

# Housing Justice and Immigrant Communities: Overview and Updates

March 10, 2026

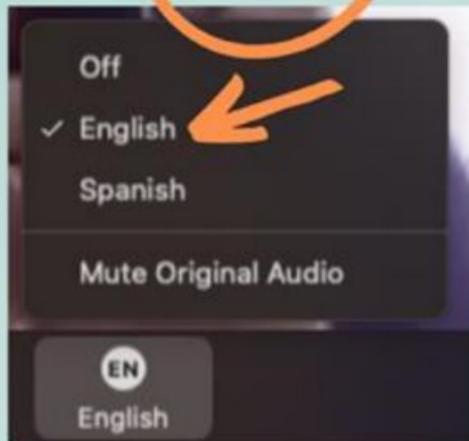
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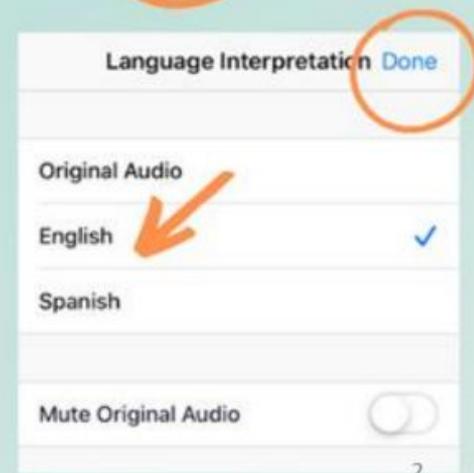
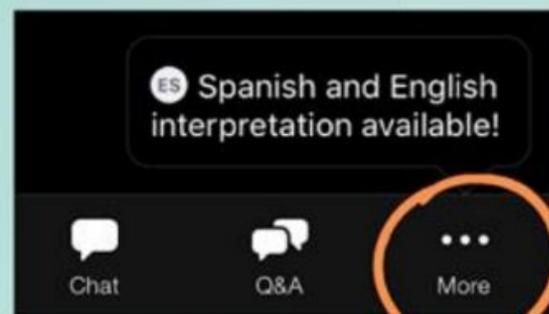
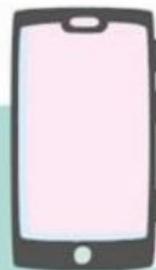


# COMO ACCESAR LA INTERPRETACIÓN

## Por computadora



## Por telefono

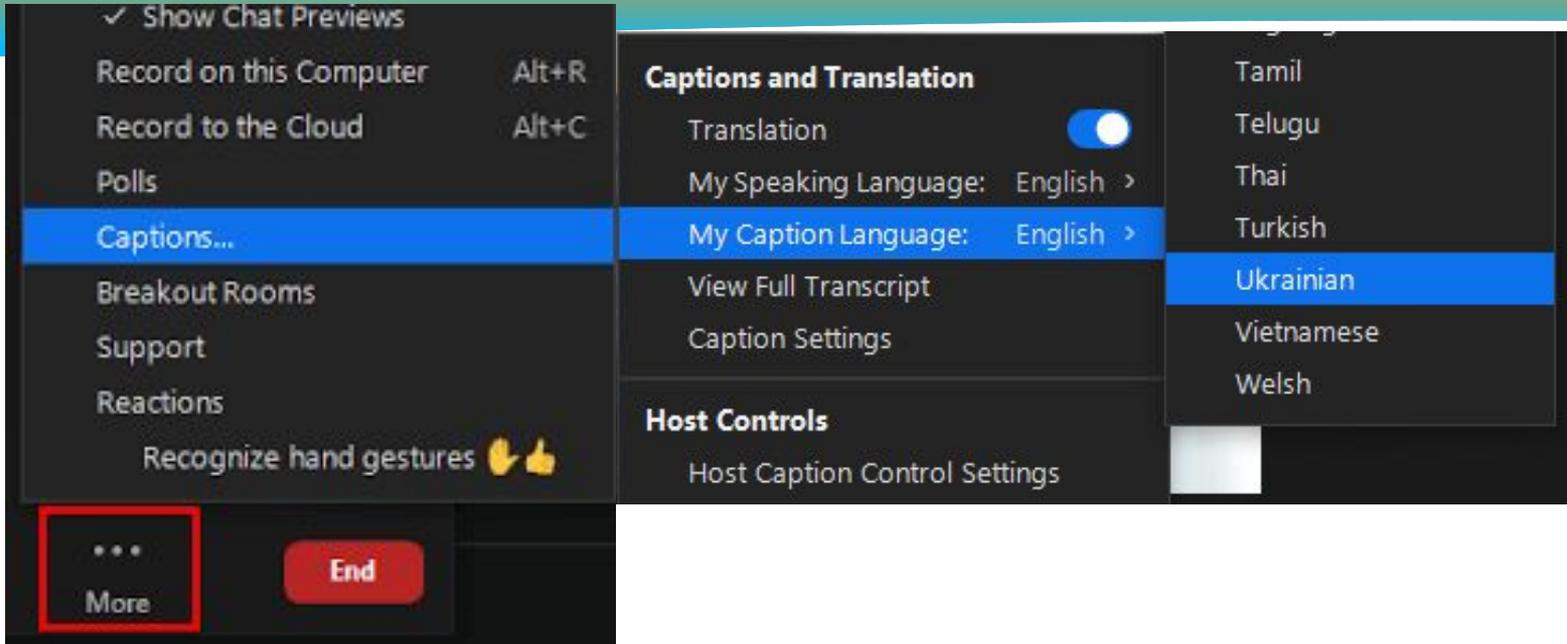


# Spanish and English Slides Available

## *Diapositivas disponibles en inglés y español*

- In your Zoom screen, you should see two tabs available
- One tab says “Host - English Slides”
  - If you want to see English slides, stay on this tab
- The other tab says “Diapositivas Espanol”
  - If you want to see Spanish slides, select this tab
- *En su pantalla de Zoom, debería ver dos pestañas disponibles*
- *Una pestaña dice "Host - English Slides"*
  - *Si quiere ver las diapositivas en inglés, permanezca en esta pestaña*
- *La otra pestaña dice "Diapositivas Español"*
  - *Si quiere ver las diapositivas en español, seleccione esta pestaña*

# During English Presentation: Access Translated Captions



- If you need a language other than English, auto-translated captions are available.
- To access, click “...more” button at the bottom of your zoom > *captions* > toggle on *translation* > then select which language you need.

**\*\*\*Today's information is intended for educational purposes only\*\*\***

- The information provided today is only guaranteed to be updated through today (March 10, 2026)
- Please do not share personal information, only ask general questions
- We recommend you obtain legal advice:
  - to evaluate your individual situation
  - before filing any USCIS forms or motions to immigration court
  - before signing any immigration-related documents
  - before making any decisions about your stay in the country

# Agenda and Presenters

- Update on Mixed-Status Housing Rules
  - **Steven Ortega**, Staff Attorney, Northwest Justice Project
- Protections for Immigrant-Survivors in Housing
  - **Sarah Kendall**, Housing Stability Coordinator, Washington Coalition Against Domestic Violence
- Know Your Rights for Tenants
  - **Kevin Hollinz**, Staff Attorney, Citizenship and Naturalization Unit, Northwest Immigrant Rights Project
- Resources
- Q&A

# The 'Mixed Status' Rule in Subsidized Housing



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# Current Law: Eligibility for Federal Subsidies



- **In general, the main housing subsidy types funded by the federal government are Section 8 vouchers and public housing.**
- **For these types of subsidy, the following groups are eligible:**
  - Citizens
  - Lawful Permanent Residents
  - Asylees
  - parolees.
- **The follow groups are excluded:**
  - Undocumented immigrants
  - DACA recipients
  - TPS recipients
  - Temporary immigrants, like student visa holders.

# Current Rule: Prorating Rent



- **HUD has long interpreted federal law to allow public housing authorities to ‘prorate’ rent for mixed-status households.**
  - Prorating Steps:
    - 1. Calculate subsidy based on household income and number of household members as if all were eligible.
    - 2. Divide number of eligible household members by the total number of household members.
    - 3. Multiply subsidy by ratio from step 2.

# Proposed Rule: Bans Noncitizens from HUD-Subsidized Housing



- On February 20, a proposed HUD rule that would ban any of the ineligible groups from living in subsidized housing was posted to the Federal Register.
- Under this rule, public housing authorities would be required to verify the immigration status of all subsidy recipients, including elderly tenants.
- Any family with an ineligible member would need to either remove that family member or have everyone end participation in the subsidy.
- Prorating would only be applied for a short period of time while immigration status is determined; termination deferments may be offered by PHAs.

# Other Concerns for Housing Subsidy Recipients



- Public Housing Authorities (PHAs) already give a lot of information to HUD about participants, including the amount of subsidy provided and the number of household members.
- It is already possible for DHS to get this information from HUD, but so far not much focus on these tenants in particular by ICE/CBP.
- HUD has asked PHAs to start adopting citizenship screening voluntarily, unclear if they will abide.

# Other Concerns for Housing Subsidy Recipients



- Where PHAs are the landlord, they can and should exclude ICE/CBP from areas that are only for tenants without a valid judicial warrant.
- Just like with workplaces, signage can be important to designate what spaces are not open to the public.
- Mixed-status families have the same rights as other tenants to exclude ICE/CBP from their units without valid judicial warrants.

# Questions?

Please do not share personal information.



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# Housing Protections for Immigrant-Survivors

WASHINGTON STATE COALITION

**WSCADV**

AGAINST DOMESTIC VIOLENCE

# WA State Survivor Protections

## Who is protected?

- Regardless of immigration status:
  - Survivors of domestic violence, sexual assault, harassment, and stalking
- R.C.W. § 59.18.575
- R.C.W. § 59.18.570



# WA State Survivor Protections

What protections do our state housing laws offer survivors?

- The right to end (terminate) your lease early without having to pay a penalty
  - Must notify the landlord in writing that you/household member was a victim of DV, SA, unlawful harassment, or stalking **AND** lease termination date
  - Must show landlord one of the following
    - Valid protection order
    - Report signed by a qualified third party

\*note\* you must make the request to terminate with 90 days of incident

# WA State Survivor Protections

## Discrimination Protections:

- It is illegal for a landlord to discriminate against you by ending your tenancy, not renewing your tenancy, refusing to rent to you, or trying to evict you because:
  - You or your household member is a survivor; **or**
  - You terminated a prior lease based on the protections these laws offer

# Federal Survivor Protections

Victims Service Providers receive funds from a number of federal sources such as VOCA, VAWA, and FVPSA. As recipients of those grants, they are obligated to follow specific rules to protect **all survivors regardless of immigration status**



# Victims of Crime Act (VOCA)

- Victim Assistance Programs:
  - All survivors are eligible for services, regardless of immigration status.
  - **Confidentiality:** Regulations prohibit the disclosure of a victim's personally identifying or individual information
    - Prohibits disclosure to government funding agencies (federal or state) unless there is a valid court order or statute requiring disclosure
- Victim Compensation Programs-WA:
  - Survivors eligible to apply regardless of immigration status
- **Non-discrimination:**
  - The VOCA statute prohibits discrimination based on race, color, religion, national origin, sex, or disability.

# Violence Against Women Act (VAWA)

- VAWA regulations expressly state that grantees may not exclude survivors based on immigration status
  - **Confidentiality:** prohibits disclosure of victim's personally identifying and prohibits disclosure to state funding agencies unless there is a valid court order or statute requiring disclosure.
    - If disclosure is compelled, then programs must make reasonable efforts to notify victims whose information may be disclosed and take all necessary steps to protect the privacy and safety of individuals affected.
- **Non-discrimination:** explicit provisions to ensure victims are not denied services and are not discriminated based on perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability

# Violence Against Women Act (VAWA)

- VAWA also provides housing protections for survivors receiving assistance in any public housing program
  - Non-discrimination protections for survivors of VAWA violence/abuse
  - Emergency Transfers
  - Confidentiality requirements
  - Lease bifurcation

# Family Violence Prevention and Services Act (FVPSA)

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- FVPSA does not impose immigration status requirements on survivors seeking help.
  - Some grants to states provide specialized services to populations including individuals who face barriers because of immigration status
- **Confidentiality:** Prohibits the disclosure of victim's personally identifying information, and prohibits disclosure to state funding agencies (eg HHS, DOJ, etc) unless there is a valid court order or statute requiring disclosure
- **Nondiscrimination:** prohibits discrimination based on race, color, national origin, sex, religion, disability, and age

# The Personal Responsibility and Work Opportunity Reconciliation Act (PROWRA)

- States that unless an immigrant is “qualified” they are ineligible for federal public benefits – with certain exceptions for programs available to anyone regardless of immigration status
  - Excepted programs include but not limited to: emergency Medicaid; short-term, non cash disaster relief; programs, services, or assistance specified by the attorney general necessary for the protection of life and safety (such as soup kitchens, crisis counselling, and short-term shelter)
- Non-profit organizations are not required to verify or track the immigration status of individuals seeking or receiving their services

# 4th Amendment Protection

Non-profit organizations, including those that provide services to survivors, can deny government agents entry to non-public spaces if those agents do not have a valid, court-issued warrant signed by a judge giving them authority to enter

# What Do These Laws Mean?

## **Access to services: *Can I stay without papers?***

- If you are a survivor of domestic violence, you are able to access services (including shelter and transitional housing) at a victim service agency regardless of immigration status
  - domestic violence programs
  - sexual assault resource centers
- Executive orders:
  - Do not override what's written into law, however:
  - programs have been confused on their obligations.
    - Call and Ask

# What Do These Laws Mean?

## **Confidentiality: *Will the staff tell anyone that I'm there?***

- These federal laws prohibit disclosure of victim's personally identifying information, including information related to the location of a victim, unless court order or another law applies
- Victim services programs cannot confirm or deny you are receiving services to ANYONE (including state agencies) without your written consent unless there is a court order signed by a judge
- Data collection: no personally identifying information may be reported to state agencies

# Questions?

Please do not share personal information.

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# Know Your Rights

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# Federal Agencies and Acronyms

- Department of Homeland Security (DHS) = federal agency that oversees immigration enforcement and benefits
- Agencies operating under DHS that might conduct an immigration-related arrest:
  - Immigrations and Customs Enforcement (ICE)
  - Enforcement and Removal Operations (ERO)
  - Homeland Security Investigations (HSI)
  - Customs and Border Protection (CBP)
    - Authority within 100 miles of the border ([most of WA state](#))
  - US Citizenship and Immigration Services (USCIS)
    - Now can make arrests, typically at USCIS interviews

# Your Constitutional Rights

- Regardless of your immigration status, you have:
  - the right to remain silent; and
  - the right to not be unreasonably stopped, searched, or arrested
- You can assert your right to remain silent at any time and place
- The degree of protection of your right against unreasonable searches and seizures, however, depends on where you are:
  - **In public spaces** your right against unreasonable searches and seizures is at its weakest
  - **In private/ restricted spaces** your right against unreasonable searches and seizures is at its strongest

# Your Rights in Public Spaces

- Agents can approach you and ask questions
- You have the right to
  - Refuse to answer questions
  - Ask, “Am I under arrest?” and, “Am I free to go?”
  - Say you wish to speak to a lawyer
- If you are a green card holder, you must show the immigration agent your permanent resident card
- To detain you, agents must have a warrant (administrative OK) or reason to suspect that you are in the country without permission
  - Running away can serve as reason

# Your Rights in Private/ Restricted Spaces

- Your rights are strongest in private (i.e. your home, apartment)
- An agent cannot enter private areas without a signed judicial warrant or consent
- If an agent comes to your home you do not have to
  - Open the door
  - Give them any documents or other information
  - Tell them how to find the person they are looking for
- You have the right to
  - Ask them to show you an ID and judicial warrant through a window or by sliding them under the door
  - Confirm the correct address and names are on judicial warrant
- Running, lying, or showing false/non-U.S.-issued documents can cause problems

# Judicial Warrant v. Administrative Warrant

AO 93 (Rev. 12/09) Search and Seizure Warrant

**UNITED STATES DISTRICT COURT**

for the  
Eastern District of California

In the Matter of the Search of )  
(Briefly describe the property to be searched )  
(or identify the person by name and address) )  
[Redacted] ) Case No. )  
Davis, California 95616 )

**SEARCH AND SEIZURE WARRANT**

To: Any authorized law enforcement officer **211-SW-0161 EFB**

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN District of CALIFORNIA.  
(Identify the person or describe the property to be searched and give its location):  
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be seized):  
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

**YOU ARE COMMANDED** to execute this warrant on or before 5-9-2011  
(not to exceed 14 days)

In the daytime 6:00 a.m. to 10 p.m.  at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge \_\_\_\_\_ (name)

I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person whose, or whose property, will be searched or seized (check the appropriate box)  for \_\_\_\_\_ days (not to exceed 30).  
 Until the facts justifying the later specific date of \_\_\_\_\_

Date and time issued: 4-25-2011  
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA

[Signature]  
EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE  
Federal Name and Title

Is this the right address?

Note: only the person, property, & areas specified may be searched

Is it still current?

Is it actually signed by a judge?

**IF THE ANSWER TO ALL OF THESE IS YES, THEN IT IS LIKELY A VALID JUDICIAL WARRANT**

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**WARRANT OF REMOVAL/DEPORTATION**

File No: \_\_\_\_\_  
Date: \_\_\_\_\_

To any immigration officer of the United States Department of Homeland Security:

\_\_\_\_\_ (Full name of alien)  
who entered the United States at \_\_\_\_\_ ON \_\_\_\_\_ (Date of entry)  
(Place of entry)

**subject to removal/deportation from the United States based upon a final order by:**

an immigration judge in exclusion, deportation, or removal proceedings  
 a designated official  
 the Board of Immigration Appeals  
 a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

**THESE ARE VISUAL CUES THAT THIS IS AN IMMIGRATION WARRANT**

\_\_\_\_\_  
(Signature of immigration officer)

\_\_\_\_\_  
(Title of immigration officer)

# ICE Memo on Warrantless Arrests

- ICE Memo dated 5/12/25 disclosed by whistleblowers authorizes ICE agents to rely on an administrative warrant to forcibly enter the residence of a noncitizen subject to a final order of removal.
- Whistleblowers assert that ICE is verbally training ICE agents to follow the memo and disregard written training materials to the contrary.
- There have been reports of such forcible entries in the Minneapolis area, and in other areas of the country
- This constitutes a violation of well-established legal principles under the Constitution
- Community members can continue to exercise their rights and deny entry to agents who do not present a judicial warrant

# Your Rights in Public, Private/Restricted Spaces

| <b>Public</b>   | <b>Private/ Restricted</b>  |
|---|---|
| DO NOT need a judicial warrant or permission to access  | MUST have a judicial warrant or permission to access  |
| Agent can make an arrest with an administrative warrant or probable cause                                       | MUST have a judicial warrant to make an arrest  |
| For example: <ul style="list-style-type: none"><li>● Parking lot</li><li>● Lobbies open to the public</li></ul> | For example: <ul style="list-style-type: none"><li>● Apartments</li><li>● Maintenance rooms</li></ul> |

# Designating Private/ Restricted Spaces

- Consider expressly demarcating nonpublic spaces
  - Affix signs reading “Private” or similar wording, on doors leading to non-public areas
  - Create separate, nonpublic waiting areas after a check-in process; physical barriers around public spaces; visual shields; and locks or keycards
  - Designate specific employees as persons authorized to consent to entry into non-public spaces and instruct all other staff to refer anyone seeking admittance to nonpublic space to those authorized individuals

[Stand Together Seattle Poster](#)

[NYLPI Guidance for nonprofits](#)

## Private Property

**No agent of the federal government, including Immigration and Customs Enforcement (ICE), may enter these premises for purposes of civil immigration enforcement, absent a valid judicial warrant or court order.**



**This property may not be used for civil immigration enforcement as a staging area, processing location, or operations base.**

# Your Rights in Your Car

- Imm. officers need a “reasonable suspicion” to pull over a vehicle
- Officers can ask for your driver's license, registration, and proof of insurance
- You can ask the officer if you are free to go or if you are under arrest
- If they do not have an administrative warrant, they can arrest you on reasonable suspicion
  - A person's race, ethnicity, or the language they speak is NOT sufficient grounds for officers to detain them
- Immigration officers CANNOT search your car without a warrant
  - If they do not have one, you can tell the officers that you do not consent to a search

# Bystander Rights & Risks

## ICE arrests in public

| Legal  | Not legal   |
|--|---|
| <ul style="list-style-type: none"><li>● Record</li><li>● Ask for officer ID (name, agency, badge number)</li><li>● Ask why a person is being detained</li><li>● Remind person of their rights</li><li>● Ask the person whom they want to contact</li></ul> | <ul style="list-style-type: none"><li>● Physically interfere with the arrest</li><li>● Disobey officer orders to stand back</li></ul> |

**For more information, see: [aclu.org/know-your-rights/protesters-rights](https://www.aclu.org/know-your-rights/protesters-rights)**

# Immigrant Rights Post-Detention

- Arrested noncitizens may be detained at the NW ICE Processing Center in Tacoma
- Many community members are eligible for release from detention through bond; must meet eligibility requirements
  - Not a flight risk
  - Not a danger to community
- IJs nationwide have adopted a policy that all those who entered without inspection, even if they have been in the US for years, are not eligible for bond
  - Litigation is ongoing and immigration courts are, under court order, not allowed to deny bond hearings under this policy
  - Some immigration courts are refusing to follow court orders, but many attorneys across the country are successfully securing either immediate release or bond hearings

# Immigrant Rights Post-Detention cont.

- Non-citizens almost always have the right to a hearing with an Immigration Judge and the right to have an attorney represent them
  - Exceptions: final deportation order, expedited removal
  - First step: master calendar hearing; second step: individual hearing
- Case will be in Tacoma if detained or Seattle if not detained
- Immigration agents cannot take away a Lawful Permanent Resident's (*green card holder*) status without immigration proceedings
  - You have the right to speak with an attorney before signing anything
- Some statuses can protect non-citizens from deportation (e.g., DACA, TPS)
- Non-citizens can file for certain protections to prevent your deportation
- Alternative to removal if no application for relief: voluntary departure

# Forms of Protection from Deportation

- **Asylum and Convention Against Torture** - if you fear returning to your home country, make sure to tell the immigration judge
- **Cancellation of Removal** - different requirements for **Lawful Permanent Residents (LPRs)** and **non-LPRs**
- **Special Immigrant Juvenile Classification** - for youth under 21
- **Violence Against Women Act (VAWA) Self Petition** – if you have been abused by certain family members
- **T-Visa** - victims of human trafficking in the U.S.
- **U-Visa** - for victims of certain criminal activities in the U.S.

# Questions?

Please do not share personal information



# Resources

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# Housing Resources

- Solid Ground: education on tenants and LLs rights/responsibilities, monthly webinars in Spanish and English
  - Website: [www.solid-ground.org](http://www.solid-ground.org)
  - Voice message line: Mon & Thurs 10:30 AM - 1:30 PM, (206)694.6767
  - In Spanish and English
- Submit your own public comment on HUD's proposed mixed-status eligibility rule by April 21, 2026: <http://bit.ly/4l75mHN>
  - “How To Comment” Guide: <https://bit.ly/4s1WPZF>
- Sign your organization onto *Protecting Immigrant Families*' comment: <https://bit.ly/47syzax>

# Domestic Violence Resources

- <https://wscadv.org/get-help-now/>
  - [The National Domestic Violence Hotline](#): call, chat, or text 24 hours everyday, 800-799-7233 or 800-787-3224 (TTY)
  - [King County Domestic Violence Hotline](#): call or chat 24 hours everyday 206-737-0242 or 877-737-0242
  - <https://wscadv.org/washington-domestic-violence-programs/>
    - Find your local DV program

# Immigration Resources

- [www.nwirp.org](http://www.nwirp.org)
  - → Resources
    - Asylum (videos in English, Spanish, French, Portuguese)
    - Know Your Rights
    - Recorded webinars
  - Monthly webinar and other events: [nwirp.org/news-events/events/](http://nwirp.org/news-events/events/)
  - Mailing list: [nwirp.org/join/mailling-list](http://nwirp.org/join/mailling-list)
- ILRC private area signs: <https://bit.ly/3KZR26y>
- ILRC red cards: [ilrc.org/redcards](http://ilrc.org/redcards)