communities.
- 4) By imposing new eligibility requirements for mixed status families currently receiving assistance, lease compliant families would be unnecessarily punished.
- 5) Families would be broken apart if the family asks non-citizen household members to leave in order to maintain their assistance.
- 6) By proposing an immediate effective date without any “grandfathering,” the rule would create a particularly disruptive and expensive situation for affected families.