

## Federally Assisted Housing and Immigrant Eligibility

### HUD Programs Covered by Section 214 of the Housing and Community Development Act of 1980

- Public Housing
- Section 8 Vouchers
- Project-Based Section 8
- Section 236 Housing, with or without Rent Supplements (low-income units only)
- Section 235 Homeownership housing
- Housing Development Grants (HoDAG) (low-income units only)
- Section 23 Leased Housing Assistance Program

### Eligible Immigrants

- U.S. Citizens and Nationals
- Lawful Permanent Residents (LPR)
- VAWA Self-Petitioners
- Asylees and Refugees
- Parolees
- Persons Granted Withholding of Removal/Deportation
- Qualified Victims of Trafficking
- Persons granted admission for emergent or public interest reasons
- Persons granted amnesty under the Immigration Reform and Control Act of 1986
- Immigrants eligible for registry who entered the U.S. before June 30, 1948
- Lawful U.S. residents under the Compacts of Free Association with the Marshall Islands, Micronesia, Palau and Guam
- Immigrants admitted for lawful temporary residence prior to January 1, 1982

### Rural Development (RD) Programs Covered by Section 214

- Rental housing units in Section 515 and Section 514/516 development that are receiving RD Rental Assistance<sup>1</sup>
- Section 514 Farm Labor Housing
- Section 502 Direct Homeownership Loan Program
- Section 504 Minor Rehabilitation Loan and Grant Programs for Single Family Homes
- RD Voucher Program

### Eligible Immigrants

- Section 514/516: Lessee (but not household) must be U.S. Citizen or LPR<sup>2</sup>
- Section 502/504: Persons responsible for paying the loan must be U.S. Citizen or Section 214 eligible immigrant
- RD Voucher: Section 214 eligible immigrants

### Programs Unrestricted by Section 214 (non-comprehensive list)

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|---------------------------------|--|
| • Low Income Housing Tax Credit | • Indian Housing                           |
| • Section 202                   | • Rental Rehabilitation                    |
| • Section 811                   | • McKinney-Vento/HEARTH Act Programs       |
| • Section 221(d)(3) and (5)     | • HOPE 2                                   |
| • CDBG                          | • Rural Housing Preservation Grants        |
| • HOME                          | • Section 515 Rural Rental Housing Program |
| • HOPWA                         | • Section 538 Multifamily Loan Guarantees  |

<sup>1</sup> RD regulations improperly extend restriction to all occupants of Section 515 Rental Housing. However, RD has indefinitely postponed the application of this requirement. 7 C.F.R. § 3560.152 note.

<sup>2</sup> RD takes position that Sections 514 and 516 are more restrictive than Section 214. There is no proration of rents.