Now & Next
Affordable Housing Alert

November 18, 2026

HUD makes emergency call systems optional in certain elderly housing

By Nathaniel S. Cushman, Kelly A. Behr and David M. Hornstein

Owners of FHA-constructed and Section 202 elderly properties should understand how HUD's new policy affects emergency call system requirements.

What's the impact?

- The US Department of Housing and Urban Development (HUD) no longer requires an emergency call system for Federal Housing Administration (FHA)-constructed and Section 202 elderly properties.
- Owners must remove inoperable systems.
- Owners can choose whether to remove operable systems but must notify tenants and consider their comments before doing so.

On September 10, HUD's Office of Multifamily Housing issued Notice H 2026-06 (the Notice), significantly changing a long-standing requirement for elderly housing. The Notice strikes Section 100–2.20 (Emergency Call Systems) from the *Minimum Property Standards for Housing, 1994 Edition* (Handbook 4910.1) (the Handbook). In practical terms, HUD changed emergency call systems from a mandatory feature to an optional one for certain covered properties and imposed

This newsletter is intended as an information source for the clients and friends of Nixon Peabody LLP. The content should not be construed as legal advice, and readers should not act upon information in the publication without professional counsel. This material may be considered advertising under certain rules of professional conduct. Copyright © 2026 Nixon Peabody LLP. All rights reserved.

an obligation to remove inoperable systems. The Notice took effect on September 10 and is a welcome relief for impacted projects.

What changed?

Historically, the Handbook applied minimum property standards (MPS) to projects with 20 or more units where "housing is to be used for the elderly"—including elderly projects constructed under HUD mortgage insurance programs and Section 202 Supportive Housing for the Elderly projects. Those standards required owners to install an emergency call system in each bathroom and one bedroom of each unit. These systems, the most common of which are manual pull-cord systems, were intended to summon help in the event of a fall, fire, or medical emergency. The Notice eliminates that mandate. Going forward, owners of covered properties can decide whether to furnish and maintain an emergency call system. HUD's stated rationale is that older pull-cord systems have become a financial and operational burden: many are inoperable and expensive to repair or replace, they can trigger citations during HUD inspections (for example, if blocked, nonfunctional, or mounted higher than six inches off the floor), and some commercial insurers now treat them as a liability risk that complicates coverage.

The Notice also requires owners to remove inoperable emergency call systems. Now, a historically broken system must now be removed to (1) eliminate the false sense of security it creates for residents and (2) to remove a recurring source of inspection findings.

For operable systems, owners have a choice; they can keep and maintain the system, or they can remove it. An owner who elects removal must notify tenants in advance and consider comments before proceeding. HUD also encourages, but does not require, owners to conduct regular welfare checks in the absence of a functioning system, with particular attention to residents who live alone or have limited mobility.

Note that some owners might be obligated to provide emergency call systems by separate business agreements, like grants or contracts. The Notice does not override existing contractual obligations. Rather, the Notice allows owners to amend separate agreements to be consistent with the Notice.

What properties are impacted

The Notice applies to elderly multifamily housing projects with *20 or more units* that are subject to the Handbook, specifically:

- **Elderly projects originally constructed with HUD mortgage insurance** and subject to the MPS at 24 CFR part 200, subpart S; and
- **Section 202 Supportive Housing for the Elderly projects** subject to 24 CFR part 891.120. Although Part 891 also governs the Section 811 program for persons with disabilities, the

Notice applies *only* to Section 202 elderly projects.

The Notice does not apply to uninsured projects with Section 8 Housing Assistance Payments (HAP) contracts because the Section 8 regulations were amended in 1998 to require compliance with the Uniform Physical Condition Standards (now NSPIRE) rather than the Handbook. The one exception to this is a project assisted by a Section 202/8 HAP contract, which is covered by the Notice.

Next Steps for Owners

- **Review your properties.** Identify which properties are impacted by the Notice and determine whether existing emergency call systems are operable or inoperable. Owners with mixed portfolios should take particular care to review each individual property.
- **Remove inoperable systems.** Owners must remove inoperable systems and should document the removal.
- **Determine what to do with operable systems.** If owners decide to remove an operable system, they must notify tenants of the decision to remove the system and provide tenants an opportunity to comment on the decision.
- **Address separate contractual obligations.** If removing an emergency call system, owners should seek to amend any existing agreements or other contracts that separately require such a system.
- **Consider the impact.** If emergency call systems are removed, owners should consider welfare checks or modern wireless alert options to determine if they reduce liability exposure or address resident concerns.

Nixon Peabody's Affordable Housing team can help owners determine which properties are covered by the Notice, assess separate contractual obligations, and plan for system removal and tenant notification. For more information on the content of this alert, please contact your Nixon Peabody attorney or:

Nathaniel S. Cushman
202.585.8231
ncushman@nixonpeabody.com

Kelly A. Behr
202.585.8180
kbehr@nixonpeabody.com

David M. Hornstein
202.585.8316
dhornstein@nixonpeabody.com