



***Submitted via regulations.gov***

May 1, 2026

Office of General Counsel  
Regulations Division  
U.S. Department of Housing and Urban Development  
451 7th Street, SW  
Washington, D.C. 20410

**RE: FR-6520-P-01; Establishing Flexibility for Implementation of Work Requirements and Term Limits**

Thank you for the opportunity to comment on the Department of Housing and Urban Development (HUD)'s proposed rule, "Establishing Flexibility for Implementation of Work Requirements and Term Limits." The undersigned are members of the Consortium for Constituents with Disabilities (CCD) Housing Task Force. CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of a society free from racism, ableism, sexism, and xenophobia, as well as LGBTQ+ discrimination and religious intolerance. The Housing Task Force works to ensure that all people with disabilities have safe, stable, accessible, affordable, and integrated housing that enables people to live in communities of their choosing, with full access to home and community-based services and supports.

We strongly oppose this proposed rule, which would allow Public Housing Authorities (PHAs) and HUD-assisted owners to impose work requirements and time limits for all major HUD housing assistance programs. Regardless of any exemptions, this proposed rule would harm people with disabilities, older adults, and family caregivers. We urge HUD to withdraw this proposed rule in its entirety.

**Housing and Employment Barriers for People with Disabilities**

As we explain in these comments, HUD's proposal would take away housing assistance from people with disabilities, who already face numerous barriers to stable housing and integrated community living. People with disabilities and their families, particularly those with low incomes,<sup>1</sup> face a national shortage of accessible and affordable housing.<sup>2</sup> People with

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<sup>1</sup> See, e.g., Technical Assistance Collaborative, Inc. "Priced Out: The Housing Crisis for People with Disabilities" (2025) at <https://www.tacinc.org/resources/priced-out/>.

<sup>2</sup> See, e.g., U.S. Dept. Of Housing and Urban Development, "Worst Case Housing Needs: 2023 Report to Congress" (2023) at <https://www.huduser.gov/portal/publications/Worst-Case-Housing-Needs-2023.html>.

disabilities often have few financial resources, remain among the country's lowest-income households, and far too frequently encounter housing discrimination.<sup>3</sup> As a result, people with disabilities face a disproportionate risk of institutionalization and homelessness.<sup>4</sup>

People with disabilities also face significant barriers to employment. These barriers can include lack of transportation, inaccessible workplaces, lack of reasonable accommodations, and discrimination based on societal attitudes. For decades, the labor force participation rate of people with disabilities has remained roughly 40 percentage points lower than that for people without disabilities. Even among working-age people with disabilities, the unemployment rate remains double what it is for people without disabilities.<sup>5</sup>

### **HUD's Exemptions Fail to Fully Exclude Older Adults Age 62+ and People with Disabilities**

HUD's exemptions fail to cover older adults age 62+ and people with disabilities who are living with younger, non-disabled household members. Older and disabled people may be living with others who are subject to work requirements. If a PHA/owner finds these "work-eligible" household members non-compliant, the entire household would potentially face termination of their housing assistance. In addition, younger and non-disabled family members may be the heads of their households. These households – even if they include older adults age 62+ and people with disabilities – would not be considered "elderly" or disabled households under HUD's proposal. They would therefore not be exempt from time limits.

### **Administrative Barriers Would Prevent People with Disabilities from Verifying They Meet Exemptions**

Although this proposed rule includes certain exemptions for people with disabilities, disabled people would still lose their housing assistance as a result of administrative barriers. Many people with disabilities would be unable to navigate the logistics of proving they qualify for disability-related exemptions. Disabled tenants trying to meet administrative requirements often face numerous challenges, such as cognitive or visual impairments, extended hospitalizations, and lack of supportive services.

PHAs and owners across all of HUD's programs can attest to the challenges disabled tenants face in meeting administrative requirements in a timely manner. The overarching feedback from PHAs administering Mainstream vouchers, for example, has been that applicants who do not have the help of a case manager or other advocate are often unable to successfully complete the application process. PHAs have also reported housing retention as a challenge

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<sup>3</sup> National Fair Housing Alliance, "2024 Fair Housing Trends Report" at <https://nationalfairhousing.org/resource/2024-fair-housing-trends-report>; U.S. Dept. of Housing and Urban Development, "Rental Housing Discrimination on the Basis of Mental Disabilities: Results of Pilot Testing," (2017) at <https://www.huduser.gov/portal/publications/MentalDisabilities-FinalPaper.html>.

<sup>4</sup> See, e.g., U.S. Dep't of Housing and Urban Development, "2024 Annual Homeless Assessment Report to Congress" at <https://www.huduser.gov/portal/sites/default/files/pdf/2024-AHAR-Part-1.pdf>

<sup>5</sup> See U.S. Department of Labor, Disability Employment Statistics, available at <https://www.dol.gov/agencies/odep/research-evaluation/statistics>.

for disabled tenants who lack case management or access to ongoing supports.<sup>6</sup> For instance, Section 811 Project Rental Assistance (PRA) tenants without such supports often risk being charged market-rate rent when they do not timely return an annual recertification form, putting their tenancy at risk. People with disabilities would face similar difficulties when trying to prove they qualify for exemptions under HUD's proposed rule.

### **PHAs and Owners Lack the Capacity to Identify Everyone with a Disability**

PHAs and owners are ill-equipped to identify everyone with a disability who needs exemptions. We are concerned that PHAs/owners will lack clear and robust policies on exemptions, including hardship and reasonable accommodation policies. Further, HUD lacks the capacity to ensure that PHAs/owners have sufficient disability-related policies, as evidenced by recent reports on this issue from the Government Accountability Office (GAO) and HUD's Office of Inspector General (OIG). Together, these reports highlight the need for more oversight of HUD-assisted housing providers to ensure they comply with civil rights laws and provide reasonable accommodations for people with disabilities. HUD's OIG report determined that "HUD did not have adequate policies and procedures for ensuring that PHAs properly addressed, assessed, and fulfilled requests for reasonable accommodation." The GAO report recommended that HUD develop a strategy for strengthening oversight on these issues.<sup>7</sup> Yet HUD noted resource constraints as a barrier to addressing GAO's recommendations.<sup>8</sup> These resource constraints have only worsened with recent staffing cuts and reassignments at HUD, especially with regard to civil rights enforcement.

### **The Proposed Rule Does Not Categorically Exclude the Mainstream and Nonelderly Disabled (NED) Voucher Programs**

The proposed rule does not categorically exclude Mainstream and Nonelderly Disabled (NED) special purpose vouchers even though program participants are disabled households. Should HUD finalize this proposed rule, HUD should exclude these programs for several reasons:

- Only households with a head, spouse, or adult child with a disability are eligible for Mainstream or NED vouchers. The proposed rule intends to exempt these households from work requirements and time limits.
- Mainstream and NED program participants should not be required to verify their need for exemptions when they already provided disability-related documentation to enroll in the program.

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<sup>6</sup> HUD, "Mainstream Vouchers: Lessons Learned from Communities of Practice" (January 2023), available at <https://files.hudexchange.info/resources/documents/Mainstream-Vouchers-Lessons-Learned-from-Communities-of-Practice.pdf>.

<sup>7</sup> GAO, "Enhanced Data and Strategy Could Improve Oversight of Accessibility Requirements" (July 2023), available at <https://www.gao.gov/assets/gao-23-105083.pdf>; HUD OIG, "HUD Did Not Have Adequate Policies and Procedures for Ensuring That Public Housing Agencies Properly Processed Requests for Reasonable Accommodation" (February 2022), available at <https://www.hudoig.gov/reports-publications/report/hud-did-not-have-adequate-policies-and-procedures-ensuring-public>.

<sup>8</sup> GAO, "HUD Rental Assistance: Enhanced Data and Strategy Could Improve Oversight of Accessibility Requirements" (July 2023), available at <https://www.gao.gov/products/gao-23-105083>.

- HUD reports that as of December 2025, PHAs are administering 71,217 Mainstream and 54,727 NED vouchers.<sup>9</sup> In addition to preventing loss of housing for these very low-income people with disabilities, categorically excluding these vouchers would mean less work for PHAs. PHAs would avoid spending unnecessary time on requesting and reviewing documentation, providing reasonable accommodations, reviewing hardship appeals, and so on.

### **Work Requirements Would Harm Older Adults Aged 50-61**

Work requirements would also harm older adults aged 50-61, who have significantly lower employment rates than younger individuals.<sup>10</sup> Under HUD’s proposed rule, these older adults would be considered “work-eligible” because they are not yet 62.

Low-income older adults over 50 are often forced to retire or leave their jobs because of health conditions. Among older adults age 50-64 enrolled in Medicaid (and who are not receiving SSI or other disability benefits) who are retired or not working, the vast majority (86%) have a health condition that prevents them from working. Among Medicaid recipients ages 50-64 not receiving disability benefits, only 37% work full-time.<sup>11</sup>

Further, many older adults over age 50 do not identify as “disabled” even though they qualify as disabled and are unable to work. Older adults may be reluctant to identify as disabled because disability-related stigmas were particularly negative when older adults were young. Other seniors view having disabilities as a part of aging rather than being disabled.<sup>12</sup> These older adults may therefore not seek disability-related exemptions and accommodations with respect to work requirements.

### **HUD’s Exemptions Fail to Cover Caregivers for Older Adults**

Lastly, this proposed rule does not recognize the full range of caregivers who may need exemptions from work requirements, putting these caregivers at risk of losing their housing assistance. While HUD’s proposed rule exempts primary caregivers of people with disabilities, it does not explicitly exempt caregivers of older adults or other people who may not always identify as disabled.

Many people serve as family caregivers for aging relatives and have difficulty balancing their care duties with their jobs, reducing their participation in or withdrawing from the workforce. For

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<sup>9</sup> HUD, Housing Choice Voucher (HCV) Data Dashboard, available at <https://www.hud.gov/helping-americans/public-indian-housing-hcv-dashboard>.

<sup>10</sup> UC Berkeley Labor Center, “Medicaid Cuts – Including Work Documentation Requirements – Harm Older Adults” (June 2025), available at <https://laborcenter.berkeley.edu/medicaid-cuts-including-work-documentation-requirements-harm-older-adults/>.

<sup>11</sup> Justice in Aging, “HUD’s Proposal on Work Requirements and Time Limits Would Take Away Housing Assistance for Older Adults,” available at <https://justiceinaging.org/huds-proposal-on-work-requirements-and-time-limits-would-take-away-housing-assistance-for-older-adults/>.

<sup>12</sup> Nargis Rahman, “National Poll Finds Older Adults Do Not Seek Accommodations for Disabilities As Often As Others” (November 2025), available at <https://wdet.org/2025/11/25/national-poll-finds-older-adults-do-not-seek-accommodations-for-disabilities-as-often-as-others/>.

example, a third of women caregivers for older adults decrease their work hours, more than 20% take leaves of absence, and almost 15% retire early.<sup>13</sup> Moreover, some of these caregivers may be living with the older adults they support. If these caregivers lose their assistance, the older adults they live with could lose both the housing and caregiving that allow them to age in place and avoid institutionalization.

## **Conclusion**

We strongly oppose HUD's proposed rule. Work requirements and time limits would harm older adults and people with disabilities by jeopardizing their housing assistance and ability to live in the community. We urge HUD to withdraw this proposed rule in its entirety and work instead to expand accessible, integrated, and affordable housing opportunities.

Sincerely,

Access Ready Inc.  
American Association on Health and Disability  
Autistic Self Advocacy Network  
Center for Law and Social Policy (CLASP)  
Disability Belongs  
Disability Rights Education and Defense Fund  
Justice in Aging  
Lakeshore Foundation  
National Association of Councils on Developmental Disabilities  
National Disability Rights Network (NDRN)  
National Down Syndrome Congress  
National PLAN Alliance (NPA)  
SAGE  
TDIforAccess (TDI)  
The Arc of the United States  
The Kelsey

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<sup>13</sup> Family Caregiver Alliance, "Women and Caregiving: Facts and Figures" (2003), available at <https://www.caregiver.org/resource/women-and-caregiving-facts-and-figures/>.