



MEMORANDUM

May 14, 2026

TO: Scott Turner
Secretary, Housing and Urban Development

Benjamin Hobbs
Assistant Secretary for Public and Indian Housing

//signed//

FROM: Brian D. Harrison
Acting Inspector General, Housing and Urban Development

SUBJECT: *Interim Results on PHA Crime Prevention and Tenant Eligibility Determinations*

We are conducting three audits of crime prevention and eligibility determinations at Public Housing Authorities (PHA) in Washington, DC; Chicago; and Los Angeles. The objective of our audits is to (1) determine whether the Authority complied with HUD's and its own requirements for verifying eligibility of individuals for HUD-assisted housing based on criminal activity, citizenship, and immigration status, and (2) evaluate the Authority's practices for preventing and addressing criminal activity.

While the audits remain ongoing, this memorandum provides some of the initial results we believe could result in ineligible tenants participating in HUD's public housing and voucher programs. We have also made some recommendations for HUD to implement regulatory and procedural changes to improve the program effectiveness in ensuring safe communities and assistance provided to only eligible participants.

Overview

To be eligible for HUD's Public Housing and Housing Choice Voucher programs, applicants must meet certain eligibility requirements pertaining to income, criminal background, and citizenship or immigration status. HUD's regulations require that PHAs verify all eligibility requirements prior to admission to the programs. Based on our audit work thus far, we are highlighting below areas where HUD requirements could be strengthened to improve the effectiveness of the programs:

- **Criminal background requirements:** HUD requires PHAs to perform criminal background checks during the admission process but does not require these checks during reexamination.
- **Citizenship status requirements:** HUD does not require third-party verification if the applicant declares U.S. citizenship status. While the PHAs may perform additional checks at reexamination and require evidence of U.S. citizenship, these checks are performed differently across PHAs, because HUD regulations do not require the PHAs to take these additional steps.

Criminal Background Checks

Since PHAs are not required to perform criminal background checks after acceptance to the program, PHAs are not consistently performing criminal background checks during the reexamination. In a letter to the PHAs¹, HUD's Secretary stated that PHAs must monitor assisted households to remove individuals that pose a threat to safety and continuously monitor for criminal activity. However, without a specific requirement for background checks at recertification, monitoring is left up to PHA discretion. Background checks at recertification serve two purposes: 1) inform PHAs of new crimes that were committed after admission to the program, 2) ensure that participants have been checked against the most up to date criminal background information. Our work has identified the following processes related to criminal background checks across the three PHAs, all of which differ between PHAs and between the Public Housing and Housing Choice Voucher programs:

- The District of Columbia Housing Authority (DCHA) confirmed that it does not perform background checks at reexamination in the Housing Choice Voucher program and only recently began performing background checks consistently at reexamination for Public Housing.
- The Housing Authority of the City of Los Angeles (HACLA) only performs background checks in both Housing Choice Voucher and Public Housing programs when there is a new head of household, adults added to the household, when the resident changes programs, and other limited circumstances. HACLA does not perform background checks at reexaminations.
- Chicago Housing Authority's (CHA) policies and procedures require criminal background checks for all adult household members during the initial screening process and during reexaminations, for both Housing Choice Voucher and Public Housing programs. However, CHA provided conflicting information regarding whether it performs criminal background checks for all adult household members in the HCV program during reexaminations.

Although HUD regulations do not require criminal background checks as part of the reexamination process, not conducting them increases the likelihood that crimes committed after initial program admission will not be reported to the PHAs and that individuals who commit crimes warranting eviction will not be terminated from the program.

Further, we found differences in the criminal background checks conducted by the PHAs under review related to the scope and lookback period:

- While DCHA's third party software performs a nationwide criminal background check, DCHA expressed concern that criminal records beyond its local jurisdiction (Washington, DC; Maryland; and Virginia) may not be complete. This is because several states only report limited data to national furnishers. Therefore, when it performs criminal background checks it may not properly identify criminal background status if crimes were committed outside of the local jurisdiction. Criminal background screening is conducted for all new applicants, with a lookback period of 5 years; however, DCHA is currently updating their guidance to extend the screening period to 7 years.

¹ [The SOHUD Letter to PHAs and Owners re. Public Safety dated 11/25/25](#)

- HACLA hires a third-party vendor to perform nationwide criminal background checks of applicants entering in its Housing Choice Voucher and Public Housing programs. These checks involve lookback periods of 5 years for those entering the Housing Choice Voucher program and 7 years for those entering the Public Housing program.
- CHA's lookback period for criminal background checks for both programs is limited to 180 days, as regulated by the State of Illinois. CHA has stated that the checks are nationwide for both programs.

HUD does not have a system that collects and shares nationwide criminal data with PHAs, and therefore data matches performed by PHAs may be different. Further, HUD cannot monitor whether PHAs are accessing the data and conducting checks as required. HUD does not mandate the use of any system, data set, or lookback period for criminal background checks, so PHAs can use their discretion. This can result in differences in the scope of the check and the length of the lookback period resulting in a risk that participants are admitted into the programs even though they may be ineligible.

Citizenship Status

HUD's regulations require participants in the Public Housing or Housing Choice Voucher programs to be U.S. citizens or have an eligible immigration status. PHAs check eligible immigration status by accessing the U.S. Citizenship and Immigration Services Systematic Alien Verification for Entitlements (SAVE) system. However, HUD regulations do not require PHAs to verify citizenship status with third-party documentation, such as a passport or social security card, if the participant signs a declaration of U.S. citizenship². Further, if non-citizens are over age 62, they are only required to provide a proof of age document. While DCHA, HACLA, and CHA confirmed that they do verify citizenship with third-party documentation; based on this regulation, there is a risk that other PHAs may not. If the PHA does not verify U.S. citizenship, coupled with HUD's limited monitoring of PHAs eligibility processes and HUD's inability to complete tenant file reviews as part of HUD's annual improper payment reporting requirements³, there is an increased risk that any fraudulent reporting of citizenship status will go undetected.

DCHA did confirm that for a period it was not using SAVE to validate applicants for Public Housing because the team members with access retired. Since HUD did not have a way to monitor PHA use of SAVE, it did not know this until its Departmental Enforcement Center performed a review in December 2025. DCHA also stated that obtaining new access to the SAVE system was a difficult process and there was outdated guidance on the process on HUD's website. HACLA confirmed that it uses SAVE to verify applicants' initial entry in both of its Housing Choice Voucher and Public Housing programs. CHA confirmed that it uses SAVE to verify the eligibility of non-citizens during the initial screening process and during re-examinations, for the Housing Choice Voucher program. However, it is yet to confirm its use of SAVE for verifying eligibility for the Public Housing program.

Although these conditions existed at the time of our audit, HUD is already making progress to address these issues. For example, recently HUD published a proposed rule that would change HUD's

² A signed statement affirming under penalty of perjury that an individual is a U.S. citizen, national, or eligible noncitizen.

³ Audit Report #2025-FO-0006, Issued May 13, 2025.

regulations to require third-party verification regardless of age or reported citizenship status. Based on our review of the proposed rule, we believe that it will close this gap in HUD's regulations related to verification of U.S citizenship. Further, on January 23, 2026, HUD announced that SAVE data is now available through EIV and a new EIV-SAVE report cross references HUD's tenant data with SAVE data. We believe that this additional data set in EIV will yield more consistent eligibility checks across PHAs. It is important that HUD implements monitoring activities to ensure PHAs are regularly accessing this data as part of their application and reexamination processes.

Conclusion

Based on our work thus far at DCHA, HACLA, and CHA, and our review of HUD regulations, we have identified opportunities to strengthen tenant eligibility controls related to criminal background checks and U.S. citizenship or eligible immigration status. Current practices among these PHAs are different due to HUD requirements lacking clarity on reexamination periods, verification through third-party documentation, or scope. We are providing recommendations to enhance program controls and ensure housing assistance provided in the Public Housing and Housing Choice Voucher programs is limited to eligible participants. Our work on these objectives remain ongoing, and we will share additional results as they become available.

Recommendations

We recommend the Assistant Secretary for Public and Indian Housing work with the Office of General Counsel to:

1A) Update HUD's regulations or clarify in a PIH notice that PHAs are required to perform criminal background checks during the reexamination process.

1B) Update HUD's regulations to require third-party verification of U.S citizenship.

We recommend the Assistant Secretary for Public and Indian Housing to:

1C) Assess the feasibility of standardizing the data PHAs are using for criminal background checks to ensure PHAs are using complete data sets when conducting criminal background checks.

1D) Establish and implement procedures to monitor PHA use of SAVE data reports in EIV.

1E) Issue a Notice to PHAs explaining the new SAVE reports in EIV and the requirement for PHAs to use SAVE reports in EIV during the admission and reexamination process.

1F) Assess the feasibility of establishing a quality controls process at the Headquarters level to identify individuals classified as lifetime sex offenders and participating in housing assistance programs. For example, periodic data reconciliation between PIC and national registry data.

Our ongoing audits are being conducted in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective.

We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

Management Response

HUD did not comment on the content of our memorandum, but did comment on the recommendations. In relation to our recommendations on criminal background checks, HUD expressed concern with some of our recommendations, mainly because it was uncertain if HUD could make these changes based on current statute and state and local law. HUD also stated that if it were to implement our recommendations, PIH would have questions about the extent to which HUD could specify what the PHAs must consider.

In relation to our recommendations on citizenship verification, HUD clarified the status of its proposed rule and the progress it has made related to citizenship requirements and verification. See HUD's full response in Appendix A.

OIG Evaluation of Management Response

In response to HUD's comments on the criminal background checks, we adjusted the recommendations to give HUD more flexibility in how they addressed the findings cited in the report. We also included additional language to show how our recommendations are in line with the HUD Secretary's recent letter.⁴ In relation to HUD's concern regarding what to have the PHAs consider, we are not asking HUD to tell PHAs what to consider in its decisions to admit or terminate tenancy, instead we are recommending that HUD require background checks at recertification and provide consistent and complete criminal background data to PHAs to use when conducting monitoring of assisted households.

In response to HUD's comments on the recommendations regarding citizenship verification, we updated our memo to report on the status of HUD's recent efforts and adjusted recommendation 1E as HUD suggested.

⁴ [The SOHUD Letter to PHAs and Owners re. Public Safety dated 11/25/25](#)

Appendix A- HUD's Response

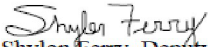


U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

ASSISTANT SECRETARY FOR
PUBLIC AND INDIAN HOUSING

DATE: March 23, 2026

MEMORANDUM FOR: Brittany Wing, Audit Director

FROM: 
Shylon Ferry, Deputy Assistant Secretary, Assessment & Recovery Center

SUBJECT: Comments on Draft Report: Interim Results on PHA Crime Prevention and Tenant Eligibility Development

The Office of Public and Indian Housing (PIH) has reviewed the subject draft report and confirms that we do have comments on the draft report and recommendations at this time.

Recommendation 1A: Update HUD's regulations to require criminal background checks during the reexamination process.

HUD Response:

If permissible by statute, this requires coordination between multiple HUD Offices. Without any substantive evidentiary support, it is unclear whether revising HUD's regulations is necessary to improve program effectiveness. PIH recommends revising this recommendation to one in which HUD determines whether an update to regulations is necessary or whether HUD could provide additional guidance on how to ensure safety and continued eligibility through the reexamination process.

PIH also notes this communication (attached) Secretary Turner sent to all public housing agencies and multifamily property owners in November 2025, clarifying statutorily-required criminal screening and safety policies and encouraging PHAs and owners to go further in adopting policies to protect HUD-assisted residents. Secretary Turner's letter also recount HUD's recent rescission of several guidance documents that had a chilling effect on the use of some information to screen for suitability for and termination of tenancy: Notice 2015-19, "Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions"; (2) a 2016 memo from HUD's Office of General Counsel on "Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions"; and (3) a 2022 memo from HUD's Office of Fair Housing and Equal Opportunity on "Implementation of the Office of General Counsel's Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions" on background screening

www.hud.gov

Recommendation 1B: Update HUD’s regulations to require third-party verification of U.S. citizenship.

HUD Response:

The draft report references a draft rule with the Hill that would change HUD’s regulations to require third-party verification regardless of age or reported citizenship status. OIG may wish to update to reflect that HUD has now published a proposed rule (91 FR 8151) that would revise 24 CFR 5.512 to require responsible entities to verify citizenship through the Systematic Alien Verification for Entitlements system.

Here is a description from the proposed rule preamble on this point:

“Under HUD’s current regulations at [24 CFR 5.508\(b\)\(1\)](#), U.S. citizens and U.S. nationals must submit a signed declaration of U.S. citizenship or U.S. nationality to the responsible entity and the responsible entity may—but is not required to—request additional documentation for these individuals. In this proposed rule, HUD is proposing revisions to § 5.508(b)(1) to require persons who declare themselves to have U.S. citizenship or U.S. nationality to provide a signed declaration, as is the case under HUD’s existing regulation, and, newly, a verification consent form. HUD is proposing elsewhere in this rulemaking that responsible entities will verify U.S. citizenship and/or immigration status through submission of biographic information (first name, last name, and date of birth) and an approved government-issued numeric identifier, including a Social Security number, to SAVE (see proposed § 5.512(c)).” The requirement will apply to all applicants as well as current tenants and participants.

Recommendation 1C: Incorporate nationwide criminal background data into EIV or standardize the data PHAs are using for criminal background checks to ensure nationwide data is being used and can be easily accessed as part of the admission and reexamination process.

HUD Response:

Statutory provisions on criminal screening and termination for criminal activity (e.g., 42 USC 13661(c), 42 USC 1437d) provide PHAs with authority to deny admission and to terminate tenancy based on their own determination that criminal activity within a reasonable time would adversely affect the health, safety, or right to peaceful enjoyment of the premises by others. To the extent that PHAs have authority to make such determinations, PIH would have questions about the extent to which HUD could specify what the PHAs must consider. Likewise, as the draft report notes, the variety of state and local law on this matter could complicate an effort to provide a standardized database.

PIH would like to have a follow-up conversation to understand OIG’s objective.

Recommendation 1D: Establish and implement procedures to monitor PHA use of SAVE data reports in EIV.

HUD Response:

As noted in the draft report, HUD has recently published a new report in the Enterprise Income Verification (EIV) system, the EIV-SAVE Tenant Matching Report. This report cross references data provided by PHAs through the Form HUD-50058 about assisted individuals' citizenship or immigration status, with U.S. Citizenship and Immigration Services (USCIS) data on tenants' citizenship and immigration status from SAVE.

HUD is currently investigating procedures for monitoring PHA use of SAVE data reports and monitoring whether PHAs are maintaining access to the SAVE system.

Note that the information in the EIV-SAVE Tenant Matching Report is distinct from the SAVE results that PHAs obtain, and the latter may contain additional information that is critical to eligibility determinations.

Recommendation 1E: Update HUD's current regulations mandating the use of EIV (24 CFR 5.233) to require PHAs to use SAVE reports in EIV during the admission and reexamination process.

HUD Response:

This seems to conflate what the EIV-SAVE report does and the availability of SAVE data in EIV. PHAs must continue to make SAVE inquiries in the SAVE system, and use of the EIV-SAVE Tenant Matching Report will not displace that requirement.

A regulatory change is unwarranted as 24 CFR 5.233 currently requires PHAs to use EIV in its entirety in accordance with administrative guidance issued by HUD. The appropriate place for instructions on the required cadence for specific EIV reports would be in a PIH notice. PIH suggests revising the recommendation to issuance of guidance or a Notice on the required use of the EIV-SAVE report.

Please note that applicants will not be listed in the EIV-SAVE report. Once HUD's proposed rule on Verification of Eligible Status is effective, agencies will use SAVE to verify U.S. Citizenship and/or immigration status during the admissions process.

We appreciate the work and engagement between the OIG and PIH and look forward to continuous collaboration with the OIG. Should you have any questions, or need any additional information, please contact Nicholas Bilka at Nicholas.j.bilka@hud.gov.

Appendix B- Supporting HUD Regulations

Criteria for Recertifications

24 CFR 960- Admission To, and Occupancy of, Public Housing

§ 960.257 Family income and composition: Annual and interim reexaminations.

(d)PHA reexamination policies. The PHA must adopt admission and continued occupancy policies concerning conduct of annual and interim reexaminations in accordance with this section, and shall conduct reexaminations in accordance with such policies. The PHA reexamination policies must be in accordance with the PHA plan.

§ 960.259 Family information and verification.

(c) PHA responsibility for reexamination and verification.

(1) Except as provided in paragraph (c)(2) of this section, the PHA must obtain and document in the family file third-party verification of the following factors, or must document in the file why third-party verification was not available:

- (i) Reported family annual income;
- (ii) The value of assets;
- (iii) Expenses related to deductions from annual income; and
- (iv) Other factors that affect the determination of adjusted income or income-based rent.

24 CFR Part 982-Section 8 Tenant-Based Assistance: Housing Choice Voucher Program

§ 982.516 Family income and composition: Annual and interim examinations.

(a) PHA responsibility for reexamination and verification.

(1) The PHA must conduct a reexamination of family income and composition at least annually.

(2) Except as provided in [paragraph \(a\)\(3\)](#) of this section, the PHA must obtain and document in the tenant file third-party verification of the following factors, or must document in the tenant file why third-party verification was not available:

- (i) Reported family annual income;
- (ii) The value of assets;
- (iii) Expenses related to deductions from annual income; and
- (iv) Other factors that affect the determination of adjusted income.

Criteria for Citizenship Status

§ 5.508 Submission of evidence of citizenship or eligible immigration status.

(a) **General.** Eligibility for assistance or continued assistance under a Section 214 covered program is contingent upon a family's submission to the responsible entity of the documents described in paragraph (b) of this section for each family member. If one or more family members do not have citizenship or eligible immigration status, the family members may exercise the election not to contend to have eligible immigration status as provided in paragraph (e) of this section, and the provisions of §§ 5.516 and 5.518 shall apply.

(b) **Evidence of citizenship or eligible immigration status.** Each family member, regardless of age, must submit the following evidence to the responsible entity.

(1) For U.S. citizens or U.S. nationals, the evidence consists of a signed declaration of U.S. citizenship or U.S. nationality. The responsible entity may request verification of the declaration by requiring presentation of a United States passport or other appropriate documentation, as specified in HUD guidance.

(2) For noncitizens who are 62 years of age or older or who will be 62 years of age or older and receiving assistance under a Section 214 covered program on September 30, 1996 or applying for assistance on or after that date, the evidence consists of:

- (i) A signed declaration of eligible immigration status; and
- (ii) Proof of age document.

Criteria for Criminal Background checks:

24 CFR 960- Admission To, and Occupancy of, Public Housing

960.204 Denial of admission for criminal activity or drug abuse by household members.

(a) Required denial of admission —

(1) Persons evicted for drug-related criminal activity. The PHA standards must prohibit admission of an applicant to the PHA's public housing program for three years from the date of the eviction if any household member has been evicted from federally assisted housing for drug-related criminal activity. However, the PHA may admit the household if the PHA determines:

- (i) The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA; or
- (ii) The circumstances leading to the eviction no longer exist (for example, the criminal household member has died or is imprisoned).

(2) Persons engaging in illegal use of a drug. The PHA must establish standards that prohibit admission of a household to the PHA's public housing program if:

- (i) The PHA determines that any household member is currently engaging in illegal use of a drug (For purposes of this section, a household member is "currently engaged in" the criminal activity if the person has engaged in the behavior recently enough to justify a reasonable belief that the behavior is current); or
- (ii) The PHA determines that it has reasonable cause to believe that a household member's illegal use or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

(3) Persons convicted of methamphetamine production. The PHA must establish standards that permanently prohibit admission to the PHA's public housing program if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

(4) Persons subject to sex offender registration requirement. The PHA must establish standards that prohibit admission to the PHA's public housing program if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In the screening of applicants, the PHA must perform necessary criminal history background checks in the State where the housing is located and in other States where household members are known to have resided. (See part 5, subpart J of this title for provisions concerning access to sex offender registration records.)

(b) Persons that abuse or show a pattern of abuse of alcohol. The PHA must establish standards that prohibit admission to the PHA's public housing program if the PHA determines that it has reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

24 CFR Part 982- Section 8 Tenant-Based Assistance: Housing Choice Voucher Program

§ 982.553 Denial of admission and termination of assistance for criminals and alcohol abusers.

(a) *Denial of admission —*

(1) *Prohibiting admission of drug criminals.*

(i) The PHA *must* prohibit admission to the program of an applicant for three years from the date of eviction if a household member has been evicted from federally assisted housing for drug-related criminal activity. However, the PHA may admit the household if the PHA determines:

- (A) That the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA; or
- (B) That the circumstances leading to eviction no longer exist (for example, the criminal household member has died or is imprisoned).

(ii) The PHA must establish standards that prohibit admission if:

- (A) The PHA determines that any household member is currently engaging in illegal use of a drug;
- (B) The PHA determines that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; or
- (C) Any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

(2) *Prohibiting admission of other criminals—*

(i) *Mandatory prohibition.* The PHA *must* establish standards that prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In this screening of applicants, the PHA must perform criminal history background checks necessary to determine whether any household member is subject to a lifetime sex offender registration requirement in the State where the housing is located and in other States where the household members are known to have resided.

(ii) *Permissive prohibitions.*

(A) The PHA *may* prohibit admission of a household to the program if the PHA determines that any household member is currently engaged in, or has engaged in during a reasonable time before the admission:

(1) Drug-related criminal activity.

(2) Violent criminal activity.

(3) Other criminal activity which may threaten health, safety, or right to peaceful enjoyment of the premises by other residents or people residing in the immediate vicinity; or

(4) Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

(C)

(3) *Prohibiting admission of alcohol abusers.* The PHA must establish standards that prohibit admission to the program if the PHA determines that it has reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.