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PH PROGRAM NEWS

HUD Reopens Comment Period on Over-Income Families under HOTMA

Today in the *Federal Register*, the Department of Housing and Urban Development (HUD) published a notice reopening the comment period regarding the implementation of the public housing over-income limit under the Housing Opportunity through Modernization Act of 2016 (HOTMA).

As you recall, on September 17, 2019, HUD published a proposed rule implementing sections 102, 103 and 104 of HOTMA. The comment period for the proposed rule closed on November 18, 2019. As today's notice states, Section 103 imposed an income limit on families residing in public housing. Specifically, Section 103 provides that two years after the family has reached the income limit, PHAs have the option of requiring families to vacate their units within six months or allowing the families to stay, provided the families pay the higher of fair market rent or a rent equal the amount of the monthly subsidy for the unit. HOTMA requires HUD to determine the amount of subsidy through regulation. The notice reopens the public comment period for an additional 30 days to seek input on these specific issues:

- Repositioning
- Rent and reexamination, and community service activities or self-sufficiency activities (CSSR)
- Dwelling leases, procedures, and requirements
- Grievance procedures and requirements
- Additional ramifications

The deadline date for comments is **January 4, 2021.**

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