

HUD's New Citizenship Verification Mandate: What HUD-Assisted Housing Providers Must Do

March 12, 2026
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In January 2026, the U.S. Department of Housing and Urban Development (HUD) issued a surprise directive announcing immediate verification of citizenship and eligible immigration status for all households receiving federal housing assistance. Owners, public housing authorities, and managers of HUD-assisted properties are now subject to a 30-day deadline to identify and correct documentation gaps—or face potential consequences. HUD already issued the same mandate directly to Public Housing Authorities nationwide in late 2025.

At Offit Kurman, we have been closely monitoring this development and advising affordable housing providers on what this mandate means, how to comply, and how to protect against significant legal risk during implementation.

Why HUD Issued This Directive

HUD recently executed a Memorandum of Understanding with the Department of Homeland Security (DHS) to align their data systems—specifically HUD's Enterprise Income Verification (EIV) system and DHS's SAVE (Systematic Alien Verification for Entitlements) program. They combined the two into a new joint registry called the EIV-SAVE Tenant Matching Report.

After conducting their own preliminary audits, the agencies assert they identified:

- Households receiving assistance without verified eligibility
- Non-citizen household members with inconsistent or missing SAVE records
- Deceased residents listed as active in EIV files

Who Must Comply

If your property participates in a HUD-assisted program, the mandate applies. This includes:

- Public Housing Authorities
- Section 8 Project-Based properties
- Section 202, 236, 221(d)(3), 811
- HUD Multifamily assisted housing programs

What HUD Requires You to Do Immediately

HUD expects these affordable housing providers to:

- Review and verify the citizenship or immigration status of all assisted household members
- Correct discrepancies identified in the EIV-SAVE Tenant Matching Report
- Prorate assistance applied to mixed-status households
- Document every step along the way and ensure electronic and paper files align

This mandate is a significant operational challenge, but it is manageable with structure, consistency, and careful communication. The biggest risks lie not in HUD's verification requirements, but in missteps during resident interactions, potential selective enforcement, or insufficient documentation.

Remember: National origin and race/color are protected classes under the Fair Housing Act, which is federal law. Your jurisdiction may have additional protected classes to be aware of.

Housing providers should keep in mind that communication with all residents should be neutral, factual, uniform, non-threatening, and non-political.

Housing providers who respond quickly, apply the process uniformly, and preserve clear records are well-positioned to navigate this change successfully.