



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Housing Counseling
451 7th St., SW, Room 9224
Washington, D.C. 20410

January 26, 2023

SUBJECT: Proposed Rule for Tribal Housing Counseling Certification, Office of Housing Counseling

Dear Tribal Leader:

Today, January 26, 2023, the U.S. Department of Housing and Urban Development (HUD) published a proposed rule ([Federal Register](#)) in the Federal Register outlining housing counseling certification requirements that would apply specifically to employees of Tribes, Tribally Designated Housing Entities (TDHE), and other Tribal entities conducting housing counseling in connection with the Indian Housing Block Grant (IHBG) and Indian Community Development Block Grant (ICDBG) programs.

When Congress enacted the Dodd-Frank Act in 2010, it required that all housing counseling conducted under HUD programs be carried out by HUD-certified housing counselors. In furtherance of HUD's government-to-government relationship with Tribal Nations, HUD delayed the applicability of this certification requirement to HUD's Native American Housing Programs so that it could conduct consultation with Tribal leaders. After consulting tribal leaders and listening to feedback, HUD is proposing a new housing counselor certification option that addresses the unique circumstances and needs of Tribal communities.

Specifically, for counseling "required by or in connection with" the IHBG and ICDBG programs, an individual may become a "HUD-certified housing counselor" by working for a participating agency and meeting all requirements of HUD's Housing Counseling Program, including passing a housing counseling certification examination or by working for an Indian tribe, TDHE, or other Tribal entity, and passing a housing counseling certification examination.

The Department also proposes to adjust for Tribal entities certain components of HUD's current housing counselor certification exam, including adjustments for distinctions in civil rights laws or requirements pertaining to Tribes and the unique status of trust land.

How to Provide Comment on the Proposed Rule

HUD is encouraging public comments on the proposed rule through the submission methods contained in the rule, through March 27, 2023. As instructed in the proposed rule, comments may be submitted through the Federal eRulemaking Portal at www.regulations.gov or by mail. HUD also plans to host subsequent consultation sessions.

Sincerely,

David Berenbaum

David L. Berenbaum
Deputy Assistant Secretary
for Office of Housing Counseling