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SUBMITTED VIA REGULATIONS.GOV

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

Re: Establishing Flexibility for Implementation of Work Requirements and Term Limits, Docket No. FR-6520-P-01, RIN 2501-AE15

To the Regulations Division, Office of General Counsel:

The undersigned organizations submit this comment in strong opposition to the U.S. Department of Housing and Urban Development's ("HUD") Notice of Proposed Rulemaking, "Establishing Flexibility for Implementation of Work Requirements and Term Limits" ("Proposed Rule").¹ Permitting public housing agencies ("PHAs") and owners of HUD-assisted housing to take away housing assistance from residents because of strict cutoff dates and documentation requirements will lead to more people experiencing eviction and, in worst cases, homelessness. This Proposed Rule, characterized by HUD as offering local "flexibility," would in fact pave the way for states to mandate these counterproductive and harmful policies. We urge HUD to withdraw the Proposed Rule.

The undersigned organizations believe everyone deserves to live in a safe, accessible, and affordable home. Federal rental assistance programs help more than 10 million people² – including families with children, older adults, people with disabilities, full-time caregivers, and workers paid low wages – stay housed.³ Those who do get housing

¹ 91 Fed. Reg. 10,016 (Mar. 2, 2026).

² Center on Budget & Policy Priorities. (2025). United States Federal Rental Assistance Fact Sheet. Retrieved from: <https://www.cbpp.org/sites/default/files/atoms/files/12-10-19hous-factsheet-us.pdf>

³ Acosta, S., & Gartland, E. (2025). To Better Meet Record Levels of Need, Keep Families Housed, Congress Must Increase 2025 Funding for Housing Assistance. Center on Budget and Policy Priorities. Retrieved from: <https://www.cbpp.org/research/housing/to-better-meet-record-levels-of-need-keep-families-housed-congress-must-increase>; 91 Fed. Reg. 10,016, 10,019 (Mar. 2, 2026) (noting that 1 in 4 eligible families access HUD assistance).

assistance still confront gaps in childcare and elder care, inadequate support with skill-building and job placement, and a job market of unstable “gigs” with unpredictable hours. Time limits and work requirements will do nothing to address these systemic barriers. Contrary to HUD’s assertions, implementing harsh program rules to move families off assistance will not eliminate the need, or oversubscribed waitlists, for affordable housing. In fact, if implemented, the Proposed Rule will exacerbate the affordable housing crisis, rather than alleviate it. HUD should withdraw this proposal and instead work with Congress to address the decades of underfunding federal affordable housing programs.

Burdensome Work Reporting Requirements and Time Limits Jeopardize Housing Assistance for HUD Tenants

Adoption of the requirements and limits outlined in the Proposed Rule would create more barriers to housing stability for individuals and families. HUD argues that the Proposed Rule “would provide an important tool for PHAs and Owners to manage local demand for limited housing assistance resources.”⁴ Yet, forcing very-low-income families out of HUD-assisted housing will not solve the underlying shortage of affordable units for families;⁵ rather, time limits and work requirements will force families into housing insecurity and homelessness.

Time Limits Will Take Away Assistance from Families Who Need It. Though the Proposed Rule calls these “term limits,” calling up a positive association with limiting elected officials’ time in office, “time limits” more accurately describes what the rule actually proposes: to allow PHAs and HUD-assisted owners to terminate housing assistance to families at the two-year mark of their tenancy. According to a 2025 analysis, a two-year time limit on HUD rental assistance would put approximately 3.3 million people (including 1.7 million children) at risk of losing their homes.⁶ Nearly 2 million of those at-risk tenants live in a household where at least one member is working.⁷ Limiting rental assistance in turn increases the likelihood of people facing homelessness.⁸ Black and Latino renters would be disproportionately impacted due to historic discrimination, including in housing.⁹

HUD’s Proposed Work Requirements Will Mean Onerous Reporting and Tracking for Families. HUD’s Proposed Rule allows PHAs and owners to require tenants to engage in up to 40 hours of “work activities” per week, which will impose programmatic red tape on families (and housing providers, discussed below). If household members are working, they will now have to document

⁴ 91 Fed. Reg. at 10,019.

⁵ See NLIHC, *The Gap: A Shortage of Affordable Homes*, at 11 (2026), available at: <https://nlihc.org/gap>.

According to NLIHC research, in the United States, there are 11 million renter households with extremely low incomes, yet only 3.8 million rental units affordable and available to such households.

⁶ Fischer, W., & Gartland, E. (2025). Rental Assistance Time Limits Would Place More Than 3 Million People — Half of Them Children — at Risk of Eviction and Homelessness. Center on Budget and Policy Priorities. Retrieved from: <https://www.cbpp.org/research/housing/rental-assistance-time-limits-would-place-more-than-3-million-people-half-of-them>.

⁷ Fischer & Gartland, *supra* note 6.

⁸ Fischer & Gartland, *supra* note 6.

⁹ Fischer & Gartland, *supra* note 6.

their work and track their compliance. This will prove especially difficult for residents with jobs with inconsistent hours per week. Other residents will be forced to demonstrate eligibility for exemptions. The exemption process will likely create barriers for residents who are older (but not old enough to be exempt) and those experiencing disabilities who may rely on in-home support or accommodations to manage paperwork. Each additional requirement imposed upon HUD households creates another opportunity for missed compliance, and in turn, jeopardizes their housing.

HUD’s Proposed Rule Includes Insufficient Exemptions. The exemptions HUD outlines in its Proposed Rule have significant gaps. For example, HUD’s proposal does not exempt caretakers for children ages six and older from work requirements. This means that individuals will be left to navigate childcare, work, and other responsibilities without adequate supports. The Proposed Rule’s age range of 18 to 61 as the baseline for work requirements fails to account for the needs of older adults not yet 62, such as the fact that older workers often face employment discrimination and are forced into early retirement.¹⁰ There is also no parent or caretaker exemption for time limits under the Proposed Rule.

Furthermore, under HUD’s proposal, elderly or disabled people could still be displaced. For example, they could still be subject to time limits if they live in a household that is considered non-exempt under the Proposed Rule.¹¹ They could also be negatively impacted if a non-exempt household member fails to meet their individual work requirements.¹² In such scenarios, their housing stability could be placed in jeopardy due to circumstances beyond their control, as an entire household could face displacement because of one member’s noncompliance.¹³

The Proposed Rule is Rooted in False Stereotypes About HUD-Assisted Families

The Proposed Rule is rooted in false, harmful stereotypes that people who receive rental assistance do not work. In fact, most people in HUD-assisted housing who can work, do work.¹⁴ However, many working people still need rental assistance to help them afford housing because housing costs far exceed wages. According to National Low Income Housing Coalition research, the average U.S. worker making minimum wage needs to work 116 hours a week (almost 3 full-time jobs) to “afford a modest two-bedroom rental home at Fair Market Rent,” and 97 hours per week for a modest one-bedroom rental.¹⁵

The baseline policies HUD proposes – 2-year time limits and 40 hours of work activities per “work-eligible adult” per week – are far stricter than what Moving To Work agencies have

¹⁰ Kye, J. (2026). HUD’s Proposal on Work Requirements and Time Limits Would Take Away Housing Assistance From Older Adults, <https://justiceinaging.org/huds-proposal-on-work-requirements-and-time-limits-would-take-away-housing-assistance-for-older-adults/>

¹¹ Kye, *supra* note 10.

¹² Kye, *supra* note 10.

¹³ Kye, *supra* note 10.

¹⁴ Mazzara A. & Sard, B. (2018). [Chart Book: Employment and Earnings for Households Receiving Federal Rental Assistance](#). Washington, DC: Center on Budget and Policy Priorities.

¹⁵ NLIHC, *Out of Reach: The High Cost of Housing* (2025), at 13, <https://nlihc.org/oor>.

chosen to adopt, or even the benchmarks in the President’s FY27 proposed budget.¹⁶ Such an approach makes the Proposed Rule appear punitive and overly focused on removing families from assistance, even when doing so could force them into homelessness.

The Proposed Rule Would Impose Additional Burdens, And In Some Places, Unfunded Mandates on Housing Providers

The adoption of time limits and work requirements will create administrative burdens for housing providers. To adopt these changes as HUD envisions, housing providers would need to pay for and provide supportive services, track work requirement compliance and length of tenure, evaluate exemptions, and more. HUD has announced no new or additional oversight to monitor implementation of time limits and/or work requirements.

Although the Proposed Rule does not mandate the adoption of work requirements or time limits, HUD is attempting to empower states to mandate these policies.¹⁷ In jurisdictions that adopt laws mandating work requirements, time limits, or both, implementation will be required. In short, this will force an unfunded mandate upon housing providers who are already operating with limited resources. In fact, many housing authorities¹⁸ are contending with budget shortfalls. In the Proposed Rule, HUD identifies no specific funding sources that can be used to support implementation of these policies, and HUD is not providing additional funding for housing providers. As INLIVIAN (formerly Charlotte Housing Authority) shared in their comments on the Proposed Rule, “Work requirement and term limit programs are resource-intensive to build and sustain. They demand strong staff capacity to design policy, create supportive processes, track compliance, and coordinate wraparound services.”¹⁹ If implemented, the Proposed Rule would leave housing providers in jurisdictions that mandate such policies with time limits and/or work requirements they did not ask for, with no additional federal funds, and yet with considerable added responsibilities such as establishing supportive services for residents.

Furthermore, time limits interrupt predictability for housing providers, including private landlords who accept Housing Choice Vouchers (HCVs). Without the promise of longer-term stability, landlords will be less likely to rent to voucher holders. HUD should be focusing on ways to work more cooperatively with private landlords who rent to voucher families, not undermining one of the main advantages for housing providers of the HCV program.

¹⁶ The President’s FY27 budget proposal would mandate time limits and work requirements, but with a benchmark of 5-year time limits and an average of 20 work hours per week.

¹⁷ See e.g., HUD Press Release, “ICYMI: Secretary Turner & Governor Sanders in Fox Digital: ‘Why HUD’s proposed rule is a springboard to the American Dream’” (Mar. 13, 2026) (“This proposal would finally allow Arkansas to empower all public housing agencies and Section 8 residents in the state to move towards self-sufficiency, as the law intends.”).

¹⁸ U.S. Department of Housing and Urban Development Office of Public and Indian Housing. (2026). Notice PIH 2026-10: Implementation of Public Housing Operating Fund Shortfall Funding from Federal Fiscal Year 2026 Appropriations. Retrieved from: <https://www.hud.gov/sites/default/files/hudclips/documents/PIH-2026-10.pdf>

¹⁹ INLIVIAN, “Public Comment on HUD Proposed Rule on Work Requirements and Term Limits,” HUD-2026-0298-0116, (Mar. 23, 2026), <https://www.regulations.gov/comment/HUD-2026-0298-0116>.

HUD Must Withdraw this Proposed Rule

In closing, if finalized, HUD's Proposed Rule would threaten housing security, advance policies unfairly maligning HUD families, and burden housing providers. The undersigned organizations strongly urge HUD to withdraw this proposal in its entirety and instead work with policymakers to ensure that everyone has access to a safe, accessible, and affordable home.

Sincerely,

National Low Income Housing Coalition
American Civil Liberties Union Foundation
Cancer Support Community San Francisco Bay Area
Center for Elder Law & Justice
Children's HealthWatch
City of Goleta
Coalition on Homelessness and Housing in Ohio
Coalition on Human Needs
Community Economic Development Association of Michigan (CEDAM)
County Welfare Directors Association of California
Crossroads Urban Center
Dignity Alliance Massachusetts
Disability Rights California
Disability Rights Ohio
East Bay Housing Organizations
ECHO Housing & Community Development
Empower Missouri
Faith in New Jersey
Forgotten Stones
Glide Foundation
Homeless and Housing Coalition of Kentucky
Housing & Homelessness Alliance of Vermont
Housing Alliance DE
Housing Assistance Council
Housing Development Corporation of Hampton Roads
Housing For All Tennessee
Housing is a Human Right Orange County
Housing Network of Rhode Island
Independence Alliance
Indivisible Tri-Hamlet Unites
Intermountain Fair Housing Council
J Steiner & Associates
Kings Tulare Homeless Alliance
Legal Aid DC
Legal Key Partnership for Health and Justice
Maine Affordable Housing Coalition
Metropolitan Interfaith Council on Affordable Housing (MICAH)

National HIV/AIDS Housing Coalition
National Legal Aid & Defender Association
NYCHA TAEd
Ohio Olmstead Task Force
Osprey Compliance Collective
Para Los Niños
Personal Disability Consulting
Phoenix Legal Action Network
Prosperity Indiana
Rhode Island Coalition Against Domestic Violence
Rochester Housing Authority
SF Tenants Union
Southern Oregon Housing for All
The Tenant Rights Clinic at Oklahoma City University School of Law
The Washington Legal Clinic for the Homeless
Urquhart Development LLC
Washington Low Income Housing Alliance
Washtenaw Housing Alliance
Watts Labor Community Action Committee
West Indianapolis Development Corporation