

Northwest Immigrant Rights Project - Community Advisory – 10/01/2020 Advisory Regarding Local Rental Assistance Programs and Public Charge Rule

Basics: In response to the COVID-19 pandemic, the State of Washington and local governments, including King County, have established rental assistance programs with the goal of supporting tenants who may not be able to make rental payments and to prevent evictions. The state program is known as [Eviction Rent Assistance Program](#) but it is run by [county agencies](#) that might use a different name. (The King County program is known as [King County Eviction Prevention and Rent Assistance](#) program). We understand that some immigrant community members may have questions about whether accepting this type of assistance could affect their ability to apply for a green card in the future due to the new [public charge rule](#) issued by the Trump Administration. The information below helps to address those questions.

Will applying for or accepting rental assistance from local government programs set up during the pandemic (such as the ERAP programs) affect my ability to apply for a green card in the future? No. Rental assistance provided by the ERAP program (or local programs set up under ERAP) will not count against an individual for purposes of the public charge rule. The public charge rule does not list this type of program as one that could affect an individual and it is not considered a local cash assistance benefit that could affect individuals under the rule. We therefore advise community members who are concerned about applying to these rental assistance programs due to the public charge rule that it is safe to do so if they are determined to be eligible by the local agency.

Will applying for or accepting rental assistance from these local programs set up during the pandemic affect my ability to apply for citizenship in the future due to the public charge rule? No. The public charge rule only applies when an individual is applying for a green card, and generally only when applying through a family member or an employer. The rule does not apply once a person already has a green card and is applying for U.S. citizenship. In any event, as noted above, applying for or accepting help from these rental assistance programs described above do not create public charge concerns.

Can I apply for rental assistance if I or someone in my family is undocumented? Yes. Local rental assistance programs set up under the ERAP program described above are available regardless of the [applicant's immigration status](#) (or that of their family members). You should not be asked questions about immigration status or social security numbers when applying for that particular program. Keep in mind, however, that requirements for other housing assistance programs may differ. Click [here](#) for more information.

Can someone help me if I have a pending immigration case or want to file one? If you are already working with an attorney or accredited representative, please direct any questions to them. If you are not working with an attorney, you can find private immigration attorneys at www.ailalawyer.com. If you cannot afford the services of a private attorney, you may contact NWIRP offices for assistance but please note that our capacity is limited and we might not be able to provide assistance in every case.



NWIRP offices:

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