PRRAC
Poverty & Race Research Action Council
740 15th St. NW • Suite 300 • Washington, DC 20005 • 202/866/0703
www.prrac.org

April 27, 2026

Regulations Division,
Office of General Counsel,
Department of Housing and Urban Development,
451 7th Street SW, Room 10276,
Washington, DC 20410-0500
Sent electronically *via* Regulations.gov.

RE: Docket No. [FR-6529-I-01] – Revocation of the 30-Day Notification Requirement Prior To Termination of Lease for Nonpayment of Rent

Dear colleagues,

The Poverty & Race Research Action Council (PRRAC) is a national civil rights organization bridging law, policy, social science, and grassroots organizing to advance racial and economic justice. PRRAC brings deep expertise on housing justice and educational equity to grassroots movement organizations and coalitions, through legal analysis, policy design, and research translation. Our work is grounded in empirical research, legal analysis, and demonstrated solutions to ensure that federal housing programs advance equity, inclusion, and opportunity. From this perspective, we strongly oppose the Interim Final Rule (IFR) ("the revocation") and urge HUD to preserve the 30-Day Notification Requirement Prior to Termination of Lease for Nonpayment of Rent (89 FR 101270) ("30-day notice rule").

The proposed revocation will exacerbate the current housing crisis, raise significant Fair Housing Act (FHA) concerns, have negative financial impacts, open up liability for defects and due process violations against vulnerable tenants in public housing, federally-assisted housing, and residential properties that have a federally-backed mortgage. Therefore, we urge HUD to maintain the status quo and rescind the revocation of the 30-day notice rule.

1. *The revocation of the 30-day notice rule is ineffective, irresponsible, and dangerous during a housing crisis.*

The United States is currently in the midst of an unprecedented affordable housing crisis.[1] Ever-rising rents and stagnant incomes have caused more low- and moderate-income renters to

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[1] *The Problem*, Nat'l Low Income Housing Coal., https://nlihc.org/explore-issues/why-we-care/problem.

pay more than ever before.[2] 22.7 million households in the country (half of all renters) are forced to spend more than 30% of their income on housing, classifying them as "cost-burdened." More alarmingly, 26% are *severely* cost-burdened because they spend more than half of their income on rent and utilities. These households sit on an unstable precipice that could be tipped by a single unexpected expense or lost paycheck. Families without the financial buffers to absorb these costs face devastating results.

The existing 30-day notice rule recognizes and accounts for this reality faced by participating families and allows them the time and opportunity to seek out resources, plan/negotiate with their landlord, or work overtime to pay off their bills. If revoked, families will instead need to use their extremely limited time and money to prepare for the worst, disincentivizing collaboration between tenant and landlord. The mere filing of an eviction can inflict long-lasting harm. Depending on the jurisdiction, tenants who successfully cure their arrears and have their cases dismissed may still carry a permanent eviction record. This is a barrier to securing future housing and can effectively trap vulnerable families in a cycle of instability.

The consequences of a single involuntary move can be severe and multigenerational.[3] Matthew Desmond's book *Evicted* highlighted the collateral, compounding, and long-lasting effects of an eviction. Families must make decisions quickly to land on their feet. With little time or resources to make intentional moves, many are forced into poorer quality housing frequently at higher rents, which in turn significantly increases the likelihood of future evictions, housing insecurity, and homelessness.[4] The cycle of instability that follows is incredibly difficult to escape and its consequences demonstratively affect children's lifelong economic, educational, and health outcomes.[5]

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[2] In 2024, the number of cost-burdened households (those spending more than 30% on rent and utilities) hit a record high for the third year in a row accounting for more than 22.7 million households or about 49 percent of renters. Less predictably, moderate income earners making between $45,000 and $75,000 are still cost-burdened at a rate of 49 percent. Since 2001, the average renter's household income has increased by 9 percent. In contrast, the average rent has risen by 30 percent. Joint Center for Housing Studies of Harvard University *America's Rental Housing 2026* https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_Americas_Rental_Housing_2026.pdf; *see also* Jamie Forbes, *February 2025 Average Rent Report: Rents Rise as Construction Slows*, Rent. Research (Mar. 12, 2025), https://www.rent.com/research/average-rent-price-report/.

[3] *See* The Public Health Implications of Housing Instability, Eviction, and Homelessness, Network for Pub. Health L., at 2 (2025) (demonstrating that early-age transience and eviction induce a "spiral of financial instability" where children fall behind academically and experience higher rates of material hardship and depression for years afterward); *see also* Trajectories of Childhood Housing Insecurity and Links to Emerging Adulthood Depression, 34 J. Rsch. on Adolescence 12 (2026) (finding via repeated measures latent class analysis that severe housing insecurity in early childhood threatens long-term mental health and significantly elevates the risk for depression during the transition to adulthood).

[4] *See* Matthew Desmond & Tracey Shollenberger, *Forced Relocation and Residential Instability among Urban Renters*, 89 Soc. Serv. Rev. 227 (2015) (finding that forced displacement significantly increases subsequent unforced mobility and leads to "downward moves" into substandard housing and less resourced neighborhoods).

[5] Id.; Simrun Singh, How Housing Instability Affects Children's Health and Development, Housing Matters (Dec. 11, 2024) https://housingmatters.urban.org/articles/how-housing-instability-affects-childrens-health-and-development; See also, Raj Chetty, et al., The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment, American Economic Review, 106(4): 855–902 (April 2016) https://scholar.harvard.edu/files/lkatz/files/chk_aer_mto_0416.pdf

2. *The revocation will raise significant fair housing concerns due to disparities based on race, ethnicity, and familial status.*

This revocation will predictably raise fair housing concerns because Black and Latine families will bear the brunt of the impact. Black and Latine households are acutely overrepresented in the specific federal housing programs and federally-backed properties subject to this revocation.[6] Black households make up nearly half of all public housing households despite only making up about 15% of the general population.[7] Similarly, 26% of public housing households are Latine.[8] Similar racial trends exist across other federally-subsidized housing programs.[9] Localities will also have different concentrations of racial/ethnic communities that may also result in a disparate impact on a more local scale like Native American, Alaska Native and Hawaiian Native communities.[10] Predictably, these households will face disproportionate negative consequence of this revocation, including a stark increase in eviction filings.[11]

High poverty Black communities already experience significantly higher rates of eviction.[12] Data suggests that even when controlling for income, neighborhoods with higher percentages of non-white residents see higher filing rates. Black renters make up only 18.6% of all renters but account for an estimated 43% of those evicted; by contrast, White Americans make up 50.4% of all renters but accounted for only 32% of those who were evicted.[13] These statistics also fail to capture illegal evictions or voluntary evictions which may have racial/ethnic disparities as well. These eviction filings are often hyper-concentrated in specific geographic 'hotspots' which are typically in historically disinvested neighborhoods of color.[14]

Beyond these statistical disparities, marginalized renters endure compounding systemic barriers that make expedited eviction timelines deeply inequitable. Once an eviction is filed,

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[6] Nat'l Low Income Hous. Coal., *The Gap: A Shortage of Affordable Homes* 4 (2025), https://nlihc.org/sites/default/files/gap/2025/gap-report_2025_english.pdf; *see also* Ctr. on Budget & Policy Priorities, *Where Households Using Federal Rental Assistance Live* (2025), https://www.cbpp.org/research/housing/where-households-using-federal-rental-assistance-live.

[7] U.S. Dep't of Hous. & Urb. Dev., *Picture of Subsidized Households* (2025), https://www.huduser.gov/portal/datasets/assthsg.html

[8] *Id.*

[9] *Id.*

[10] *See e.g.* In North Dakota, 21% of tenants in HUD subsidized housing are Native American. Similarly, 24% of these households in Alaska are Native American/Alaska Native. In Hawai'i, 64% of tenants in HUD programs are Asian or Pacific Islander. *Id.*

[11] *Id.*

[12] Matthew Desmond, *Poor Black Women Are Evicted at Alarming Rates, Setting Off a Chain of Hardship* at 2, MacArthur Found. (2014), https://www.macfound.org/media/files/hhm_research_brief_-_poor_black_women_are_evicted_at_alarming_rates.pdf; Peter Hepburn, Renee Louis & Matthew Desmond, *Racial and Gender Disparities Among Evicted Americans*, 7 Socio. Sci. 649, 654–55 (2020).

[13] *See* Hepburn et al., *supra* note 12, at 656. Nick Graetz et al., *A Comprehensive Demographic Profile of the U.S. Evicted Population* at 3, 120 PNAS e2305860120 (2023), https://www.pnas.org/doi/epdf/10.1073/pnas.2305860120.; *See* Julie Lee, Balancing the Scales of Justice: Why Right to Counsel in Eviction Cases Is a Racial Justice and Housing Justice Issue, ACLU Mass.: Data for Just. Project (Jan. 16, 2024); *see also* Ashley Gromis et al., *Estimating Eviction Prevalence Across the United States*, 119 Proc. Nat'l Acad. Sci. e2116169119 (2022).

[14] Peter Hepburn, Renee Louis & Matthew Desmond, *Racial and Gender Disparities among Evicted Americans*, Eviction Lab (Dec. 16, 2020), https://evictionlab.org/demographics-of-eviction/.

families of color are significantly less likely to secure legal representation, forcing them to navigate complex proceedings at a disadvantage, frequently leading to bleak outcomes.[15] Only 3% of tenants are represented by legal counsel in eviction proceedings, in stark contrast to 81% of landlords.[16] Pro se tenants may easily miss procedural defects, exculpatory evidence, or legal defenses resulting in potential wrongful evictions.

In addition to the racial and ethnic disparities, the proposed revocation will also raise FHA concerns based on familial status. Public housing is a vital program for housing America's lowest income children. Over 40% of households in public housing have children.[17] Children will see disproportionate increases in homelessness and housing insecurity as a result of this revocation exacerbating current high rates of childhood housing insecurity. Roughly 40% of the 7.6 million people who face eviction each year are children. For families with intersecting identities, the rates are far worse. Black women with children face eviction more than any other demographic.[18] The proposed 30-day notice rule serves as a critical buffer for these households. For a family with children, an eviction is not just a change of address; it is a disruption of schooling, healthcare access, and social stability. Stripping away the notice period removes the ability of families to secure alternative housing that meets the specific needs of their children and can cause severe mental and physical health consequences.[19]

3. *The revocation will have negative financial impacts on public housing authorities, affected landlords, and localities.*

Despite advocates framing the revocation as fiscally prudent, it will actually increase litigation related costs for both the parties and the courts, and put unnecessary additional financial pressures on local jurisdictions. The affordable housing crisis is already a top concern for many constituents of localities, and policies that increase housing insecurity and homelessness will put additional strain on their budget earmarked for solutions. For example, public school districts are federally mandated to provide transportation and resources to unhoused students.[20] Increases in housing insecurity and homelessness, which this policy is likely to cause, will spike these costs for local school districts as well as countless other collateral costs like emergency response, benefits, sheltering, healthcare, foster care interventions etc..[21]

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[15] *See* Matthew Desmond, *Evicted: Poverty and Profit in the American City* (2016); *see also* Matthew O. Gribble et al., *The Role of Housing Markets in Producing Respiratory Health Disparities*, 41 Health Aff. 1765 (2022).

[16] *See* Am. C.L. Union & Nat'l Coal. for a Civil Right to Counsel, *No Eviction Without Representation: Evictions' Disproportionate Harms and the Promise of Right to Counsel* 2 (2022), https://www.aclu.org/publications/no-eviction-without-representation.

[17] *Picture of Subsidized Housing supra* note 7.

[18] Hye-Sung Han, *What Explains Variation in Neighborhood Evictions? Investigation of Neighborhood Characteristics and Federal Rental Assistance: Case Study of Kansas City, Missouri*, 47 J. Urb. Aff. 1 (2023).

[19] *See* Jack Tsai et al., *Longitudinal Study of the Housing and Mental Health Outcomes of Tenants Appearing in Eviction Court*, 56 Soc. Psychiatry Psychiatric Epidemiology 1679 (2021), https://pubmed.ncbi.nlm.nih.gov/32926182/ [https://perma.cc/T9SP-J322]; Nick Graetz et al., T*he Impacts of Rent Burden and Eviction on Mortality in the United States, 2000–2019*, 340 Soc. Sci. & Med. 1 (2024); Shreya Rao et al., *Association of US County-Level Eviction Rates and All-Cause Mortality*, 38 J. Gen. Intern. Med. 1207, 1210–11 (2022).

[20] 42 U.S.C. § 11432(g)(1)(J)(iii).

[21] Hannah Chimowitz & Adam Ruege, *The Costs and Harms of Homelessness*, Community Sols. (Sept. 25, 2023), https://community.solutions/research-posts/the-costs-and-harms-of-homelessness/.

Mandatory notice periods, like the 30-day notice rule, reduce both filing and eviction rates.[22] Notice periods build in adequate time for tenants and landlords to mediate, build a payment plan, or for the tenant to address and catch up on temporary financial shocks that resulted in delinquent rental payments.[23] This system balances fiscal prudency and fairness. Landlords are still able to file timely complaints to minimize potential damages, tenants can express their constitutional right to cure, and the courts are not burdened with excessive premature filings. Some courts see serial filers who repeatedly file for eviction the moment a single month's rent is late, essentially using the court system as a subsidized debt collector.

While industry groups have argued that a federal 30-day notice requirement creates administrative burdens and conflicts with state eviction laws, this argument fundamentally misunderstands the purpose of federal housing subsidies. Federal funds must carry federal baseline protections.

4. *The revocation creates significant legal liability and undermines constitutional due process for vulnerable tenants.*

A return to fragmented state and local eviction standards effectively eliminates the federally protected "opportunity to cure." Upon stripping the federal 30-day notice rule, currently protected tenants' notice periods will fall to as little as three days' notice. Realistically this provides little opportunity for tenants at risk of eviction to seek out resources or resolve administrative discrepancies to which they're constitutionally entitled.[24]

HUD-assisted housing is a federal program that requires a uniform standard of baseline tenant protections. Subjecting federally subsidized tenants to a patchwork of state laws violates the spirit of federal due process and creates arbitrary outcomes based solely on a tenant's zip code.

Furthermore, the 30-day notice period is not merely a grace period for payment; it is a vital safeguard against administrative errors. In HUD-assisted housing, rent calculations are notoriously complex and subject to frequent adjustments based on changing household income. A 30-day window ensures that tenants have adequate time to contest incorrect arrears and prevents families from being displaced due to a PHA or owner's miscalculation. Shortening this window increases the risk of wrongful evictions and subsequent litigation, which burdens both the housing providers and the judicial system.

Conclusion

In light of the stark racial and ethnic disparities documented above, it is clear that revocation of the 30-day notice rule will increase eviction filings, housing insecurity, homelessness, and the costs associated with each. Further, HUD is still statutorily obligated to

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[22] *See, e.g.*, Ashley Gromis et al., *Estimating Eviction Prevalence Across the United States*, 119 Proc. Nat'l Acad. Scis., no. 21, 2022, at 6, https://doi.org/10.1073/pnas.2116169119 [https://perma.cc/DH86-4EV8].
[23] Michael Manville et al., *Renter Nonpayment and Landlord Response: Evidence From COVID-19*, 33 Housing Pol'y Debate 1333, 1347–48 (2022).
[24] *See, e.g., Joy v. Daniels*, 479 F.2d 1236, 1239–41 (4th Cir. 1973) (holding that tenants of federally subsidized housing have due process rights); *Escalera v. N.Y.C. Hous. Auth.*, 425 F.2d 853, 858 (2d Cir. 1970) (establishing an opportunity to cure).

affirmatively further fair housing in its programs.[25] The revocation will dismantle notice policy to a fragmented patchwork of accelerated state eviction laws that will predictably disproportionately harm families based on their race, ethnicity, and familial status. Fundamentally, the 30-day notice period is not a grace period, it is a thoughtful, balanced policy based on data and demonstrated best practices which minimize downstream costs of homelessness and housing instability.

For these reasons, we strongly urge HUD to withdraw the proposed Interim Final Rule and fully retain the current 30-day notice requirement. Preserving this standard is an essential, proven mechanism to advance housing equity, ensure administrative accuracy, and protect the long-term stability of federally subsidized families.

Sincerely,

Audrey Lynn Martin
Housing Policy Counsel
amartin@prrac.org

[25] FHA, 42 U.S.C. § 3608(e)(5) and § 3608(d).