



HOMES FOR GOOD BOARD OF COMMISSIONERS MEETING

Wednesday, March 19th, 2025

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In the Matter of Updating the FY25 Administrative Plan and the Admissions and Continued Occupancy Plan (ACOP) – HOTMA Update PIH Notice 2024-38

ORDER 25-16—03-02H..... *Separate*

In the Matter of Approving the Bylaws of Homes for Good Housing Agency of Lane County, Oregon Revisions *Release*

AGENDA

Homes for Good Housing Agency

BOARD OF COMMISSIONERS

Location of the meeting:

Homes for Good Administrative Building
100 W 13th Avenue
Eugene, OR 97401



Teams

This meeting will be conducted in person with option to join via public video call and conference line (see details below).

Wednesday, March 19th, 2025 at 1:30pm

The March 19th, 2025 Homes for Good Board of Commissioners meeting will be held at the Homes for Good Administrative Building. It will also be available via a public video call with dial-in capacity. The public has the option to participate in person or by joining via video call or conference line.

Teams Meeting:

Join Meeting: [Link](#)

Meeting ID: 233 949 250 95

Passcode: BHWRbS

Dial-In: +1 689-206-0388,,817935186#

Phone Conference ID: 817 935 186#

Guide to Using Teams: [Link](#)

1. PUBLIC COMMENTS

Maximum time 30 minutes: Speakers will be taken in the order in which they sign up and will be limited to 3-minutes per public comments. If the number wishing to testify exceeds 10 speakers, then additional speakers may be allowed if the chair determines that time permits or may be taken at a later time.

PLEASE NOTE: *The Homes for Good Board of Commissioners is a policy advisory body to Homes for Good and is not designated to resolve issues in public meetings. The Board will not discuss or make decisions immediately on any issue presented.*

2. COMMISSIONERS' RESPONSE TO PUBLIC COMMENTS AND/OR OTHER ISSUES AND REMONSTRANCE (2 min. limit per commissioner)

3. ADJUSTMENTS TO THE AGENDA

4. COMMISSIONERS' BUSINESS

5. EMERGENCY BUSINESS

6. EXECUTIVE SESSION

None

7. ADMINISTRATION

A. Executive Director Report

8. CONSENT AGENDA

A. Approval of 02.26.2025 Board Meeting Minutes

B. ORDER 25-19-03-01H: In the Matter of Updating the FY25 Administrative Plan and the Admissions and Continued Occupancy Plan (ACOP) – HTOMA Update PIH Notice 2024-38

9. ORDER 25-19-03-02H

In the Matter of Approving the Bylaws of Homes for Good Housing Agency of Lane County, Oregon Revisions

(Bylaws Review Ad Hoc Committee) (30 minutes)

10. OTHER BUSINESS

Adjourn.

In terms of any changes happening at the federal level the only significant news is that HUD has terminated the Affirmatively Furthering Fair Housing (AFFH) rule. This rule would have required Homes for Good to analyze impediments to Fair Housing and create plans to address these impediments. Implementing this rule would have required the investment of hundreds of hours of staff time. Homes for Good is deeply committed to Fair Housing and we frequently have trainings so that staff are aware that housing discrimination occurs in Lane County too often and this training also equips staff with tools to address Fair Housing complaints that we receive. Elements of the AFFH are reflected in our Strategic Equity Plan.

Related to changes at HUD it has been difficult to obtain factual information about what changes are occurring internally at HUD and what changes might be on the horizon. In hopes of securing additional factual information Ela and Jasmine travelled to Washington DC the week of March 10th to attend the National Association for Housing and Redevelopment Officials (NAHRO) Legislative Conference. HUD leaders presented at this conference and also Ela and Jasmine met with key leaders from HUD and each office of our Federal Legislative Delegation. They will provide an update to the Board at our March 19th Board meeting.

Our FY 24 Audit continues in earnest. Over the week of March 3rd Parker Howard, a Senior Governmental Auditor from Berman Hopkins CPAs & Associates, LLP was on site at our office and engaged with the Finance Team and other key team members to complete interviews and continue the auditing process. Based on a meeting that Ela, Dan and I had with Parker on March 6th his opinion is that it is unlikely that we will meet the State of Oregon deadline of submitting the audit/financial statements by March 31st. The audit team will help us submit a waiver request to the State of Oregon and they will continue their work and complete the audit as soon as possible after March 31st.



MINUTES

Homes for Good Housing Agency

BOARD OF COMMISSIONERS



Wednesday, February 26th, 2025, at 1:30 p.m.

Homes for Good conducted the February 26th, 2025, meeting in person at the Homes for Good administrative building and via a public video call with dial-in capacity. The public was able to join the call, give public comments, and listen to the call.

CALL TO ORDER

Board Members Present:

Heather Buch (*delayed arrival*)

Michelle Thurston

Justin Sandoval

Pat Farr

Kirk Strohman

Chloe Chapman

Larissa Ennis

Joel Iboa

Destinee Thompson

Board Members Absent:

Quorum Met

1. PUBLIC COMMENT

None

2. COMMISSIONERS' RESPONSE TO PUBLIC COMMENTS AND/OR OTHER ISSUES AND REMONSTRANCE

None

3. ADJUSTMENTS TO THE AGENDA

None

4. COMMISSIONERS' BUSINESS

Chair Larissa Ennis and **Executive Director Jacob Fox** met with legal counsel to discuss the formation and administration of ad hoc/subcommittees of the Board. Moving forward, ad hoc/subcommittees are considered public meetings, because they advise the full board. Therefore, all meetings need to be publicly noticed, and minutes need to be produced.

Commissioner Strohman, **Commissioner Sandoval** and **Executive Director Fox** will work to revise the bylaws to reflect how Homes for Good establishes committees.

5. EMERGENCY BUSINESS

None

6. EXECUTIVE SESSION

None

7. ADMINISTRATION

A. Executive Director Report

Jacob Fox addresses the plan for communicating any updates or information from HUD to all staff. The focus is to only communicate factual information as it's received. At this time there isn't a funding impact to the Agency based on the staffing cuts at HUD. With the uncertainty in the future, it is important now more than ever to create a financial sustainability plan so we can be more proactive versus reactive.

At this time the Agency isn't in a position to predict what will happen in the future both for residents, program participants and employees. Homes for Good staff is a member National Association of Housing and Redevelopment Officials – there will be an opportunity for commissioners to become members of NAHRO and receive alerts.

The Board is scheduled to have a work session on March 12th. During this week a NAHRO conference will be held in Washington D.C. where several HUD officials will be present. Two staff from the Leadership Team will be in attendance. Additionally, the Finance Director will be out of the office. Therefore, it would be best to reschedule the work session. Updated invites will be sent out to board members once a new date is determined.

Homes for Good Real Estate Development is in negotiations for a turn-key development. Essentially the site would be built to Homes for Good specifications by Atkins Dame. Once complete, Homes for Good would be the long-term owner. Community leaders have gone to

Eugene City Council to approve Parcel 2 on the riverfront as the development site and \$7.5 million of urban renewal.

B. Quarterly Employee Excellence Awards

Energy Services Director, **Esteban Montero Chacon** presented the Employee Excellence Award to Energy Services Administrative Specialist, **Lacey LaCosse**.

Executive Support Coordinator, **Jasmine Leary Mixon** presented the Employee Excellence Award to HR & Payroll Specialist **Rachel Unruh**.

8. CONSENT AGENDA

A. Approval of 01/29/2025 Board Meeting Minutes

Vote Tabulations

Motion: **Chloe Chapman**

Second: **Michelle Thurston**

Discussion: *None*

Ayes: **Michelle Thurston, Justin Sandoval, Kirk Strohman, Chloe Chapman, Larissa Ennis, Joel Iboa, Pat Farr, Destinee Thompson**

Abstain: *None*

Excused: **Heather Buch**

The 02/26/2025 Consent Agenda was approved [8/0/1]

9. PRESENTATION: Homes for Good Auditor Berman Hopkins Entrance Review

Berman Hopkins Presenting

Overview

The purpose of the annual audit is to determine that Homes for Good has strong controls and remain in compliance with guidelines of the various programs they run. As a government organization Homes for Good is subject to additional testing based on HUD regulations.

At the end of the audit there will be three reports:

- AICPA Audit Standards
- Government Auditing Standards
- Uniform Guidance

[see presentation titled: Audit Presentation 2024]

Discussion Themes

- Unable to predict what and/or if there will be findings on the audit at this point as the testing has just begun
- The intent for MTW is to allow for some flexibility in funds and efficiencies in processes

No action needed.

10. ORDER 25-26-02-01H: In the Matter of Authorizing the Executive Director or Designee to Apply for Assistance from Oregon Housing & Community Services for the Florence Quince Street Site in Florence, OR

Project Developer, Elena Coleman Presenting

Overview

Homes for Good Real Estate Development with the City Manager and Assistant City Manager to discuss the lack of homeownership opportunities for the local workforce.

The target population would be first-time homebuyers

Phase I: LIFT Homeownership

Phase II: Rental Development

Funding awards for the NOFA application will be announced in May. If Homes for Good is awarded the funds, construction would be expected to begin in June 2026 and certificate of occupancy would be June 2028. The funding would be dedicated to the development of permanent affordably housing for homebuyers.

Discussion Themes

- There would be a master lease hold agreement (used for condos) and Homes for Good would be the owners of the land itself
- Amenity considerations for the site selection
- Debt-service will be nonexistent

Vote Tabulations

Motion: **Destinee Thompson**

Second: **Justin Sandoval**

Discussion: *None*

Ayes: **Michelle Thurston, Justin Sandoval, Kirk Strohman, Chloe Chapman, Larissa Ennis, Joel Iboa, Pat Farr , Destinee Thompson**

Abstain: *None*

Excused: **Heather Buch**

ORDER 25-26-02-01H was approved [8/0/1]

11. PRESENTATION: HUD Annual Plan Overview

Rent Assistance Director, Beth Ochs Presenting

Overview

The HUD Annual Plan is submitted each year. The components include a Five-Year Plan and the Annual Plan. Annually updates to the goals of the five-year plan are provided to HUD (originally submitted FY24). The Five-Year Plan mirrors the Strategic Equity Plan (SEP).

The Annual Plan is more focused on regulatory and policy updates of both the Administrative Plan and the Admissions and Continued Occupancy Plan (ACOP).

[see presentation titled: HUD Annual Plan Overview]

Discussion Themes

- Efficiency in the future of the preparing the plan from an administrative standpoint
- Possibility of policy for Family Self-Sufficiency Program timelines
- Impact of potential HUD Field Office closures

No action needed.

12. PRESENTATION: Strategic Equity Plan – Six Month Progress Report

Equity Strategy Team Presenting

Overview

The Strategic Equity Plan (SEP) is drafted on an annual basis covering a period of June – July. Twice a year the board receives updates (January/February and July) of the progress the Agency as a whole has made on completing their goals outlined in the SEP.

[see presentation titled: Strategic Equity Plan Bi-Annual Update]

Discussion Themes

- Measurability of “Listen to Our Communities”
- Policy changes as a result of feedback received
- **Commissioner Chapman** can provide support in outreach/education for the Housing Choice Voucher Home Ownership Program

No action needed.

13. PRESENTATION: Introduction to the Financial Sustainability Roadmap

Executive Director, Jacob Fox Presenting

Overview

The Homes for Good Leadership Team with the facilitation of Margaret Van Vliet drafted held a work session to draft a Financial Sustainability Roadmap. The initial draft is presented to the board as an introduction prior to the Board Work Session where the details and strategies will be discussed in depth.

The goals outlined in this plan are financially focused but cross-departmental collaboration is crucial to bring the end result to fruition. This plan will be embedded as part of an overall Agency plan over the next year.

[see presentation titled: Financial Sustainability Roadmap]

Discussion Themes

- Assessment of alternative funding streams – upfront costs and potential impact to staff and/or residents
- Discrepancy between subsidies and the actual administrative costs
- Strategic and scenario-based planning for possible funding shortages

No action needed.

14. OTHER BUSINESS

None

Meeting adjourned at 3:57 p.m.
Minutes Taken By: Jasmine Leary Mixon



BOARD OF COMMISSIONERS AGENDA ITEM

BOARD MEETING DATE: 03/19/2025

AGENDA TITLE: In the Matter of Updating the FY25 Administrative Plan and the Admissions and Continued Occupancy Plan (ACOP) - HOTMA Updates PIH Notice 2024-38

DEPARTMENT: Rent Assistance Division

CONTACT : Beth Ochs

EXT: 2547

PRESENTER: N/A - item on consent agenda

EXT: 2547

ESTIMATED TIME : 20 for any board questions

- ORDER/RESOLUTION**
- PUBLIC HEARING/ORDINANCE**
- DISCUSSION OR PRESENTATION (NO ACTION)**
- APPOINTMENTS**
- REPORT**
- PUBLIC COMMENT ANTICIPATED**

Approval Signature

EXECUTIVE DIRECTOR:

A handwritten signature in black ink, appearing to be "JAF", is written over a horizontal line.

DATE: 03.11.25

LEGAL STAFF :

DATE:

MANAGEMENT STAFF:

DATE:



HOMES FOR GOOD MEMORANDUM

TO: Homes for Good Board of Commissioners

FROM: Beth Ochs, Rent Assistance Division Director

TITLE: In the Matter of updating the FY25 Administrative Plan and the Admissions and Continued Occupancy (ACOP) – HOTMA Updates PIH Notice 2024-38

DATE: March 19, 2025

MOTION:

Seeking Board Approval to implement HOTMA (Housing Opportunity Through Modernization Act) income and asset provisions language from PIH Notice 2024-38 with a HUD required implementation date of no later than July 1, 2025. Homes for Good seeks approval to implement the income and asset provisions for any income review/eligibility effective July 1, 2025, and beyond.

DISCUSSION:

A. Issue

The implementation of HOTMA regulations by HUD is occurring in phases. PIH Notice 2024-38 (Public Indian Housing) outlines several updates to key definitions that Public Housing Agencies (PHAs) must adopt. While some of these changes are relatively minor and will have little to no effect on the families we serve, others may lead to adjustments in out-of-pocket rent costs for certain families, either increasing or decreasing their payments. Additionally, these changes may also increase staff hours needed to implement the new regulations.

B. Background

HOTMA was signed into law on July 29, 2016. Its goal: to simplify and/or clarify existing regulatory language, simplify program rules, and reduce administrative burden and cost.

Full implementation of HOTMA has been delayed numerous times by HUD. Some provisions require software updates that HUD is still in the process of implementing. Other delays have been a result of PHAs lacking clear guidance on how to implement aspects of HOTMA. HUD has stated they will provide education and guidance to PHAs before fully implementing HOTMA.

HUD pivoted from full implementation to phasing in portions of HOTMA via PIH Notices.

PIH Notice 2024-38 focuses on changes to definitions.

C. Analysis

Many of the changes are minimal and/or clarify existing regulations and have no substantial impact

on the way we conduct business or the families we serve.

For example, the underlined red text below denotes what has been changed as a result of PIH Notice 2024-38:

Admin Plan 6-I.M

- a. Benefits under Section 1780 of the Richard B. Russell School Lunch Act and Child Nutrition Act of 1966, including WIC and reduced-price lunches.
- n. Payments received under 38 U.S.C. 1833(c) to children of Vietnam veterans born with spinal bifida, children of women Vietnam veterans born with certain birth defects, and children of certain Korean and Thailand service veterans born with spinal bifida.

Changes that may result in either an out-of-pocket rent adjustment for the families we serve or an increase in administrative workload include:

Student Loans

Prior regulations did not count student loans as income. Student loans will now be factored into income. The cost of tuition and books will be deducted from the loan, any remaining funds will be counted as income. For example, a student loan for 10K is taken. Tuition and books cost 6K. The remaining 4K is counted as income.

Homes for Good has 53 participants who are 19 years or older and who are attending school. It is not known how many are receiving student loans.

Medical Expenses

Medical deductions are an allowable expense for families where the head of household, spouse or co-head is at least 62 or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted.

Homes for Good has 2636 families that meet this definition.

Prior regulations defined medical expenses as, "medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance." Prior HUD guidance advised PHAs to utilize IRS Publication 502 in determining allowable medical expenses.

The expenses are then deducted from the family's countable income by the PHA.

Medical expenses will now be defined as, "to mean any costs incurred in the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed".

With HOTMA, HUD regulations now state a PHA cannot specifically align its policies with IRS Publication 502 but instead has to determine whether the expense is eligible in accordance with the new definition. Additionally, it advises PHAs to use IRS Publication 502 as a standard for determining allowable expenses.

The change results in a broader definition of medical expenses. The broader definition may increase our expenses as a PHA in both increase in HAP (Housing Assistance Payments) because more expense could be removed from countable income and increase in staff time in calculating and determining what is/is not a medical expense.

For example, items that have been submitted in the past but not approved as a medical expense include:

- Over the counter medications and/or vitamins
- Gym membership for exercise classes
- Weight loss programs
- Human food for service animals

Previously, we would have invoked the IRS 502 publication in not allowing these as medical expenses. However, with the regulatory update of not being able to specifically align with the IRS 502 Publication it's not clear what regulatory guidance we would lean upon in these instances.

We have attended numerous HUD training courses on HOTMA. Many PHAs have expressed a need for further clarity on the implementation of medical expenses. HUD states further guidance will be provided. Until such is received, Homes for Good will continue to engage with our HUD field office as needed.

Veterans Regular Aid and Attendance

This is a new source of income to be counted and potentially excluded.

Since this is a new source of income for us to review, we do not know how many families are receiving this.

This new regulation states, "Payments related to aid and attendance under 38 U.S.C. 1521 to veterans in need of regular aid and attendance [24 CFR 5.609(b)(17)]. This income exclusion applies only to veterans in need of regular aid and attendance and not to other beneficiaries of the payments, such as a surviving spouse [Notice PIH 2023-27]."

Payments Received by Tribal Members

Prior to this change, a portion (2K) of per capita distributions (money distributed amongst tribal members) was fully excluded from income review by the PHA. Now these funds are counted as income by the PHA if the funds come from the proceeds of gaming operations of the tribe.

Example

Prior Process – A family receives 10K in per capita distributions from income derived from proceeds of gaming operations. The first 2K would be excluded from income review. The remaining 8K would be counted as income.

New Process – A family receives 10K in per capita distributions from income derived from proceeds of gaming operations. 10K would be counted as income.

The new regulation states, "The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408). This exclusion does not include proceeds of gaming operations regulated by the Commission (25 U.S.C. 1407–1408)."

We have approximately 150 families who self-identify as Native American.

Policy Changes

Most of these regulatory changes do not result in a policy creation/change. For those that do, the proposed policy changes are minimal and have no substantial impact on our day-to-day operations or the families we serve.

For example, the policy on how family is defined now includes, "A family also includes a person(s) able to enter into a rental agreement under Oregon Tenant Landlord law."

Policy

A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family.

A family also includes a person(s) able to enter into a rental agreement under Oregon Tenant Landlord law.

Each family must identify the individuals to be included in the family at the time of application and must update this information if the family's composition changes.

HUD's goal of simplifying program rules and reducing administrative burden and costs may not be fully realized with this implementation. In fact, administrative costs could increase, particularly amongst medical expenses. While the definition changes have not necessarily simplified the program rules, they have provided greater clarity in some areas. HUD's objectives may still be met as HOTMA continues to be rolled out.

D. Furtherance of the Strategic Equity Plan

We will provide staff with training on the regulatory and policy changes to ensure continued program compliance. Maintaining compliance is crucial for securing funding. Additionally, public-facing forms and letters will be updated as necessary to ensure families are informed about the requirements for assessing income and income exclusions.

E. Alternatives & Other Options

The implementation may be delayed until July 2025. If this option is selected, it would delay the completion of July 2025 income reviews as the reviews would need to be re-vetted under the new regulations and policies.

F. Timing & Implementation

Upon approval of the board order we will update both the Administrative and ACOP plans, allowing staff to utilize the changes. The changes will be effective for any income reviews/eligibility as of July 1st, 2025.

Procedures and public facing forms will be updated accordingly.

G. Recommendation

Homes for Good recommends the board approve this board order.

H. Follow Up

We will continue to engage the board as further aspects of HOTMA are implemented.

I. Attachments (Hyperlinked below)

- PIH Notice 2024-38 [2024-38pihn \(2\).pdf](#)
- IRS Publication 502 [IRS502.pdf](#)
- Income and Income Exclusions Resource Sheet [Income-and-Exclusions-Resource-Sheet.pdf](#)

IN THE BOARD OF COMMISSIONERS OF THE
HOMES FOR GOOD HOUSING AGENCY, OF LANE COUNTY OREGON

ORDER 25-19-03-01H

In the Matter of Updating the FY25
Administrative Plan and the Admissions &
Continued Occupancy Plan (ACOP) - HOTMA
Updates PIH Notice 2024-38

WHEREAS, Homes for Good is required by HUD to comply with additional provisions in Sections 102 and 104 under the Housing Opportunity Through Modernization Act (HOTMA)

WHEREAS, PIH Notice 2024-38 B. identifies which aspects of HOTMA PHAs must implement by July 1st 2025

WHEREAS, Homes for Good's is implementing the required HOTMA changes regarding Income Exclusions (24 CFR 5.609(b)), Definitions (24 CFR 5.100, 5.403, 5.603) and De Minimis Errors (24 CFR 5.609(c)(4); 882.515(f);882.808(i)(5);960.257(f);and 982.516(f))

NOW IT IS THEREFORE ORDERED THAT:

The Admissions and Continues Occupancy Plan for Fiscal Year 2025 shall be revised as follows:

- The Pre and Post HOTMA Regulatory Citation Matrix will be updated by completing the "Date Implemented" field for these sections as of the board order approval date:

	Pre-HOTMA	Post-HOTMA	Effective Date of Post-HOTMA Language
Annual Income Definitions	5.609(a)	5.609(a); 5.603, 5.100	
Annual Income Exclusions	5.609(c)	5.609(b)	
Specific types of income/assets:			
• Income of minors	5.609(c)(1)	5.609(b)(3)	
• Foster care/guardianship payments	5.609(c)(2)	5.609(b)(4)	
• Lump-sum additions to net family assets	5.609(c)(3)	5.609(b)(24)(vii)	
• Medical care reimbursements	5.609(c)(4)	5.609(b)(6)	
• Income of live-in aide	5.609(c)(5)	5.609(b)(8)	
• Student Financial Assistance	5.609(c)(6) and (b)(9)	5.609(b)(9)	

• Special pay for Armed Forces exposed to hostile fire	5.609(c)(7)	5.609(b)(11)	
• Amounts received under training programs funded by HUD	5.609(c)(8)(i)	5.609(b)(12)(iv)	
• Amounts disregarded that are set aside for use under the Plan to Attain Self-Sufficiency (PASS) program	5.609(c)(8)(ii)	5.609(b)(12)(i)	
• Amounts received for reimbursement of out of pocket expenses incurred to participate in a specific program	5.609(c)(8)(iii)	5.609(b)(12)(ii)	
• Resident service stipend	5.609(c)(8)(iv)	5.609(b)(12)(iii)	
• Incremental earnings from participation in certain employment training programs	5.609(c)(8)(v)	5.609(b)(12)(iv)	
• Non-recurring income	5.609(c)(9)	5.609(b)(24)	
• Reparation payments paid by a foreign government for those persecuted during the Nazi era	5.609(c)(10)	5.609(b)(13)	
• Earned income of dependent full-time students in excess of dependent deduction	5.609(c)(11)	5.609(b)(14)	
• Adoption assistance payments	5.609(c)(12)	5.609(b)(15)	
• Deferred periodic amounts from SSI, SS, and VA	5.609(c)(14)	5.609(b)(16)	
• Refunds or rebates under State or local law for property taxes	5.609(c)(15)	5.609(b)(18)	
• Amounts authorized by State Medicaid agency or other State or Federal agency to enable a family member who has a disability to reside in the family's assisted unit	5.609(c)(16)	5.609(b)(19)	
• Business income	5.609(b)(2)	5.609(b)(28)	
• Federally mandated exclusions	5.609(c)(17)	5.609(b)(22)	

This update will trigger the following regulatory implementations:

1. INCOME EXCLUSIONS

6-I.I. NONRECURRING INCOME [24 CFR 5.609(b)(24) and Notice PIH 2023-27]

Nonrecurring income, which is income that will not be repeated beyond the coming year (e.g., 12 months following the effective date of the certification) based on information provided by the family, is excluded from annual income. The PHA may accept a self-certification from the family stating that the income will not be repeated in the coming year. See Chapter 7 for PHA policies related to verification of nonrecurring income.

Income received as an independent contractor, day laborer, or seasonal worker is not excluded from income as nonrecurring income, even if the source, date, or amount of the income varies.

Income that has a discrete end date and will not be repeated beyond the coming year during the family's upcoming annual reexamination period will be excluded from a family's annual income as nonrecurring income. This exclusion does not include unemployment income and other types of periodic payments that are received at regular intervals (such as weekly, monthly, or yearly

Income amounts excluded under this category may include, but are not limited to:

- Nonrecurring payments made to the family or to a third party on behalf of the family to assist with utilities;
- Payments for eviction prevention;
- Security deposits to secure housing;
- Payments for participation in research studies (depending on the duration); and
- General one-time payments received by or on behalf of the family.

Nonrecurring income that is excluded under the regulations includes:

- Payments from the U.S. Census Bureau for employment (relating to decennial census or the American Community Survey) lasting no longer than 180 days and not culminating in permanent employment [24 CFR 5.609(b)(24)(i)].
- Direct federal or state payments intended for economic stimulus or recovery [24 CFR 5.609(b)(24)(ii)].
- Amounts directly received by the family as a result of state refundable tax credits or state or federal tax refunds at the time they are received [24 CFR 5.609(b)(24)(iii) and (iv)].
- Gifts for holidays, birthdays, or other significant life events or milestones (e.g. wedding gifts, baby showers, anniversaries) [24 CFR 5.609(b)(24)(v)].

Non-monetary, in-kind donations, such as food, clothing, or toiletries, received from a food bank or similar organization [24 CFR 5.609(b)(24)(vi)]. When calculating annual income, PHAs are prohibited from assigning monetary value to such non-monetary in-kind donations received by the family [Notice PIH 2023-27]. Non-recurring, non-monetary in-kind donations from friends and family are excluded as non-recurring income. However, the value of regular in-kind donations (such as the value of groceries) received by friends and family are included.

Lump-sum additions to net family assets, including but not limited to lottery or other contest winnings [24 CFR 5.609(b)(24)(vii)].

Income Earned on Amounts Placed in a Family's Family Self Sufficiency (FSS) Account (24 CFR 5.609(b)(27))

Live-in aides: Income from all sources (both earned and unearned) is excluded [24 CFR 5.609(b)(8)].

Foster child or foster adult: Income from all sources is excluded [24 CFR 5.609(b)(8)].

Payments Received for the Care of Foster Children or Foster Adults or State or Tribal Kinship or Guardianship Care Payments (24 CFR 5.609(b)(4))

Insurance Payments or Settlements (24 CFR 5.609(b)(5)): Insurance payments and settlements for personal or property losses, including but not limited to payments under health insurance, motor vehicle insurance, and workers' compensation, are excluded from annual income. Any workers' compensation is always excluded from annual income, regardless of the frequency or length of the payments.

Civil Action Recoveries or Settlements (24 CFR 5.609(b)(7)): Any amounts recovered in any civil action or settlement based on claim of malpractice, negligence, or other breach of duty owed to a family member arising out of law, that resulted in a member of the family becoming disabled are excluded from income.

Full-time students 18 years of age or older (not head, spouse, or cohead):

Earned income in excess of the dependent deduction is excluded [24 CFR 5.609(b)(14)].

All sources of unearned income, except those specifically excluded by the regulations, are included.

Adoption assistance payments for the child in excess of the amount of the dependent deduction per adopted child [24 CFR 5.609(b)(15)]

Payments related to aid and attendance under 38 U.S.C. 1521 **to veterans in need of regular aid and attendance** [24 CFR 5.609(b)(17)]. This income exclusion applies only to veterans in need of regular aid and attendance and not to other beneficiaries of the payments, such as a surviving spouse [Notice PIH 2023-27].

6-I.K. STATE PAYMENTS TO ALLOW INDIVIDUALS WITH DISABILITIES TO LIVE AT HOME [24 CFR 5.609(b)(19)]

Payments made by or authorized by a state Medicaid agency (including through a managed care entity) or other state or federal agency to an assisted family to enable a member of the assisted family who has a disability to reside in the family's assisted unit are excluded.

Authorized payments may include payments to a member of the assisted family through state Medicaid-managed care systems, other state agencies, federal agencies, or other authorized entities.

The payments must be received for caregiving services a family member provides to enable another member of the assisted family who has a disability to reside in the family's assisted unit. Payments to a family member for caregiving services for someone who is not a member of the assisted family (such as for a relative that resides elsewhere) are not excluded from income.

Furthermore, if the agency is making payments for caregiving services to the family member for an assisted family member and for a person outside of the assisted family, only the payments attributable to the caregiving services for the caregiver's assisted family member would be excluded from income.

Loan proceeds (the net amount disbursed by a lender to or on behalf of a borrower, under the terms of a loan agreement) received by the family or a third party (e.g., proceeds received by the family from a private loan to enable attendance at an educational institution or to

finance the purchase of a car) [24 CFR 5.609(b)(20)]. The loan borrower or co-borrower must be a member of the family for this income exclusion to be applicable [Notice PIH 2023-27].

Payments received by tribal members as a result of claims relating to the mismanagement of assets held in trust by the United States, to the extent such payments are also excluded from gross income under the Internal Revenue Code or other federal law [24 CFR 5.609(b)(21)]. Generally, payments received by tribal members in excess of the first \$2,000 of per capita shares are included in a family's annual income for purposes of determining eligibility. However, as explained in Notice PIH 2023-27, payments made under the Cobell Settlement, and certain per capita payments under the recent Tribal Trust Settlements, must be excluded from annual.

Amounts that HUD is required by federal statute to exclude from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(b) apply. HUD will publish a notice in the Federal Register to identify the benefits that qualify for this exclusion. Updates will be published when necessary [24 CFR 5.609(b)(22)].

HUD publishes an updated list of these exclusions periodically. **The most recent list of exclusions** was published in the Federal Register on January 31, 2024. It includes:

- (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b)) . This exclusion also applies to assets.
- (b) Benefits under Section 1780 of the Richard B. Russell School Lunch Act and Child Nutrition Act of 1966, including WIC and reduced-price lunches.
- (c) Payments, including for supportive services and reimbursement of out-of-pocket expenses, to volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058) The exclusion also applies to assets. Except, the exclusion does not apply when the Chief Executive Officer of the Corporation for National and Community Service determines that the value of all such payments, adjusted to reflect the number of hours such volunteers are serving, is equivalent to or greater than the minimum wage then in effect under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) or the minimum wage, under the laws of the State where such volunteers are serving, whichever is the greater (42 U.S.C. 5044(f)(1)).
- (d) Certain payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c))
- (e) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 5506)
- (f) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f) (1))
- (g) Allowances, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998, which was reauthorized as the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3241(a)(2)).(
- (h) Deferred disability benefits from the Department of Veterans Affairs, whether received as a lump sum or in monthly prospective amounts
- (i) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Section 6)

- (j) Payments, funds, or distributions authorized, established, or directed by the Seneca Nation Settlement Act of 1990 (25 U.S.C. 1774f(b))
- (k) A lump sum or periodic payment received by an individual Indian pursuant to the Class Action Settlement Agreement in the United States District Court case entitled *Elouise Cobell et al. v. Ken Salazar et al.*, for a period of one year from the time of receipt of that payment as provided in the Claims Resolution Act of 2010
- (l) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408). This exclusion does not include proceeds of gaming operations regulated by the Commission (25 U.S.C. 1407–1408).
- (m) Payments received from programs funded under Title V of the Older Americans Act of 1965 (42 U.S.C. 3056(f))
- (n) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent Orange* product liability litigation, M.D.L. No. 381 (E.D.N.Y.). This exclusion also applies to assets.
- (o) Payments received under 38 U.S.C. 1833(c) to children of Vietnam veterans born with spinal bifida, children of women Vietnam veterans born with certain birth defects, and children of certain Korean and Thailand service veterans born with spinal bifida (42 U.S.C. 12637(d)).
- (p) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721). This exclusion also applies to assets.
- (q) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Childcare and Development Block Grant Act of 1990 (42 U.S.C. 9858q)
- (r) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)). This exclusion also applies to assets.
- (s) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433). This exclusion also applies to assets.
- (t) Amounts of student financial assistance funded under Title IV of the Higher Education Act of 1965, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu). For Section 8 programs only, any financial assistance in excess of amounts received by an individual for tuition and any other required fees and charges under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income if the individual is over the age of 23 with dependent children (Pub. L. 109–115, section 327 (as amended)).
- (u) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))

- (v) Any amount of crime victim compensation that provides medical or other assistance (or payment or reimbursement of the cost of such assistance) under the Victims of Crime Act of 1984 received through a crime victim assistance program, unless the total amount of assistance that the applicant receives from all such programs is sufficient to fully compensate the applicant for losses suffered as a result of the crime (34 U.S.C. 20102(c)).
- (w) Any amounts in an "individual development account" are excluded from assets and any assistance, benefit, or amounts earned by or provided to the individual development account are excluded from income, as provided by the Assets for Independence Act, as amended (42 U.S.C. 604(h)(4)).
- (x) Major disaster and emergency assistance received under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and comparable disaster assistance provided by states, local governments, and disaster assistance organizations . This exclusion also applies to assets.
- (y) Distributions from an ABLE account, distributions from and certain contributions to an ABLE account established under the ABLE Act of 2014 (Pub. L. 113–295.), as described in Notice PIH 2019–09 or subsequent or superseding notice is excluded from income and assets.
- (z) The amount of any refund (or advance payment with respect to a refundable credit) issued under the Internal Revenue Code is excluded from income and assets for a period of 12 months from receipt (26 U.S.C. 6409).
- (aa) Assistance received by a household under the Emergency Rental Assistance Program pursuant to the Consolidated Appropriations Act, 2021 (Pub. L. 116–260, section 501(j)), and the American Rescue Plan Act of 2021.
- (ab) Per capita payments made from the proceeds of Indian Tribal Trust Settlements listed in IRS Notice 2013-1 and 2013-55 must be excluded from annual income unless the per capita payments exceed the amount of the original Tribal Trust Settlement proceeds and are made from a Tribe’s private bank account in which the Tribe has deposited the settlement proceeds. Such amounts received in excess of the Tribal Trust Settlement are included in the gross income of the members of the Tribe receiving the per capita payments as described in IRS Notice 2013-1. The first \$2,000 of per capita payments are also excluded from assets unless the per capita payments exceed the amount of the original Tribal Trust Settlement proceeds and are made from a Tribe’s private bank account in which the Tribe has deposited the settlement proceeds (25 U.S.C. 117b(a), 25 U.S.C. 1407).
- (ac) Any amounts (i) not actually received by the family, (ii) that would be eligible for exclusion under 42 U.S.C. 1382b(a)(7), and (iii) received for service-connected disability under 38 U.S.C. Chapter 11 or dependency and indemnity compensation under 38 U.S.C. Chapter 13 (25 U.S.C. 4103(9)(C)) as provided by an amendment by the Indian Veterans Housing Opportunity Act of 2010 (Pub. L. 111–269 section 2) to the definition of income applicable to programs under the Native American Housing Assistance and Self-Determination Act (NAHASDA) (25 U.S.C. 4101 et seq.)

Replacement housing “gap” payments made in accordance with 49 CFR Part 24 that offset increased out of pocket costs of displaced persons that move from one federally subsidized

housing unit to another federally subsidized housing unit. Such replacement housing “gap” payments are not excluded from annual income if the increased cost of rent and utilities is subsequently reduced or eliminated, and the displaced person retains or continues to receive the replacement housing “gap” payments [24 CFR 5.609(b)(23)].

6-I.G. STUDENT FINANCIAL ASSISTANCE [24 CFR 5.609(b)(9)]

The regulations distinguish between two categories of student financial assistance paid to both full-time and part-time students. The first category is any assistance to students under section 479B of the Higher Education Act of 1965 (Title IV of the HEA), which must be excluded from the family’s annual income [24 CFR 5.609(b)(9)(i)].

Examples of assistance under title IV of the HEA include:

- Federal Pell Grants;
- Teach Grants;
- Federal Work Study Programs;
- Federal Perkins Loans;
- Income earned in employment and training programs under section 134 of the Workforce Innovation and Opportunity Act (WIOA); or
- Bureau of Indian Affairs/Education student assistance programs
- The Higher Education Tribal Grant
- The Tribally Controlled Colleges or Universities Grant Program

The second category is any other grant-in-aid, scholarship, or other assistance amounts an individual receives for the actual covered costs charged by the institute of higher education (not otherwise excluded by the Federally mandated income exclusions) [24 CFR 5.609(b)(9)(ii)]. Other student financial assistance received by the student that, either by itself or in combination with HEA assistance, exceeds the actual covered costs is included in income.

Actual covered costs are defined as the actual costs of:

- Tuition, books, and supplies;
- Including supplies and equipment to support students with learning disabilities or other disabilities
- Room and board; and
- Other fees required and charged to a student by the educational institution.

For a student who is not the head of household or spouse/cohead, actual covered costs also include the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

Further, to qualify, other student financial assistance must be expressly:

- For tuition, book, supplies, room and board, or other fees required and charged to the student by the educational institution;
- To assist a student with the costs of higher education; or

- To assist a student who is not the head of household or spouse with the reasonable and actual costs of housing while attending the educational institution and not residing in an assisted unit.

The student financial assistance may be paid directly to the student or to the educational institution on the student's behalf. However, any student financial assistance paid to the student must be verified by the PHA.

The financial assistance must be a grant or scholarship received from:

- The Federal government;
- A state, tribal, or local government;
- A private foundation registered as a nonprofit;
- A business entity (such as corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, or nonprofit entity); or
- An institution of higher education.

Student financial assistance, does not include:

- Financial support provided to the student in the form of a fee for services performed e.g., a work study or teaching fellowship that is not excluded under section 479B of the Higher Education Act HEA);
- Gifts, including gifts from family or friends; or
- Any amount of the scholarship or grant that, either by itself or in combination with assistance excluded under the HEA, exceeds the actual covered costs of the student.

6-I.F. BUSINESS AND SELF-EMPLOYMENT INCOME [24 CFR 5.609(b)(28); Notice PIH 2023-27]

Annual income includes "net income from the operation of a business or profession. Net income is gross income minus business expenses that allows the business to operate. Gross income is all income amounts received into the business, prior to the deduction of business expenses.

Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family".

PHA Policy

To determine business expenses that may be deducted from gross income, the PHA will use current applicable Internal Revenue Service (IRS) rules for determining allowable business expenses [see IRS Publication 535], unless a topic is addressed by HUD regulations or guidance as described herein.

6-I.L. CIVIL RIGHTS SETTLEMENTS [24 CFR 5.609(b)(25); FR Notice 2/14/23]

Regardless of how the settlement or judgment is structured, civil rights settlements or judgments, including settlements or judgments for back pay, are excluded from annual income.

This may include amounts received because of litigation or other actions, such as conciliation agreements, voluntary compliance agreements, consent orders, other forms of settlement agreements, or administrative or judicial orders under the Fair Housing Act, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act (Section 504), the Americans with Disabilities Act, or any other civil rights or fair housing statute or requirement.

While these civil rights settlement or judgment amounts are excluded from income, the settlement or judgment amounts will generally be counted toward the family's net family assets (e.g., if the funds are deposited into the family's savings account or a revocable trust under the control of the family or some other asset that is not excluded from the definition of net family assets). Income generated on the settlement or judgment amount after it has become a net family asset is not excluded from income. For example, if the family received a settlement or back pay and deposited the money in an interest-bearing savings account, the interest from that account would be income at the time the interest is received.

Amounts for or in reimbursement of the cost of health and medical care expenses (24 CFR 5.609(b)(6)): HUD regulations define health and medical care expenses at 24 CFR 5.603(b) to mean "any costs incurred in the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed."

Health and medical care expenses may be deducted from annual income only if they are eligible under this definition and not otherwise reimbursed.

Although HUD revised the definition of health and medical care expenses to reflect the Internal Revenue Service (IRS) general definition of medical expenses, HUD is not permitting PHAs to specifically align their policies with IRS Publication 502. PHAs must review each expense to determine whether it is eligible in accordance with HUD's definition

While PHA policies may not specifically align with IRS Publication 502, HUD recommends PHAs use it as a standard for determining allowable expenses, and the PHA may list examples of allowable expenses in their policy provided they comply with HUD's definition at 24 CFR 5.603. The PHA may not define health and medical care expenses more narrowly than the regulation.

PHA Policy

The PHA will use the most current IRS Publication 502 as a standard for determining if expenses claimed by eligible families qualify as health and medical care expenses. However, under no circumstances will the PHA deduct any expenses listed in IRS Publication 502 that do not conform with HUD's definition of health and medical care expenses.

2. DEFINITIONS

Earned income means income or earnings from wages, tips, salaries, other employee compensation, and net income from self-employment. Earned income does not include any pension or annuity, transfer payments (meaning payments made or income received in which no goods or services are being paid for, such as welfare, social security, and governmental subsidies for certain benefits), or any cash or in-kind benefits [24 CFR 5.100].

Unearned income means any annual income, as calculated under 24 CFR § 5.609, that is not earned income.

To be eligible for admission, an applicant must qualify as a family. **Family as defined by HUD**, includes but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status, a single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; an otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), and is homeless or is at risk of becoming homeless at age 16 or older; or a group of persons residing together. Such group includes, but is not limited to a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family), an elderly family, a near-elderly family, a disabled family, a displaced family, and the remaining member of a tenant family. The PHA has the discretion to determine if any other group of persons qualifies as a family.

Gender Identity means actual or perceived gender characteristics.

Sexual orientation means homosexuality, heterosexuality, or bisexuality.

PHA Policy

A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family.

A family also includes a person(s) able to enter into a rental agreement under Oregon Tenant Landlord law.

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

A day laborer is defined as an individual hired and paid one day at a time without an agreement that the individual will be hired or work again in the future [24 CFR 5.603(b)]. Income earned as a day laborer is not considered nonrecurring income.

An independent contractor is defined as an individual who qualifies as an independent contractor instead of an employee in accordance with the Internal Revenue Code Federal income tax requirements and whose earnings are consequently subject to the Self-Employment Tax. In general, an individual is an independent contractor if the payer has the right to control or direct only the result of the work and not what will be done and how it will be done [24 CFR 5.603(b)]. This may include individuals such as third-party delivery and transportation service providers and "gig workers" like babysitters, landscapers, rideshare drivers, and house cleaners. Income earned as an independent contractor is not considered nonrecurring income.

A seasonal worker is defined as an individual who is hired into a short-term position (e.g., for which the customary employment period for the position is six months or fewer) and the employment begins about the same time each year (such as summer or winter). Typically, the individual is hired to address seasonal demands that arise for the particular employer or industry [24 CFR 5.603(b)]. Some examples of seasonal work include employment limited to holidays or agricultural seasons. Seasonal work may include but is not limited to employment as a lifeguard, ballpark vendor, or snowplow driver [Notice PIH 2023-27]. Income earned as a seasonal worker is not considered nonrecurring income.

A dependent is a family member who is under 18 years of age or a person of any age who is a person with a disability or a full-time student, except that the following persons can never be dependents: the head of household, spouse, cohead, foster children/adults and live-in aides.

Identifying each dependent in the family is important because each dependent qualifies the family for a deduction from annual income as described in Chapter 6.

3-I.K. FOSTER CHILDREN AND FOSTER ADULTS [24 CFR 5.603]

A Foster adult is a member of the household who is 18 years of age or older and meets the definition of a foster adult under state law. In general, a foster adult is a person who is 18 years of age or older, is unable to live independently due to a debilitating physical or mental condition, and is placed with the family by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction.

A foster child is a member of the household who meets the definition of a foster child under state law. In general, a foster child is placed with the family by an authorized placement agency (e.g., public child welfare agency) or by judgment, decree, or other order of any court of competent jurisdiction.

HUD regulations define **health and medical care expenses** at 24 CFR 5.603(b) to mean “any costs incurred in the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed.”

A **minor** is a member of the family, other than the head of family or spouse, who is under 18 years of age.

3. DE MINIMIS ERRORS

De Minimis Errors [24 CFR 5.609(c)(4); Notice PIH 2023-27]

The PHA will not be considered out of compliance when making annual income determinations solely due to de minimis errors in calculating family income. A de minimis error is an error where the PHA determination of family income deviates from the correct income determination by no more than \$30 per month in monthly adjusted income (\$360 in annual adjusted income) per family.

PHAs must take corrective action to credit or repay a family if the family was overcharged rent, including when PHAs make de minimis errors in the income determination. Families will not be required to repay the PHA in instances where the PHA miscalculated income resulting in a family being undercharged for rent. PHAs state in their policies how they will repay or credit a family the amount they were overcharged as a result of the PHA’s de minimis error in income determination.

PHA Policy

The PHA will reimburse a family for any family overpayment of rent, regardless of whether the overpayment was the result of staff-caused error, staff program abuse, or a de minimis error.

DATED this 19th day of March 2025

Chair, Homes for Good Board of Commissioners

Secretary, Homes for Good Board of Commissioners