

HUD Publishes Proposed Regulations to Reduce Barriers to HUD-Assisted Housing

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On Tuesday, April 9, 2024, the Federal Register posted on public inspection a Notice of Proposed Rulemaking from U.S. Department of Housing and Urban Development (HUD) entitled, “[Reducing Barriers to HUD-Assisted Housing](#).” The proposed rule will be published on April 10 at <https://www.federalregister.gov/>.

HUD’s rule proposes that people not be automatically or categorically denied access to or be terminated from HUD-assisted housing—including public housing, Housing Choice Vouchers, and HUD multifamily housing—simply for having a criminal record. Instead, HUD is proposing that public housing agencies (PHAs) and owners of HUD-assisted multifamily housing be required, when making an admissions decision, to use an individualized assessment that only considers criminal records that are relevant to endangering health and safety of staff and residents and also provide full consideration to mitigating factors and circumstances. The proposed rule would continue to afford discretion to PHAs and assisted housing owners, while providing direction on adopting and implementing fair, effective, and comprehensive admissions and termination policies. In so doing, the proposed rule would minimize unnecessary exclusions from HUD-assisted housing, while allowing providers to maintain the health, safety, and peaceful enjoyment of their residents, their staff, and their communities.

HUD seeks public comment on this proposed rule and invites all interested parties and members of the public to submit their views, comments, and recommendations for improvement on this proposal. Comments may be submitted electronically by June 10, 2024, through www.regulations.gov or through the methods described in the proposed rule.