



September 13, 2022

GENERAL NEWS

DHS Publishes Final Public Charge Rule

On September 9, 2022, the Department of Homeland Security ([DHS](#)) published a [final rule](#) in the *Federal Register* that provides clarity and consistency for noncitizens on how DHS will administer the public charge ground of inadmissibility.

Under this rule, DHS would determine that a noncitizen is likely at any time to become a public charge if the noncitizen is likely at any time to become primarily dependent on the government for subsistence, as demonstrated by either the receipt of public cash assistance for income maintenance or long-term institutionalization at government expense.

According to a [press release](#) issued by DHS, the Department will consider the following public benefits when making a public charge inadmissibility determination: Supplemental Security Income (SSI); cash assistance for income maintenance under Temporary Assistance for Needy Families (TANF); state, tribal, territorial, or local cash benefit programs for income maintenance; or long-term institutionalization at government expense.

DHS will not consider in public charge determinations benefits received by family members other than the applicant. DHS will also not consider receipt of certain noncash benefits for which noncitizens may be eligible such as Supplemental Nutrition Assistance Program (SNAP) or other nutrition programs, Children's Health Insurance Program (CHIP), Medicaid (other than for long-term institutionalization), housing benefits, any benefits related to immunizations or testing for communicable diseases, or other supplemental or special-purpose benefits. The final rule will be effective on December 23, 2022,

As you recall, on August 14, 2019, the previous administration published a [final rule](#) that expanded the list of public programs considered in making a public charge determination to include Section 8 Housing Choice Voucher, Section 8 Project-Based Rental Assistance, Supplemental Nutrition Assistance Program (SNAP, or food stamps), and Medicaid, with exceptions for emergency services, pregnant women and children. The rule was vacated and is no longer in effect.

HCV PROGRAM NEWS

HUD Posts HCV Landlord Newsletter

Yesterday on the [HCV Landlord Resources](#) webpage, the Department of Housing and Urban Development ([HUD](#)) [posted](#) the most recent issue of the HCV Landlord Newsletter. The publication, which is issued on a quarterly basis, provides tips for landlords on working with the Housing Choice Voucher ([HCV](#)) program, regulatory updates, research, and stories from HCV landlords, tenants, and PHAs from around the country. The current issue, dated September 2021, covers the following topics:

- An overview of HCV landlord rent increases
- Mediation offers voice to landlords and tenants
- HUD hosts Nevada symposium
- HUD hosts Midwest Region VII virtual HCV landlord symposium

You can access the newsletter [here](#) on the [HCV Landlord Resources](#) webpage.



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Nan McKay & Associates, 1810 Gillespie Way, Suite 202, El Cajon, CA 92020, USA, 1-800-783-3100
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