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Regulations Division
Office of the General Counsel
Department of Housing and Urban Development
451 Seventh 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:

Housing Opportunities Made Equal of Virginia (HOME of VA) provides this comment in 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." Allowing PHAs and owners of HUD-assisted housing to take away housing assistance from residents who exceed strict time limits or who do not meet rigid work requirements will lead to more people experiencing eviction and, in worst cases, homelessness. This cruel and counterproductive rule would force thousands of individuals and families in Virginia and across the country to face eviction, and in the worst case, homelessness—a result that would deepen the housing crisis that HUD is charged with addressing. We strongly oppose this proposed rule and urge HUD to withdraw it.

Our organization is the only statewide fair housing nonprofit in Virginia. Since 1971, we have worked to eliminate unlawful housing discrimination through investigation, enforcement, education, outreach, and policy solutions. For decades, we have worked directly with low-income families, immigrants, seniors, people with disabilities, and other vulnerable communities whose housing stability depends in part on HUD-assisted programs – including many recipients of Housing Choice Vouchers through our Mobility Program where we help voucher holders in the placement of their vouchers in a timely manner. We have seen firsthand how access to stable, affordable housing is foundational to the health, wellbeing, and economic mobility of families and communities.

HOME of VA believes that everyone deserves to live in a safe, accessible, and affordable home. Federal rental assistance programs help more than 10 million people¹ – including families with children, older adults, people with disabilities, full-time caregivers, and workers paid low wages

¹ 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>

– stay housed. However, because of chronic underfunding, only one in four households that qualify receive any form of rental assistance.²

HOME of VA opposes HUD’s proposed rule to allow PHAs and project-based rental assistance owners to implement work requirements and time limits because such policies would create more barriers to housing stability for individuals and families. In fact, a two-year time limit on HUD rental assistance would put millions of families at risk of losing their homes.³ While the proposal would not require adoption of these policies, HUD’s proposed changes would allow states to mandate time limits and/or work requirements.

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.⁴ Eighty-one percent of non-disabled people without young children worked in the past year, and those who do not work attend school, are caregivers, or are ill. However, many working people still need rental assistance to help them afford housing because housing costs far exceed wages. In the Commonwealth of Virginia, a full-time worker must \$33.64 to afford the average Fair Market Rent (FMR) of \$1,749 for a two-bedroom rental home. However, the minimum wage is only \$12.41 per hour which means that many workers are making well below what they would need to make to spend 30% or less of their income, an industry standard of what is considered affordable. For a modest one-bedroom apartment, a minimum wage worker would have to work 95 hours to afford a modest one-bedroom rental home at FMR. For a modest two-bedroom apartment, a minimum wage worker would have to work 108 hours per week, approximately 3 full-time jobs. Given there is already a shortage of affordable homes for the lowest-income renters and the gap between low incomes and the high cost of housing, harmful policies like time limits and work requirements only make things harder for renters and only serve to kick people off assistance—not to increase employment opportunities or wages.

Additionally, HOME of VA asserts that HUD lacks the legal authority to implement work requirements and time limits HUD lacks the legal authority to implement work requirements and time limits. Congress has not delegated this authority to HUD. Currently, only certain federally assisted housing providers that participate in the Moving to Work program can establish work requirements and time limits. HUD’s proposed rule is a huge departure from how most HUD

² 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. 10016, 10019 (Mar. 2, 2026) (noting that 1 in 4 eligible families access HUD assistance).

³ Fisher, 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> (estimating that over 3 million people would be at risk of losing rental assistance with a 2-year time limit).

⁴ Mazzara A. & Sard, B. (2018). [Chart Book: Employment and Earnings for Households Receiving Federal Rental Assistance](#). Washington, DC: Center on Budget and Policy Priorities.

programs are currently administered by local Housing Authorities and owners of HUD multifamily housing.

The Trump Administration's two-year time limit proposal would put 79,300 people in Virginia – including 41,700 children and 48,000 people in working families – at risk of losing their assistance and facing eviction, and in worst cases, homelessness. HOME of VA serves the entire Commonwealth of Virginia and thus many of our clients and those we assist will be impacted by this mass displacement via the two-year time limit and work requirements.

Challenges for voucher holders that are getting assistance from our Mobility Team

Housing Choice Voucher landlord participation is already deeply constrained. Studies in Philadelphia, Fort Worth, and Los Angeles found voucher rejection rates exceeding 80 percent in low-poverty neighborhoods. Work requirements and time limits break the core value proposition for landlords: reliable, guaranteed rent payments. They will further reduce the pool of willing landlords, further concentrating voucher holders in higher-poverty areas with fewer job opportunities, undermining the program's own goals.

HOME of VA's Mobility team works in collaboration with the Richmond Redevelopment and Housing Authority ("RRHA") to assist voucher holders with placing the vouchers in homes within the 90-120 day time limit. Since new vouchers administered by RRHA to individuals and families have to be placed within the city limits during the first leasing period, it is even more difficult for RRHA voucher holders to find a home to place their voucher. This partnership is pivotal to ensure that voucher holders have ample assistance in the short window to find housing within the city limits. Lastly, RRHA voucher holders already encounter issues like bad conditions that housing providers often do not want to fix which leads to abatement of payments to the housing providers which in turn often leads to displacement of individuals and families with the voucher. Therefore, if there was work requirement and term limits for voucher holders, it would make things even harder for voucher holders going forward.

Below are examples of difficulties faced by many of our mobility clients:

- Most individuals receiving housing choice vouchers have spent years on the waiting list to receive one. Receiving a voucher only to have it revoked after a short time would not promote housing stability for our clients.
- Many of our clients are working moms who rely on the voucher to address the ongoing housing affordability crisis, and bring stability to their children. The moms we work with care about safety, stability, and opportunities for their children. We assist them with "move to opportunity," by providing support and counseling services to assist them in attaching their vouchers in areas that have less concentration of poverty.
- The children in these families benefit from stability and better schools; those with disabilities are often receiving services specific to their school zone, and need the housing assistance to remain in the area where their school is.
- Most of our clients are working but because many of them have lower-wage jobs, they are less likely to have benefits such as paid leave, sick leave, or consistent hours.

Employment in Virginia is at will. Adding a strict 40-hour work requirement would add layers of difficulty to moms and dads who already must attempt to arrange for the needs and care of their children, while navigating inflexible requirements of employers.

Work Requirement

If there was a work requirement that required 40 hours a week, RRHA voucher holders would struggle to maintain. Often, one parent has to stay home in order to take care of the young children. If that parent is now forced to work, there is now a need for daycare that be prohibitively costly to already low-income voucher holders. Day-care can cost a family thousands more a month and thus putting more pressure on a family that is already stretched thin. Based on the experience and expertise of our Mobility team, parents and children experience a lot of trauma and that trauma will be continued and deepened in ways that create irreparable harm. If this proposed rule were to go into place, there is no access to additional money or resources to have head of households and parents improve their education and in-turn their income so that they can afford to maintain their housing while also having minor children that need care.

2-Year Term Limit

From the perspective of our Mobility Team, RRHA voucher holders need a lot more support and resources for a two-year limit on the housing subsidy. Many voucher holders have undiagnosed or under-diagnosed mental or intellectual disabilities, and already rely on the assistance of social workers and counselors to truly transition from subsidized housing to market rate housing. Many of these voucher holders would otherwise be exempt from the term limit and the work requirement but do not have support and resources to prove they have a disability. Additionally, there needs to be national and state funding for community-based programs, medical services, and transitional housing so that voucher holders can maintain employment from both a physical and mental health standpoint. Since those resources are already sparse in the Richmond Metropolitan area compared to larger cities like New York City, many voucher holders will experience displacement and ultimately homelessness.

Housing Discrimination Implications

This proposed rule will disproportionately create irreparable harm and more discrimination for those with disabilities, including the elderly, families with minor children, and those that already face discrimination

This rule will harm exempt people with disabilities due to the additional administrative burden to prove they are exempt

Work requirements act as a barrier to participation across all programs, including for people who should qualify for an exemption from the requirements due to disability, caregiving or other factors that limit their ability to work consistently. People who are exempt from work requirements or time limits still have to submit documentation proving their exemption regularly which creates an additional administrative burden for those with disabilities and those that are elderly. HOME of VA is particularly concerned that this rule will lead to people with disabilities

and that are elderly that we advocate for will lose their housing due to mistakes and technological barriers in the additional administrative task of individuals and families.

People with disabilities will lose assistance because of work requirements, even if they are exempt. Evidence from other programs suggests that individuals with disabilities often do not receive an exemption. For example, an Ohio study found that one-third of the people referred to a SNAP employment program reported a physical or mental limitation. Of those, 25 percent indicated that the condition limited their daily activities, and nearly 20 percent had filed for Disability/SSI within the previous two years. 17 People with serious conditions that limit work but do not make it completely impossible would especially be at risk of losing benefits. CPS data finds that more than 14 percent of the individuals who would be considered “work-eligible” under HUD’s definition self-report as having a work-limiting disability.

This rule will irreversibly destabilize children and families

This proposed rule would allow a PHA to evict an entire family, including young children, because one adult member failed to meet the work hours requirement. This is not hypothetical: the Arkansas statute HUD cites as a model explicitly calls for terminating assistance for any household with a non-compliant able-bodied adult. Eviction disrupts every aspect of a family's life simultaneously. It forces children to change schools, disrupts employment, and in many cases leads directly to homelessness. A recent NBER study found that eviction significantly reduces children's academic achievement and graduation rates. Moreover, once a family loses subsidized housing assistance, they are extremely unlikely to regain it. Waitlists for housing assistance are infrequently re-opened and if you happen to be able to get re-added to the list, wait times getting off that list are between 5-10 years depending on the housing authority. A family that loses assistance due to a temporary disruption in work hours, such as an illness, a shift cut, or a caregiving emergency, faces years of consequences, not months.

Additionally, working parents and caregivers will lose assistance. The proposed rule exempts from the work requirement primary caregivers who are defined as individuals who bear primary responsibility for the care for any dependent child under the age of six years, of children or adults with disabilities in the tenant family, or of elderly or temporarily incapacitated individuals in the tenant family. Importantly, this definition leaves out parents of elementary school age kids, as well as caregivers for people with disabilities or seniors outside of the tenant family. This definition misses a lot of people with major caregiving responsibilities for people outside the immediate household, such as a grandparent providing childcare so an adult child who does not live with them can work, or an adult child providing critical assistance to a parent that allows them to live independently rather than in a care setting.

This rule will make source of funds discrimination more rampant in Virginia

Under the Virginia Fair Housing Law, there are source of funds protections for voucher holders that are trying to place their vouchers with landlords with ownership or ownership interest in four or more properties. With the term limits and work requirement, it is likely that there will be even more unlawful rejection of people with vouchers across the Commonwealth. Housing providers are likely not to take in vouchers knowing that individual or family is likely unable to

pay after the 2-year term limit, especially since many landlords prefer to have tenants that can stay and afford the rent long-term. Additionally, even if a landlord lawfully takes the voucher, that voucher holder is likely to be evicted and displaced after the term limit since it is so difficult to go from low-income to being able to afford the ever-increasing market rate after only two years.

These are just a few examples of how time limits and work requirements would harm HUD tenants. HUD should withdraw this proposal in its entirety and instead work with policymakers to ensure that everyone has access to safe, accessible, and affordable housing.

Thank you for the opportunity to comment. Please contact **Brenda Castañeda** at bcastaneda@homeofva.org for any questions or further information regarding these comments.

Sincerely,

Brenda Castañeda
Deputy Director of Advocacy
Housing Opportunities Made Equal of Virginia (HOME of VA)