



# Board of Commissioners of Cook County

118 North Clark Street  
Chicago, IL

## Legislation Text

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**File #:** 19-4750, **Version:** 1

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### **PROPOSED RESOLUTION**

#### **OPPOSING THE PROPOSED RULE FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REGARDING THE VERIFICATION OF ELIGIBLE STATUS WITHIN THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980**

**WHEREAS**, the U.S. Department of Housing and Urban Development (HUD) is tasked with addressing the country's housing needs through policy and programs, improving and developing communities, and enforcing fair housing laws; and

**WHEREAS**, on May 10, 2019, HUD published a proposed rule in the Federal Register of the United States Government that would amend the Housing and Community Development Act of 1980 to require verification of eligible status for persons receiving housing assistance; and

**WHEREAS**, the proposed rule would require the verification of the eligible immigration status of all recipients of assistance under a covered program who are under the age of 62; and

**WHEREAS**, furthermore, individuals who are not in eligible immigration status may not serve as the leaseholder, even as part of a "mixed status" family whose assistance is prorated based on the percentage of members with eligible status; and

**WHEREAS**, according to the National Housing Law Project, this rule would target "mixed-status" households, who based on their immigration status are eligible and ineligible for receiving financial assistance from HUD but who, based on longstanding federal law, can still live together; and

**WHEREAS**, Section 214 of the Act currently prohibits the Secretary of HUD from making financial assistance available to persons other than United States citizens or certain categories of eligible noncitizens in the Department's public and specified assisted housing programs; and

**WHEREAS**, HUD has indicated that this rule is needed to better align with the requirements of Section 214 which prohibits making financial assistance available to persons other than U.S. citizens, nationals, or certain eligible categories of noncitizens; and

**WHEREAS**, the Pew Charitable Trusts has reported the rule would ban every member of a household from receiving a subsidy if just one family member is ineligible, including those over 62; and

**WHEREAS**, by evicting mixed-status units that are already prorated, HUD has indicated in its own analysis of the proposal that administrative costs to cover all-eligible households would rise by approximately \$200 million; and

**WHEREAS**, HUD has stated that the increased costs would reduce the quantity and quality of assisted housing which would include fewer households under the Housing Choice Voucher Program and decreased quality of service and maintenance of units overall; and

**WHEREAS**, the #keepfamilies together campaign estimates that at the national level, 25,000 immigrant families, including 55,000 children, would be harmed by the proposed rule; and

**WHEREAS**, the Center on Budget and Policy Priorities reports that the new documentation requirements would primarily impact U.S. citizen tenants and applicants for HUD assistance such as people living on low incomes, the elderly, people who have experienced homelessness, domestic violence survivors, and people with disabilities, all who face barriers to accessing administrative records such as proof of U.S. citizenship; and

**WHEREAS**, according to a 2017 analysis of 2017 HUD administrative data from the Center on Budget and Policy Priorities, there are 4.5 million households throughout the country that receive financial assistance from HUD, and 200,700 are within Illinois; and

**WHEREAS**, of the households receiving assistance in Illinois, 5,630 are considered “mixed status,” as they have either eligible or non-eligible noncitizens; and

**WHEREAS**, the proposed rule to require verification of eligible status poses a risk to the housing stability of thousands of Illinois households and increases the barriers faced by all persons on low incomes seeking HUD assistance.

**NOW, THEREFORE BE IT RESOLVED**, that the Cook County Board of Commissioners does stand for the right to housing for all people and opposes the proposed rule on verification of eligible status issued by the U.S. Department of Housing and Urban Development;

**BE IT FURTHER RESOLVED**, that the Cook County Board of Commissioners encourages the Housing Authority of Cook County to create a plan, if the rule is finalized, to ensure that the existing families who receive assistance under these programs and who would have to either be evicted or separate have alternative low-income housing options;

**BE IT FINALLY RESOLVED**, that Cook County remains a “Fair and Equal County for Immigrants” as defined by 07-R-240 and stands against this most recent example of the coordinated attack on immigrant families by this administration.