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

RE: FR-6524-P-01 HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980: VERIFICATION OF ELIGIBLE STATUS

Dear Secretary Turner,

The Chicagoland Apartment Association (CAA) is grateful for 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*.

CAA is the leading association of rental housing owners, managers and developers in Illinois. On behalf of our over 250 Illinois member companies, managing over 315,000 apartment homes, our association asks that you carefully consider how HUD's proposed immigration verification requirements could impact the provision of rental housing in our community. As background, housing providers often evaluate renters' identification and documentation during the leasing process. On-site teams may utilize identification (ID) verification and/or authentication tools to reduce the risk of rental fraud and as a precautionary measure for on-site staff before conducting property tours. Additionally, housing providers may evaluate renters' immigration information to confirm whether an applicant's visa aligns with the lease term during the screening process. While housing providers engage in these practices for legitimate business reasons associated with renting, property owners, operators and their on-site employees are not equipped to police immigration laws.

More specifically, HUD's proposed rule requires "responsible entities," including both public housing agencies (PHAs) and project or housing owners as appropriate, to verify immigration status for all assisted households through the federal government's newly overhauled Systemic Alien Verification for Entitlements (SAVE) system.

The proposal also would require assisted renters who self-certify their immigration status to sign a declaration per existing HUD regulation and a newly required "verification consent

form" agreeing to the submission of their information to SAVE. This form serves as a notification to renter households that responsible entities "must inform [the Department of Homeland Security] immediately whenever personnel determine that any member of a household is present in the U.S. in violation of the Immigration and Nationality Act."

When these new responsibilities are implemented and combined with the 90-day window to comply following the proposed rule's effective date, these policies would cause a significant shift in property management and operations with little room for error. Moreover, the proposed rule would require PHAs to terminate the assistance of "mixed-status" families whose eligibility cannot be verified, potentially adding more layers of risk and financial uncertainty for impacted rental communities.

As HUD contemplates changes to federal housing policies, our association also urges the agency to consider how this federal proposal would interact or conflict with state and local immigration-related requirements imposed on housing providers. In Illinois, immigration status is a protected class and housing providers are prohibited from considering immigration status in rental applications.

Thank you for the opportunity to provide comments and hear our unique perspectives. If our association can be of further assistance during this rulemaking process, please don't hesitate to reach out.

Sincerely,

Michael J. Mini

Michael Mini
Executive Vice President
Chicagoland Apartment Association