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GENERAL NEWS

HUD Issues Rule to Protect Tenants Facing Eviction for Nonpayment of Rent

Today in the *Federal Register*, the Department of Housing and Urban Development ([HUD](#)) published an [interim final rule](#) (IFR) that prohibits the eviction of tenants for nonpayment of rent from HUD-subsidized public housing and certain properties with project-based rental assistance (PBRA) without providing a 30-day notice period that includes information about available federal emergency rental assistance. Specifically, the rule provides that when there is a national emergency, such as the COVID-19 pandemic, and federal money is allocated to help tenants facing eviction for nonpayment of rent, HUD can:

- Expand the notice a covered landlord must give before such a tenant must vacate a unit from 14 days to 30 days.
- Require landlords to provide information to the tenant regarding federal emergency rental relief along with the eviction notice. HUD will publish a notice outlining the specific information to be included in the lease termination notification.
- Require landlords to provide notice to all tenants in public housing of the availability of emergency rental assistance.

For purposes of this rule, PBRA includes projects in the following programs: Section 8, Section 8 Moderate Rehabilitation, Section 202/162 Project Assistance Contract, Section 202 Project Rental Assistance Contract (PRAC), Section 811 PRAC, Section 236 Rental Housing Assistance Program and Rent Supplement.

The effective date of the IFR and the due date for comments is **November 8, 2021**. Further details can be found in the [interim final rule](#) and in a [press released](#) published yesterday.



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