EZ-STEPS GUIDES HOW TO PROCESS PUBLIC HOUSING OVER-INCOME FAMILIES

PREPARATION

Have available:

- PHA's Admissions and Continued Occupancy Policy (ACOP)
- PHA's Continued Occupancy Policy for Public Housing Over Income Families, may be included in the ACOP
- Form HUD-50058 (Family Report)
- Tenant file containing the following PHA approved documentations:
 - Household Composition:
 - Household composition and relationship to head of household
 - Citizenship status of all family members
 - Full-time student status of all family members
 - Assets and Income:
 - Documentation and verification of all assets and income included in annual income of all family members

DETERMINATION

Determine if the family's income exceeds the over-income limit.

Step 1: Go to <u>https://www.huduser.gov/portal/datasets/il.html</u> to find the very low-income (VLI) amount for your jurisdiction.

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HUD's Office o interface (API).	Character / Noccone Limits Other Datasets • HUD's Office of Policy Development and Research (PD&R) is pleased to announce that Fair Market Rents and Income Limits data are now available via an application programming interface (API). With this API, developers can easily access and customize Fair Market Rents and Income Limits data for use in existing applications or to create new applications. To create an account and get an access token, please visit the API page here: https://www.huduser.gov/portal/dataset/fmr-api.html.									
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2022 202	21 2020	2019	2018	Earlier Years -						_
Query Tool	Documents	Data	FAQs	Puerto Rico FAG	25				Click	Here
Effective April 18, 2022.										
Access Individual Income Limits Areas										
This system provides complete documentation of the development of the FY 2022 Income Limits (ILs) for any area of the outry selected by the user. Official ILs, available in pdf and excel formats at this link, may differ slightly from those calculated in the documentation system, and should be user of ALL official purposes. Click Here for FY 2022 IL Documentation										
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Step 2: Select a State

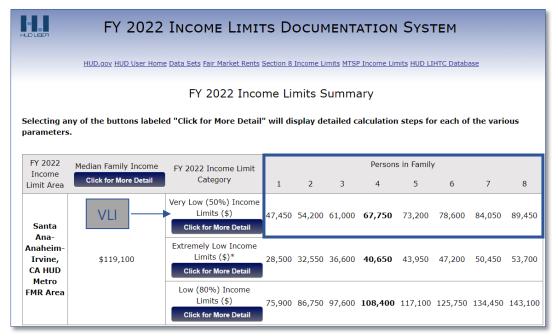
FY 2022 Income Limits Documentation System
First select a state: Mabama - AL Mabaka - AK Mamrican Samoa - AS Aricona - AZ Arkansas - AR California - CA Colorado - CO Connecticut - CT Delaware - DE District of Columbia - DC Delaware - DE District of Columbia - DC Connecticut - CT Delaware - DE District of Columbia - DC Vew HMFA Calculations
Prepared by the Program Parameters and Research Division, HUD.
For more on area definitions, <u>click here</u> . Technical Problems or questions? <u>Contact Us</u> .

Step 3: Select a County

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Step 4: View the appropriate VLI limit based on the applicable number of persons in the family.



Step 5: Use the following calculation to determine the over-income limit:

• Very low-income limit x 2.4 = Over-income limit

Example: For a family of 4, calculate the over-income limit as follows:

• \$67,750 x 2.4 = \$162,600

If the family's annual income is greater than the over-income limit, then the family exceeds the over-income limit, and must be notified of this determination.

GRACE PERIOD

PHAs are required to begin tracking the 24 consecutive month grace period once a family's income exceeds the applicable over-income limit.

Uninterrupted Grace Period:

- If a family is determined to be over-income at an annual or interim reexamination, the 24 consecutive month grace period begins.
- The 24-month 'clock' continues to run if the family remains over-income as determined by another reexamination 12 months later.
- At the end of the 24th month of the grace period, if the family remains over-income the family will be subject to the over-income policy of the PHA (i.e., termination within 6 months or beginning to pay the alternative rent).

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Interrupted Grace Period:

- If the family is determined to no longer be over-income at any point within the 24-month period, the grace period no longer applies.
- The family remains an income-eligible public housing program participant.
- If the family is determined to be over-income again in the future, the family would be entitled to a new 24 consecutive month grace period.

NOTIFICATION

Once a PHA determines through an annual reexamination or an interim reexamination that a family's income exceeds the applicable over-income limit, the PHA must notify the family up to a total of 3 times that they have exceeded the over-income limit and make a note in the tenant file to calculate the family's income again 12 months later to see if the family remains over-income.

Notice 1: Provide written notice to the over-income family no later than 30 days after the PHA's initial determination, stating that the family has exceeded the over-income limit and continuing to do so for a total of 24 consecutive months will result in the family having their tenancy terminated.

The notice must state that if the family disputes this determination within the specified time frame, the family has the right to request an Informal Meeting pursuant to the PHA's Grievance Procedures.

Notice 2: If the PHA determines that the family's income has exceeded the over-income limit for 12 consecutive months, the over-income family must be provided written notice of this fact no later than 30 days after said determination.

This notice must state that the family has exceeded the over-income limit for 12 consecutive months and that continuing to exceed the over-income limit for the next 12 consecutive months will result in the family having their tenancy terminated.

The notice must state that if the family disputes this determination within the specified time frame, the family has the right to request an Informal Meeting pursuant to the PHA's Grievance Procedures.

Notice 3: If the PHA determined that the family's income has exceeded the over-income limit for 24 consecutive months, the over-income family must be provided written notice of this fact no later than 30 days after said determination.

This notice must state that the family has exceeded the over-income limit for 24 consecutive months. This notice must also inform the over-income family that, at next lease renewal or in no more than 60 days after the date the final notice, whichever is sooner, the family must be terminated from their unit in no more than 6 months.

The notice must state that if the family disputes this determination within the specified time frame, the family has the right to request an Informal Meeting pursuant to the PHA's Grievance Procedures.



LIMITATION

After the 24 consecutive month grace period the PHA will take the following action:

- Terminate the tenancy of the over-income family in public housing 30 days after the final notice confirming that the family has been over-income for 24 consecutive months.
 - Lease to convert to month-to-month term and PHAs must charge OI families, who continue to be public housing program participants, the family's choice of income-based, flat rent, or prorated rent for mixed families during the period before termination.

QUALITY CONTROL

A supervisor will randomly review completed rent determinations, verifications, and applicable very-low-income limits to ensure HUD prescribed verification methods have been followed and correct calculations were performed.