



The Colorado Health Foundation™

April 10, 2026

Secretary Scott Turner
U.S. Department of Housing and Urban Development
Attention: RIN 2501-AE16
451 7th Street, S.W., Room 10276
Washington, D.C. 20410-0500.

Submitted electronically via [Regulations.gov](https://www.regulations.gov)

RE: Comments on “Housing and Community Development Act of 1980: Verification of Eligible Status”

Dear Secretary Turner:

The Colorado Health Foundation appreciates the opportunity to submit comments to the Department of Housing and Urban Development (HUD) on its proposed rule: Housing and Community Development Act of 1980: Verification of Eligible Status. We strongly oppose the proposed changes and urge HUD to withdraw the proposed rule.

The Colorado Health Foundation is a statewide, nonprofit, and nonpartisan philanthropic organization with a mission to improve the health and well-being of Coloradans. Through community engagement, research, grantmaking, and private sector investments, the Foundation aims to ensure that everyone in Colorado has what they need to be healthy. We believe that housing justice exists when all Coloradans, including those who live on low income and have historically and are currently systematically excluded based on their race and ethnicity, have high-quality, safe, and affordable housing that supports their health, economic well-being, and dignity; have the power to shape and achieve the housing they prefer; and have the ability to cogovern both policies and systems that impact them. The Foundation opposes HUD’s proposed rule because it would put almost [80,000 people](#), including nearly 37,000 children, at risk or likely to lose their housing assistance. Specifically, we believe that HUD’s proposal will

- Negatively impact affordable housing in Colorado.
- Burden families with children, the elderly, and people with disabilities, and
- Harm Colorado’s health and economic stability

Colorado’s Affordable Housing Crisis

Housing is a key determinant of health and plays a critical role in bringing health in reach for all Coloradans. Currently, Colorado – and the nation – are in the midst of a fair and affordable housing crisis. Increases in Colorado housing costs have [outpaced income](#). As evidenced by our foundation's [Pulse Poll](#) in 2025, housing affordability ranks among the top concerns for over 80 percent of Coloradans. According to the statewide poll, 89% of Coloradans say the cost of housing is a serious issue, and more than 70%

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cite that they are worried about whether they will be able to afford to live in Colorado in the future. As a result of the high cost of housing:

- 73% of Coloradans have to work multiple jobs or more than they want to in order to pay their rent or mortgage,
- 73% have had to cut back on or go without other needs, such as food or health care,
- 76% have fallen behind on other bills and payments,
- 75% have taken on high-interest debt like credit card balances or payday loans,
- 81% have stayed in housing that was not right for them because they felt they could not afford alternative options,
- 85% sold property or important assets such as a car that they would have liked to keep but needed to sell in order to afford their rent or mortgage, and
- 73% of renters have avoided asking their landlord to address problems because they were afraid of having their rent increased or being evicted.

The Colorado Health Foundation believes that a safe, accessible, and affordable place to call home is a basic human right and that our communities have a vested interest in ensuring that housing opportunities are available to every individual. We also believe this proposed rule directly contradicts HUD's own goal of providing affordable housing opportunities to those in need. We agree with recent [comments](#) from the American Civil Liberties Union (ACLU) that the proposed rule would conflict with not only existing law, Congressional intent, and the agency's own prior rulemaking, but also would violate HUD's obligation to affirmatively further fair housing. With the rising cost of basic goods continuing to increase the burden of high housing costs, we strongly urge HUD to instead pursue policies that close the gap to affordable housing for American families, not widen it.

HUD's Proposal Will Negatively Impact American Immigrant Families with Children, the Elderly, and People with Disabilities, Including US Citizens


Under current HUD policy, immigrants without eligible immigration status are not recipients of federally funded housing subsidies. Instead, assistance is prorated so that only eligible members of a mixed-status household receive benefits. The proposed changes depart from this longstanding framework and would disproportionately burden U.S. citizens and eligible noncitizens residing in mixed-status families. These individuals would face new and potentially onerous documentation requirements and, in many cases, be forced to choose between family separation and eviction.

The processes for obtaining government-issued documentation, such as a birth certificate or driver's license, are often both costly and time-consuming. These burdens disproportionately impact individuals with lower incomes or other structural barriers, such as individuals with a disability or without reliable access to transportation.

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For individuals experiencing or at risk of becoming unhoused, these challenges are further compounded because maintaining personal records without stable housing is inherently difficult. It is also extremely challenging, if not impossible, to obtain many legal documents without proof of a residential address, a barrier that has been exacerbated in recent years by the enactment of [REAL ID](#). Older adults, of whom [1.9 million receive assistance](#) from federal housing programs, are especially vulnerable to harm under the proposed rule if they currently reside in a mixed-status household. For these individuals, many of whom live on a fixed income, any increase in rent or administrative burden may necessitate trade-offs between housing and other essential basic needs, such as food, medication, and healthcare. HUD's proposed rule also threatens the ability of many intergenerational families to live together, which jeopardizes the vital role many grandparents play in providing childcare while other household members work, as well as the role that many adult children play in providing care for senior parents and relatives.

Available data underscore the scope of this challenge. [Estimates](#) show that 3.8 million adult US citizens lack ready access to documentation proving citizenship, with an additional 17.5 million facing significant barriers to accessing such records. As a result, the proposed rule risks destabilizing a substantial number of otherwise eligible individuals. According to HUD's own analysis, 70 percent of the households that have been identified as high risk for being evicted or subject to family separation are families with eligible children. This instability is especially concerning for children, including those who are US citizens, as youth are the most vulnerable to educational interruptions, health challenges, and potentially long-lasting setbacks that are commonly associated with loss of housing.

Harm to Colorado's Health and Economy


Colorado is home to a vibrant immigrant community. Approximately [one in five](#) children in Colorado lives in a mixed status household, meaning that policies restricting access to housing assistance will disproportionately affect U.S. citizen children in families that are essential contributors to the state's economic and civic life. Increasing the number of adults and children without a stable home will translate into worse health outcomes, increased uncompensated care, higher use of emergency rooms, and broader spillover effects on schools, employers, and local economies. When considered alongside similar proposed rules and policy changes in areas such as healthcare and nutrition assistance, the cumulative effect is likely to worsen existing economic challenges and increase public costs.

Additionally, immigrants account for roughly one in ten residents and about 12 percent of the state labor force, with particularly high participation in sectors such as construction, hospitality, agriculture, and health services. Immigrant workers' labor force participation exceeds that of U.S.-born workers in Colorado, and immigrant-led households [contribute tens of billions of dollars](#) in earnings and billions in tax revenues each year. Nationally, immigrants' share in the labor force has [increased](#) more than three times over since 1970. The Foundation is concerned that the proposed provisions in the NPRM will make it

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harder for these Coloradans to remain healthy and fully contributing to the state economy and will create avoidable public health risks that ripple across communities.

Lack of Access to Housing Negatively Impacts Economic Stability in Communities

Individuals who live in a stable home [have better](#) health, education, and employment opportunities, which positively impact overall health and economic opportunities. Coloradans who are foreign-born hold an [estimated \\$21.3 billion](#) in spending power and contribute an estimated \$7.7 billion in taxes. The majority of these individuals are also of working age, making up a large part of important industries in the state. Coloradans from mixed-status households are critical contributors to the economy, and increasing housing instability for this population will have a crippling economic impact in addition to the human suffering associated with losing one's home or a family separation.

We also agree with recent [comments](#) from Members of Congress stating that, “Beyond the devastating effects on families, this proposal would also create administrative burdens for public housing authorities and property owners, diverting them from their core mission of providing housing assistance and effectively drawing them into immigration enforcement. Fear generated by HUD’s involvement in immigration verification may also prompt families to leave assisted housing preemptively, destabilizing communities and local housing markets.” More broadly, the proposed rule reflects a structural shift across the housing continuum for low to moderate-income families. By restricting access to housing for workers who build infrastructure, sustain businesses, provide care, and support local economies, the proposal risks creating systemic disruptions and undermining the effectiveness of federal housing policy.

Heightened Fear in Immigrant Communities

The NPRM is being introduced in a policy environment where immigrant families already report sharply increased fear and reduced participation in assistance programs they are eligible for due to immigration enforcement and related policy changes. The [recent notice](#) from the Centers for Medicare and Medicaid Services that it will begin sharing certain data with Immigration and Customs Enforcement is likely to amplify confusion and fear, particularly when combined with a public charge rule that emphasizes broad discretion and undefined standards.

Recent survey data show that immigrant adults increasingly report avoiding or stopping participation in programs that help pay for food, housing, or health care due to concerns about drawing attention to immigration status, with the highest rates among those in households with noncitizens or likely undocumented family members. Adding additional citizenship verification requirements on top of these dynamics will predictably deepen [chilling effects](#), even among individuals and families who are eligible for housing assistance.

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Conclusion

Colorado's health and communities are strongest when every resident, regardless of birthplace or immigration status, can safely attain the care, nutrition, and housing needed to thrive. Access to housing, particularly affordable and safe housing, impacts all aspects of an individual's life. If finalized, the proposed rule would place an undue burden on eligible immigrants and US citizens, as well as potentially evict tens of thousands of immigrant families, worsen the affordable housing crisis, and further raise fear among immigrant communities. We strongly urge HUD to reject this proposed rule and to instead focus on creating policies that close the gap to affordable housing for American families, not widen it.

The Foundation appreciates your consideration of our comments. If you have any questions, please contact Kyle Rojas Legleiter, Colorado Health Foundation Senior Director of Policy, at klegleiter@coloradohealth.org or 303-953-3618.

Sincerely,



Kyle Rojas Legleiter
Senior Director of Policy
Colorado Health Foundation