



April 9, 2026

Submitted electronically to <https://www.regulations.gov>

U.S. Department of Housing and Urban Development  
Office of the Secretary  
451 7th Street SW  
Washington, D.C. 20410

**Re:** “Establishing Flexibility for Implementation of Work Requirements and Term Limits” (RIN 2501-AE15)

## **I. Introduction and Scope**

Disability Belongs™ is a nonpartisan, disability-led nonprofit committed to advancing full inclusion, community living, and opportunity for all disabled people. Our mission is to drive cultural and policy change to ensure our full representation and influence, creating a more accessible, equitable, and inclusive society. Through this work, we engage in policy and advocacy efforts that expand opportunity, independence, and community living for people with disabilities across the United States.

Disability Belongs™ and the undersigned disability rights, housing, and civil rights organizations appreciate the opportunity to comment on the U.S. Department of Housing and Urban Development’s (HUD) proposed rule that would permit Public Housing Authorities (PHAs) and certain owners participating in Project-Based Rental Assistance (PBRA) programs to implement work requirements and term limits within federal housing assistance programs.<sup>1</sup>

---

<sup>1</sup> U.S. Department of Housing and Urban Development, “[Establishing Flexibility for Implementation of Work Requirements and Term Limits](#),” Proposed Rule, RIN 2501-AE15, 91 Fed. Reg. 10016 (Mar. 2, 2026).



Because stable housing is a foundational element of independence, community living, and economic participation for many people with disabilities, the proposed rule raises significant concerns regarding access to housing assistance and potential unintended consequences for disabled residents. HUD must ensure that implementation of any work requirement policies complies with federal disability civil rights protections, including Section 504 of the Rehabilitation Act and the Fair Housing Act<sup>7</sup>.

Research consistently shows that housing instability is associated with poorer health outcomes, reduced access to care, and increased risk of institutionalization for people with disabilities and other at-risk populations.<sup>2</sup>

Rental assistance programs administered by HUD play a critical role in enabling numerous disabled people to live in their chosen community rather than in institutional or segregated settings, with only homelessness as an alternative option.

For this reason, policies that increase the risk of housing instability must be carefully evaluated through a disability civil rights lens.

It seems the proposed rule is a way of providing local flexibility and promoting self-sufficiency, however, for many the rule can raise significant concerns regarding housing stability, administrative barriers, and potential disparate impacts on disability-impacted households.

## **II. Housing Stability, Community Integration, and Federal Disability Civil Rights Obligations**

Federal disability civil rights law recognizes that housing stability is fundamental to community integration.

---

<sup>2</sup> Carolyn B. Swope & Diana Hernández, *Housing as a Determinant of Health Equity: A Conceptual Model*, *Social Science & Medicine* 243 (2019): 112571.



The Supreme Court's decision in *Olmstead v. L.C.* established that unnecessary segregation of people with disabilities constitutes discrimination under the Americans with Disabilities Act.<sup>3</sup>

Following *Olmstead*, federal agencies, including the U.S. Department of Justice (DOJ) and the U.S. Department of Health and Human Services (HHS), have repeatedly emphasized that public programs must ensure people with disabilities can receive services in the most integrated setting appropriate to their needs.<sup>4</sup>

Federal guidance implementing the *Olmstead* integration mandate further explains that policies placing individuals at serious risk of institutionalization may violate the integration mandate of the Americans with Disabilities Act (ADA) even when institutionalization has not yet occurred.<sup>5</sup>

Housing instability can directly undermine these obligations. When individuals lose access to stable housing, they face increased risk of institutionalization, homelessness, and segregation from the broader community.

HUD's rental assistance programs are therefore a central mechanism for enabling people with disabilities to live independently in their communities. Policies that increase the risk of housing loss therefore raise serious concerns under federal civil rights laws, including:

- the Fair Housing Act,<sup>6</sup>

---

<sup>3</sup> *Olmstead v. L.C.*, 527 U.S. 581 (1999).

<sup>4</sup> U.S. Department of Justice, *Statement of the Department of Justice on Enforcement of the Integration Mandate of Title II of the Americans with Disabilities Act and Olmstead v. L.C.* (June 22, 2011).

<sup>5</sup> U.S. Department of Health and Human Services, Office for Civil Rights, *Community Living and Olmstead*.

<sup>6</sup> *Fair Housing Act*, 42 U.S.C. §§ 3601–3619.



- Section 504 of the Rehabilitation Act,<sup>7</sup> and
- the integration mandate recognized in *Olmstead*.<sup>3</sup>

HUD should ensure that any changes to federal housing programs under this rule remain consistent with federal, disability civil rights obligations.

### **III. Concerns Regarding Term Limits for Housing Assistance**

The proposed rule would allow Public Housing Authorities (PHAs) and certain property owners to impose work requirements and term limits across Public Housing, the Housing Choice Voucher (HCV) program, the Project-Based Voucher (PBV) program, and Project-Based Rental Assistance (PBRA), potentially as short as two years.<sup>1</sup>

HUD's own data show that 8.46 million very low-income renter households experience "worst case housing needs"<sup>8</sup>—meaning they either pay more than half their income for housing or live in severely inadequate housing—while receiving no housing assistance.

A two-year limit is a very short timeframe relative to the realities of housing markets, disability-related employment barriers, and administrative processes such as disability determinations. Waiting lists for housing assistance often extend for many years, and many housing authorities open their waiting lists only intermittently due to high demand.<sup>8</sup>

As a result, termination of assistance due to term limits could effectively lead to long-term or permanent loss of housing assistance.

These risks are particularly concerning for disability-impacted households, including households where:

---

<sup>7</sup> [Section 504 of the Rehabilitation Act of 1973](#), 29 U.S.C. § 794.

<sup>8</sup> U.S. Department of Housing and Urban Development, [Worst Case Housing Needs: 2023 Report to Congress](#).



- disability status has not yet been formally determined,
- a disabled household member is not the head of household,
- caregiving responsibilities limit employment participation, or
- health conditions fluctuate over time.

Even where exemptions exist for “disabled families,” program definitions may not capture the full range of disability-related circumstances that affect housing stability.

HUD should carefully consider whether term limits are appropriate within core federal housing assistance programs that are intended to promote long-term housing stability.

If HUD moves forward with term limits, the Department should ensure that strong safeguards are in place, including:

- broad exemptions for households impacted by disability,
- protections preventing termination while disability status determinations are pending, and
- clear and accessible hardship policies.

#### **IV. Concerns Regarding Work Requirements**

The proposed rule would allow housing providers to impose work requirements that may reach up to forty hours per week of work or qualifying activities.<sup>1</sup>

While promoting economic opportunity is an important policy goal, work requirements of this scale may not adequately account for the realities faced by many disability-impacted households.



Many disabled people and their families experience barriers to employment<sup>9</sup>, including:

- inaccessible workplaces and hiring practices,
- transportation challenges,
- fluctuating health conditions,
- caregiving responsibilities, and
- limited access to supportive services.

Federal labor statistics consistently show that disabled adults face significantly lower employment rates and structural barriers to workforce participation compared with non-disabled adults.<sup>10</sup>

Without careful safeguards, extensive work requirements may function less as pathways to economic mobility and more as administrative barriers to maintaining housing assistance.

HUD should therefore establish minimum standards ensuring that compliance requirements remain accessible and that reasonable accommodations are available for disability-related needs, consistent with federal nondiscrimination obligations under Section 504 of the Rehabilitation Act and the Fair Housing Act.

## **V. Administrative Burdens and Disability Determination Processes**

The proposed rule recognizes the need for hardship policies covering tenants who are seeking disability determinations. However, disability documentation and verification processes often take substantial time.

Housing stability should not depend on the speed of medical documentation or administrative review. HUD should ensure that housing

---

<sup>9</sup> U.S. Bureau of Labor Statistics, [Barriers to Employment for People with a Disability](#), The Economics Daily (July 29, 2020).

<sup>10</sup> U.S. Bureau of Labor Statistics, [Persons with a Disability: Labor Force Characteristics Summary](#) (Annual Report).



assistance cannot be terminated while disability determinations or accommodation requests are pending and should encourage flexible documentation standards that recognize the varied ways disability may be verified.

## **VI. Risk of Uneven Protections Across Jurisdictions**

Because the proposed rule allows PHAs and property owners to adopt work requirements and term limits at their discretion, policies may vary widely across jurisdictions.

Without clear federal guardrails, individuals with disabilities could face dramatically different housing stability outcomes depending on where they live. Strong federal standards are necessary to ensure that optional local policies do not produce inconsistent protections or discriminatory outcomes for disability-impacted households.

## **VII. Supportive Services and Accessibility**

The proposed rule references supportive services that may help individuals meet work or participation requirements. However, the availability and accessibility of these services may vary significantly across communities.

For such policies to function as intended, supportive services must be:

- available,
- accessible to disabled residents, and
- adequate to meaningfully support compliance with program requirements.

HUD should ensure that housing providers implementing these policies have realistic and accessible support systems in place.

## **VIII. Conclusion**

Housing stability is essential to the independence, health, and community participation of people with disabilities.



HUD's rental assistance programs play a critical role in ensuring that disabled people can live in the community rather than in segregated or institutional settings.

For this reason, policies that introduce work requirements or time-limited housing assistance must be evaluated carefully to ensure they do not unintentionally undermine housing stability or conflict with federal disability civil rights obligations.

Disability Belongs™ and the undersigned organizations appreciate the opportunity to provide these comments and encourages HUD to ensure that any changes to federal housing programs protect housing stability, uphold disability civil rights obligations, and support the continued community integration of people with disabilities.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ariel A. Simms", with a long horizontal flourish extending to the right.

Ariel A. Simms, Esq.  
President and Chief Executive Officer  
Disability Belongs™



**Disability Belongs™ submits this comment with the support of the following organizations:**

Disability Belongs™

Access Ready Inc.

American Association of People with Disabilities

American Association on Health and Disability

Charlotte Center for Legal Advocacy

Disability Law Center

Disability Rights Center - NH

Disability Rights Connecticut

Disability Rights Florida

Disability Rights Iowa

Disability Rights Nebraska

Disability Rights New Jersey

Disability Rights North Carolina

Disability Rights Ohio

Disability Rights Pennsylvania

Disability Rights South Carolina

Easterseals, Inc.

Epilepsy Foundation of America

Hawaii Disability Rights Center

Lakeshore Foundation

Minnesota Disability Law Center

National Academy of Elder Law Attorneys (NAELA)



National Disability Rights Network (NDRN)

Nevada Disability Advocacy & Law Center

New Disabled South

Pisgah Legal Services

The Kelsey

World Institute on Disability

---

## **Sources and Authorities**

Sources supporting factual statements and legal references in this comment are cited in footnotes throughout the document.