NATIONAL IMMIGRATION LAW CENTER

What Immigrants Need to Know About the New Housing Rule

On November 12, 2026, the U.S. Department of Housing and Urban Development finalized a rule that could force tens of thousands of people out of their homes. The rule will stop mixed-status families from getting help with their housing costs. It will also require U.S. citizens to prove their citizenship to get housing help. Many people may lose help they qualify for because they don't have the right documents. The rule takes effect December 14, 2026, unless it is blocked or delayed.

What was the previous rule?
For many years, family members who were not eligible for HUD housing help could still live with the eligible family members. These families received less help. The full household income was counted, including that of ineligible members. The amount of help depended on how many family members were eligible.

For example, a four-person family with one ineligible immigrant would only get 75% of the full amount (because 3 out of 4 people qualified).

What does the new rule do?
Federal law has long let mixed-status families live together in federal housing. A "mixed-status" family has some members who are eligible for support, such as U.S. citizens and immigrants with eligible status, and some immigrant family members who are not eligible. Only the eligible members receive help. Ineligible family members do not directly get help themselves but could live in the same house as the person receiving benefits.

Under the new rule, mixed-status families can no longer live together in HUD-assisted housing. If even one person in your home is not eligible, the whole family may have to move, or that person may have to live somewhere else. The rule also requires proof of citizenship, which many U.S. citizens do not have. People who cannot prove their citizenship with specific documents may have to leave their homes.

We believe the rule is illegal. Housing law does not allow this kind of discrimination. The law has not changed.

Which HUD programs are impacted?
The rule affects several major housing programs, including public housing, Section 8 Housing (including Housing Choice Vouchers), and other smaller programs.

The rule does not apply to every HUD housing program. If you are in housing that has more than one kind of funding, ask a lawyer which rules apply.

Which immigrants will be affected?
Immigrants can get HUD housing help only if they have one of these immigration statuses:

- Lawful permanent residents (also known as green card holders)
- Asylees and refugees
- Survivors of trafficking
- Self-petitioners under the Violence Against Women Act (VAWA)
- People granted withholding of removal
- Certain parolees
- People living in the United States under a Compact of Free Association

If someone is not a U.S. citizen or does not have one of these statuses, they will not be able to live in a home that gets HUD assistance. For example, a person with Temporary Protected Status is married to a U.S. citizen and has two U.S. citizen children. Under the rule, the whole family would need to move, or the TPS holder would have to live apart from them.

U.S. citizens in HUD-assisted housing will also be affected. Under this rule, citizens will have to prove their citizenship to get assistance. Citizens who cannot show the required documents may lose their housing help, even though they qualify. If you or a family member is a U.S. citizen without these documents, ask a legal services provider how to get them now.

What should families do now?
The rule does not take effect until December 14, 2026, and it could be delayed or blocked in court. Until then, mixed-status families can still live together in HUD-assisted housing, as long as at least one household member is a U.S. citizen or has an eligible status.

By January 11, 2027, housing agencies and owners must send notices to residents who have not proved their status. Mixed-status families have 90 days after the rule takes effect to show proof of status (around March 14, 2027).

Remember that family members who do not apply for or receive HUD assistance do **not** have to share their immigration status with HUD, the public housing authority, or their project owner.

Families do not need to make any housing decisions right now. Wait until your housing provider or agency contacts you. You do not have to sign a lease termination, move out, or ask a family member to leave before you talk to a legal services provider or housing counselor.

For legal help, contact a local legal aid organization or housing counselor. The National Low Income Housing Coalition has resources on direct assistance. The National Housing Law Project has a Resource Center with other information.

Many advocates and organizations will be working to try to block this rule. Lawsuits to challenge the rule have already been filed. Check back for updates. Court decisions could change what happens next.