



To: Housing Justice Network
From: National Housing Law Project (NHLP)
Re: Continuing Resolution signed into law and includes important EHV provisions
Date: September 3, 2026; Updated October 13, 2026

On September 2, 2026, the President signed a Continuing Resolution that will extend federal government funding until December 11, 2026.¹ For federal housing programs this means funding will be maintained at 2026 levels until December 11, 2026.

The Continuing Resolution (CR) has an important provision regarding Emergency Housing Vouchers that advocates should be aware of: Section 153(b). Below, we answer the most important questions about this provision, which will protect families with expiring Emergency Housing Vouchers (EHVs) from losing their homes by facilitating transfer of EHV tenants to the Tenant Protection Voucher (TPV) program. On September 29, 2026, HUD issued guidance on how these transfers will work.²

1. What are Emergency Housing Vouchers (EHVs)?

Emergency Housing Vouchers (EHVs) are tenant-based rental assistance, similar to vouchers issued under the Housing Choice Voucher (HCV) program.³ EHVs are specifically for individuals and families who are (1) experiencing homelessness; (2) at risk of homelessness; (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; or (4) recently homeless and for whom providing rental assistance will prevent homelessness or the high risk of housing instability.⁴ EHVs are administered like HCVs with a few exceptions. For example, PHAs were initially allowed to set higher payment standards (than the regular voucher program), and EHV participants are subject to less restrictive eligibility screening requirements. For more information about the EHV program and how it is administered see [NHLP's EHV FAQ dated May 27, 2025, and Updated July 7, 2025](#).⁵

In 2021, HUD allocated approximately 70,000 EHVs to Public Housing Agencies (PHAs).⁶ As the cost of housing increased over the years, the funding Congress originally allocated in 2021 started running out sooner than expected. Approximately 37,674

¹ [Continuing Appropriations and Extensions Act, 2027, Pub. L. No. 119-103](#), § 153(b).

² [HUD Notice PIH 2026-25](#).

³ [HUD Notice PIH 2021-15](#), Section 2; [42 U.S.C. § 1437f\(o\)](#).

⁴ [HUD Notice PIH 2021-15](#), Section 2.

⁵ This FAQ does not include updated information on payment standards which [HUD Notice PIH 2026-20](#) made in August of 2026.

⁶ [American Rescue Plan of 2021, Pub. L. No. 117-2](#), § 3202.

EHVS are still in use by families across the country. In order to keep these families housed, Congress needed to act to provide additional funding, or the program was predicted to face a funding cliff by the end of 2026.

To mitigate the harms of the EHV funding cliff, in February of 2026, Congress allocated \$600 million for Tenant Protection Vouchers (TPVs) that were specifically intended to help PHAs support families whose EHV would expire.⁷ HUD, however, issued a Notice in May of 2026 which interpreted this provision as only allowing PHAs to use TPV funding to address the funding shortfall in the EHV program, not as authority to issue TPVs to replace EHV.⁸ In any case, HUD never issued guidance instructing PHAs on how to access the TPV funds for this purpose. Due to HUD's failure to act, EHV families remained at risk of losing assistance as EHV funding ran out. Congress subsequently clarified in the Continuing Resolution that transitioning EHV tenants to TPVs is an authorized use of the TPV account and in fact, Congress required HUD to transfer EHV tenants to the TPV program. On September 29, 2026, HUD issued guidance on how PHAs can transfer EHV families to the TPV program.⁹

2. What does the Continuing Resolution say about EHV?

Section 153(b) of the Continuing Resolution explicitly directs HUD to provide TPVs to any family leased up with an EHV as of September 30, 2026. PHAs will, however, need to issue these TPVs before the end of 2026. This language reinforces the original intent of Congress when they allocated TPV funding in February of 2026. A redlined version of the law's new language as modified by the Continuing Resolution is on page seven of this memo.

3. Why is this language important?

The language in the Continuing Resolution allows PHAs to transition families with EHV to TPVs and keep their homes. All EHV tenants as of September 30, 2026, are eligible to receive a TPV and should see no disruption in their rental assistance.

4. How many EHV households are in my community?

According to [HUD's EHV Data Dashboard](#), as of September 21, 2026, there are approximately 37,674 families still with EHV. You can filter the information on the EHV dashboard by your state or PHA to find out how many families with EHV are in your area. You can also see the number of families with EHV who have not leased up and which PHA is administering their voucher. As of September 21, 2026, there are 63 families who are not leased up.

⁷ [Consolidated Appropriations Act, 2026, Pub. L. No. 119-75.](#)

⁸ [HUD Notice PIH 2026-12.](#)

⁹ [HUD Notice PIH 2026-25.](#)

5. How will PHAs transition EHV tenants to TPVs?

On September 29, 2026, HUD issued guidance on how PHAs can transfer EHV families to the TPV program.¹⁰ All EHV tenants leased up as of September 30, 2026, are eligible for a TPV. The TPVs will be administered like a regular Housing Choice Voucher, although when the family exits the program, the voucher is not re-issued to another family. Importantly, HUD makes clear in its notice that EHV families should not be rescreened (for criminal history or other criteria) as they transition to TPVs and families can remain in their units currently under lease.¹¹ Further, HUD states that a PHA's administrative plan regarding payment standards for HCV tenants is applicable to tenants with EHV's transitioning to TPVs.¹² Because some EHV tenants have higher payment standards than Housing Choice Voucher tenants, advocates will need to help ensure that EHV families maintain the same payment standard as they transition to TPVs so they don't experience a sudden rent increase.

HUD's Notice also sets out the timeline for this transition. The timeline is very short, and advocates should contact their PHA as soon as possible to get more information about the transition process:

October 1, 2026 – HUD will provide PHAs with their estimate of funds available to transition families to TPVs.¹³ Advocates should contact their PHA to request a copy of HUD's estimate of EHV-TPV funding. Advocates should also talk with their PHA to determine whether HUD's calculation is correct.

October 15, 2026 – PHAs can request a correction of HUD's estimate of funds. If HUD's estimate is not adequate, advocates should encourage and advocate for their PHA to request HUD correct the calculation by 11:59:59p.m. ET on Thursday, October 15, 2026.

December of 2026 – HUD will issue an award to PHAs for one month of funding to transition all EHV's to TPVs. Congress should provide funding in any new spending package to cover funding after December of 2026 for families that have transitioned to TPVs. HUD is hoping to issue this award to PHAs on or around December 1, 2026.

¹⁰ [HUD Notice PIH 2026-25](#).

¹¹ [HUD Notice PIH 2026-25](#), Section IIIA: "PHAs do not need to add families to the waiting list or rescreen families, and families can remain in units under lease."

¹² [HUD Notice PIH 2026-25](#), Section IIIA: "The PHA's administrative plan regarding payment standard for HCV program participants is applicable to the EHV-TPV families."

¹³ [HUD Notice PIH 2026-25](#), Section IIA: "HUD will calculate funding eligibility for TPVs based on the average per unit cost (PUC) in the PHA's EHV program and the total units estimated to be under lease as of September 30, 2026, using July 2025 VMS and current IMS/PIC reporting data. Funding is based on PUC and reported expenses only; no prior year or renewal amount is carried forward. Unit count estimates are based on the lower of the July 2026 VMS or IMS/PIC figures, except in those cases of correction."

Early in 2027 - HUD will close out the EHV program pursuant to Notices [PIH 2023-35](#) and [PIH 2026-02](#). All EHV households will therefore need to transfer to TPVs by the end of the year.

Any family with an EHV who is leased up as of September 30, 2026, will be eligible to transition to a TPV. Non-EHV PHAs administering an EHV household through portability billing as of September 30, 2026, are also eligible to receive funding for that family.¹⁴ PHAs are still allowed to transition EHV households to their housing choice voucher or project based voucher programs as discussed below in Section 6 of this memo. Any family with an EHV who transferred to the HCV or PBV programs before September 30, 2026, will not be eligible for an EHV-TPV.¹⁵ For families with EHV households who transition to the HCV or PBV programs between October 1, 2026, and November 30, 2026, HUD will adjust the PHA's funding for EHV-TPVs.

6. Can PHAs transition EHV tenants to HCVs or PBVs?

Yes, while these transitions are still possible, they would need to occur before December 31, 2026. On June 20, 2025, HUD issued guidance to PHAs on how to transition families from the EHV program to the regular voucher program.¹⁶ [NHLP's Emergency Housing Voucher Funding and Advocacy Toolkit](#) provides guidance on advocacy for working with families with EHV households who are transitioning to a Housing Choice Voucher or a Project-Based Voucher. While it is still possible for PHAs to transition EHV households to a HCV or PBV, advocates should encourage PHAs to transition EHV households to a TPV. HUD should be providing PHAs with adequate funding for transitions to TPVs, however if they do not, transitioning EHV households to an HCV or PBV is still an option. For the very small number of families with EHV households who are not leased up as of September 30, 2026, advocates should encourage their PHA to transition these EHV households to their HCV or PBV program as soon as possible.

7. How can a PHA ensure that EHV tenants keep the same payment standard when they transition to TPVs?

In its guidance to PHAs transitioning EHV households to the voucher program, HUD provided PHAs with options to minimize harm to families in the event the family's EHV payment standard is higher than its regular voucher payment standards: (1) align program standards with EHV payment standards set between 110-120% of the

¹⁴ [HUD Notice PIH 2026-25](#), Section IIIA: "Non-EHV PHAs administering an EHV household through portability billing as of September 30, 2026, are also eligible to receive funding for that family. HUD will use data from IMS/PIC for families that have moved through portability to non-EHV PHAs and have not been absorbed to determine potential eligibility for awards."

¹⁵ [HUD Notice PIH 2026-25](#), Section IIIA: "A former EHV family that transitioned to the HCV program or any other housing assistance program before September 30, 2026, is not eligible for inclusion in any PHA's prospective EHV-TPV award."

¹⁶ [HUD Notice PIH 2025-19](#).

applicable FMR (by using an existing simplified process for exception payment standards); or (2) hold families harmless and choose not to reduce the payment standard amount as long as the family resides in the same unit.¹⁷ In preparation for this discussion, advocates can remind the PHA of the additional funding it received for EHV, many receiving between \$4,250 and \$4,500 in initial fees beyond HAP funds.¹⁸ Those fees included funds for housing search assistance, security and utility deposit assistance, and owner recruitment and retention initiatives.¹⁹

In the event that a PHA does not adopt exception payment standards or a hold harmless policy, a PHA should not apply any reduction in the payment standard until two years following the effective date of the decrease in the payment standard and with proper notice.²⁰ Advocates should consult the PHA's Administrative Plan to see how their PHA handles changes in payment standards.

8. What can I do now as an advocate to help my EHV clients be in the best position to get a TPV and experience no interruptions in their subsidy?

a. Meet with your PHA to understand the plan for EHV families

Advocates can meet with their PHA to understand how and when the PHA plans to transition families from the EHV program to the TPV program. Advocates can request HUD's estimate of funds available to their PHA to transition families to TPVs. If there are any corrections which need to be made to these estimates, advocates should encourage and advocate for their PHA to request HUD correct the calculation by 11:59:59 p.m. ET on Thursday, October 15, 2026.

b. Promote Transparency: Ask the PHA to Keep EHV Households Informed

Advocates can encourage PHAs to promptly send letters to all EHV households. These letters should notify households how the PHA will transition households from the program. If the PHA has not yet created a transition plan, the letters should—at the very least—inform EHV households that a transition plan is in the works. A number of PHAs have already sent out these notices. If the PHA plans to transition EHV families to the TPV program, the PHA should be proceeding in accordance with HUD's September 29, 2026, guidance. Let families know their PHA should not be rescreening them or putting them on any waiting list.

¹⁷ [HUD Notice PIH 2025-19](#), Section 3(c); citing [HUD Notices PIH 2024-34](#) (Sections 5B and 10).

¹⁸ [HUD Notice PIH 2021-15](#), Section 6; [HUD FAQ \(v.9\)](#) at 122.

¹⁹ [HUD Notice PIH 2021-15](#), Section 6.

²⁰ [24 C.F.R. § 982.505\(c\)\(3\)\(i\)](#).

9. Who do I contact if I need help with EHV?

[NHLP's Emergency Housing Voucher Funding and Advocacy Toolkit](#) provides additional guidance on advocacy for families with EHV.²¹ If you are working with a family with an EHV and need any assistance with your advocacy, contact Korey Lundin, Senior Attorney at NHLP: klundin@nhlp – (415) 432-5725.

²¹ This FAQ does not include updated information on payment standards which [HUD Notice PIH 2026-20](#) made in August of 2026.

Redline of [Public Law 119-75 \(pages 213-214\)](#), modified by Section 153(b) of [H.R.6500, Continuing Appropriations and Extensions Act, 2027](#)

(2) \$600,622,000 shall be available for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, relocation of witnesses (including victims of violent crimes) in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, choice neighborhood vouchers, mandatory and voluntary conversions, emergency housing vouchers (section 3202(b) of Public Law 117-2 (42 U.S.C. 1437f)) for all dwelling units under lease as of September 30, 2026 (which shall not be replacement vouchers and shall be provided prior to the end of calendar year 2026), and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106-569, as amended, or under the authority as provided under this Act:

Provided, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents:

Provided further, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the “Project-Based Rental Assistance” heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents:

Provided further, That of the amounts made available under this paragraph, no less than \$5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary:

Provided further, That such tenant protection assistance made available under the preceding proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the Act:

Provided further, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist:

Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds:

~~*Provided further*, That amounts made available under this paragraph may be available to provide calendar year 2026 assistance to public housing agencies that would otherwise be required to terminate emergency housing vouchers (Public Law 117-2; 135 Stat. 58) for families as a result of insufficient funding;~~