



National Association of Residential Property Managers

April 21, 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 “Housing and Community Development Act of 1980: Verification of Eligible Status” (Docket No. FR-6524-P-01)

To Whom It May Concern:

The National Association of Residential Property Managers (NARPM®) submits these comments in response to the Department of Housing and Urban Development’s Notice of Proposed Rulemaking (NPRM) entitled “Housing and Community Development Act of 1980: Verification of Eligible Status,” published in the Federal Register on February 20, 2026. NARPM® represents thousands of professional residential property managers across the United States who manage single-family and small residential properties. The large majority of our members who participate in HUD-assisted housing programs do so through the Housing Choice Voucher (HCV) program, managing properties on behalf of private owners who have chosen to accept HCV tenants under Housing Assistance Payment (HAP) contracts with their local Public Housing Authority.

NARPM® takes no position on the underlying immigration policy question of who should or should not be eligible for HUD housing assistance. That is a question of law and federal policy properly resolved by Congress and the Department. We respect HUD’s authority to make those determinations. Our interest in this rulemaking is limited to the practical consequences for HCV property owners and their managers — the men and women who provide and manage the private housing stock on which the voucher program depends.

Within the HCV program, the Public Housing Authority is the responsible entity under Section 214. The PHA administers the voucher, conducts eligibility determinations, and manages the verification process. The private property owner and manager are not responsible entities under this rule and are not subject to its reporting obligations. We recognize that structure, and our comments reflect it. Our concerns are practical ones: what happens at the property level when a PHA acts on an eligibility determination, and whether HCV owners and managers will have the clear guidance and legal protection they need to respond appropriately.

I. The Elimination of Prorated Assistance Creates Financial Risk for HCV Owners

NARPM® takes no position on whether mixed-status families should continue to receive HUD housing assistance. That is a policy determination for HUD and Congress. We do, however, have significant concerns about the financial consequences for HCV property owners and managers when the prorated assistance model is eliminated and a household's voucher is terminated as a result of this rule.

Under the current prorated model, a mixed-status household in the HCV program remains housed. The eligible family members receive assistance, the ineligible members' share of rent is paid by the household, and the HAP contract between the owner and the PHA remains intact. The unit is occupied, rent is collected, and the owner's financial position is secure.

When a PHA terminates a voucher because a household is found ineligible under this proposed rule, the owner is left in a fundamentally different position. The HAP contract ends. The household may remain in the unit without assistance, creating a situation where the owner must either absorb a significant rent shortfall or initiate eviction proceedings. In markets where voucher tenants make up a meaningful share of a manager's portfolio, simultaneous voucher terminations could create serious financial disruption with little warning and no mechanism for relief.

HUD's own Regulatory Impact Analysis acknowledges that the proposed rule will result in fewer households receiving housing assistance absent an increase in appropriations, and that mixed-status families currently pay proportionately higher rents than fully eligible households. That revenue loss affects not only PHAs but also the private owners whose participation makes the HCV program function. NARPM® urges HUD to consider the financial consequences for HCV property owners when prorated assistance ends, and to provide owners with clear guidance on the transition process and their options when a household's voucher is terminated.

Beyond the immediate revenue impact, lease termination itself carries direct costs that owners and property managers would bear as a direct consequence of complying with this rule. These include legal fees associated with serving proper notice and, where necessary, prosecuting eviction proceedings under state law; court costs and filing fees; property management time and administrative overhead associated with processing a federally directed termination; and the costs of preparing and re-leasing the unit, including any period of vacancy. These are real, quantifiable costs that arise not from any action or fault of the owner, but solely from a federal policy determination. NARPM® urges HUD to establish a mechanism by which owners and property managers may be compensated for reasonable, documented lease termination costs that are directly and demonstrably caused by eligibility determinations made under this rule. If HUD determines that mixed-status families must vacate assisted housing, the financial burden of implementing that determination should not fall entirely on the private housing providers who had no role in creating the circumstances that led to it.

II. The Compliance Timeline Creates Operational Burdens for HCV Property Managers

The proposed rule would require mixed-status households to provide documentation of eligible immigration status within 90 days of the final rule's effective date, with a possible 30-day extension. For all other households, documentation would be required at the next annual or interim recertification. While the PHA administers these processes, HCV property managers are directly affected by their outcomes.

When a recertification results in a change in a household's eligibility status, the property manager must respond: updating lease terms, coordinating with the PHA on HAP contract modifications, managing any change in the household's rent obligation, and, in the event of termination, initiating and managing eviction proceedings in compliance with state landlord-tenant law. A compressed 90-day window in which a significant number of households across a portfolio may simultaneously require this level of attention is not operationally realistic for managers who operate with lean staff and broad portfolios.

NARPM® urges HUD to extend the compliance timeline to no less than 12 months from the effective date of any final rule, and to issue clear procedural guidance to PHAs and housing owners describing the step-by-step process for managing eligibility transitions in an orderly and legally defensible manner.

III. HCV Owners and Managers Need Clear Guidance and Fair Housing Protection

Under the HCV program, the PHA makes eligibility and occupancy determinations, and the property manager acts on direction from the PHA. That division of authority is well established and appropriate. Our concern is that this proposed rule, by significantly expanding the scope and pace of eligibility-related actions, will create situations in which HCV property managers are uncertain about what they are required to do, when they are required to do it, and what legal exposure they carry for acting — or failing to act — on a PHA's determination.

National origin is a protected class under the Fair Housing Act of 1968. Actions taken at the property level in connection with voucher termination — even when taken in good faith compliance with federal requirements and at the direction of a PHA — can generate Fair Housing complaints. A property manager who initiates lease termination or eviction proceedings based on a PHA's eligibility determination may nonetheless face a Fair Housing claim. We do not believe this is an intended consequence of the proposed rule, but the rule as written would significantly expand the frequency of eligibility-driven lease terminations without providing the procedural safeguards that would protect managers from the Fair Housing exposure those terminations create. The proposed rule provides no guidance on how managers should document their actions in these circumstances, no safe harbor for managers who act in good faith on PHA direction, and no clarity on where legal responsibility lies when a compliance action is challenged.

NARPM® urges HUD to issue, alongside any final rule, clear operational guidance addressing the role of HCV property managers when a PHA makes an eligibility

determination affecting a tenancy. That guidance should confirm that HCV managers bear no independent obligation to verify immigration status or make eligibility determinations, establish a safe harbor for managers who act in good faith on written PHA direction, and address Fair Housing documentation and liability questions that will arise in practice.

IV. Summary of Requests

NARPM® respectfully urges HUD to address the following concerns in any final rule:

- Confirm explicitly that HCV property owners and managers are not responsible entities under Section 214, bear no independent obligation to verify immigration status or make eligibility determinations, and are not subject to the reporting obligations created by proposed §§ 5.508(d)(4) and 5.508(e)(2)(vi).
- Provide clear guidance to HCV property owners on the process and timeline for HAP contract modifications and terminations resulting from eligibility determinations under this rule, including the financial options available to owners when a household's voucher is terminated.
- Establish a mechanism by which HCV property owners and managers may seek reimbursement or financial assistance for reasonable, documented costs — including legal fees, court costs, administrative overhead, and vacancy losses — that are directly caused by lease terminations required under this rule.
- Extend the compliance timeline to no less than 12 months from the effective date of any final rule, and issue step-by-step procedural guidance for PHAs and housing owners on managing eligibility transitions in an orderly and legally defensible manner.
- Issue operational guidance for HCV property managers addressing their role when a PHA makes an eligibility determination affecting a tenancy, including a clear safe harbor for managers who act in good faith on written PHA direction and guidance on Fair Housing documentation and liability in that context.
- Require that all eligibility and occupancy determinations under this rule be communicated to the HCV property owner and manager in writing by the PHA before the owner or manager is expected to take any action affecting the tenancy.

V. Conclusion

NARPM® appreciates the opportunity to comment on this proposed rulemaking. Our members and the owners they serve are committed participants in the Housing Choice Voucher program and take their obligations under that program seriously. We do not oppose HUD's authority to establish and enforce eligibility requirements for assisted housing. Our goal in submitting these comments is simply to ensure that the practical consequences of this rule for HCV property owners and managers are understood, that the transition is managed in a way that is operationally workable, and that the men and women who provide housing under the voucher program have the clarity and legal protection they need to continue doing so.

The Housing Choice Voucher program depends on private property owners choosing to participate. PHAs across the country are actively working to recruit more properties into the program, recognizing that the availability of willing landlords is one of the most significant constraints on voucher utilization. We are concerned that the cumulative weight of the financial risks, operational burdens, and unresolved legal exposure this rule would create for HCV owners and managers could dissuade some from remaining in the program — or discourage prospective participants from joining it — at precisely the moment when PHAs need to be expanding, not contracting, the pool of available properties. Ensuring that owners and their managers can navigate this rule without undue disruption or uncertainty is not only fair to them; it is essential to the program's ability to serve the families it is designed to help.

We stand ready to work with HUD and with PHAs to develop practical guidance that reflects the operational realities of HCV property management. We would welcome the opportunity to discuss our concerns directly with HUD staff.

With kind regards, I am

Sincerely,

A handwritten signature in black ink, appearing to read "Troy Garrett", written in a cursive style.

Troy Garrett
NARPM® CEO