

EXHIBIT C

Topic	Related HOTMA Policy Background	HOTMA Discretionary Policies These are policy choices that PHAs need to make and include in their ACOPs or Admin Plans.
Asset Limitation for New Admissions (24 CFR § 5.618)	<p>PHAs must deny admission of an applicant family for the following:</p> <ol style="list-style-type: none"> 1 Net family assets that exceed \$100,000 (adjusted annually for inflation); and/or 2 The family has a present ownership interest in, a legal right to reside in, and the effective legal authority to sell the real property (based on laws of the state or locality in which the property is located) that is suitable for occupancy by the family as a residence. <p>PHAs must include this admission and termination/eviction policy in their ACOPs or Admin Plans.</p>	<p>No discretion.</p>
Asset Limitation for Interim and Annual Reexaminations (24 CFR § 5.618)	<p>PHAs must initiate eviction (Public Housing) or termination (Section 8 HCV) of a family's assistance no later than six months after the effective date of an annual or interim reexamination for the following:</p> <ol style="list-style-type: none"> 1. Net family assets that exceed \$100,000 (adjusted annually for inflation); and/or <p>The family has a present ownership interest in, a legal right to reside in, and the effective legal authority to sell the real property (based on laws of the state or locality in which the property is located) that is suitable for occupancy by the family as a residence.</p>	<p><u>Non-enforcement policy & cure period:</u></p> <ul style="list-style-type: none"> • PHAs may choose to establish a written policy to not enforce the asset limitation for all families, for up to six months after the effective date of a family's annual or interim reexamination. Families are given the opportunity to cure noncompliance with the asset limitation during this period. • Non-enforcement policies must address the timeframe for curing non-compliance (e.g., PHA may choose to adopt local policies to allow any number of months, up to six months, to cure). <p><u>Asset limitation exception policy & cure period (interim/annual reexamination only):</u></p> <ul style="list-style-type: none"> • PHAs may also establish in written policy exceptions to the asset limitation based on family type and may take into consideration such factors as age, disability, income, the ability of the family to find suitable alternative housing, and whether supportive services are being provided. • Excepted families are given the opportunity to cure noncompliance with the asset limitation during this period (e.g., PHA may choose to adopt local policies to allow any number of months, up to six months, to cure).

		<ul style="list-style-type: none"> Exception policies must conform with applicable fair housing statutes and regulations. Exception policies must address which families are excepted and the timeframe for curing compliance. <p>Note: PHAs may establish both non-enforcement and exception policies.</p> <p>PHAs must include this termination/eviction policy in their ACOP or Admin Plans. This policy must indicate when the PHA will initiate termination or eviction proceedings after participant families are determined to be out of compliance.</p> <p>The above discretion is not applicable to eligibility determinations for new admissions.</p>
<p>960.259(c)(2);</p> <p>982.516(a)(3))</p>	<p>PHAs must determine if the family's total net family assets are equal to or less than \$50,000, and they must determine the actual income earned from the asset(s).</p>	<p>PHAs may accept a family's self-certification of net family assets equal to or less than \$50,000 (adjusted annually for inflation) and anticipated income earned from assets without taking additional steps to verify accuracy, at admission and at reexamination. Accepting a family's self-certification at admission may reduce the initial burden on applicants and speed up the lease-up process. In deciding whether to accept a self-certification of assets at admission, PHAs are encouraged to consider the local needs and priorities in their communities along with the potential risks of accepting self- certification of net family assets, including the requirement to repay funds for participants/tenants who are later found to be ineligible for assistance.</p> <ul style="list-style-type: none"> PHAs who choose to accept self- certification of net family assets equal to or less than \$50,000 (adjusted annually for inflation) at reexamination are required to fully verify net family assets every three years (882.515(a); 882,808(i)(1); 960.259(c)(2); 982.516(a)(3)). PHAs who choose not to accept a family's self- certification must verify a family's net assets. PHAs must include in their ACOPs or Admin Plans whether they will accept a family's self- certification of net family assets equal to or less than \$50,000 at admission (only for new admissions effective on or after 1/1/2024) and at reexamination.

Hardship Exemptions for Health/Medical Care Expenses & Reasonable Attendant Care	N/A	PHAs must develop written policies in their ACOPs or Admin Plans defining what constitutes a hardship for the purposes of the general relief hardship exemption for health and medical care expenses and reasonable attendant care & auxiliary apparatus expenses
Auxiliary Apparatus Expenses – General Relief (24 CFR § 5.611(c)(2))		<p>PHAs may, pursuant to their own discretionary policy, extend the hardship relief for one or more additional 90-day periods while the family's hardship condition continues.</p> <p>PHAs must state whether they will allow extensions of the 90-day hardship period and the maximum number of 90-day extension periods (if establishing a maximum policy) that a family may receive.</p> <p>Note: PHAs are not limited by HUD to a maximum number of 90-day extensions.</p> <p>PHAs must obtain third-party verification of the hardship or must document in the file the reason that third-party verification was not available. PHAs must attempt to obtain third-party verification prior to the end of the 90-day hardship period.</p>
Hardship Exemptions for Health/Medical Care Expenses & Reasonable Attendant Care & Auxiliary Apparatus Expenses – Phased- In Relief (24 CFR § 5.611(c)(1))	<p>All families who received a deduction for unreimbursed health and medical care and/or reasonable attendant care or auxiliary apparatus expenses based on their most recent income review prior to January 1, 2024, will begin receiving the 24-month phased-in relief at their next annual or interim reexamination, whichever occurs first after January 1, 2024.</p> <p>Families who receive phased-in relief will have eligible expenses deducted as follows:</p> <ul style="list-style-type: none"> -1st twelve months – in excess of 5% of annual income. -2nd twelve months – in excess of 7.5%. of annual income. <p><u>After 24 months</u> in excess of 10% threshold will phase in and remain in effect unless the family qualifies for General Hardship relief.</p> <ul style="list-style-type: none"> -Once a family chooses to obtain general relief, a family may no longer receive the phased-in relief. 	N/A

<p>Hardship Exemption to Continue Child Care Expense Deduction (24 CFR § 5.611(d))</p>	<p>PHAs must develop written policies to define what constitutes a hardship, which includes the family's inability to pay rent, for the purposes of the childcare expense hardship exemption.</p> <p>PHAs must include their policy in their ACOPs or Admin Plans.</p> <p>PHAs must obtain third-party verification of the family's inability to pay rent or must document in the file with the reason third-party verification was not available. PHAs must attempt to obtain third-party verification prior to the end of the 90-day period.</p>	<p>PHAs must develop written policies to define what constitutes a hardship, which includes the family's inability to pay rent, for the purposes of the childcare expense hardship exemption.</p> <ul style="list-style-type: none"> • PHAs must include this policy in their ACOPs or Admin Plans. • PHAs may, pursuant to their own discretionary policy, extend the relief for one or more additional 90-day periods while the family's hardship condition continues. • PHAs must include in their ACOPs or Admin Plans whether they will allow extensions of the 90-day hardship period and the maximum number of 90-day extension periods (if establishing a maximum policy) that a family may receive. • Note: PHAs are not limited by HUD to a maximum number of 90-day extensions
<p>Additional (Permissive) Deductions – Public Housing, Housing Choice Voucher, and Moderate Rehabilitation/SRO Only (24 CFR § 5.611(b)(1))</p>	<p>N/A</p>	<ul style="list-style-type: none"> • Program regulations do not specify which types of permissive deductions are allowable in the HCV, Public Housing, or Moderate Rehabilitation/SRO programs. • A PHA that chooses to adopt an additional permissive deduction(s) from annual income for the HCV and/or Moderate Rehabilitation/SRO, or Public Housing programs must include written policies in their ACOPs or Admin Plans. <p>Note: A PHA that adopts such deductions for the Public Housing program will not be eligible for an increase in Capital Fund and Operating Fund formula grants based on the application of such deductions.</p> <ul style="list-style-type: none"> • For the HCV and Moderate Rehabilitation/SRO programs, a PHA must have sufficient funding to cover the increased housing assistance payments cost of the deductions because permissive deductions will be excluded from the renewal calculation.
<p>De Minimis Errors in Income Determinations (24 CFR §§ 5.609(c)(4); 960.257(f); 982.516(f);</p>	<ul style="list-style-type: none"> • PHAs must take corrective action to credit or repay a family if the family was overcharged tenant rent because of de minimis errors in calculating family income. • PHAs may not implement local policies to require families to repay in instances resulting in a family being 	<ul style="list-style-type: none"> • PHAs must include in their ACOPs or Admin Plans how they will repay or credit a family the amount that the family was overcharged retroactive to the effective date of the action the error was made, regardless of the dollar amount associated with the error, because

882.515(f); 882.808(i)(5))	undercharged for rent where the PHA miscalculated the family's income.	of the PHA's de minimis error in income determination.
Interim Reexaminations - Decreases in Adjusted Income (24 CFR §§ 960.257(b)(2); 982.516(c)(2); 882.515(b)(2); 891.410)	<ul style="list-style-type: none"> PHAs are required by HUD to process interim reexaminations for <i>all</i> decreases in adjusted income when a family member permanently moves out of the unit. <p>PHAs are not permitted to establish a dollar figure threshold amount instead of a percentage threshold less than ten percent.</p>	<ul style="list-style-type: none"> PHAs may decline to conduct an interim reexamination of family income if the PHA estimates that the family's annual adjusted income will decrease by an amount that is less than ten percent of the family's annual adjusted income, or such lower threshold established by the PHA. PHAs must identify in their ACOPS or Admin Plans the percentage threshold they will use for conducting interim reexamination for decreases in a family's adjusted income. PHAs may establish policies to round calculated percentage decreases up or down to the nearest unit (e.g., a calculated decrease of 9.5% may be rounded up to 10%).
Interim Reexaminations - Increases in Adjusted Income (24 CFR §§ 960.257(b)(3); 982.516(c)(3); 882.515(b)(3))	<ul style="list-style-type: none"> PHAs must conduct an interim reexamination of family income when they become aware that the family's annual adjusted income has changed by an amount that would result in an estimated increase of ten percent or more in annual adjusted income or another amount established through a HUD notice, except PHAs may not consider any increases in <i>earned</i> income when estimating or calculating whether the family's adjusted income has increased, unless the family has previously received an interim reduction during the same reexamination cycle. <p>PHAs may not establish a different threshold to conduct interim reexaminations for increases in adjusted income.</p>	<ul style="list-style-type: none"> PHAs may choose not to conduct an interim reexamination if a family reports an increase in income within three months of their next annual reexamination effective date. PHAs may choose not to include <i>earned</i> income increases in determining whether the 10% threshold is met for increases in adjusted income when the family previously had an interim reexamination performed for a decrease in annual adjusted income (earned, unearned, or combined) since the last annual reexamination. <p>PHAs must describe these policies in their ACOPs or Admin Plans.</p>
882.515(b)(1) - (4); 882.808(i)(4); 891.410)	<ul style="list-style-type: none"> If the PHA has adopted a retroactive rent decrease policy, it may not be applied prior to the later of: <ul style="list-style-type: none"> The 1st of the month following the date of the actual decrease in income; or The 1st of the month following the most recent previous income examination. <p>Note: The PHA must clearly communicate to the family and owner, if applicable, how a retroactive adjustment will affect the family's responsibility for rent.</p>	<p>PHAs have the discretion to develop specific reporting policies that describe which changes must be reported and the timeline for reporting the change to be considered timely.</p> <ul style="list-style-type: none"> PHAs may adopt a policy to apply rent decreases retroactively and establish additional criteria to describe the conditions under which retroactive decreases will be applied e.g., extenuating circumstances that may inhibit timely reporting. <p>PHAs must describe these policies in their ACOPs or Admin Plans.</p>
Revocation of Consent Form (Form HUD-9886) ¹ (24 CFR	<ul style="list-style-type: none"> The executed consent form will remain effective until the family is denied assistance, the assistance is terminated, or the family provides written notification to the PHA to revoke consent. 	<ul style="list-style-type: none"> PHAs may establish in written policy that revocation of consent will result in termination of assistance or denial of admission. <p>When PHAs do not establish a policy such that revoking consent will result in termination of</p>

<p>§§ 5.230(c)(5)(iii) and 24 CFR 5.232(c)</p>	<ul style="list-style-type: none"> Families have the right to revoke consent by notice to the PHA; however, revoking consent can result in termination or denial of assistance if the PHA has established an admission and occupancy policy that the revocation of consent will result in termination of assistance or denial of admission. PHAs may not process interim or annual reexaminations of income, including when a family's income decreases and the family requests an interim reexamination to decrease tenant rent, without the family's executed consent form(s). PHAs must explain to families the consequences, if any, of revoking their consent. PHAs must notify their local HUD office when an applicant or participant family member revokes their consent. <p>Note: Data matches between HUD and other agencies will continue to automatically occur, when consent is revoked, if the family is not terminated from the program.</p>	<p>assistance, participant families will be required to sign a new consent form by the next regularly scheduled reexamination or interim reexamination, whichever occurs first.</p> <p>PHAs may establish policies to deny admission but allow existing participant families to continue to receive assistance after revoking their consent until the next interim or annual reexamination, whichever is sooner.</p>
<p>Determination of Family Income Using Other Means Tested Public Assistance, i.e., "Safe Harbor" (24 CFR §§ 5.609(c)(3) and 891.105)</p>	<ul style="list-style-type: none"> PHAs may determine the family's income prior to the application of any deductions based on income determinations made within the previous 12-month period for purposes of the following means-tested forms of Federal public assistance: <ul style="list-style-type: none"> The Temporary Assistance for Needy Families block grant (42 U.S.C. 601, et seq.) Medicaid (42 U.S.C. 1396 et seq.). The Supplemental Nutrition Assistance Program (42 U.S.C. 2011 et seq.). The Earned Income Tax Credit (26 U.S.C. 32). The Low-Income Housing Tax Credit (26 U.S.C. 42). The Special Supplemental Nutrition for Woman, Infants, and Children (42 U.S.C. 1786). Other programs administered by the Secretary. Other means-tested forms of Federal public assistance for which HUD has established a memorandum of understanding. Other Federal benefit determinations made by other means-tested Federal programs that the Secretary determines to have comparable reliability and announces through a Federal Register notice. 	<ul style="list-style-type: none"> PHAs that choose to implement Safe Harbor income determinations must: <ul style="list-style-type: none"> Establish in policy when they will accept Safe Harbor income determinations (e.g., at reexamination only or at admission and reexamination), including which programs from which they will accept income determinations; and Create policies that outline the course of action when families present multiple verifications from the same or different acceptable Safe Harbor programs (e.g., PHAs could establish policies to accept the most recent income determination). <p>PHAs must include in their ACOPs or Admin Plans whether they will accept Safe Harbor income determinations, along with the accompanying policies described above, if applicable.</p>

	<ul style="list-style-type: none"> • PHAs are not required to accept or use determinations of income from other Federal means-tested forms of assistance. • Safe Harbor verification must be obtained by means of third-party verification and must state the family size, must be for the entire family (i.e., the family members listed in the documenting must match the family's composition in the assisted unit, except for household members) and must state the amount of the family's annual income. 	
Enterprise Income Verification (EIV) Usage (24 CFR § 5.233)	<ul style="list-style-type: none"> • PHAs must use HUD's EIV system in its entirety, in accordance with 24 CFR 5.233. <p>PHAs must update their EIV policies and procedures to reflect their discretionary use of EIV reports (e.g., Income Report, zero income reports, New Hires Report, IVT) under HOTMA.</p>	<ul style="list-style-type: none"> • PHAs are not required to use EIV during interim reexaminations. • PHAs who adopt local policies to not include <i>earned</i> income increases in determining whether the 10% threshold is met for increases in adjusted income when the family previously had an interim reexamination performed for a decrease in annual adjusted income (earned, unearned, or combined) since the last annual reexamination, are not required to use the EIV New Hires report between annual reexaminations. • PHAs who have a policy to consider <i>earned</i> income increases in calculating whether the 10% threshold has been met for an interim reexamination are required to review the EIV New Hires report at least quarterly, for the remainder of the reexamination period after the interim reexamination to decrease rent occurs.

Preparing for HOTMA

Topic	Information/Guidance
PHA forms	<ul style="list-style-type: none"> • PHAs must update any form referencing eligibility or admission annual and interim reexamination, etc. to comply with the HOTMA final rule. • For example: <ul style="list-style-type: none"> ○ The PHA's local interim reexamination form must provide families a place to report all changes that impact annual adjusted income including: all changes in income, assets, expenses, and household composition. ○ A self-certification form to determine present ownership interest in any real property. If applicable i.e., the family has ownership in real property, the form can also include questions regarding the legal right to reside in, and the effective legal authority to sell a property (based on laws of the state or locality in which the property is located) that is suitable for occupancy by the family as a residence. <p>A self-certification form to declare net family assets are \$50,000 or less. This form must allow families to report anticipated asset income earned.</p>
Impact of HOTMA on Family Self-Sufficiency (FSS) Programs	<p>PHAs who operate FSS programs should note that families participating in the FSS program are subject to all HOTMA interim reexamination regulations. PHAs cannot implement local policy to perform an interim reexamination for increases in adjusted income below the 10% threshold for FSS participants.</p> <p>Although families participating in FSS may experience fewer escrow increases under the HOTMA final rule, the revised IR regulations may provide these families the opportunity to use their increased earnings to realize other short or long-term goals outside of the scope of the FSS program.</p> <p>The HOTMA interim reexamination regulations impact administration of the FSS program in the following ways:</p> <ol style="list-style-type: none"> 1. FSS participants are subject to <i>all</i> requirements of the HOTMA interim reexamination regulations; and 2. At enrollment, PHAs may not perform an interim reexamination of annual income <i>unless</i> the family experienced a change in adjusted annual income that meets the threshold to perform an interim reexamination under the HOTMA final rule. <p>Families for whom their first reexamination of income does not occur until their regularly scheduled annual reexamination will not have the opportunity to begin escrowing their increased earnings until that time and may have fewer escrow increases over the life of the 5-year contract².</p>