Verification of Eligible Status (Section 214) Final Rule Implementation Desk Guide

Final Rule: 91 FR 72978

RULE AT A GLANCE

The final rule amends 24 CFR Part 5, subpart E, to strengthen U.S. citizenship and eligible immigration status verification requirements for families in Section 214 covered programs. The rule limits prorated assistance for mixed-status families and revises eligibility and verification requirements.

12/14/2026

Final Rule Effective Date

All timeline requirements are measured from the effective date of the final rule.

Within 30 Days of Effective Date

PHA/Owner Sends Section 214 Notice

PHAs/Owners must send a notice to tenants who have not submitted evidence of U.S. citizenship or eligible immigration status.

Within 90 Days of Effective Date

Mixed-Status Family Members Must Submit Applicable Evidence (See 24 CFR 5.508(f)(2)(i))

Family members who have not previously provided evidence must submit documentation of eligible immigration status or U.S. citizenship and SSN, if applicable, within 90 days of the effective date of the final rule.

Next Annual/Interim Recertification

All Other Tenant Families Must Submit Applicable Evidence (See 24 CFR 5.508(f)(2)(ii))

Family members who have not previously provided evidence of their status must submit by their next annual/interim recertification (whichever is sooner) after the effective date of the final rule.

CASE-BY-CASE MAXIMUM 60-DAY EXTENSION (24 CFR 5.508(g))

PHAs/Owners must give up to 60 additional days to submit evidence if the family member signs the Section 214 declaration and verification consent form and certifies the required evidence is temporarily unavailable or additional time is needed to obtain/submit, and prompt and diligent efforts will be made to obtain the evidence.

MIXED-STATUS FAMILY MEMBERS

Up to 60 additional days after the 90-day deadline.

ALL OTHER AFFECTED TENANTS

Up to 60 additional days after the applicable annual/interim recertification deadline.

Verification and Safeguards

Primary & secondary verification

PHAs/Owners must conduct initial verification in SAVE and secondary verification when initial SAVE verification does not confirm U.S. citizenship or eligible immigration status.

No adverse action while verification is pending

PHAs/Owners may not delay, deny, reduce or terminate assistance if evidence was submitted timely and verification is still pending. 24 CFR § 5.514. VAWA protections still apply.

Informal hearing

Families may request an informal hearing within 30 days of an adverse determination notice, in accordance with 24 CFR § 5.514(e).

Preservation assistance

Families may be eligible for preservation assistance, as applicable, including continued prorated assistance or temporary deferral of termination of assistance. 24 CFR 5.518.

PHA / OWNER IMPLEMENTATION TASKS & BEST PRACTICES

- PHAs/Owners must update Section 214 notices (24 CFR 5.508(e)(2)) and verification consent forms (24 CFR 5.508(d)) to reflect documentation deadlines, verification and reporting procedures, and procedural safeguards. PHAs/Owners must also create a tenant self-certification form for tenants to apply for an extension of time to submit evidence of U.S. citizenship or eligible status.
- Owners must update Tenant Selection Plans to reflect admissions eligibility requirements.
- PHAs will need to update Admissions & Continued Occupancy Policies (ACOPs) and/or Administrative Plans to reflect eligibility requirements.
- As a best practice, PHAs/Owners may send the 214 notice, verification consent form, and self-declaration to tenants all at once.

Questions?

PIH Programs: VerificationQuestions@hud.gov

Multifamily Housing Programs: AssetManagementPolicy@hud.gov

Additional Resources

SAVE: https://www.uscis.gov/save

Webpage: https://www.hud.gov/hud-partners/verification-of-eligible-status