

## **2024 Admin Plan Suggested Changes**

1. Throughout the entire Administrative Plan:  
Previous: 14 days some places, 10 days some places

New: All deadlines will be 10 business days

Reason: To match the ACOP and stay consistent with our verbiage and intent across the agency.

2. In Chapter 6, 7 and 12 we will be reviewing to edit for January 1, 2025 the Final Rule Implementing Section 102 and 104 of HOTMA as outlined below:

### **Section 102: Income Review**

Fewer Interim Reexaminations: HOTMA creates a 10% adjusted income increase/decrease threshold for conducting Interim Reexaminations, and in most cases requires that increases in earned income are not processed until the next Annual Reexamination, allowing families to keep more of their earnings before receiving a rent increase. The new requirements should lead to fewer Interim Reexaminations overall, alleviating burden for both participants and PHAs.

Streamlined Verifications: Several provisions will streamline the verification process for housing providers.

- Adults Only Need to Sign Consent Form Once: HOTMA revises the required consent form that all adult household members sign, allowing them to sign the form only once instead of annually.
- Use of Income Determinations from Other Programs: HOTMA allows PHAs to use income determinations made under other federal benefits programs for reexaminations.
- Review of EIV Not Required at Interim Reexamination: HOTMA eliminates the requirement for PHAs to use EIV to verify tenant employment and income information during an interim reexamination, significantly reducing administrative burden.

Increased Standard Deduction for Elderly/Disabled Households: HOTMA increases standard deductions for families with a head, co-head, or spouse who is elderly or a person with a disability.

Additional Income Exclusions: The rule codifies additional income and asset exclusions, including:

- Amounts received from Medicaid or other state/local programs meant to keep a family member with a disability living at home
- Veterans' aide and attendant care
- Distributions of principal from non-revocable trusts, including Special Needs Trusts.

Threshold for Claiming Medical/Disability Expenses Increased: HOTMA increases the allowance for unreimbursed health and medical care expenses from 3% of annual income to 10%, phased-in over two years.

Higher Threshold for Imputing Asset Income: HOTMA raises the imputed asset threshold from \$5,000 to \$50,000, incentivizing families to build wealth without imputing income on those assets.

Hardship Relief: HOTMA provides hardship relief for expense deductions, lessening the impact of the increased threshold for medical expenses. HOTMA permits PHAs to grant hardship relief to families unable to pay rent because of unanticipated medical/disability expenses and families who are no longer eligible for the childcare expense deduction

#### **Section 104: Asset Limits**

Asset Limitation: HOTMA imposes a \$100,000 asset limit for eligibility and continued assistance. Families are also ineligible for assistance if they own real property suitable for occupancy. PHAs have the option of delaying enforcement/termination for up to six months if the family is over the asset threshold at the time of annual reexamination.

Exclusion of Retirement and Educational Savings Accounts: Retirement accounts and educational savings accounts will not be considered a net family asset. This is a major benefit to families, incentivizing savings for important life milestones and opportunities. This will also provide significant administrative relief to PHAs by allowing them to stop verifying and calculating these assets altogether.

Self-Certification of Assets under \$50,000: HOTMA allows self-certification of net assets if estimated to be at or below \$50,000. This will be a time-savings for families and lower administrative burden for PHAs recertifying income.

#### **Cross-Cutting**

Adjustments for Inflation: Deductions and the asset limitation will be adjusted for inflation annually, ensuring that deductions do not lose value over time and that families are able to build more wealth without losing program assistance. The current deduction amounts have never been adjusted.

Reason: to adhere to HUD guideline on Final Rule Implementing Section 102 and 104 of HOTMA.

#### 3. Pg. GL-4

Previous: DISABILITY ASSISTANCE EXPENSE. Anticipated costs for care attendants and auxiliary apparatus for disabled family members which enable a family member (including the disabled family member) to work.

New: DISABILITY ASSISTANCE EXPENSE. Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and or auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be

employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

Reason: For consistency, to match the ACOP.

4. Pg. GL-6

Add: HANDICAPPED PERSON. [Referred to as a Person with a Disability]. 42 U.S. Code § 3602 - Definitions

(h)“Handicap” means, with respect to a person—

(1) a physical or mental impairment which substantially limits one or more of such person’s major life activities,

(2) a record of having such an impairment, or

(3) being regarded

Reason: To include the definition of a Handicapped Person as defined by Fair Housing.

5. Pg. 4-3, B. WAITING LIST PREFERENCES

Add: **Summit County Continuum of Care (SCCoC) Coordinated Entry Preferences:**

for applicants referred by SCCOC, Coordinated Entry, the individual or family must meet one of four eligibility criteria:

- Homeless as defined in 24 CFR 578.3;
- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2021-15), or human trafficking (as defined in the 22 U.S.C. Section 7102); or
- Recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability as determined by the CoC or its designee in accordance with the definition in Notice PIH 2021-15.

As applicable, the SCCoC must provide documentation to the PHA of the referring agency’s verification that the family meets one of the four eligible categories for assistance. The PHA must retain this documentation as part of the family’s file. (This preference will be capped at 30 participants per year across all programs).

Reason: to add a preference to assist local community with housing homeless families quicker.

6. Pg. 4-8 ORDER OF SELECTION FOR GENERAL OCCUPANCY (FAMILY) DEVELOPMENTS, PINEWOOD GARDENS AND SPICER TERRACE SITE BASED WAIT LISTS

Add: Summit County Continuum of Care (SCCoC) Coordinated Entry Preference: 2 points

Reason: to add a preference to assist local community with housing homeless families quicker.

7. Pg. 9-3, C. LEASE REVIEW

Add: Tenant-Based Leasing Incentive

To encourage the timely utilization of vouchers, new admission tenant-based voucher holders that have a lease move-in date effective within 60 dates of their voucher issuance will receive a one-time lease up incentive. The incentive will be disbursed to the tenant after the HAP contract has been executed.

Reason: To encourage new admission households to use their voucher timely.

8. Chapter 10, Inspections – Throughout the entire chapter

Previous: Uniform Physical Condition Standards for Vouchers and Inspections

New: Current Approved Inspection Protocol

Reason: Replacing UPCS-V with Current Approved HUD Inspection Protocol. HUD continues to implement various inspection protocol demonstrations.

9. Pg. 10-6, Termination of Contract

Add: If repairs are completed after the HAP Contract termination date, then the tenant will be required to submit a new Request for Tenancy Approval, and an initial inspection must be conducted in order for the tenant to remain in that unit. Otherwise, the tenant must use the voucher to move out of the unit. Payments will remain in abatement until the unit passes.

AMHA will not grant extensions for life-threatening conditions. For conditions that are not life-threatening, the AMHA may grant an exception for correcting the failed item(s), if the AMHA determines that an extension is appropriate. Extensions will be granted in cases where the AMHA has determined that the owner has made a good faith effort to correct the deficiencies and is unable to for reasons beyond the owner's control. Reasons may include, but are not limited to:

- A repair cannot be completed because required parts or services are not available.
- A repair cannot be completed because of weather conditions.
- A reasonable accommodation is needed because the family includes a person with disabilities. The length of the extension will be determined on a case-by-case basis in the case of delays caused by weather conditions or other extreme situations

Reason: To reduce the tenant's burden of having to relocate and pay the associated costs of that move

10. Pg. 11-4, Rent Increases

Previous: The owner is required to notify the PHA, in writing, at least sixty days before any change in the amount of rent to owner is scheduled to go into effect. Any requested

change in rent to owner will be subject to rent reasonableness requirements. See 24 CFR 982.503. Rent increases cannot be granted more than once every 12 months.

New: The owner is required to notify the PHA, in writing, at least sixty days before any change in the amount of rent to owner is scheduled to go into effect. Any requested change in rent to owner will be subject to rent reasonableness requirements. The requested amount of the rent increase may not exceed \$250 per month. See 24 CFR 982.503. Rent increases cannot be granted more than once every 12 months.

Reason: To maintain affordability for the tenant, but to also support the landlords with yearly inflation.

11. Pg. 12-2, Annual Reexamination Policy

Previous: The following family members will be required to attend the reexamination interview: All adult household members If any adult household member is unable to attend the interview: The appointment will be rescheduled once

New: If the documents are appropriately signed by all adult parties, then only the head of household would need to attend.

Reason: To eliminate lobby traffic and to relieve the family from needing to have every adult present.

12. Pg. 12-6 G. CHANGES IN VOUCHER SIZE AS A RESULT OF FAMILY COMPOSITION CHANGES (24CFR982.516c2)

Previous: The voucher size will be reviewed and changed if necessary at the annual re-examination appointment to be effective the annual anniversary date.

New: The voucher size will be reviewed and determined at the time of family composition change after all required documentation is approved by the PHA.

Reason: To allow bedroom additions in a timely manner.

13. Pg. 19-4, Manufactured Homes

Previous: The PHA will not provide assistance for a family that owns the manufactured home and leases only the space unless approved through a reasonable accommodation.

New: The following types of rental units may be leased in the Housing Choice Voucher Program, unless designated otherwise:

- Manufactured homes where the tenant leases the mobile home and the pad
- Manufactured homes where the tenant owns the mobile home and lease the pad

Reason: To include a larger scope for the manufactured home community

14. MTW Addendum

Change: Updated approval dates throughout.

Reason: Additional waivers have been approved by HUD.

15. Pg. MTW-3, A. SUMMARY OF MTW WAIVERS

Add:

AMHA Summary List of HCVP Waivers for 1/1/24 Supplement								
Waiver	Program	Safe Harbor Waiver	Agency Specific Waiver	Impact Analysis	Hardship Policy	Type of Waiver	Supplement Section	HCVP Administrative Plan Chapter
End Earned Income Disallowance (EID) Exclusion	PH & HCVP	Y		Y	Y	MTW Waiver – 1v. & 1.w.	C.1 Tenant Rent Policies	6
Landlord referral leasing incentive	HCVP					MTW Waiver - 4c.	C.4 Landlord Leasing Incentives	8
PBV Shared Housing	HCVP					MTW Waiver - 9e.	C.9 Project-Based Voucher Program Flexibilities	19, 20
Modify the FSS contract of participation	PH & HCVP					MTW Waiver - 10d.	C.10 Family Self-Sufficiency Program with MTW Flexibility	22
Local, Non-Traditional Activity for non-AMHA households	HCVP					MTW Waiver - 17b.	C.17 Local, Non-Traditional Activities	n/a

Reason: Newly requested waivers for 1/1/24.

16. Pg. MTW-3, B. TIERED RENT WAIVERS

Previous: Eligible households will include residents/participants in both the public housing and HCV programs, including existing, currently assisted households and new households admitted during the alternative rent enrollment period (expected to be 11/1/22-10/31/23).

New: Eligible households will include residents/participants in both the public housing and HCV programs, including existing, currently assisted households and new households admitted during the alternative rent enrollment period (certifications effective 7/1/23-6/30/24).

Reason: To match actual enrollment period.

17. Pg. MTW-8, Vacancy Loss Payments

Add: Including extenuating circumstances payments: Submitted: 10/3/23, Expected Approval: 1/1/24, Pending Approval

Owners with units in all zip codes may request a vacancy loss payment for extenuating circumstances. Qualifying circumstances include a deceased tenant with no remaining

household member to assume the lease or a move due to VAWA. The owner must supply proof of the circumstances as needed. The payment amount will be no more than one month's contract rent of the previous tenant and will be paid when a new HAP contract is executed between the owner and AMHA. The request must be made within 60 days of the new contract date.

Reason: New waiver request for 1/1/24.

18. MTW-8. C. STREAMLINING WAIVERS

Add: 6. Landlord Referral Leasing Incentives

Submitted 10/3/23, Expected Approval: 1/1/24, Pending Approval

Waives certain provisions of section 8(o)(9) of the 1937 Act and 24 CFR 982.311 and 982.352(c).

In order to incentivize new landlords to join the HCV program, AMHA will provide an incentive payment for landlord referrals. When a current landlord refers a new landlord who executes a HAP contract with AMHA, both the current landlord and the new landlord may receive an incentive payment with their next HAP payment. The new landlord must complete a request for the incentive within 60 days of the new contract date. Referral incentive payments will be limited to 2 payments per calendar year per landlord.

Reason: New waiver request for 1/1/24.

19. Pg. MTW-9, Pre-Qualifying Unit Inspections

Add: Including units with accessibility features: Submitted: 10/3/23, Expected Approval: 1/1/24, Pending Approval

Owners may request pre-qualifying inspections for

1. Units in AMHA determined zip codes of opportunity or
2. Any unit with accessibility features for persons with motor/mobility, auditory, or visual impairments such as an accessible building entrance on an accessible route, doors usable by a person in a wheelchair, grab bars, switches/outlets/thermostats in accessible locations, doorbell lights, specialized smoke alarms/carbon monoxide detectors, specific contrasting colors on steps/countertops/sink/door knobs, etc.

Reason: New waiver request for 1/1/24 (zip codes of opportunity previously approved).

20. Pg. MTW-10, C. STREAMLINING WAIVERS

Add: 12. PBV for Shared Housing

Submitted: 10/3/23, Expected Approval: 1/1/24, Pending Approval

Waives certain provisions of 24 CFR 983.53(a)(1) as it was superseded by HOTMA Implementation Notices at 82 FR 5458 and 82 FR 32461 (see implementation guidance in Notice PIH 2014-21).

AMHA will allow use of project-based vouchers for shared housing units. Chapter 20, Project-Based Assistance Program requirements will continue to apply where applicable.

Reason: New waiver request for 1/1/24.

21. Pg. MTW-10, C. STREAMLINING WAIVERS

Add: 13. End Earned Income Disallowance (EID) Income Exclusion

Submitted: 10/3/23, Expected Approval: 1/1/24, Pending Approval

Waives certain provisions of sections 3(a)(1), 3(b)(4)-(5), and 8(o)(2)(A)-(C) of the 1937 Act and 24 CFR 5.609, 5.611, and 982.516.

No new EID exclusions will be offered to households. All households currently under an EID exclusion will continue through the full 24 months of their exclusion. The Housing Opportunity Through Modernization Act (HOTMA) being implemented on 1/1/25, which also discontinues EID exclusions, will make this waiver only necessary until that time.

Reason: New waiver request for 1/1/24.

22. Pg. MTW-12, C. STREAMLINING WAIVERS

Add: 17. Modify the FSS Contract of Participation

Submitted: 10/3/23, Expected Approval: 1/1/24, Pending Approval

Waives certain provisions of sections 23(c) of the 1937 Act and 24 CFR 984.303(c).

Modify the FSS Contract length to 5 years.

Reason: New waiver request for 1/1/24.

23. Pg. MTW-12, C. STREAMLINING WAIVERS

Add: 18. Local, Non-Traditional Activity for Non-AMHA Households

Submitted: 10/3/23, Expected Approval: 1/1/24, Pending Approval

Waives the allowable use of funds required in section 9(d)(1), 9(e)(1), and 8(o) of the 1937 Act.

AMHA will competitively bid the option for a third-party provider to provide low-income households with end of life care assistance that are not on AMHA's low income public housing or housing choice voucher programs.

Reason: New waiver request for 1/1/24.

24. Pg. MTW-15, D. HARDSHIP POLICY

Add: Hardship Policy: Earned Income Disallowance (EID) Exclusion

If an elderly or disabled individual has a financial hardship, they may request a hardship by completing the Hardship Request Form with an explanation and proof, as needed. The request will be reviewed and the household notified of the approval or denial in a timely manner. The hardship request will be denied if the form is not accompanied by documentation of the hardship and/or the request would not change the household's rent.



In the case of hardship denials, the household will be sent a denial letter stating why they did not qualify. The hardship would last until the HOTMA implementation that ends EID exclusions goes into effect, which is expected to be 1/1/25.

Reason: Required hardship policy for new waiver request for 1/1/24.