

Massachusetts Law Reform Institute

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Dear Housing Advocate or Applicant:

The Massachusetts Law Reform Institute has been asked by advocates and applicants to identify the federal housing programs for which there are no immigration restrictions for admission.

Many federal programs have some restrictions based on immigration status. However, ***applicants for the following federal programs may not be denied because of immigration status:***

- ! Housing Opportunities for Persons with AIDS (HOPWA)
- ! McKinney Homeless Programs
- ! Shelter Plus Care
- ! Supportive Housing
- ! HOME Rental Assistance
- ! Low Income Housing Tax Credit.

There may be other eligibility criteria for these programs, such as income level or disability status, but managers or owners of housing in these programs may not deny an application based on immigration status or the inability of an applicant to provide a social security number.

The relevant federal statute describing which programs have immigration restrictions is 42 United States Code § 1436a. For more information about this topic, including legal citations, please see our 2004 publication *Legal Tactics: Finding Public and Subsidized Housing*. It is available at our public information website, www.masslegalhelp.org, or in a hard copy through Massachusetts Continuing Legal Education, 800-966-6253.

I have sent a copy of this letter to the Boston office of the U.S. Department of Housing and Urban Development, Office of Counsel.

Sincerely,

Amy Copperman
Staff Attorney, Housing Unit