



May 1, 2026

Regulations Division, Office of General Counsel
Department of Housing and Urban Development
451 7th Street SW, Room 10276
Washington, DC 20410

RE: [Docket No. FR-6520-P-01] Establishing Flexibility for Implementation of Work Requirements and Term Limits

To Whom It May Concern:

Thank you for the opportunity to comment on the Department of Housing and Urban Development's (HUD) March 2 proposed rule titled [Establishing Flexibility for Implementation of Work Requirements and Term Limits](#). On behalf of our nationwide membership of affordable senior housing providers and the communities they serve, we urge the Department to withdraw the proposed rule in its entirety due to the significant burden, cost, and harm associated with the proposal, including the potential for large-scale financial ramifications on both housing providers and residents.

About LeadingAge

We represent more than 5,300 nonprofit and mission-driven aging services providers serving older adults and touching millions of lives every day. From our national headquarters in Washington, DC, and in collaboration with our state partners representing members active in 50 states, the District of Columbia, and Puerto Rico, we use advocacy, education, applied research, and community-building to make America a better place to grow old. Our membership encompasses the entire continuum of aging services, including skilled nursing, assisted living, memory care, affordable housing, retirement communities, adult day programs, hospice, Programs of All-Inclusive Care for the Elderly (PACE), and home-based care. We bring together the most inventive minds in the field to lead and innovate solutions that support older adults wherever they call home. For more information, visit [leadingage.org](https://www.leadingage.org).

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HUD's proposed rulemaking would allow Public Housing Agencies (PHAs) and Multifamily Housing owners/agents to implement work requirements and time limits for specific housing assistance programs, including project-based programs, as well as Public Housing and units participating in the Housing Choice Voucher program. Under the proposal, a housing community could require eligible residents to fulfill a work requirement in order to continue receiving housing assistance; separately, a housing provider could also place a time limit on housing assistance, regardless of work hours or otherwise continued housing eligibility.

The stated goals of the proposed rule are to promote self-sufficiency, address the affordable housing shortage, and provide flexibility to local housing providers. However, LeadingAge anticipates that the proposed rule would result in increased burden and costs for housing providers, as well as significant harm to HUD-assisted older adults and the workforce that serves them, resulting in major steps backwards for both housing stability and housing supply throughout America.

Notably, under the proposed rule, older adults would only be partially exempt from any new work requirements and time limits, and the aging services workforce would be particularly at risk of housing instability. Further, LeadingAge's membership of housing owners and agents could experience not only severe administrative burden, but also significant rent arrears and housing community destabilization because of the potential for rental subsidy to be terminated for assisted households nationwide.

Partial Exclusion of Older Adult: Under the proposal, older adults are only partially excluded based on age, meaning that some older adults and mixed-age households – as well as members of the aging services workforce – would lose access to stable, affordable housing.

- ***Proposal to Make Housing Assistance Contingent Upon Work Hours:*** Under the proposal, PHAs and owners would be authorized to require work-eligible adults (ages 18-61, with exclusions for people who are disabled, caretakers, pregnant, or students) to engage in work activities for up to 40 hours per week as a condition of continued receipt of housing assistance. Work activities would include employment, job training, education, community service, childcare, and more. If implementing work requirements, PHAs and owners would have to provide supportive services (e.g., childcare, transportation, job training) to help residents meet work requirements. While people aged 62 and over cannot be required to meet work requirements, non-elderly members of a mixed age household could be required to meet work requirements, as could voucher holders aged 55-61 residing in senior housing financed by the Low Income Housing Tax Credit (LIHTC), for which eligibility begins at age 55. Members of the aging services workforce could be impacted and would lose access to stable, affordable housing, making it harder to participate in the workforce.
- ***Proposal to Make Housing Assistance Time-Limited:*** Under the proposal, PHAs and owners would be authorized to limit housing assistance to a specific duration (as little as two years). Eligible households would have their assistance terminated at the end of the timeframe and would need to reapply for the housing community's waitlist, many of which are years-long. Elderly and disabled households are excluded from this authorization; however, elderly and disabled households are defined as households that are headed by an older adult (62+) or a person with a disability. This exclusion does not encompass the hundreds of thousands of mixed age households where a non-older adult is the head of household, but older adults are still living in the household, nor does it apply to the approximately 950,000 people aged 55 to 61 living in publicly supported housing.ⁱ The exclusion also does not extend to voucher holders in senior housing financed by the LIHTC, for which eligibility begins at age 55. More broadly, non-elderly members of the aging services workforce would once again be directly impacted by housing instability.

Minimal Alignment with Stated Goals: One of the stated goals of the proposal is to reduce the strain on limited housing supply and ease pressure on waitlists. However, because the proposal does not address

the underlying need for housing, households evicted from HUD-assisted housing will return immediately to the housing waitlist. Therefore, the proposal does nothing to address the supply of housing and only further intensifies the demand for housing.

The impacts of housing instability will extend to those serving older adults, including family caregivers subject to time limits, as well as the broader aging services workforce. Lower wages make it difficult for the aging services workforce to support themselves and their families financially: A total of 35% of direct care workers are housing cost-burdened, and 46% rely on public assistance.¹ Increasing housing instability for the aging services workforce further jeopardizes older adults' ability to age in America. This can result in higher costs for everyone due to premature and unnecessary placements of older adults in costlier care settings.

Burden and Scope for Housing Providers: Currently, HUD-assisted housing providers do not track or report resident work hours. The continued receipt of housing assistance is based on the resident continuing to meet eligibility factors related mostly to income, not related to the number of hours worked.

Essentially, the proposed rule would create an entirely new role – that of a “work agency” – for private housing owners and agents nationwide. In order to implement the new requirement, housing providers would need to create entirely new systems and processes to track and verify hours works, including to track any temporary variances in weekly hours. The housing provider would also need to make supportive services available, including but not limited to the provision of childcare, job training services, and housing transition services, without any additional funding for the provision of the services.

According to the proposed rule, the housing provider would need to establish policies and adopt a new lease that defines the new conditions of housing assistance. Unit turn-over is a significant burden on housing providers, with LeadingAge members reporting an average cost of \$10,000-\$14,000 in unit renovation costs following some terminations. The significant increase in unit turn overs would lead to massive upheaval and termination-related burden and cost for housing providers, spelling economic disaster for America's housing stock. LeadingAge strongly rejects the proposal based on the increased burden and bureaucracy associated with the new role envisioned for housing providers.

Financial Harm for Housing Communities: Policies that remove HUD subsidy leave the previously assisted household on the hook for the entire market rent, which they will likely not be able to pay. LeadingAge anticipates that this will lead to months of economic vacancy (a timeframe during which the unit is not physically vacant but during which the resident is not paying rent), followed by months of eviction proceedings, leading to termination-related unit turn overs and legal costs. The resulting financial harm could reach into the tens of thousands of dollars per unit, as described earlier. The cost impacts of economic vacancies would reach a scale at which they would cause irreparable financial harm for American communities and jeopardize affordable housing supply nationwide. Further, landlords participating in the Housing Choice Voucher (HCV) program, if only guaranteed two years or less of federally-subsidized rental income, would be highly disincentivized from participating in the voucher

¹ [Advancing States: Direct Care Workers in America](#)

program. Altogether, the policies could result in a collapse of the already scarce affordable housing stock nationwide.

“Permissive” Restrictions: The proposed rule frames the proposal as a “permissive” policy, meaning that housing providers could elect to implement the restrictions on tenants but would not be required to. However, certain states have already enacted (or are in the process of enacting) “trigger laws”ⁱⁱ that would require housing providers in their jurisdictions adopt work certain tenant restrictions if made possible by HUD, removing any choice for the housing provider.

Additionally, for some Multifamily Housing providers, the implementation of work requirements and time limits would in fact become the default process. Housing providers participating in HUD’s Multifamily Housing programs utilize the HUD model lease for tenancy, and HUD states in the proposed rule that the agency will be amending the lease with the new requirements, only allowing owners to “opt out” (not to opt in).

The new policy is therefore, in some cases, not at all permissive, and in other cases, only partially permissive in that the owner must affirmatively “opt out” of the policy, rather than opting in.

Request for Public Comment: In the proposed rule, HUD specifically invites comments regarding any less burdensome alternatives to this rule that will meet HUD’s objectives. However, the entire proposal will result in costly, burdensome, and harmful policy change and will further exacerbate destabilization at housing properties across the country.

America has proven solutions to address the housing needs of older adults and the aging services workforce, and they center on stable and truly affordable housing. Evicting families from stable, affordable housing will only result in higher costs for everyone.

We therefore urge HUD to immediately withdraw the proposed rule in its entirety. We also urge the agency to first study the projected cost implications of the policy, including the anticipated economic vacancies that result from the proposal and the harm on housing supply nationwide. Lastly, we urge HUD to expand its exclusions under the current proposed rulemaking to address the currently only partial exclusion of older adults.

Please direct any questions to [Juliana Bilowich](#), LeadingAge’s Vice President of Housing Policy.

Juliana Bilowich
LeadingAge

ⁱ 2020 Housing Impact Report: Seniors; Public and Affordable Housing Research Corporation

ⁱⁱ The [Arkansas General Assembly](#) approved House Bill 1196 on February 27, 2023, which requires able-bodied adults to work, volunteer, or participate in a workforce training program for at least 20 hours per week. The law requires local public housing authorities (PHAs) to seek approval from the U.S. Department of Housing and Urban Development (HUD) to implement the work requirements:

<https://www.arkleg.state.ar.us/Home/FTPDocument?path=%2FBills%2F2023R%2FPublic%2FHB1196.pdf>;

Wisconsin has also adopted a [law](#) that would force public housing authorities to adopt a work reporting requirement if allowable by HUD.