



Commonwealth of Massachusetts
EXECUTIVE OFFICE OF HOUSING &
LIVABLE COMMUNITIES

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Edward M. Augustus, Jr., Secretary

To: Regional Administering Agencies (RAAs)
From: Maryssa Schneider McLean, Director, Division of Rental Assistance
Re: Calculation of Assistance Payments for HCVP Families with Mixed Immigration Status
Date: July 15, 2024

Under HUD regulations, a “mixed-status” family is a family whose members include at least one member with citizenship or eligible immigration status, and member(s) without citizenship or eligible immigration status¹ ([24 CFR 5.504](#)). Generally, HUD programs may not serve clients without eligible immigration status. Thus, as per [24 CFR 5.520\(c\)\(2\)](#), public housing authorities must prorate the assistance provided to the family based on the percentage of family members that have citizenship or eligible immigration status. This can make the family’s share of the rent to the owner, even with a voucher, unaffordable for otherwise-qualifying families.

As part of Activity 2015-1 of our [FY2016 MTW Plan](#), the Division of Rental Assistance (DRA) proposed a revised rent formula for mixed status families through which, instead of proration, affected families would pay an additional 10% of Total Tenant Payment (TTP) regardless of the number of family members without citizenship or eligible immigration status. HUD approved this activity in DRA’s FY2016 Plan.

With this notice, EOHLC is implementing this portion of Activity 2015-1.² This change in policy will be recorded in the next version of the Housing Choice Voucher Program [Administrative Plan](#) and is effective for all regular recertifications and new leases effective September 1, 2024 and later. RAAs should review their already-completed September, October, and November regular recertifications and amend any affected rent calculations.

Example:

A family of four has two members with eligible status and two without. The contract rent for the unit is \$2,000. The regular calculation for a family of four eligible members would break down as \$500 in tenant share and \$1,500 in housing assistance payment (HAP). The following chart

¹ Including permanent residency, granted asylum, lawfully present due to action of Justice Department;
<https://www.govinfo.gov/content/pkg/USCODE-2021-title42/pdf/USCODE-2021-title42-chap8-sec1436a.pdf>

² Note that, as per [guidance](#) issued on February 7, 2024, this policy is already in effect for families that have received Exit Vouchers.

shows the differences between the tenant share and HAP amount according to the different policies:

	Non-Mixed Status Family ("regular" calculation)	HUD Proration Policy (two members with eligible status and two without)	EOHLC's MTW-Approved Calculation Policy
Eligible Household Members	4	2	2
Ineligible Household Members	0	2	2
Contract Rent	\$2,000	\$2,000	\$2,000
Tenant Household income	\$1,666	\$1,666	\$1,666
TTP (30% of income)	\$500	\$500	\$500
Tenant Rent to Owner	\$500	\$1,250	\$550 (TTP + 10%)
Housing Assistance Payment	\$1,500	\$750 (50% of HAP)	\$1,450

Please do not hesitate to reach out to DRA staff if you have any questions.