

HUD is proposing a new rule– here’s how you can share your opinion

GENERAL:

What is a proposed rule?

A rule is a requirement created by an administrative agency.

Most of the time, before an administrative agency like HUD creates a rule, the agency first shares information about the potential rule. This is called a Notice of Proposed Rulemaking. The agency also seeks information from the public about whether the proposed rule is a good idea or not, and whether the public thinks the rule should be changed in some way.

Why would I share my opinion about a proposed rule?

You might be directly affected by a rule. For example, a rule might propose to create or change requirements about something you use or operate or participate in. A rule may impact your life directly by creating new requirements you have to follow, or requirements that someone else must follow.

You might be indirectly affected by a rule. For example, you might work with people or businesses or communities that would have to do something differently because of the rule. You might think that change would be good, or bad, or that the rule needs to be changed if it is to benefit your community.

You might think the rule is a good or bad idea in general. Even if you are not directly or indirectly affected by a rule, you are still allowed to share your opinion.

Individuals can share their opinions, and groups, coalitions, and organizations can too. You can share your opinion anonymously or you can provide information about who you are that might help the agency understand your unique perspective.

Agencies like HUD must consider all of these comments when making final decisions about whether to change the proposed rule, and whether to make the proposed rule permanent.

How can I share my opinion?

In general:

- To share your opinion, you submit a comment. A comment is a written statement. It can be short or long. You can either submit your comment on the Regulations.gov website or you can mail the comment to HUD. Comments submitted by mail will be forwarded to regulations.gov. All comments – whether they are submitted using the website or through mail - become publicly available.
- Every proposed rule has a due date. You must submit your comments by the due date, or the agency may not consider your comment when making decisions about the proposed rule.

Things that are helpful to share in your comment:

- Who you are and why you care about this issue:
 - Ex: I am a landlord, and operate several buildings using HUD funds.
 - Ex: I am a tenant who lives in project-based housing.
 - Ex: I am a lawyer who represents parties in eviction proceedings.
 - Ex: I am a researcher who studies housing issues.
- Whether you think the proposed rule is a good idea or a bad idea:
 - Ex: I think this rule would be harmful, because...
 - Ex: I think this rule would be helpful, because...
- Whether you think the rule should be changed in some way:
 - Ex: This rule does not go far enough, and should do more of...
 - Ex: While most parts of this rule are not necessary, the part that would be useful is....
 - Ex: The section of the rule that should be changed is....
- Any recommendations you have for the agency on how it should put the rule into practice:
 - Ex: When HUD implements this rule, it should make sure tenants are informed by....
 - Ex: When HUD implements this rule, it should reduce the burden on housing providers by....
 - Ex: HUD should study the impacts of this rule by....
- HUD wants to hear about how the rule might directly impact you and your life experiences.

Tips and resources:

- Here are guidesheets written by other agencies about how to provide effective comments:
 - [“Top 5 Tips for Powerful Comments” \(SEC\)](#)
 - [“Make Your Voice Heard on DOL Rules” \(Department of Labor\)](#)
 - [“Making Your Voice Heard In the Federal Rulemaking Process” \(Department of Labor\)](#)

What happens once I share my opinion?

HUD reviews all the comments that people (and coalitions, groups and organizations) have submitted. HUD also writes a summary of all the comments listing the pros and cons provided by commenter and identifying recommendations to improve the rule. Based on these comments, HUD decides whether to change anything in the rule. HUD also decides whether to make the rule final (which means the rule would become law at the effective date, which is typically 30 days after publication in the Federal Register.

SPECIFICS:

- How can I learn about this rule and what it would do?
 - Here is a short summary of what the proposed rule would do: <https://www.regulations.gov/document/HUD-2023-0098-0022>
 - Here is the full proposed rule: <https://www.regulations.gov/document/HUD-2023-0098-0001>
 - The “Supplementary Information” section explains the reasons HUD is proposing this rule, what the proposed rule would require, and why HUD is allowed to require these things.
 - You can see where the actual language of HUD’s regulations would change too. That language is at the bottom of the proposed rule, following the heading “List of Subjects.” The language that would be changed starts under the text that reads “For the reasons discussed in the preamble, HUD amends 24 CFR parts 247, 880, 884, 886, 891, and 966 as follows.”
 - Here is HUD’s report on the potential costs and benefits of the rule: <https://www.regulations.gov/document/HUD-2023-0098-0002>
 - This report includes information about how tenants and housing providers might be impacted by the rule and what the benefits and costs of the rule could be.
- How do I share my opinion?
 - Go to this website <https://www.regulations.gov/document/HUD-2023-0098-0001> and click “Comment.” You can provide comments anonymously if you’d like.
 - OR mail your comment to Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10276, Washington, DC 20410–0500. If you submit your opinion this way, make sure to do the following:
 - Include the name of the rule: FR-6387-P-01 30-Day Notification Requirement Prior to Termination of Lease for Nonpayment of Rent
 - Try to send your comment in before the due date if you do this – ideally mail your comment by January 15, 2024. That will ensure HUD processes it in time so it can be reviewed.
- What’s the deadline to share my opinion?
 - January 30, 2024.