



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

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April 17, 2026

Office of General Counsel  
U.S. Department of Housing and Urban Development  
451 7th Street SW, Room 10276  
Washington, DC 20410-0500

**RE: Docket No. FR-6524-P-01; RIN 2501-AE16; Proposed Rule: “Housing and Community Development Act of 1980: Verification of Eligible Status,” 91 Fed. Reg. 8151 (Feb. 20, 2026)**

Dear Secretary Turner:

The Washington State Department of Health (DOH) appreciates the opportunity to provide comments on the U.S. Department of Housing and Urban Development’s (HUD) proposed rule, “Housing and Community Development Act of 1980: Verification of Eligible Status.”

### **Housing Stability is Crucial for Public Health**

DOH’s mission is to protect and improve the health of all Washingtonians. U.S. Health and Human Services’ Healthy People 2030 initiative recognizes that housing stability is a foundational social determinant of health, strongly associated with health care access, chronic disease outcomes, behavioral health, and community resilience.<sup>1</sup> Housing instability and homelessness are associated with worsened physical and behavioral health and increased barriers to preventive and routine care.<sup>2</sup> Federal public health guidance recognizes housing instability as a key social determinant of health and notes that homelessness is associated with high rates of chronic disease, depression, substance use disorders, and increased risk of premature death.<sup>3</sup>

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<sup>1</sup> Office of Disease Prevention and Health Promotion (HHS), Healthy People 2030, “Housing Instability” literature summary. <https://odphp.health.gov/healthypeople/priority-areas/social-determinants-health/literature-summaries/housing-instability>

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

## Public Health Impact of Proposed HUD Rule on Washington State

DOH is concerned the proposed rule would increase housing instability for mixed-status immigrant households (households that include eligible family members and at least one ineligible family member), including children who are U.S. citizens. Independent analysis by the Center on Budget and Policy Priorities (CBPP) estimates the proposal could cause nearly 80,000 people nationwide to lose assistance, including nearly 37,000 children (nearly all U.S. citizens).<sup>4</sup> In Washington State, analysis of HUD administrative data estimates that approximately 600 mixed-status households currently receiving HUD rental assistance would be prohibited from continuing to receive assistance under the proposal.<sup>5</sup> In addition, under the proposal more than 82,000 HUD-assisted households in Washington include at least one U.S. citizen who would newly be required to document citizenship.<sup>6</sup> Obtaining citizenship documentation can be costly and time-consuming (for example, copies of birth certificates in Washington state cost \$25).<sup>7</sup> These barriers increase risk that eligible households lose assistance due to documentation problems rather than ineligibility. The proposal would force mixed-status households to choose between family unity and housing stability. The proposal would also increase administrative burden on state and local agencies, which issue birth certificates, including DOH, as individuals impacted require additional documentation to maintain eligibility for HUD rental assistance. The proposal will have a disproportionate impact on communities of color. CBPP reports that 96 percent of people in mixed-status households potentially affected by the proposed rule are people of color and 86 percent are Hispanic, with children comprising a substantial share of those affected.<sup>8</sup> Policies that increase housing instability among these households risk widening existing health disparities.

## Recommendation

To prevent avoidable harms to public health, DOH urges HUD to take the following action.

1. Withdraw or substantially revise the proposed rule to preserve long-standing assistance for mixed-status households so eligible members - especially children - do not lose housing assistance solely because they live with an ineligible household member.
2. Retain an option functionally equivalent to the current “do not contend” provision to avoid unnecessary verification burdens and to reduce the risk of deterring eligible households from seeking assistance.

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<sup>4</sup> Center on Budget and Policy Priorities, *Administration Plan Targeting Immigrants Would Take Away Rental Assistance, Create New Barriers* <https://www.cbpp.org/research/housing/administration-plan-targeting-immigrants-would-take-away-rental-assistance-create>

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> See: <https://doh.wa.gov/sites/default/files/2025-07/422-182-BirthCertificateOrderForm.pdf>

<sup>8</sup> *Id.*

3. If HUD proceeds with new citizenship documentation requirements, ensure robust due process and administrative safeguards, including multiple acceptable verification pathways, reasonable timeframes (including extensions), language access, and protections to minimize erroneous terminations of eligible households

## Conclusion

DOH is concerned that the proposed rule would increase housing instability for Washington families, elevate homelessness risk for children, and exacerbate health disparities, while imposing administrative barriers that could cause eligible households to lose assistance. DOH urges HUD to withdraw or substantially revise this proposal and to preserve policies that keep eligible children and families safely housed while meeting statutory requirements. If you have any questions, please contact Mike Ellsworth at [Michael.Ellsworth@doh.wa.gov](mailto:Michael.Ellsworth@doh.wa.gov) or the Director, Federal and Inter-State Affairs for Governor Ferguson's Washington, D.C. office Rose Minor at [Rose.Minor@gov.wa.gov](mailto:Rose.Minor@gov.wa.gov).

Sincerely,



Kristin Peterson  
Chief of Policy  
Washington State Department of Health

cc: Dennis E. Worsham, Secretary of Health, DOH  
Mike Ellsworth, Federal and Regulatory Affairs Director, DOH  
Meghan Jernigan, Federal Relations Deputy Director, DOH