

TO: Housing Justice Network
FROM: National Housing Law Project (NHLP)
RE: HUD’s Proposed Rule “Establishing Flexibility for Implementation of Work Requirements and Term Limits” (FR-6520-P-01)
DATE: March 25, 2026

On March 2, 2026, the Department of Housing and Urban Development (HUD), published a proposed rule in the Federal Register which will allow for the implementation of time limits and work requirements in most types of HUD-funded rental housing: [“Establishing Flexibility for Implementation of Work Requirements and Term Limits” \(FR-6520-P-01\)](#). This memo provides NHLP’s legal analysis of the proposed rule, including a summary of HUD’s lack of legal authority to promulgate the rule, and the substantive drafting errors that appear in the rule (such as where there are discrepancies between the policies stated in the preamble and the proposed regulatory text). Starting on page 13 of this document is a comparison of the text of the proposed rule for each of the four programs it covers. The differences in the text of the rules between the four programs are highlighted for readers to easily refer to the drafting errors discussed and referenced in this analysis (**substantive differences are highlighted in yellow** and **non-substantive differences are highlighted in green**).

Comments on the proposed rule are due by Friday, May 1, 2026, at 11:59pm Eastern, and more information about how to submit comments can be found in [NHLP’s comment template](#). NHLP and our partners have created these additional resources on the proposed rule:

- [NHLP’s One-pager](#)
- [NHLP/SPLC/NLIHC/JIA/CLASP Fact Sheet on the proposed rule](#)
- [NLIHC/NHLP/CLASP State Fact Sheets with the potential impacts of the proposed rule](#)
- [NHLP’s compilation of research on work requirements and time limits](#)

NHLP anticipates publishing additional resources for advocates upon publication of a final rule. If you have any questions about this analysis, please contact Korey Lundin at klundin@nhlp.org.

1 – What Housing Programs are Covered Under the Proposed Rule?

The proposed rule applies to four core HUD-funded rental housing programs: 1) Public Housing; 2) Housing Choice Vouchers (HCV); 3) Project-Based Vouchers (PBV); and 4) Project-Based Rental Assistance (PBRA).¹ The first three programs are operated by Public Housing Agencies (PHAs). While some PHAs own and operate PBRA properties, most PBRA properties are owned and operated by private entities. A vast majority of both PHAs and private owners are eligible to implement work requirements and time limits under the proposed rule. A PHA may choose to implement a time limit or work requirement policy unless the PHA is: 1)

¹ Establishing Flexibility for Implementation of Work Requirements and Term Limits, 91 Fed. Reg. [10021](#) (March 2, 2026).

designated as a troubled performer under the Public Housing Assessment System (PHAS) or the Small Rural Public Housing Assessment; and 2) not in receivership.² Similarly, a PBRA Owner who is in default of their Section 8 Housing Assistance Payments (HAP) contract is not eligible to implement a time limit or work requirement policy.³

The proposed rule allows for the implementation of time limits and/or work requirement policies for most types of vouchers, including mainstream vouchers, stability vouchers, and the HCV homeownership program.⁴ There are a handful of exclusions for certain types of special purpose vouchers: 1) work requirements are not allowed for the Family Unification Program; 2) time limits are not allowed for the Family Unification Program when used to serve foster youth; 3) time limits and work requirements are not allowed for the Foster Youth to Independence initiative; and 4) time limits and work requirements are not allowed for the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program.⁵

2 – What Time Limit Policies Could be Implemented?

The proposed rule allows PHAs and PBRA Owners to set time limits as short as two years for some families. The only time limit policies currently in effect are those which HUD has approved through the congressionally-authorized [Moving to Work \(MTW\) program](#). No PHA in the MTW program has implemented a time limit policy as short as what the proposed rule would allow. Any time limits policy is supposed to be prospective, and the time limit would only start after a time limit policy is effectively put in place at the property.⁶

The time limit policy could be applied to all non-elderly, non-disabled families.⁷ If the head of household, co-head, or spouse of the head of household is sixty-two years or older the family cannot be subject to the time limit policy.⁸ If the head of household, co-head, or spouse of the head of household is disabled, the family cannot be subject to the time limit

² 91 Fed. Reg. [10032](#) and [10033](#).

³ 91 Fed. Reg. [10029](#).

⁴ 91 Fed. Reg. [10032](#).

⁵ 91 Fed. Reg. [10032](#).

⁶ 91 Fed. Reg. [10029](#) and [10030](#). The Supplementary Information for the proposed rule states: “A PHA’s or Owner’s decision to establish term limits would need to be prospective in application.” 91 Fed. Reg. [10024](#). There is, however, nothing explicit in the proposed HCV and PBV rules which require a PHA’s time limit policy to be prospective. These requirements of prospective application do appear in the proposed public housing and PBRA rules, but are not in the proposed HCV and PBV rules (proposed PBRA rule: “An Owner’s term limit policy may only apply to a family’s receipt of assistance after the Owner has adopted a term limit in accordance with this subpart” 91 Fed. Reg. [10029](#); proposed public housing rule: “A PHA’s term limit policy may only apply to a family’s receipt of assistance after the PHA has adopted a term limit in accordance with this subpart” 91 Fed. Reg. [10030](#)). It is not clear whether these omissions are intentional or the result of poor drafting.

⁷ 91 Fed. Reg. [10029](#), [10031](#), [10032](#), and [10033](#). The proposed time limit rule applies to more residents than the proposed work requirements rule discussed below.

⁸ *Id.* A “elderly family” is defined in [24 C.F.R. § 5.403](#): “*Elderly family* means a family whose head (including co-head), spouse, or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.”

policy.⁹ Since the proposed rule uses the specific definitions of “elderly family” and “disabled family,” it appears that families with disabled or elderly family members who are not the head, co-head, or spouse of the head of household are not excluded from the time limit policy. The proposed rule also does not exclude children from the policy.¹⁰ As written, the time limit policy does appear to cover anyone in a family who is not specifically excluded. For example, a family headed by a non-disabled, non-elderly parent with a disabled child could be subject to a two-year time limit policy.

Time limit policies do not apply “while families have been temporarily relocated pursuant to the Uniform Relocation Act, to facilitate unit repairs, rehabilitation, or during such time when the dwelling unit is located in a Presidentially declared disaster area.”¹¹ The proposed rule provides no additional guidance on this provision, so it is unclear exactly when these exceptions apply. For example, HUD has left open such questions as when the clock on the time limit stops in these scenarios. Does the clock stop once the family vacates the unit due to a Presidentially declared disaster? Or when the disaster proclamation is made? In addition, the rule authorizes a PHA or PBRA Owner to create more local exemptions to their time limit policy.¹²

According to the rule, a PHA may create different time limit policies for different properties in the project-based voucher program.¹³ It is not clear whether PHAs and PBRA Owners may create different time limit policies for different properties for public housing or project-based rental assistance. For these programs, despite the language in the preamble, the text of the proposed regulations does not explicitly authorize different time limits for different properties.¹⁴ For vouchers, the direction from HUD is even less clear. While the preamble states that a PHA could apply different time limit policies to various “HCV programs,” HUD does not elaborate on the types of programs it is referring to, nor does it appear in the proposed regulatory text. As discussed below, different time limit policies in different

⁹ *Id.* A “disabled family” is defined in [24 C.F.R. § 5.403](#): “*Disabled family* means a family whose head (including co-head), spouse, or sole member is a person with a disability. It may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides.”

¹⁰ It is not clear whether this is intentional or the result of poor drafting.

¹¹ 91 Fed. Reg. [10029](#), [10030](#), [10032](#), and [10033](#).

¹² 91 Fed. Reg. [10029](#), [10030](#), [10031](#), and [10033](#).

¹³ 91 Fed. Reg. [10033](#).

¹⁴ The Supplementary Information for the proposed rule states: “PHAs would be able to implement different term limits within and between their public housing, HCV, PBRA, and PBV programs to address local needs and goals. One such instance is local demand for a specific PBV project or public housing development, which may necessitate a different term limit than the term limits implemented at another project. Similarly, Owners which operate multiple PBRA properties would be free to implement similar or varied policies across the portfolio, but the policy for each property must be in writing and property-specific.” 91 Fed. Reg. [10024](#). There is, however, no language in the public housing, housing choice vouchers, or project-based rental assistance sections of the proposed rule explicitly allowing this. The only language allowing this appears in the project-based voucher section of the proposed rule: “PHAs may implement separate term limits in individual projects or buildings or for sets of such units.” 91 Fed. Reg. [10033](#). It is not clear whether these omissions are intentional or the result of poor drafting.

properties could have significant fair housing and anti-retaliation implications.

The proposed rule allows PHAs and PBRA Owners to terminate a family's assistance when the family reaches the end of the time limit.¹⁵ In order to terminate assistance, the PHA or PBRA Owner must provide the family with at least two notices twelve months and six months prior to the family reaching the time limit.¹⁶ The consequences of a family reaching the end of the time limit must be spelled out in the time limit policy, but can allow for adverse actions up to and including termination of the family's assistance.¹⁷ For public housing and PBRA properties, the time limit policy must be included in the family's lease.¹⁸ For the voucher programs, the policy must be included in the family's information packet.¹⁹ The rule does not provide much additional clarity on the process for how PHAs or Owners may terminate assistance of a family who reaches the end of a time limit policy.

Importantly, HUD-subsidized tenants enjoy due process protections from termination that have been codified in statute and federal regulations. The proposed rule does not discuss or mention these protections. A PHA may only terminate a public housing family's assistance "for serious or repeated violation of the terms or conditions of the lease or for other good cause."²⁰ Most PBV and PBRA assistance also have protections which only allow for termination of a family's assistance for good cause.²¹ For families in the Housing Choice Voucher Program, the grounds for a PHA to terminate a family's assistance are broader, but still provide there must be some cause for termination of assistance.²² The proposed rule also does not discuss the implications of terminating a Housing Assistance Payments (HAP) contract when a family with a HCV reaches their time limit if the timing occurs during their lease term with their landlord. In all programs, "good cause" clearly refers to tenant conduct.²³ The proposed rule does not reconcile the ability to terminate for no cause at expiration of the term limit with these existing due process protections. As such, it is not clear whether a family reaching the end of a time limit would constitute a legal basis for termination of assistance.

¹⁵ 91 Fed. Reg. [10029](#), [10031](#), [10032](#), and [10033](#).

¹⁶ 91 Fed. Reg. [10029](#), [10031](#), [10032](#), and [10033](#). The notice must state the date upon which the family will reach the time limit, the action the PHA or PBRA Owner will take, a description of the hardship policy, and the family's hearing rights.

¹⁷ 91 Fed. Reg. [10029](#), [10031](#), [10032](#), and [10033](#).

¹⁸ 91 Fed. Reg. [10023](#) and [10029](#).

¹⁹ 91 Fed. Reg. [10023](#) and [10024](#).

²⁰ [42 U.S.C. § 1437d\(l\)\(5\)](#).

²¹ [12 U.S.C. § 1715z-1b\(a\)](#), [24 C.F.R. § 247.2](#), and [24 C.F.R. § 983.257](#).

²² 24 C.F.R. §§ [982.551](#), [982.552](#), and [982.553](#).

²³ 24 C.F.R. 966.4(l)(2)(iv) (all examples of "other good cause" relate to tenant action or failure to act); 24 C.F.R. 247.3(b) ("good cause" relates to "the conduct of a tenant"); 24 C.F.R. 880.607(b)(iv) (explicitly stating that "other good cause" does not include mere expiration of first or subsequent lease term); 24 C.F.R. 982.552 (all permissible reasons for termination relate to tenant action or failure to act).

3 – What Work Requirement Policies Could be Implemented?

The proposed rule allows PHAs and PBRA Owners to create policies requiring some adults to engage in up to forty hours per week of “work activities.” The only work requirements currently in effect are those which HUD has approved through the congressionally-authorized [Moving to Work \(MTW\) program](#). No MTW PHA has tried to implement a work requirement policy which requires 40 hours per week. The voucher sections of the proposed regulatory text allow PHAs to determine whether the forty hours per week requirement is counted for just individual work-eligible adults or is counted for all work-eligible adults in the household, collectively.²⁴

Unlike the time limits policy, which applies to “families,” the work requirement policy applies to individual members of a family. A work requirement policy could only be applied to any assisted family members who are aged 18 to 61. The work requirement policy cannot be applied to family members who are: 1) disabled; 2) the primary caretaker of a disabled family member; 3) pregnant; 4) the primary caretaker for a child younger than six years old; 5) the primarily caretaker for a temporarily incapacitated individual; or 6) enrolled as a student in an institution of higher education.²⁵ A PHA or PBRA Owner may create more exemptions to their work requirement policy if they choose to do so.²⁶ A PHA may create different work requirement policies for different properties in the project-based voucher program.²⁷ It is not clear whether PHAs and PBRA Owners may create different work requirement policies for different properties for public housing or project-based rental assistance, as the proposed rule as drafted does not explicitly allow different work requirement for different properties.²⁸ It is also unclear how a PHA might create different policies for those with HCVs. As discussed below, different work requirement policies in different properties could have significant fair housing and anti-retaliation implications.

²⁴ 91 Fed. Reg. [10031](#) and [10032](#). This language allowing for the counting of the number of required hours between the entire family collectively does not appear in the public housing or PBRA sections of the proposed rule. It is not clear whether these omissions are intentional or the result of poor drafting.

²⁵ 91 Fed. Reg. [10029](#), [10030](#), and [10031](#). This list of exceptions is broader and more expansive than the list of exceptions for the time limit policy.

²⁶ 91 Fed. Reg. [10029](#), [10030](#), [10031](#), and [10032](#).

²⁷ 91 Fed. Reg. [10033](#).

²⁸ The Supplementary Information for the proposed rule states: “When considering their policies, PHAs and Owners would be able to implement different work requirements in each program, such as a difference between their public housing, HCV, PBRA, and PBV programs, to address local needs and goals. A PHA would be able to establish work requirements for a specific PBV project or public housing development which are different than the requirements applied to another PBV project or public housing development as long as they address local needs and goals in accordance with the statutory and regulatory requirements.” 91 Fed. Reg. [10022](#). There is, however, no language in the public housing, housing choice vouchers, or project-based rental assistance sections of the proposed rule explicitly allowing this. The only language allowing this appears in the project-based voucher section of the proposed rule: “PHAs may implement separate work requirements in individual projects or buildings or for sets of such units.” 91 Fed. Reg. [10033](#). It is not clear whether these omissions are intentional or the result of poor drafting.

The definition of work activities in the proposed rule uses the definition found in section 407(d) of the Social Security Act.²⁹ In addition to this definition, “self-employment” is also explicitly considered a work activity.³⁰ PHAs and PBRA Owners are allowed to add additional definitions of “work activities” to these existing definitions.³¹ The proposed rule provides very broad local discretion as to how frequently residents are required to report compliance with their work requirements to the PHAs or PBRA Owner.³² The minimum frequency is annually, but there is no limit on the frequency of reporting.³³ This broad discretion could allow work requirement policies with onerous and burdensome reporting requirements.³⁴

The proposed rule allows PHAs and PBRA Owners to terminate a resident’s assistance if they do not comply with a work requirement policy.³⁵ Unlike the proposed time limits policy, the work requirements policy does not specify any new notice requirements for termination of assistance.³⁶ The consequences of a resident not complying with a work requirement policy must be spelled out in the work requirement policy, and can include adverse actions up to and including termination of the resident’s assistance.³⁷ Like the proposed time limits policy, the proposed work requirement policy does not discuss or mention existing statutory and regulatory tenant protections from termination. A PHA may only terminate a public housing resident’s assistance “for serious or repeated violation of the terms or conditions of the lease or for other good cause.”³⁸ Most PBV and PBRA assistance also have protections which only allow for termination of a resident’s assistance for good cause.³⁹ For families in the Housing

²⁹ [42 U.S.C. § 607\(d\)](#): (1) unsubsidized employment; (2) subsidized private sector employment; (3) subsidized public sector employment; (4) work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available; (5) on-the-job training; (6) job search and job readiness assistance; (7) community service programs; (8) vocational educational training (not to exceed 12 months with respect to any individual); (9) job skills training directly related to employment; (10) education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency; (11) satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate; and (12) the provision of child care services to an individual who is participating in a community service program.” 91 Fed. Reg. [10029](#), [10030](#), and [10031](#).

³⁰ 91 Fed. Reg. [10029](#), [10030](#), and [10031](#).

³¹ 91 Fed. Reg. [10029](#), [10030](#), and [10031](#). The Supplementary Information section of the proposed rule omits “(9) job skills training directly related to employment” and “(11) satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate” from the list of work activities. 91 Fed. Reg. [10021](#). It is not clear whether these omissions are intentional or the result of poor drafting, but the actual text of the proposed rule includes them.

³² 91 Fed. Reg. [10029](#), [10030](#), [10031](#), and [10032](#).

³³ *Id.*

³⁴ As [5 CFR § 1320.8\(d\)\(1\)](#) requires, HUD is requesting comments on the potential reporting requirements of the proposed rule.

³⁵ 91 Fed. Reg. [10029](#), [10031](#), [10032](#), and [10033](#).

³⁶ The new notice requirements for compliance with a time limit policy are at 91 Fed. Reg. [10029](#), [10031](#), [10032](#), and [10033](#). Presumably, all existing notice requirements for non-compliance would apply to a work requirement policy, however, this is not explicitly stated in the proposed rule.

³⁷ 91 Fed. Reg. [10029](#), [10031](#), [10032](#), and [10033](#).

³⁸ [42 U.S.C. § 1437d\(l\)\(5\)](#).

³⁹ [12 U.S.C. § 1715z-1b\(a\)](#), [24 C.F.R. § 247.2](#), and [24 C.F.R. § 983.257](#).

Choice Voucher Program, the grounds for a PHA to terminate a family’s assistance are broader, but still provide there must be some cause for termination of assistance.⁴⁰ Given that the proposed rule does not discuss these protections, it is not clear whether a resident’s non-compliance with a work requirement policy would constitute a legal basis for termination of assistance. As the proposed rule provides broad latitude for PHAs and Owners to implement work requirement policies which could have burdensome reporting requirements, families could theoretically lose their assistance for failure to comply with submitting timely or correct paperwork. Although the work requirement rule applies only to specific residents in the family, the proposed rule allows for termination of an entire family’s assistance if there is one non-compliant resident of the household.⁴¹

4 – Supportive Services Requirements

The proposed rule requires PHAs or PBRA Owners who implement either a time limit or work requirement policy to provide some level of “supportive services” to residents.⁴² Supportive services are not explicitly defined in the proposed rule.⁴³ Instead, the Supplementary Information to the proposed rule provides a list of suggested supportive services ranging from the very simple and inexpensive option of referring residents “to a local workforce development center or other community service provider” to the very cost and time intensive options of providing residents with childcare, transportation to work, education, or health insurance.⁴⁴ PHAs and PBRA Owners are given broad discretion to create supportive services “based on local need” and may outsource the supportive services to a partner organization.⁴⁵ HUD is proposing no new oversight or monitoring of PHAs or PBRA Owners who implement work requirement policies to determine whether they are complying with the supportive services requirements.⁴⁶ HUD will instead rely on existing monitoring systems, such as an audit, compliance monitoring review, or a management and occupancy review.⁴⁷

⁴⁰ 24 C.F.R. §§ [982.551](#), [982.552](#), and [982.553](#).

⁴¹ 91 Fed. Reg. [10029](#), [10031](#), [10032](#), and [10033](#).

⁴² 91 Fed. Reg. [10023](#) and [10025](#).

⁴³ The PBV section of the proposed rule contains a citation to a definition which does not exist and which the proposed rule does not create: “The definition of supportive services is found at 24 CFR 983.3.” 91 Fed. Reg. [10032](#). There is, however, no definition of “supportive services” found in [24 C.F.R. § 983.3](#).

⁴⁴ The complete list of supportive services in the Supplementary Information of the proposed rule are: “(1) Making referrals to a local workforce development center or other community service provider; (2) Child care that provides sufficient hours of operation and serves an appropriate range of ages; (3) Transportation necessary to receive services or commute to their place(s) of employment; (4) Education, including remedial, completion of high school or attainment of a high school equivalency certificate, or in pursuit of a post-secondary degree or certificate; (5) Job training, preparation, and counseling; job development and placement and follow-up assistance after job placement; (6) Substance use treatment and counseling, and health, dental, mental health and health insurance services; (7) Training in financial literacy, such as training in financial management, financial coaching, asset building, and money management; and (8) Any other services and resources, including case management, optional services, and specialized services appropriate to assist eligible families to achieve economic independence and self-sufficiency.” 91 Fed. Reg. [10024](#) and [10025](#).

⁴⁵ 91 Fed. Reg. [10024](#) and [10025](#).

⁴⁶ 91 Fed. Reg. [10024](#).

⁴⁷ *Id.*

Note that HUD does not provide funding to housing agencies to implement the required social services which are part of this rule. PHAs cannot use Housing Choice Voucher administrative fees on supportive services if they implement a work requirement policy, and PBRA Owners cannot use project funds on supportive services if they implement a work requirement policy.⁴⁸ HUD may provide guidance in the future about what funds can be used on supportive services, but for now this is an unfunded mandate to provide supportive services if a PHA or PBRA Owner implements work requirements.⁴⁹ Similarly, the proposed rule is silent on HUD's oversight plans for the supportive service requirements if a PHA or PBRA Owner implements time limits. The proposed rule also says nothing about what funds PHAs or PBRA Owners can use to provide supportive services if they implement a time limit policy. As discussed below, this lack of HUD oversight has significant fair housing and anti-retaliation implications.

5 – Procedures for Implementing Time Limits and Work Requirements

For public housing, PHAs would be required to put their time limit or work requirement policies in their Annual Plan, Admissions and Continued Occupancy Policy and their public housing leases.⁵⁰ For the HCV and PBV programs, PHAs would be required to put their time limit or work requirement policy in their Annual Plan and Administrative Plan.⁵¹ There is no requirement that PHAs (or HUD) amend their Housing Assistance Payments (HAP) contracts or require landlords to amend either HCV or PBV leases to include their time limit or work requirement policy.⁵² For the PBRA program, Owners and PHAs would be required to include their time limit or work requirement policy in their tenant selection plan and amend their leases.⁵³ PHAs and PBRA Owners must give current residents at least three months' notice prior to implementing any time limit or work requirement policy.⁵⁴

For applicants to public housing or PBRA, PHAs and Owners must also notify applicants of any time limit or work requirement policy.⁵⁵ For voucher applicants, PHAs would be required to notify applicants of their work requirement policy.⁵⁶ There is, however, no corresponding requirement in the proposed rule requiring PHAs to inform applicants to the voucher programs about any time limit policy.⁵⁷ PHAs would only be required to provide notice of a time limit

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ 91 Fed. Reg. [10023](#) and [10030](#). PHAs would also be required to follow the requirements of [24 C.F.R. § 903](#) regarding Public Housing Agency Plans. Adding work requirements and time limits could also result in a modification to the PHA's 5-Year Plan.

⁵¹ 91 Fed. Reg. [10023](#), [10031](#), and [10032](#). PHAs would also be required to follow the requirements of [24 C.F.R. § 903](#) regarding Public Housing Agency Plans. Adding work requirements and time limits could also result in a modification to the PHA's 5-Year Plan.

⁵² 91 Fed. Reg. [10023](#) and [10024](#).

⁵³ 91 Fed. Reg. [10023](#) and [10029](#).

⁵⁴ 91 Fed. Reg. [10029](#), [10030](#), [10031](#), and [10032](#).

⁵⁵ 91 Fed. Reg. [10029](#), [10030](#), [10031](#), and [10032](#).

⁵⁶ 91 Fed. Reg. [10031](#) and [10032](#).

⁵⁷ It is not clear whether this omission is intentional or the result of poor drafting.

policy in the voucher programs when someone is signing a lease or during a voucher briefing.⁵⁸ The proposed rule's lack of required notice of a PHA's time limit policy for voucher applicants could result in applicants to the voucher programs not knowing about a PHA's time limit policy until after the PHA offers a voucher and after the family accepts the voucher.

6 – Hardship and Grievance Policies

PHAs or PBRA Owners must include a hardship policy if they implement a time limit or work requirement policy. At minimum, the hardship policy must allow residents to challenge the determination of disability status for purposes of being exempt from the application of the time limit or work requirement policy.⁵⁹ If a PHA or PBRA Owner implements a work requirement policy, the hardship policy must also allow non-compliant residents to contend they are “actively trying to comply with the agency’s work requirement, but are having difficulties obtaining work or otherwise engaging in work activity.”⁶⁰ In addition, families must have the opportunity to contend the policy does not apply because they are a family which has been temporarily relocated due to a disaster. The proposed rule does not further explain or elaborate on how these work requirement hardship policies are supposed to work in practice. The proposed rule is explicit that any time limit policy must provide notice to the resident of their right to request a hearing to challenge whether they are covered by a hardship policy.⁶¹ The proposed rule is not explicit, however, that any work requirement policy must provide notice to the resident of their right to request a hearing to challenge whether they are covered by a hardship policy.⁶² There are no requirements that hardship policies include exceptions for survivors of domestic abuse.

7 – Discretionary Nature of Rule and Potential for State or Local Mandates

Although the proposed rule is discretionary, two states have laws which could require implementation of work policies for public housing residents. In 2018, Wisconsin passed a law which requires PHAs to create “employability plans” and conduct “controlled substance abuse screening” for “able-bodied and either unemployed or underemployed” public housing residents.⁶³ Wisconsin PHAs are not currently requiring employability plans for residents, as Wisconsin has not promulgated the necessary administrative rules for implementation of the law.⁶⁴ In 2023, Arkansas passed a law which requires PHAs to implement a twenty-hour per

⁵⁸ 91 Fed. Reg. [10032](#) and [10033](#).

⁵⁹ 91 Fed. Reg. [10029](#), [10030](#), [10032](#), and [10033](#).

⁶⁰ 91 Fed. Reg. [10029](#), [10030](#), [10031](#), and [10032](#).

⁶¹ 91 Fed. Reg. [10029](#), [10031](#), [10032](#), and [10033](#).

⁶² The Supplementary Information for the proposed work requirement rule states: “The written policy should include information on how to request a hearing for review of denied hardship requests.” 91 Fed. Reg. [10023](#). There is, however, no language in the proposed work requirement rules explicitly stating this. It is not clear whether these omissions are intentional or the result of poor drafting.

⁶³ Wis. Stat. § [16.314](#).

⁶⁴ Wis. Stat. § [16.314\(3\)](#) states the Wisconsin Department of Administration “may promulgate rules establishing standards for determining whether an individual is able-bodied and either unemployed or underemployed.” The Wisconsin DOA has not proposed or promulgated these rules.

week work requirement for “able-bodied adults.”⁶⁵ The law requires that PHAs seek approval from HUD every 24 months to implement such policies; approval has been denied to date, but will presumably be granted when a final rule permitting work requirements goes into effect. It is possible other states or municipalities could attempt to require PHAs or PBRA Owners to implement time limit or work requirement policies. If any HJN members are aware of any other states or municipalities which are considering any law requiring implementation of a time limit or work requirement policy, please contact Korey Lundin at klundin@nhlp.org.

8 – Fair Housing and Anti-Retaliation Implications

The proposed rule allows PHAs and PBRA Owners to implement different time limit and different work requirement policies for different properties, raising significant fair housing and anti-retaliation concerns.⁶⁶ It also raises the possibility of a PHA or PBRA Owner targeting specific properties for potentially discriminatory or retaliatory reasons. For example, a PBRA Owner could implement a time limit policy only in the buildings in its portfolio in which residents are organizing tenant unions. A PHA could implement a time limit policy only in a public housing building with residents who have spoken up about the poor conditions of their homes. A PHA could implement an onerous work requirement policy which only applies to a building with a disproportionate number of Black residents. In heavily segregated communities, it is also possible that a time limit or work requirement policy which uniformly applies to all residents could have a disparate impact on a protected group. For example, in regions where there is routine race-based employment discrimination, a work requirement policy may be more onerous for participants of color and more likely to lead to their termination. Under the proposed rule for the PBV program, it may be possible for a PHA to implement a time limit or work requirement policy which only applies to a particular owner of PBV properties. For the voucher programs, it is possible for a PHA to have different time limit or work requirement policies which apply to different types of vouchers.⁶⁷

The proposed rule places all responsibility for implementing policies which comply with fair housing laws on PHAs or PBRA Owners.⁶⁸ The proposed rule states nothing about how, or even whether, HUD will review time limit or work requirement policies which are fashioned in a discriminatory or retaliatory manner. HUD has a statutory duty to affirmatively further fair

⁶⁵ Ark. Code Ann. § [14-169-109](#).

⁶⁶ As noted above in footnotes 14 and 28, although the Supplementary Information in the proposed rules states this is allowed, there is no language in the public housing, housing choice vouchers, or project-based rental assistance sections of the proposed rule explicitly allowing this differential treatment of different properties. The allowance of different policies to be applied to different properties is only specifically spelled out in the project-based voucher section of the proposed rule. 91 Fed. Reg. [10033](#). It is not clear whether these omissions are intentional or the result of poor drafting.

⁶⁷ The proposed rule does not discuss or engage with the potential implications of a PHA imposing time limits or work requirements in jurisdictions which have source of income protections for tenants with vouchers.

⁶⁸ “The PHA or Owner would be responsible for ensuring that implemented” time limits or work requirements “do not adversely affect participation in, benefits of, or otherwise discriminate against persons on the basis of race, color, national origin, sex, religion, familial status, disability, or other statutorily protected bases.” 91 Fed. Reg. [10023](#) and [10025](#).

housing.⁶⁹ HUD has, however, dramatically scaled back enforcement of fair housing laws.⁷⁰ Given this, and given the lack of HUD oversight in the proposed rule, there is a significant potential for PHAs and PBRA Owners to implement time limit and work requirement policies which have either a direct or disparate impact on communities which should be protected under fair housing and anti-retaliation laws. It will therefore fall on local advocates to ensure that PHAs and PBRA Owners are not implementing policies which will discriminate or retaliate against the residents in specific properties.

9 – HUD Lacks the Legal Authority to Implement Time Limits or Work Requirements

Congress has repeatedly considered and consistently rejected the broad and harsh time limit and work requirement policies in the proposed rule. For example, the Quality Housing and Work Responsibility Act of 1998 (QHWRA)⁷¹ made overarching changes affecting several statutes governing federally subsidized housing. QHWRA’s legislative history demonstrates Congress considered, and then rejected, adding time limits to the public housing and housing voucher programs. Congress imposed only a limited requirement that non-employed (or otherwise non-exempt) adults in public housing perform eight hours per month of community service or activities to promote self-sufficiency. QHWRA further mandated that each PHA “shall utilize leases” with “a term of 12 months and shall be automatically renewed for all purposes” barring noncompliance with community service requirements.⁷² Although the House’s version of QHWRA proposed a more explicit “work requirement,” and applied the requirement to the voucher program, the final legislation rejected these proposals. Instead, Congress followed the Senate version of the bill when it required the limited community service requirement only in public housing.

Congress even more recently proposed to expand limited flexibilities for a small number of PHAs in [the Moving to Work \(MTW\) program](#), a demonstration which provides for rigorous research to determine the impacts of policies like work requirements and time limits.⁷³ In 1996, Congress established the MTW program to allow participating PHAs to experiment with work requirements and other policies as a means of increasing economic self-sufficiency for renters.⁷⁴ In 2016, Congress expanded the MTW program by an additional 100 PHAs.⁷⁵

⁶⁹ [42 U.S.C. § 3608\(e\)\(5\)](#).

⁷⁰ Affirmatively Furthering Fair Housing Revisions, 90 Fed. Reg. [11020](#) (March 3, 2025); Rescission of Affirmative Fair Housing Marketing Regulations, 90 Fed. Reg. [23491](#) (June 3, 2025); HUD’s Implementation of the Fair Housing Act’s Disparate Impact Standard, 91 Fed. Reg. [1475](#) (January 14, 2026); [The Trump Administration’s Actions That Are Worsening the Fair and Affordable Housing Crisis](#), National Fair Housing Alliance (February of 2026).

⁷¹ [42 U.S.C. § 1437c-1](#).

⁷² [42 U.S.C. § 1437d\(l\)\(1\)](#). Congress provided a single exception to this basic scheme by imposing time limits on a subset of over-income families pursuant to the Housing Opportunity Through Modernization Act of 2016 (HOTMA). [42 U.S.C. § 1437n\(a\)\(5\)\(A\)\(ii\)](#). PHAs must terminate the tenancy of a family in public housing within six months of establishing that the family “exceeded the applicable income limitation” for “the most recent two consecutive years.” *Id.*

⁷³ Renewing Opportunity in the American Dream (ROAD) to Housing Act, [S. 5027](#) and [H.R. 9990](#), 118th Cong. (2024).

⁷⁴ Omnibus Consolidated Rescissions and Appropriations Act of 1996, [Pub. L. 104-134](#), § 204(a), 110 Stat. 1321, 1321-281.

⁷⁵ Consolidated Appropriations Act, 2016, [Pub. L. 114-113](#), § 239, 129 Stat. 2242, 2897.

Congress is currently considering a further expansion to these programs as part of the proposed 21st Century ROAD to Housing Act.⁷⁶ Some MTW PHAs have used their flexibilities to implement work requirements and time limits, with limited success. By limiting MTW flexibilities to a small number of PHAs, Congress rejected attempts to broadly impose work requirements or term limits across HUD programs. It should take an act of Congress to impose the broad and sweeping time limit or work requirement policies in the proposed rule.

Congress has also rejected attempts by the current and previous Trump administrations to impose restrictions on who can access public benefits and for how long. In 2018, the first Trump Administration submitted legislation to Congress which would have “allow[ed] PHAs or owners to impose work requirements on families and individuals.”⁷⁷ Congress took no action on the proposal. More recently, the President’s proposed 2026 Budget called for two-year time limits on rental assistance for most adults.⁷⁸ Once again, both houses of Congress rejected this proposal, and it did not appear in either the House or Senate appropriations bills. Congress has clearly and repeatedly rejected the idea that work requirements or term limits should be permitted across all federal housing programs.

Conclusion

HUD’s proposed rule is a fundamental alternation to HUD’s four core housing programs. HUD’s rule allows families to be evicted when they reach an arbitrary time limit or for a failure to comply with harsh and burdensome work requirements. The rule imposes unfunded mandates on any PHA or PBRA Owner who wants to implement these policies. HUD plans to abdicate any responsibility for oversight of these policies. NHLP welcomes our Housing Justice Network to submit comments on the proposed rule before the May 1, 2026, deadline. Please contact Korey Lundin at klundin@nhlp.org for any questions on the rule.

⁷⁶ 21st Century ROAD to Housing Act, [S.Amdt.4308 to H.R.6644](#), 119th Congress (2026).

⁷⁷ Making Affordable Housing Work Act of 2018.

⁷⁸ [Technical Supplement to the 2026 Budget: Appendix](#) (May 30, 2025), pp. 461-462.

PBRA	Public Housing	HCVP	PBV
Work Requirements	Work Requirements	Work Requirements	Work Requirements
<p>Work activities. This definition has the same meaning as the term defined in section 407(d) of the Social Security Act (42 U.S.C. 607(d)). Self-employment is a work activity. Owners may also identify additional work activities beyond those listed in section 407(d). Work-eligible. A member of an assisted family who is between ages 18 to 61, excluding persons with a disability as defined in 24 CFR 5.403 or a primary caretaker of such individual, or who are pregnant, or who are the primary caretaker for a child under 6 years of age or for temporarily incapacitated individuals, or who are enrolled as a student in an institution of higher education as defined in section 102 of the Higher Education Act of 1965 (for a duration determined by the Owner).</p>	<p>Work activities. This definition has the same meaning as the term in section 407(d) of the Social Security Act (42 U.S.C. 607(d)). Self-employment is a work activity. PHAs may also identify additional work activities beyond those listed in section 407(d). Work-eligible. A member of an assisted family who is between ages 18 to 61, excluding persons with a disability as defined in 24 CFR 5.403 or a primary caretaker of such individual, or who are pregnant, or who are the primary caretaker for a child under 6 years of age or for temporarily incapacitated individuals, or who are enrolled as a student in an institution of higher education as defined in section 102 of the Higher Education Act of 1965 (for a duration determined by the PHA).</p>	<p>Work activities. This definition has the same meaning as the term in section 407(d) of the Social Security Act (42 U.S.C. 607(d)). In addition, self-employment is a work activity. PHAs may also identify additional work activities beyond those listed in section 407(d). Work-eligible. A member of an assisted family who is between ages 18 to 61, excluding persons with a disability as defined in 24 CFR 5.403, or a primary caretaker of such individual, or who are pregnant, or who are the primary caretaker for a child under 6 years of age or for temporarily incapacitated individuals, or who are enrolled as a student in an institution of higher education as defined in section 102 of the Higher Education Act of 1965 (for a duration determined by the PHA).</p>	<p>Work activities. This definition has the same meaning as the term in section 407(d) of the Social Security Act (42 U.S.C. 607(d)). In addition, self-employment is a work activity. PHAs may also identify additional work activities beyond those listed in section 407(d). Work-eligible. A member of an assisted family who is between ages 18 to 61, excluding persons with a disability as defined in 24 CFR 5.403, or a primary caretaker of such individual, or who are pregnant, or who are the primary caretaker for a child under 6 years of age or for temporarily incapacitated individuals, or who are enrolled as a student in an institution of higher education as defined in section 102 of the Higher Education Act of 1965 (for a duration determined by the PHA).</p>
<p>(a) Work requirements for continued assistance.</p> <p>(1) The Owner of a property assisted under the Project-Based Rental Assistance (PBRA) program (42 U.S.C. 1437f) who is not in default of their Section 8 Housing Assistance Payments (HAP) contract may adopt a policy to require work-eligible adults of an assisted family to engage in work activities as a condition of continued assistance.</p>	<p>(a) Work requirements for continued occupancy.</p> <p>(1) A PHA not designated as a troubled performer under the Public Housing Assessment System (PHAS) or the Small Rural Public Housing Assessment and not in receivership may adopt a policy to require work-eligible adults of an assisted family residing in public housing under Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) to engage in work activities as a condition of continued occupancy.</p>	<p>(a) Work requirements.</p> <p>(1) A PHA not designated as a troubled performer under the Section Eight Management Assessment Program (SEMAP) or the Small Rural PHA Assessment and not in receivership may adopt a policy to require work-eligible adults of a family receiving assistance under Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to engage in work activities as a condition of continued assistance.</p>	<p>(a) Work requirements.</p> <p>(1) A PHA not designated as a troubled performer under the Section Eight Management Assessment Program (SEMAP) and not in receivership may adopt a policy to require work-eligible adults of a family receiving assistance under this part to engage in work activities as a condition of continued assistance.</p>
<p>(2) An Owner may require work-eligible adults receiving assistance under this part to engage in work activities for no more than 40 hours per week.</p>	<p>(2) A PHA may require work-eligible adults receiving assistance under this part to engage in work activities for no more than 40 hours per week.</p>	<p>(2) A PHA may require work-eligible adults admitted and assisted under this part to engage in work activities for no more than 40 hours per week.</p>	<p>(2) A PHA may require work-eligible adults admitted and assisted under this part to engage in work activities for no more than 40 hours per week.</p>
<p>(3) An Owner must establish a work requirements policy in accordance with this subpart and include information regarding the work requirements in the tenant selection plan before implementing the work requirements. At a minimum, the work requirements policy must describe the following:</p>	<p>(3) A PHA must establish a work requirements policy in accordance with this subpart and include information regarding the PHA's election to set work requirements in its PHA Plan before implementing the work requirements. At a minimum, the work requirements policy must describe the following:</p>	<p>(3) A PHA must establish a work requirements policy in accordance with this subpart and include information regarding the PHA's election to set work requirements in its PHA Plan before implementing the work requirements. At a minimum, the work requirements policy must describe the following:</p>	<p>(3) A PHA must establish a work requirements policy in accordance with this subpart and include information regarding the PHA's election to set work requirements in its PHA Plan before implementing the work requirements. At a minimum, the work requirements policy must describe the following:</p>

Substantive differences are highlighted in yellow and non-substantive differences are highlighted in green

(i) Which work-eligible adults in the family are subject to and exempt from the policy;	(i) Which work-eligible adults in the family are subject to and exempt from the policy;	(i) Whether the PHA is defining “Work-eligible” consistent with the definition at § 982.4 or is using an alternative, narrower definition. An alternative definition must clearly identify the family members subject to and exempt from the policy, and may not include any category of person excluded by the definition at § 982.4;	(i) Whether the PHA is defining “Work-eligible” consistent with the definition at § 982.4 or is using an alternative, narrower definition. An alternative definition must clearly identify the family members subject to and exempt from the policy, and may not include any category of person excluded by the definition at § 982.4;
(ii) What the Owner determines to be work activity;	(ii) What the PHA determines to be work activity;	(ii) What the PHA determines to be work activities that are sufficient to comply with the work requirements policy;	(ii) What the PHA determines to be work activities that are sufficient to comply with the work requirements policy;
(iii) The required number of hours of work activities that a work-eligible adult must complete;	(iii) The required number of hours of work activities that a work-eligible adult must complete;	(iii) The required number of hours for work activity, which must not exceed 40 hours per individual per week, and whether the requirement applies only to work-eligible adults or the family collectively;	(iii) The required number of hours for work activity, which must not exceed 40 hours per individual per week, and whether the requirement applies only to work-eligible adults or the family collectively;
(iv) How the Owner will determine compliance with the work requirements policy;	(iv) How the PHA will determine compliance with the work requirements policy;	(iv) How the PHA will determine the work-eligible adult's compliance with the work requirements policy;	(iv) How the PHA will determine the work-eligible adult's compliance with the work requirements policy;
(v) How frequently the Owner will determine a work-eligible adult's compliance with the work requirement policy, which must be done no less than annually;	(v) How frequently the PHA will determine a work-eligible adult's compliance with the work requirements policy, which must be done no less than annually;	(v) How frequently the PHA will determine a work-eligible adult's compliance with the work requirements policy, which must be done no less than annually;	(v) How frequently the PHA will determine a work-eligible adult's compliance with the work requirements policy, which must be done no less than annually;
(vi) The consequences for non-compliance with the work requirement policy;	(vi) The consequences for non-compliance with the work requirements policy;	(vi) The consequences for non-compliance with the work requirements policy; and	(vi) The consequences for non-compliance with the work requirements policy; and
(vii) A written description of the hardship policy to address tenants seeking a determination of disability status, families who are temporarily relocated due to a disaster, and families who are actively trying to comply with the Owner's work requirement policy but are having difficulty engaging in work activity. The hardship policy must include a grievance procedure for families seeking the review of a denied hardship request; and	(vii) A written description of the hardship policy to address tenants seeking a determination of disability status, families who are temporarily relocated due to a disaster, and families who are actively trying to comply with the agency's work requirement, but are having difficulties obtaining work or otherwise engaging in work activity; and	(vii) A written description of the hardship policy to address work-eligible adults seeking a determination of disability status, work-eligible adults of families who are temporarily relocated due to a disaster, and work-eligible adults who are actively trying to comply with the agency's work requirement, but are having difficulties obtaining work or otherwise engaging in work activity.	(vii) A written description of the hardship policy to address tenants seeking a determination of disability status, families who are temporarily relocated due to a disaster, and families who are actively trying to comply with the agency's work requirement, but are having difficulties obtaining work or otherwise engaging in work activity.

(viii) The supportive services that the Owner provides to assist work-eligible adults with obtaining employment or otherwise engaging in work activities.	(viii) The supportive services that the PHA will provide, either through the agency or a partner organization, to assist work-eligible adults with obtaining employment or otherwise engaging in work activities.	No comparable text	No comparable text
(4) An Owner must furnish a copy of the work requirements policy to applicants, each family at the time of lease execution, and to resident organizations.	(4) A PHA must furnish a copy of the work requirements policy to applicants, each family at the time of lease execution, each family at the time of lease renewal, and to resident organizations.	(4) The work requirements policy must be included in the following: (i) The PHA Plan; (ii) The Administrative Plan in accordance with 24 CFR 982.54; (iii) The oral briefing described in 24 CFR 982.301(a); and (iv) The information packet described in 24 CFR 982.301(b).	(4) The work requirements policy must be included in the following: (i) The PHA Plan; (ii) The Administrative Plan in accordance with 24 CFR 982.54; (iii) The oral briefing required under 24 CFR 983.252(a) for project-based assistance; and (iv) The information packet required under 24 CFR 983.252(b).
(5) An Owner's work requirements must be included in all tenant dwelling leases.	(5) The PHA work requirements policy must be included in, or incorporated by cross-reference in, all tenant dwelling leases pursuant to 24 CFR part 966, subpart A.	(5) A PHA must explain the work requirements policy at the oral briefing required under this part and furnish a copy of the policy to each applicant and tenant in the information packet.	(5) A PHA must explain the work requirements policy at the oral briefing required under this part and furnish a copy of the policy to each applicant and tenant in the information packet.
(6) An Owner must provide family members a written notice at minimum three months prior to an Owner's implementation of its work requirements policy adopted under this subpart.	(6) A PHA must provide family members a written notice at minimum three months prior to a PHA's implementation of its work requirements policy adopted under this subpart.	(6) A PHA must provide existing family members a written notice at minimum three months prior to a PHA's implementation of its work requirements policy adopted under this subpart.	(6) A PHA must provide existing family members a written notice at minimum three months prior to a PHA's implementation of its work requirements policy adopted under this subpart.
(7) An Owner must provide supportive services to assist work-eligible adults with obtaining employment or otherwise engaging in work activities either through the Owner or a partner organization.	(7) A PHA must provide supportive services to assist work-eligible adults with obtaining employment or otherwise engaging in work activities either through the agency or a partner organization.	(7) A PHA must provide, either through the agency or a partner organization, supportive services to assist work-eligible adults with obtaining employment or otherwise engaging in work activities.	(7) A PHA must provide, either through the agency or a partner organization, supportive services to assist work-eligible adults with obtaining employment or otherwise engaging in work activities. The definition of supportive services is found at 24 CFR 983.3.
(8) An Owner may not establish work requirements as a condition of admission into its Section 8 project-based assistance program.	(8) A PHA may not establish work requirements as a condition of admission into its public housing program.	(8) A PHA may not require work as a condition of admission into its HCV or PBV program.	(8) A PHA may not establish work requirements as a condition of admission into its HCV or PBV program.
No comparable text	No comparable text	No comparable text	(9) PHAs may implement separate work requirements in individual projects or buildings or for sets of such units.

PBRA	Public Housing	HCVP	PBV
Time Limits	Time Limits	Time Limits	Time Limits
(b) <i>Term Limits</i> (1) An Owner of a property assisted under the Project-Based Rental Assistance (PBRA) program (42 U.S.C. 1437f) who is not in default of their Section 8 contract may adopt a policy to implement a term limit on continued occupancy of not less than two years for a family residing in a unit receiving assistance under the PBRA program.	(b) <i>Term limits.</i> (1) A PHA not designated as a troubled performer under the Public Housing Assessment System (PHAS) or the Small Rural Public Housing Assessment and not in receivership may adopt a policy to implement a term limit on continued occupancy of not less than two years for a family residing in a unit receiving assistance under Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).	(b) <i>Term limits.</i> (1) A PHA not designated as a troubled performer under the Section Eight Management Assessment Program (SEMAP) and not in receivership may implement a term limit of not less than two years for families receiving assistance under this subpart.	(b) <i>Term limits.</i> (1) A PHA not designated as a troubled performer under the Section Eight Management Assessment Program (SEMAP) and not in receivership may implement a term limit of not less than two years for families receiving assistance under this subpart.
(2) An Owner must complete the following prior to implementing any term limit policy:	(2) A PHA must complete the following prior to implementing any term limit policy:	(2) A PHA must complete the following steps prior to implementing any term limit policy:	(2) A PHA must complete the following steps prior to implementing any term limit policy:
(i) Provide information regarding its election to implement a term limit in its tenant selection plan;	(i) Provide information regarding its election to implement a term limit in its PHA Plan;	(i) Provide information regarding its election to implement a term limit in its PHA Plan;	(i) Provide information regarding its election to implement a term limit in its PHA Plan;
(ii) Establish a term limit policy; and	(ii) Establish a term limit policy; and	(ii) Establish a term limit policy; and	(ii) Establish a term limit policy; and
(iii) Provide existing families a written notice of implementation at least three months prior to an Owner's implementation of its term limit policy adopted under this subpart.	(iii) Provide existing families a written notice of implementation at least three months prior to a PHA's implementation of its term limit policy adopted under this subpart.	(iii) Provide existing families a written notice of implementation at least three months prior to the PHA's implementation of its term limit policy adopted under this subpart.	(iii) Provide existing families a written notice of implementation at least three months prior to a PHA's implementation of its term limit policy adopted under this subpart.
(3) When establishing a term limit policy, an Owner must establish the policy in accordance with certain procedures in this subpart. At a minimum, the term limit policy must describe:	(3) When establishing a term limit policy, a PHA must establish the policy in accordance with certain procedures in this subpart. At a minimum, the term limit policy must describe:	(3) A PHA must establish the term limit policy in accordance with the procedures in this subpart. The term limit policy must describe:	(3) A PHA must establish the term limit policy in accordance with the procedures in this subpart. The term limit policy must describe:
(i) Which families are subject to and exempt from the policy;	(i) Which families are subject to and exempt from the policy;	(i) Which families are subject to and exempt from the policy;	(i) Which families are subject to and exempt from the policy;
(ii) The term for which assistance may be provided;	(ii) The term for which assistance may be provided;	(ii) The term for which assistance may be provided;	(ii) The term for which assistance may be provided;
(iii) How the Owner will determine compliance;	(iii) How the PHA will determine compliance;	(iii) How the PHA will determine compliance;	(iii) How the PHA will determine compliance;
(iv) The consequences for non-compliance;	(iv) The consequences for non-compliance;	(iv) The consequences for non-compliance;	(iv) The consequences for non-compliance;

(v) A description of the hardship policy. Owners must implement a hardship policy, including a policy to address tenants seeking a determination of disability status. The written policy must include a grievance procedure for families seeking the review of a denied hardship request;	(v) A description of the hardship policy. PHAs must implement a hardship policy, including a policy to address tenants seeking a determination of disability status;	(v) A written description of the hardship policy. PHAs must implement a hardship policy, including a policy to address tenants seeking a determination of disability status; and	(v) A written description of the hardship policy. PHAs must implement a hardship policy, including a policy to address tenants seeking a determination of disability status; and
(vi) That the policy must not apply while families have been temporarily relocated pursuant to the Uniform Relocation Act, to facilitate unit repairs, rehabilitation, or during such time when the dwelling unit is located in a Presidentially declared disaster area;	(vi) That the policy must not apply while families have been temporarily relocated pursuant to the Uniform Relocation Act, to facilitate unit repairs, rehabilitation, or during such time when the dwelling unit is located in a Presidentially declared disaster area; and	(vi) That the policy must not apply while families have been temporarily relocated pursuant to the Uniform Relocation Act, to facilitate unit repairs, rehabilitation, or during such time when the dwelling unit is located in a Presidentially declared disaster area.	(vi) That the policy must not apply while families have been temporarily relocated pursuant to the Uniform Relocation Act, to facilitate unit repairs, rehabilitation, or during such time when the dwelling unit is located in a Presidentially declared disaster area.
(vii) The supportive services that the Owner provides to support preparing families for the termination of assistance.	(vii) The supportive services that the PHA will provide, either through the agency or a partner organization, to support preparing families for the termination of assistance.	No comparable text	No comparable text
(4) An Owner's term-limit policy must be included in all tenant dwelling leases.	(4) A PHA's term limit policy must be included in, or incorporated by reference in, all tenant dwelling leases pursuant to 24 CFR part 966, subpart A.	(4) The term limit policy must be included in the following: (i) The PHA Plan; (ii) The Administrative Plan in accordance with 24 CFR 982.54; (iii) The oral briefing described in 24 CFR 982.301(a) for tenant-based assistance and 24 CFR 983.252(a) for project-based voucher assistance; and (iv) The information packet described in 24 CFR 982.301(b) for tenant-based assistance and 24 CFR 983.252(b) for project-based voucher assistance.	(4) The term limit policy must be included in the following: (i) The PHA Plan; (ii) The Administrative Plan in accordance with 24 CFR 982.54 and 24 CFR 983.10; (iii) The oral briefing described in 24 CFR 983.252(a); and (iv) The information packet described in 24 CFR 983.252(b).
(5) An Owner must furnish a copy of the term limit policy to applicants, each family at lease execution, and to resident organizations.	(5) A PHA must furnish a copy of the term limit policy to applicants, each family at lease execution and at the time of lease renewal and to resident organizations.	No comparable text	No comparable text
(6) An Owner's term limit policy may only apply to a family's receipt of assistance after the Owner has adopted a term limit in accordance with this subpart.	(6) A PHA's term limit policy may only apply to a family's receipt of assistance after the PHA has adopted a term limit in accordance with this subpart.	No comparable text	No comparable text

(7) An Owner must provide supportive services, either through the Owner or a partner organization, to support preparing families for the termination of assistance.	(7) A PHA must provide supportive services, either through the agency or a partner organization, to support preparing families for the termination of assistance.	(6) A PHA must provide supportive services, either through the agency or a partner organization, to support preparing families for the termination of assistance.	(6) A PHA must provide supportive services, either through the agency or a partner organization, to support preparing families for the termination of assistance.
(8) When an Owner determines a family is within 12 months and, again within 6 months of the Owner's term limit, the Owner must provide written notice to the family within 30 days of such determination. The notice must state the date upon which the family will reach the Owner's term limit, the action the Owner will take, and a description of the Owner's hardship policy. If the Owner is a PHA, each notice must in addition explain the steps the family must take if the family wishes to request a hearing.	(8) When a PHA determines a family is within 12 months and, again within 6 months of the agency's term limit, the PHA must provide written notice to the family within 30 days of such determination. The notice must state the date upon which the family will reach the PHA's term limit, the action the PHA will take, a description of the PHA's hardship policy, and the family's opportunity for a hearing if the family disputes within a reasonable time the PHA's determination.	(7) When a PHA determines a family is within 12 months and, again within 6 months of the agency's term limit, the PHA must provide written notice to the family within 30 days of such determination. The notice must state the date upon which the family will reach the PHA's term limit, the action the PHA will take, a description of the PHA's hardship policy, and the family's opportunity for an informal hearing under 24 CFR 982.555 if the family disputes within a reasonable time the PHA's determination.	(7) When a PHA determines a family is within 12 months and, again within 6 months of the expiration of the term limit, the PHA must provide written notice to the family within 30 days of such determination. The notice must state the date upon which the family will reach the PHA's term limit, the action the PHA will take, a description of the PHA's hardship policy, and the family's opportunity for an informal hearing if the family disputes within a reasonable time the PHA's determination.
(9) An Owner may not impose a term limit on elderly and disabled families as defined in 24 CFR 5.403 or on families while they are under a statutory notice period under 42 U.S.C. 1437f(c)(8)(A).	(9) A PHA may not impose a term limit on elderly and disabled families as defined in 24 CFR 5.403.	(5) A PHA's term limit policy must exclude elderly families and disabled families as defined in 24 CFR 5.403.	(5) A PHA's term limit policy must exclude elderly families and disabled families as defined in 24 CFR 5.403.
No comparable text	No comparable text	No comparable text	(8) PHAs may implement separate term limits in individual projects or buildings or for sets of such units.

PBRA	Public Housing	HCVP	PBV
<p>Work Requirements & Time Limits</p> <p>(c) An Owner may terminate the Section 8 project-based rental assistance of a noncompliant family or family member to whom the work requirements or term limits under this subpart apply. An Owner may only enforce a policy established pursuant to and in compliance with this subpart.</p>	<p>Work Requirements & Time Limits</p> <p>(c) <i>Enforcement.</i> A PHA may terminate program assistance to a covered family or family member to whom the work requirement or term limit policies under this subpart apply, if the family member does not comply. Such termination of assistance is subject to the restrictions in this subpart and the termination procedures described in 24 CFR part 966, subpart A. A PHA may only enforce a policy established pursuant to and in compliance with this subpart.</p>	<p>Work Requirements & Time Limits</p> <p>(d) <i>Enforcement.</i> A PHA may terminate program assistance to a family or covered family member to whom the work requirements or term limits in this subpart apply for non-compliance with the work requirements or term limit policy. Termination of assistance for non-compliance with the work requirement or term limit policies is subject to the restrictions in this subpart and the termination procedures described in 24 CFR part 982, subpart L. A PHA may only enforce compliance based on a policy properly established pursuant to and in compliance this subpart.</p>	<p>Work Requirements & Time Limits</p> <p>(c) <i>Enforcement.</i> A PHA may terminate program assistance to a family or covered family member to whom the work requirements or term limits in this subpart apply for non-compliance with the work requirements or term limit policy. Termination of assistance for non-compliance with the work requirement or term limit policies is subject to the restrictions in this subpart and the termination procedures described in 24 CFR part 982, subpart L. A PHA may only enforce compliance based on a policy properly established pursuant to this subpart.</p>
<p>No comparable text</p>	<p>No comparable text</p>	<p>(c) <i>Applicability to special purpose vouchers.</i> Work requirements and term limits policies may be implemented for special purpose vouchers in the following manner:</p> <ol style="list-style-type: none"> (1) A PHA may establish work requirements or term limits for Mainstream vouchers, Stability Vouchers, the HCV homeownership program. (2) A PHA may establish work requirements for the Family Unification Program or Foster Youth to Independence initiative. (3) A PHA must not establish term limits for the Family Unification Program when used to serve foster youth, or the Foster Youth to Independence initiative. (4) A PHA must not establish work requirements or term limits for the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program. (5) A PHA may establish work requirements or term limits for other programs as determined by the Secretary through a Federal Register notice. 	<p>No comparable text</p>
<p>No comparable text</p>	<p>No comparable text</p>	<p>No comparable text</p>	<p>(d) <i>Vacancy payments.</i> If a tenancy is terminated, the Owner may be eligible for vacancy payments on the same terms as provided for in 24 CFR 983.352.</p>