

SECURING HOUSING FOR IMMIGRANT FAMILIES

HOW PUBLIC CHARGE AFFECTS HOUSING PROGRAMS AND ASSISTANCE

01 ONLY 3 HOUSING PROGRAMS COUNT FOR PUBLIC CHARGE.

- Public Housing
- Section 8 Housing Choice Voucher
- Section 8 Project-Based Rental Assistance (includes Section 8 Moderate Rehabilitation)

02 FEDERAL SECTION 8 AND PUBLIC HOUSING BENEFITS RECEIVED BY U.S. CITIZEN, LAWFUL PERMANENT RESIDENTS OR OTHER ELIGIBLE IMMIGRANT CHILDREN AND FAMILY MEMBERS DO NOT AFFECT YOU FOR PUBLIC CHARGE PURPOSES.

U.S. Department of Housing and Urban Development (HUD) has immigration restrictions for receipt of public and Section 8 housing benefits, but allows “mixed status” households to live together. If you live in a household in which your children or family members receive Section 8 or public housing benefits, those benefits will not affect you for purposes of public charge. This is true even if you as a parent or guardian are applying on behalf of your child. Only benefits that you apply for and receive in your name will be counted for public charge. **Undocumented immigrants are not eligible for the Section 8 and federal public housing programs but they are allowed to live with their eligible family members.*

03 PERSONAL USE OF ANY OF THE 3 HOUSING PROGRAMS WILL ONLY BE COUNTED IF USED AFTER FEBRUARY 24, 2020.

Immigration officials will **only consider the personal use** of the three housing programs listed above, on and after February 24, 2020 (the day the final public charge rule went into effect).

04 EMERGENCY RENTAL, MORTGAGE AND UTILITY ASSISTANCE PROGRAMS DO NOT COUNT FOR PUBLIC CHARGE.

Emergency assistance housing programs help immigrant families access and maintain safe and affordable housing. Most emergency housing programs that provide short term relief are available for all families in need, regardless of immigration status. Immigrant families can and should access the emergency rental, mortgage and assistance programs for which they are eligible without fear of the public charge. These programs include:

- Homeless Prevention Programs
- Emergency Shelters & Transitional Housing
- HUD local continuum of care
- State and Local Emergency Rental, Mortgage, Utility Assistance (including COVID-19 assistance)

05 THE FOLLOWING HOUSING ASSISTANCE AND HOUSING PROGRAMS ALSO DO NOT COUNT FOR PUBLIC CHARGE.

- Low-Income Housing Tax Credit (LIHTC)
- Home Investment Partnerships Program
- Section 811 Housing for the Disabled Program
- USDA home loan and grant programs
- Rural Development Section 515 and Section 514/516 programs
- Housing Opportunities for Persons with AIDS (HOPWA)
- Section 202 Housing for the Elderly Program
- Low Income Home Energy Assistance Program (LIHEAP)

What is public charge?

Public charge is a law that applies to certain immigrants applying for a green card (legal permanent residency) or a visa to enter the U.S, to see if they are likely to use specific public benefits in the future. Immigration officials review a person's age, income, health, education, skills, financial sponsor, and personal use of certain public programs to determine if they are likely to become a public charge. *If a person is found to likely be a public charge, their green card application could be denied.*

Who is subject to public charge?

Public charge mainly affects those applying for a green card through a family-based petition. It does **not** apply to persons with a U or T visa, VAWA visa, asylum or refugee status, Special Immigrant Juvenile Status or to those applying for U.S. Citizenship, green card renewal, DACA or TPS.

RESOURCES

There are resources and organizations to help you stay informed on public charge, apply for housing assistance, and get legal help.

Public Charge

Resources and Information:

WWW.PROTECTINGIMMIGRANTFAMILIESILLINOIS.ORG

List of Public Charge Informational Centers in Illinois:

[HTTPS://DRIVE.GOOGLE.COM/FILE/D/1AAYK72NEV5IAUIB79RAWGIDWJNQJPM/VIEW](https://drive.google.com/file/d/1AAYK72NEV5IAUIB79RAWGIDWJNQJPM/view)

Housing Assistance

IL Homeless Prevention Providers:

WWW.DHS.STATE.IL.US/PAGE.ASPX?ITEM=110583

Emergency and Transitional Housing Providers:

WWW.DHS.STATE.IL.US/PAGE.ASPX?ITEM=98150

IL Department of Human Services Help Line:

1 (800) 843-6154

Immigration & Housing Legal Help

Legal Service Directory with organizations that provide free or low-cost legal services:

WWW.IMMIGRATIONADVOCATES.ORG/NONPROFIT/LEGALDIRECTORY

A Chicago Tenant's Best Friend from Lawyers' Committee for Better Housing:

WWW.RENTERVENTION.COM

COVID Housing & Economic Loss Prevention funded by the Lawyers Trust Fund of Illinois:

WWW.COVIDHELPIILLINOIS.ORG

They simplify the law so you can get justice. Apply for legal assistance online:

WWW.ILLINOISLEGALAIDONLINE.ORG

Provided through Cook County Legal Aid for Housing and Debt (CCLAHD), a county-wide initiative to help resolve eviction, foreclosure, debt, and tax deed issues:

WWW.COOKCOUNTYLEGALAID.ORG

Links to additional resources for renters, owners and people experiencing homelessness:

WWW.HOUSINGACTIONIL.ORG/HELP