







Frequently Asked Questions (FAQ) Renting to Refugees and Eligible Newcomers

The U.S. Government assists refugees and other eligible newcomers with resettlement support services as they begin to rebuild their lives in the United States. This FAQ answers questions that landlords and property managers may have about renting to refugees and other eligible newcomers.

About Refugees and Other Eligible Newcomers

A **refugee** is a person who is unable or unwilling to return to their country of nationality because of persecution or a well-founded fear of persecution on account of their race, religion, nationality, membership in a particular social group, or political opinion. Refugee resettlement is a durable solution for individuals who have left their country, cannot safely return home, and need permanent resettlement to a third country. The United States Refugee Admissions Program (USRAP) is managed by the U.S. Department of State and works in consultation with other federal government agencies, state, and local partners to resettle refugees and Special Immigrant Visa (SIV) holders. The USRAP provides a pathway for resettlement to the United States under the Immigration and Nationality Act (INA).

The United States welcomes other eligible newcomers through other humanitarian immigration pathways. Eligible newcomer populations include asylees (individuals granted asylum in the United States), **Cubans and Haitians** granted entry to the United States, **Afghan and Iraqi SIV holders** who supported the U.S. mission in Afghanistan and Iraq, **victims** of human trafficking, certain **Afghan humanitarian parolees**, and certain **Ukrainian humanitarian parolees**.

All refugees and eligible newcomers are lawfully present in the United States. Resettlement provides an opportunity to start anew and pursue a life of safety and dignity without fear of violence or persecution.

Does the Federal Government Support Refugees and Eligible Newcomers?

Yes. Government, public-private partnerships, non-profit, faith-based, and community-based organizations join efforts to support refugees in their transition to the United States. The State Department places refugees in locations throughout the United States in collaboration with <u>national resettlement agencies</u>, which have more than 340 affiliates across the country, to support refugees and other eligible newcomers. Once an individual or family is placed in a local community, they are assisted with a variety of initial services to help position them for successful integration. They also can receive support through longer-term enrollment in state and local services that support material needs, including housing, that are programs and services funded by the U.S. Department of Health and Human Services' <u>Office of Refugee Resettlement</u> (ORR).

While State Department funding is focused on the first 30 to 90 days after refugees arrive, ORR funds resettlement services for up to five years to facilitate eligible newcomers' path to self-sufficiency. In addition to refugees, ORR also serves eligible

¹ Department of Health and Human Services. Find Resources and Contacts in Your State | The Administration for Children and Families (hhs.gov).

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newcomers including asylees, Cuban and Haitian Entrants, Iraqi and Afghan SIV holders, victims of human trafficking, certain Afghan Humanitarian Parolees, and certain Ukrainian Humanitarian Parolees.²

Supportive services for refugees and newcomers through the State Department and ORR may include, but are not limited to:

- Case management
- Job readiness and employment placement services
- English language instruction and interpretation services
- Cultural and community orientation
- Time-limited cash and medical assistance
- Orientation that includes home maintenance and budgeting
- Support from federal agencies, state and local agencies, resettlement staff, volunteers and/or community groups to help mitigate issues or communication challenges.

Are Refugees and Eligible Newcomers Screened to Enter the United States?

Refugees and eligible newcomers receive background checks from the U.S. Government:

Yes. Refugees undergo mandatory and rigorous security vetting by the U.S. Government, including biometric and biographic security checks, medical exams, and interviews with the U.S. Department of Homeland Security's (DHS) <u>U.S.</u> <u>Citizenship and Immigration Services</u> (USCIS).

Other eligible newcomers, such as humanitarian parolees and asylees, also are screened and vetted by the U.S. Government; and federal agencies, such as USCIS, <u>U.S. Customs and Border Protection</u> (CBP), or the Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), issue documentation of their legal status.

Many refugees and other eligible newcomers may not have a state ID or a Social Security number (SSN) immediately after arrival, which means a landlord may not be able to run a background check. However, refugees will have documentation of their legal status from the U.S. Government.

Refugees and other eligible newcomers have documentation of their legal status:

When a refugee is admitted to the United States, DHS provides them with a <u>Form I-94, Arrival/Departure Record</u>. This is evidence that they are legally in the United States and, for refugees, does not expire. Other eligible newcomers also have documentation from the U.S. Government showing that they are lawfully present in the United States. A newcomer can present a Form I-94 card or paperwork such as a Global Boarding Letter issued by DOS as proof of their identity and legal status.

An individual who is granted asylum in the United States (an asylee) also will receive a Form I-94 from DHS. Their Form I-94 will contain a stamp or notation, such as "asylum granted indefinitely" or the appropriate provision of law (8 CFR § 274a.12(a)(5) or INA § 208) to show their employment authorization. It also will contain an official letter stating that they have been granted asylum.³ Other eligible newcomers may have immigration classifications such as humanitarian parolee, Special Immigrant, Amerasian, or lawful permanent status. There are various ways humanitarian parolees may prove their

² Department of Health and Human Services. ORR. Fact Sheets: Eligibility & Benefits.

³ USCIS. 7.3 Refugees and Asylees | USCIS.

identity and that they are present under an authorized period of parole; some examples include documents accepted for Form I-9, which are outlined on the USCIS website.⁴ ORR provides a list of <u>Status and Documentation Requirements for the ORR Refugee Resettlement Program</u>.

Are Refugees and Eligible Newcomers Authorized to Work?

Yes. Refugees might not have a job as soon as they arrive, but they are authorized to work immediately upon their arrival in the United States and are assigned a case manager from the local resettlement agency to support their job search. In addition, refugees receive assistance to help with rent and basic needs. A promissory note and/or letter of support from a refugee resettlement agency may outline the financial support a housing applicant will receive from the local resettlement organization and state or federal agencies. Many other eligible newcomers are also authorized to work (immediately or after a certain period), are eligible for job development services, and may also be eligible to receive time-limited rental and cash assistance.

Credit Checks

If a landlord or property manager requires credit checks at admission, may the landlord or property manager forgo credit checks for refugees?

Landlords and property managers may generally forgo credit checks as long as they do not violate the Fair Housing Act, which prohibits discrimination in housing related transactions on the basis of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability. For example, if a credit check exception is made because of immigration status (like refugee status), the exception must apply equally to all those in the immigration status and not only to those of a certain national origin.

It is a best practice for landlords and property managers to review their credit check policies (and other background check policies) to ensure that they do not discriminate unlawfully because any protected class under the Fair Housing Act. Landlords and property owners may use alternate forms of verification to assess the ability of a prospective tenant to pay rent without traditional credit, whether refugee, humanitarian parolee, or otherwise. For example, if a resettlement agency provides full rental payment for the refugee family, other verification of ability to pay would be unnecessary since the purpose of the credit check is to provide a reasonable basis for believing that a tenant's rent will be paid. Finally, note that some HUD-subsidized housing providers may be prohibited from refusing to rent to applicants with a lack of credit history, as opposed to poor credit history.

⁴ USCIS. Form I-9 Acceptable Documents | USCIS.

⁵ One exception to this general rule is in the public housing context. Depending on the circumstances, public housing authorities may not have complete discretion in forgoing a general policy of performing credit checks. <u>Housing Discrimination Under the Fair Housing Act | HUD.gov / U.S.</u> Department of Housing and Urban Development (HUD).

⁶ For more information on credit requirement exemptions in public housing and Housing Choice Vouchers, please see Department of Housing and Urban Development, Office of Public and Indian Housing's <u>Questions and Answers Regarding Housing Assistance for Refugees Office of Public and Indian Housing.</u>

⁷ Department of Housing and Urban Development. <u>Occupancy Requirements of Subsidized Multifamily Housing Programs</u>. Chapter 4. Waiting List and Tenant Selection.

What Other Fair Housing Considerations Should Landlords and Property Managers Be Aware Of?

Housing providers' treatment towards refugees and eligible newcomers must be free from discrimination. The Fair Housing Act ("Act") (42 U.S.C. §§ 3601-19) protects people from discrimination when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related transactions. The Fair Housing Act prohibits discrimination on the basis of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability. Laws prohibiting national origin discrimination make it illegal to discriminate because of a person's birthplace, ancestry, culture, or language. This means people cannot be denied equal opportunity because they or their family are from another country, because they have a name or accent associated with a national origin group, because they participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin. Landlords and property managers should also note that discrimination on the basis of limited English proficiency can violate fair housing laws. 9

For information on fair housing issues regarding occupancy limits, affirmative marketing, and language access please visit the U.S. Department of Housing and Urban Development's (HUD) <u>General FAQ</u>. Information on fair housing issues regarding tenant screening can be found <u>here</u>. Information on fair housing issues regarding the advertising of housing, credit, and other real estate transactions through digital platforms can be found <u>here</u>.

More Information and Resources

For more information and resources about renting to refugees and eligible newcomers, please refer to the <u>Landlord Toolkit</u> from Refugee Housing Solutions. To learn more about the economic contribution of refugees and asylees read a 2024 report published by HHS: <u>The Fiscal Impact of Refugees and Asylees at the Federal, State, and Local Levels from 2005-2019</u>.

For more information on credit requirement exemptions in public housing and Housing Choice Vouchers, please see HUD's Office of Public and Indian Housing's <u>Questions and Answers Regarding Housing Assistance for Refugees and Parolees</u>. HUD's <u>PIH Guidebook</u> has a complete list of eligible immigration statuses for HUD-subsidized housing. You can also find an explanation of how and when non-citizens are eligible for programs that provide assistance necessary to protect life or safety <u>here</u>. HUD also provides information about resources for renting to refugees and other eligible newcomer populations on their <u>Refugees and Other Newcomer Populations</u> webpage.

⁸ Department of Justice. <u>Federal Protections Against National Origin Discrimination</u>.

⁹ Department of Housing and Urban Development, Office of General Counsel. <u>Guidance on Fair Housing Act Protections for Persons with Limited English Proficiency</u>.