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Department of Housing and Urban Development
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April 27, 2026

RE: HUD Docket No. FR-6529-I-0, RIN 2501-AE14 Comments in Response to Proposed Rulemaking: Revocation of the 30-Day Notification Requirement Prior To Termination of Lease for Nonpayment of Rent

To whom it may concern,

By notice issued on February 26, 2026, the Department of Housing and Urban Development ("the Department", "HUD") has published an interim final rule – subsequently a proposed rule – rescinding requirements that those operating HUD-backed rental housing provide renters on HUD-supported programs with thirty days prior notice in advance of eviction for nonpayment of rent ("the Rule.") **Hispanic Federation (HF)** respectfully submits the following comment in response to HUD request for comment on the proposed rulemaking, HUD Docket No. FR-6529-I-0, RIN 2501-AE14. Ultimately, Hispanic Federation urges the Department withdraw the Rule as likely discriminatory via disparate impact, and out of concerns over incomplete or inadequate regulatory impact analysis (RIA), and the apparent negative consequences that the Rule would cause on families, businesses, and communities, without any discernible or quantified benefit.

1. **Hispanic Federation Interest in Rule**

Hispanic Federation is a nonprofit membership and advocacy organization with a network of over 840 organizations across the country. HF is committed to empowering and advancing the Hispanic community, with a focus on low-income, marginalized, and immigrant Latines. With programs in 43 states, Puerto Rico, the U.S. Virgin Islands and the District of Columbia, HF's focus areas include immigration, economic empowerment, civic engagement, disaster relief, philanthropy, education, health, and the environment. HF also maintains ongoing immigration advocacy and welcome campaigns and meets the organizational development needs of its member agencies through grant-making and capacity-building assistance.

Per HUD's invitation to interested parties to submit relevant written data, views, or arguments on the proposed rule, we address here the Rule's likely harmful effects on housing access among multiple communities, including those with protected status against disparate impact discrimination and the likely deleterious impacts upon households irrespective of protected qualities, local economies, and community health. The elimination of the underlying protections against eviction will ultimately lead to considerable harm to the very vulnerable households whom HUD is intended to serve, while any proposed gain is only vaguely presented. As such, the Rule should be withdrawn.

2. The Status of Housing Access among Latino Communities

Housing access is a pressing problem for all Americans, but Latino communities in particular. In general, Latinos are less likely to own their homes than their peers, with the Latino homeownership rate roughly 15pp lower than the national average according to data from the St. Louis Fed.[1] Latinos are almost 50 percent more likely to embrace multigenerational living, which contribute to increased strength of familial connections[2] and can boost health outcomes among participants.[3] However, the U.S. housing stock is largely not designed to facilitate multigenerational living,[4] which can lead to exacerbated maintenance requirements and infrastructural challenges.. Latinos are more likely to live in older, less-effectively maintained dwellings, that are themselves more likely to be termed legally "inadequate." Simultaneously, Latino families are more likely to live in less desirable neighborhoods, and in buildings with more people living in the dwelling than the population at large.[5] Each of these concerns adds up to lower home values, increased health challenges, and decreased standard of living.

These concerns are only magnified in rural spaces. The housing crisis is hitting rural America with disheartening ferocity, as aging infrastructure combines with decreasing local jobs and an influx of home-based workers all taxing the capacity of rural municipalities.[6] Data assembled by rural housing coalitions present a worrying case: rural housing is more likely to be severely inadequate, plurally-occupied, and rent or mortgage burdened than suburban and urban counterparts.[7] These challenges emerge as Latinos step in to fill massive labor gaps in rural America, creating a uniquely rural component to Latino housing challenges.[8]

Such obstacles are in keeping with elevated poverty and decreased home occupancy durations among Latinos than their peers.[9] These inequities will only increase with rising housing costs. Reduced access to

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[1] https://fred.stlouisfed.org/graph/?g=wZHP (Accessed 5/2/25)
[2] Jennifer Reid Keene and Christie D. Batson, "Under One Roof: A Review of Research on Intergenerational Coresidence and Multigenerational Households in the United States," *Sociology Compass*, 4/8, 2010.
[3] Emre Sari, "Multigenerational Health Perspectives: The Role of Grandparents' Influence in Grandchildren's Wellbeing," *International Journal of Public Health*, Vol. 68, 2023.
[4] Stephanie H. Shin, "Planning for a Multi-Generational Future: Policies, Regulations, and Designs for Multi-generational Housing in the United States," Master's Thesis: Massachusetts Institute of Technology (Boston: Mass), 2010.
[5] For instance, Katrin B. Anacker, *Housing in the United* States, (Routledge: New York), 2024; Friedman and Fussell.
[6] https://ruralhome.org/rural-america-is-losing-its-affordable-rental-housing/ (Accessed 5/2/25); https://www.nbcnews.com/politics/economics/affordable-housing-shortage-reshaping-parts-rural-america-rcna181700 (Accessed 5/2/25).
[7] https://ruralhousingcoalition.org/overcoming-barriers-to-affordable-rural-housing/ (Accessed 5/2/25);
[8] https://www.ers.usda.gov/webdocs/publications/44570/29568_eib8full.pdf?v Archived: Wayback Machine, https://web.archive.org/web/20240104064742/https://www.ers.usda.gov/webdocs/publications/44570/29568_eib8full.pdf?v (Accessed 1/4/24.)
[9] Friedman and Fussell, 12.

quality, affordable housing is troubling in its own right in terms of daily standard of living. Moreover, these housing shortfalls enable dire long-term ramifications. Poor domicile conditions contribute to worsened health outcomes, reduced disaster preparedness, and Latinos' general lack of financial capital.[10] As climate change and disasters further tax home maintenance infrastructure (and therefore pocketbooks), the fiscal and housing burden on the Latino community will only increase, perpetuating housing injustice, unless robust, proactive measures are implemented.

These trends have perpetuated for decades. A 1999 review of housing challenges facing the Latino community concluded that working Latino families confront "several problems in obtaining 'safe, sanitary, and decent' housing" with those problems having only been exacerbated in the years leading up to that review.[11] Across the United States, rates of housing cost burden (defined as a household spending 30% or more of monthly income on housing costs) are high, and on the rise.[12] Even against a backdrop of a universal crisis in housing affordability, Latinos have been harder hit than other groups. During the Great Recession, Latinos were affected by the highest rate of home foreclosure in the country,[13] sending more Latino families away from homeownership to the pernicious rental market. Furthermore, research affirms that Latino households face greater rates of housing insecurity and cost burden than non-Hispanic White households, even when factoring in socioeconomic capacity and education.[14] Consequently, it is no leap of the imagination to conceive that an expansion of avenues for intentional or disparate discriminatory housing policies could prove devastating to working American families in general and Latino households in particular. With the rapid, nationwide increase in rents has come a steady, national increase in rental evictions.[15] Threat of eviction rose rapidly during the Covid-19 pandemic, with Latino and Black households facing particularly acute threats.[16] Policymakers awareness of these challenges lead to an array of protective measures, including the 2021 IFR and the 2024 Final Rule, which accorded renters in HUD-supported housing a thirty day warning window in which to avert eviction via arrears of rent payments.[17] By the Department's own admission, these policies "reduce[d] housing instability by preventing by preventing some move-outs… and by extending the time nonpaying tenants can use to prepare to move."[18] Indeed, the plausible harm from the Rule's implementation was sufficient that the Department moved to indefinitely delay implementation of the Rule following a complaint filed with the

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[10] Joshua H. West et a., "Does Proximity to Retailers influence Alcohol and Tobacco Use Among Latino Adolescents?" *Journal of Immigrant Minority Health*, 2010; Abdulrahman Jbaily et a., "Air pollution exposure disparities across US population and income groups," *Nature,* Vol. 601, 2022. Arthur Acolin, Desen Lin, and Susan M. Wachter, "Endowments and Minority Homeownership," *Cityscape*, Vol. 21, No. 1, 2019.

[11] Raul Yzaguirre, Laura Arce, and Charles Kamasaki, "The Fair Housing Act: A Latino Perspective," *Cityscape*, vol. 4, No. 3, 1999.

[12] Aarti C. Bhat, Andrew Fenelon, and David M. Almeida, "Housing Insecurity Pathways to Physiological and Epigenetic Manifestation of Health Among Aging Adults: A Conceptual Model," *Frontiers in Public Health*, 2025.

[13] Jacob S. Rugh, "Double Jeopardy: why Latinos Were Hit Hardest by the US Foreclosure Crisis," *Social Forces*, Issue 93, No 3. 2015.

[14] Claudia Aiken, Vincent Reina, and Dennis P. Culhane, "Understanding Low-Income Hispanic Housing Challenges and the Use of Housing and Homelessness Assistance," *Cityscape*, Vol. 23, No. 2. 2021.

[15] https://evictionlab.org/ets-report-2023/ (Accessed 5/2/25)

[16] H Shellae Versey," The Impending Eviction Cliff: Housing Insecurity During COVID-19," *American Journal of Public Health*, Vol. 111, Iss. 8: 2021.

[17] https://apnews.com/article/evictions-homelessness-affordable-housing-landlords-rental-assistance-dc4a03864011334538f82d2f404d2afb (Accessed 4/27/26.)

[18] Regulatory Impact Analysis, FR-6529-I-01 "Revocation of the 30-Day Notification Requirement Rule" Interim Final Rule," Feb. 26, 2026, 7. (RIA)

U.S. District Court for the District of Columbia.[19] These challenges and likely detrimental impacts alone are sufficient for Hispanic Federation to urge that the Rule be withdrawn in full.

3. Likely Discriminatory Impact of the Rule

The Fair Housing Act of 1968 as amended in 1988 is a hard-won prize of the American civil rights movement, and has enjoyed repeated bipartisan investment in its terms as Americans of all political stripes have come to recognize that the prosperity of our nation as a whole depends on the nondiscriminatory housing of its people.[20] Enacted after the assassination of Martin Luther King Jr., fresh off the coattails of his Chicago Freedom Movement which urged the adoption of Open or Fair Housing policies nationwide, the Fair Housing Act provided a blueprint by which the nation's housing stock could exit the rigors of *de jure* and *de facto* segregation in both South and North.[21]

The Fair Housing Act as drafted and amended has proven effective at eliminating the worst versions of housing segregation, including not only racially restrictive covenants and egregious marketing and real estate showing practices, but also wider spread challenges to fair housing, many stemming from what Orlando Patterson referred to as "Acts of History,"[22] including redlining, necessitated the legislation cast a wider net, including through disparate impact considerations. Nondiscriminatory access to housing, irrespective of national origin, was a core component of the response to redlining policies during the era of Jim Crow, and in the Act's maintenance in the years and decades following the Supreme Court's rulings in *Shelley v. Cramer* and *Jones v. Mayer*, ruling racially-restrictive covenants and racially-discriminatory leasing practices unconstitutional, respectively. In support of the goals of nondiscriminatory access to housing, the federal government has implemented programs designed to facilitate the entry of lower-income households into the housing market, including public housing funding, section 8 housing vouchers, and project-based housing. The resultant capacious understanding of disparate impact in housing access has undergirded housing legislation and regulatory enforcement, including the statutes whose implementation the Rule seeks to modify.

Recent research has evidenced that violations of housing protections continue to be reported to HUD and FHAPs under FHA terms, and indeed, that these reports are becoming more important as obviously discriminatory housing practices have given way to more insidious approaches.[23] Furthermore, despite assertions that Fair Housing Act violations are on the decline, quantitative research demonstrates

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[19] Department of Housing and Urban Development, "Revocation of the 30-Day Notification Requirement Prior to Termination of Lease for Nonpayment of Rent; Indefinite Delay of Effective Date," *Federal Register*, Vol. 91, No. 49: 2026, 12301-12302.

[20] For instance, Jorge Andres Soto and Deidre Swesnik, "The Promise of the Fair Housing Act and the Role of Fair Housing Organizations," *Publications of the American Constitution Society for Law and Policy*, 2012, 8; as well as Charles S. Bullock III and Charles M Lamb, "Race, Fair Housing Enforcement, and the Fair Housing Assistance Program," *Rutgers Race & the Law Review*, 25, no. 2, 2025. 236.

[21] Charles L. Nier III, "Perpetuation of Segregation: Toward a New Historical and Legal Interpretation of Redlining Under the Fair Housing Act," *John Marshall Law Review*, 32, no. 3 (Spring: 1996), 617-666.

[22] Nier, 664.

[23] Vincent Reina and Claudia Aiken, "Fair Housing: Asian and Latino/a Experiences, Perceptions, and Strategies," Russell Sage Foundation Journal of the Social Sciences, 72(2), 201-223. 217. See also Bullock (2025), 226

that not only cases but judgments in favor of plaintiffs have held relatively steady throughout the life of the Act, with some fluctuation according to national circumstances and occasional amendments to the Act and its enforcement mechanisms.[24] One need not strain to conceive conditions in which the implementation of the Rule would facilitate or exacerbate disparate impact discrimination along protected characteristics including family status, race-ethnicity, and national origin.[25] Research has shown that Latino and Black households both face disproportionately greater threat and rates thereof eviction than do non-Hispanic White and Asian peer households.[26] These disparities even exist within similar levels of income and rent-burden, as Latino and Black households have lower levels of overall household wealth and wealth liquidity, leading to greater challenges at weathering income-shock.[27] It is to be expected then that the thirty day eviction notice window helped ameliorate wealth liquidity issues among lower-income households. In turn, one can readily anticipate that removal of these provisions, and the subsequent burden of next-day evictions would fall disproportionately along racial-ethnic lines. The Fair Housing Act and its amendments were expressly designed to prevent such plausible discrimination, and the Rule would exacerbate rather than mitigate these risks.

4. **Objections to Impact Analysis**

The Department's own impact analysis undermines any sensible basis for the Rule. The Department not only recognizes that implementing the Rule would increase housing instability, but also notes that "reduced housing instability is beneficial both for the directly affected nonpaying tenants and for society in general."[28] Indeed, any policy like the Rule that reduces housing stability would have wide-ranging ramifications, from public health consequences to economic deprivation.[29] Evictions, and even threats of eviction, are particularly pernicious, however. Research has suggested that evictions lower household earnings and increase "long-term residential instability,"[30] and pose risks to both physical and mental

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[24] Charles S. Bullock III, Charles M. Lamb, and Erik M. Wilk, "Race, Ethnicity, and Fair Housing Enforcement: A Regional Analysis," *Brigham Young University Journal of Public Law,* No. 187, (2023).
[25] The Disparate Impact doctrine was, of course, upheld by the Supreme Court in *Texas Department of Housing and Community Affairs v The Inclusive Communities Project*.
[26] Deena Greenberg, Carl Gerhenson, and Matthew Desmond," Discrimination in Evictions: Empirical Evidence and Legal Challenges,"*Harvard Civil Rights-Civil Liberties Law Review*, vol. 51; Sophia Wedeen "Black and Hispanic Renters Face Greatest Threat of Eviction in Pandemic," *Joint Center for Housing Studies*, https://www.jchs.harvard.edu/blog/black-and-hispanic-renters-face-greatest-threat-eviction-pandemic, (Accessed 4/27/26.)
[27] "Understanding and Addressing Racial and Ethnic Disparities in Housing," *Bipartisan Policy Center*, 2021. https://bipartisanpolicy.org/report/understanding-and-addressing-racial-and-ethnic-disparities-in-housing/ (Accessed 4/27/26.)
[28] RIA, 7.
[29] E.g. Alexander Miller et al., "Understanding the Mental Health Consequences of Family Separation for Refugees: Implications for Policy and Practice," *Am J Orthopsychiatry*. 2018 ; 88(1): 26–37; Joanna Dreby, "U.S. immigration policy and family separation: The consequences for children's well-being," *Social Science & Medicine*, Vol. 132: 2015, 245-251; Eva-Lisa Palmtag, "Like ripples on a pond: The long-term consequences of parental separation and conflicts in childhood on adult children's self-rated health," *SSM Population Health*, Vol. 18: 2022.
[30] Robert Collinson and Davin Reed, "The Effects of Evictions on Low-Income Households," 2018.

health.[31] These findings suggest that even the greater rates of housing transfer that HUD imagines may transpire under the Rule would still nonetheless prove a societal net negative. Crucially, even the Department claims to be "uncertain which would be greater: the external costs from worsened housing instability among nonpaying assisted tenants or the external cost savings from otherwise unassisted households gaining assistance."[32] That uncertainty alone would justify withdrawing the Rule, but in conjunction with prior research clearly suggesting that the external costs would prove far more societally and individually deleterious, renders its withdrawal incumbent.

Notably, the Department fails to calculate plausible effects of the Rule on surrounding communities. Rates of homelessness and rent-burden are directly correlated with decreased economic activity,[33] lowered educational attainment,[34] public health outcomes,[35] and increased rates of intimate partner violence,[36] across entire communities.[37] Each of these would bear financial consequences for small entities, which HUD has not factored into its Regulatory Impact Analysis. These effects will only be magnified by virtue of their geographic concentration; as the Department notes, the vast majority of affected households are located in Texas, California, and New York, raising the likelihood that local economic impacts will prove salient and meaningfully deleterious for neighboring small entities. Notably, small businesses, schools, and houses of worship would all likely face decreased revenue and increased logistical and service costs downstream of increased local economic disruption stemming from the more frenetic pace of evictions the Rule would cause. Likewise, the Regulatory Impact Analysis does not present a meaningful consideration of the potential impact of the Rulemaking on family well-being, despite the obvious entanglements between eviction, homeliness, and family well-being. As such, the Rule should be withdrawn until such an analysis is duly conducted.

Moreover, these negative consequences will be disproportionately borne by Latino and other minority households in ways that the Department does not consider. As noted above, Latino and Black households both face greater risk of deportation, which would be amplified by increasing the temporal discretion provided to those who operate HUD-supported rental housing. This astonishing disproportionality raises clear disparate impact concerns. Furthermore, implementation of the Rule would almost certainly result in disproportionate exposure to natural disasters in violation of FEMA's disparate

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[31] Bruce Ramphal et al., "Evictions and Infant and Child Health Outcomes: A Systematic review," *Pediatrics*, April, 2023; Megan E Hatch and Jinhee Yun, "Losing Your Home Is Bad for Your Health: Short- and Medium-Term Health Effects of Eviction on Young Adults," *Housing Policy Debate*, Vol. 31: 2021.
[32] RIA, 7.
[33] E.g. Caroline Julia von Wurden, "The Impact of Homelessness on Economic Competitiveness," *American Security Project*, 2018. https://www.americansecurityproject.org/impact-homelessness-economic-competitiveness/
[34] John W. Fantuzzo et al., "The Unique and Combined Effects of Homelessness and School Mobility on the Educational Outcomes of Young Children," *Educational Researcher*, Vol. 41, No. 9: 2012, 393-402.
[35] E.g. findings from special issue of the *International Journal of Environmental Research and Health* on "Homelessness and Public Health: A Focus on Strategies and Solutions," Vol. 18, No. 21: 2021.
[36] Anita S. Hargrave et al., "The Impact of Intimate Partner Violence on Homelessness and Returns to Housing: A Qualitative Analysis From the California Statewide Study of People Experiencing Homelessness," *Journal of Interpersonal Violence*, Vol. 4: 2024, 1248-1270.
[37] Again, von Wurden, "The Impact of Homelessness," is instructive.

impact standard.[38] Latinos are already disproportionately vulnerable to natural disasters as a result of both geographic vulnerability[39] and built-environment factors.[40] Research has demonstrated that substandard (or nonexistent) housing increases the risks of natural disasters. That the Rule would disproportionately expose Latino households to augmented risk of already natural disasters would therefore position the Department to violate FEMA's disparate impact protections. For all of these reasons, the Rule must be withdrawn.

6. Hispanic Federation Serving Relevant Initiatives

Hispanic Federation and its network have been serving mixed-status families and Latino communities for decades through programs coordinating legal aid, representation, and culturally and linguistically competent support upon arrival. As an umbrella organization, Hispanic Federation and our network have a proven track record of designing and launching national, state-wide, and locally focused housing and immigration initiatives, including direct legal, case management, and navigation services to vulnerable migrants and asylum seekers. Programs include:

- *Florida's HELLO Program:* Through Florida's HELLO (Help, Education, Legal Assistance, Listening, Outreach) program, HF conducts monthly workshops with the Orlando Center For Justice to provide immigrant community members, including newly arrived migrants, with culturally and linguistically competent information about the immigration system in America. This includes free legal guidance with trained lawyers and staff to help participants navigate this immigration system.
- *Financial Education:* Informed financial management is a key skill for pursuing and maintaining stable housing security. Hispanic Federation's Economic Empowerment team remains committed to directly providing Hispanic individual families with essential tools for wealth building through our ongoing financial education programming throughout New York City and State on themes such as credit building, budgeting, savings, and affordable banking.
- *Rental Assistance and Shelter Programming:* In partnership with the United Way of New York City's (UWNYC) Emergency Food & Shelter Programs (EFSP), Hispanic Federation provides crucial homelessness prevention resources in the form of rental assistance, allowing New Yorkers to become current on their rental arrears and ultimately keep their homes.

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[38] FEMA has assessed under self-review that the administration is subject to disparate impact standards under 44 CFR Subpart A. https://www.usccr.gov/files/2022-09/2022-statutory-report-fema.pdf, 35, which also highlights holding precedent Franks v. Ross, 293 F.Supp.2d 599 (E.D.N.C.,2003).

[39] Environmental Protection Agency, *Climate Change and Social Vulnerability in the United States: A Focus on Six Impacts*, U.S. Environmental Protection Agency, EPA 430-R-21-003. 78-80. www.epa.gov/cira/social-vulnerability-report

[40] Melinda L. Lewis et al., "Stay or Go! Challenges for Hispanic Families Preceding Hurricanes: Lessons Learned," Journal of Family Strengths, Vol. 19: Issue 1, Article 3. 2019; Samantha Friedman et al., "Hispanic Disaster Preparedness in the United States, 2017: Examining the Association with Residential Characteristics," Cityscape, Vol. 23, Issue 3. 2021. 205-239.

7. **Conclusion**

By Department's own admission, the Rule would increase rates of evictions with scant quantified benefit. Bereft of any further extenuating circumstances, that determination would serve as suitable basis for rejection of the Rule. However, the mechanism underlying the Rule would almost certainly lead to disproportionately greater rates of eviction based on protected classes, including race-ethnicity, national origin, and family status. The Rule seems further ill-considered in the utter neglect of examination of external costs, including those upon small entities and families. These proposed changes fly in the face of our nation's Fair Housing legacy, statutes, and sensible economic policy. For all of these reasons among others listed above, Hispanic Federation urges the Department to withdraw the Rule.

Sincerely,

Julietta Lopez
Vice President for Federal Advocacy and Network Mobilization
Hispanic Federation

cc. The Honorable Scott Turner, Secretary, Department of Housing and Urban Development
Andrew D. Hughes, Deputy Secretary, Department of Housing and Urban Development
David Woll, General Counsel, U.S. Department of Housing and Urban Development
The Honorable Mike Johnson, Speaker of the United States House of Representatives, U.S. House of Representatives
The Honorable Hakeem Jeffries, Minority Leader, U.S. House of Representatives
The Honorable John Thune, Majority Leader, United States Senate
The Honorable Charles Schumer, Minority Leader, United States Senate
The Honorable Cindy Hyde-Smith, Chair, THUD Subcommittee, Committee on Appropriations, United States Senate
The Honorable Kirsten Gillibrand, Ranking Member, THUD Subcommittee, Committee on Appropriations, United States Senate
The Honorable Richard Durbin, United States Senate
The Honorable Chris Murphy, United States Senate
The Honorable Mike Flood, Chairman, Subcommittee on Housing and Insurance, Committee on Financial Services, U.S. House of Representatives
The Honorable Monica De La Cruz, Vice Chairwoman, Subcommittee on Housing and Insurance, Committee on Financial Services, U.S. House of Representatives
The Honorable Maria Elvira Salazar, U.S. House of Representatives
The Honorable Andrew Garbarino, U.S. House of Representatives
The Honorable Mike Lawler, U.S. House of Representatives
The Honorable Emanuel Cleaver II, Ranking Member, Subcommittee on Housing and Insurance, Committee on Financial Services, U.S. House of Representatives
The Honorable Nydia M. Velazquez, U.S. House of Representatives
The Honorable Ritchie Torres, U.S. House of Representatives

The Honorable Rashida Tlaib, U.S. House of Representatives