

Changes to ACOP for HOTMA and NSPIRE

Chapter	Page	Summary of change	Covered during workshop (Y/N)?	Comments
Intro	Intro-ii	Notice PIH 2023-27 supersedes guidance in the HCV and PH guidebooks.	Y	
Intro	Intro-iii	Updates to notices based on HOTMA	Y	Final rule and implementation notice added. EID FAQs removed. While the new 50058 has been issued, the instructions have not so this was removed. Also removed obsolete notices that were replaced by Notice PIH 2023-27.
Intro	Intro-v	HUD website moved to chart	N	N/A
1	1-2	Fixed typo	N	N/A
1	1-4	UPCVS to NSPIRE	Y	N
1	1-5	Added information on HOTMA	Y	Section provides an overview and history of the program so HOTMA has been added.
1	1-6	UPCS to NSPIRE change	Y	Replaced “decent, safe, and sanitary and in good repair” with “safe, habitable dwelling units”
1	1-8, bullet 8	UPCS to NSPIRE change		Replaced “decent, safe, and sanitary and in good repair” with “safe, habitable dwelling units”
1	1-8, bullet 14	Clarifying changes	N	
1	1-9	UPCS to NSPIRE	Y	N/A
1	1-12	Clarifying changes	N	N/A
2	No changes			
3	3-1	Asset limitation language	Y	N/A
3	3-3	New language for definition of family	Y	N/A
3	3-6	New definition of minor	Y	N/A
3	3-9	New definition of foster child and foster adult	Y	PHA policy used to define foster child and foster adult, now regulations define. Policy remains on when a foster child/adult may be added to the

				household.
3	3-18	Family revocation of consent	Y	PHA should adopt a policy that revocation of consent will lead to denial since the PHA may not access financial information without consent. 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. Our model policy has denial and termination policy match since this was formerly required by the regulations and is less administratively burdensome since the PHA will eventually terminate assistance anyway for failure to comply with annual requirements. When PHAs don't establish a policy such that revoking consent will result in termination of assistance, participant families will be required to sign a new consent form by the next regularly scheduled reexamination or interim reexamination, whichever occurs first. See the Guide for additional requirements if PHAs do not adopt the model policy.
3	3-19	Updated obsolete notice number	Y	N/A
3	3-19	Added "other" for clarity	N	N/A
3	3-21	Disparate impact	N	N/A
3	3-22	Asset limitation language	Y	N/A
3	3-24 and 3-25	Asset limitation language	Y	Explains mandatory denial. PHAs do not have discretion to adopt policy.
3	3-25	Renumber	Y	Renumber because new asset limitation section was added
3	3-28	Renumbered	Y	Renumber because new asset limitation section was added
3	3-33	Renumbered	Y	Renumber because new asset limitation section was added
3	3-36	Renumbered	Y	Renumber because new asset limitation section was added
3	3-38	Renumbered	Y	Renumber because new asset limitation section was added
4	No changes			

5	No changes			
6	Entirely new chapter. Use version with no redlines.			
7	7-1	PIH 2018-18	Y	Updated obsolete notice number
7	7-1	Changes to Form HUD-9886 requirements	Y	Form HUD-9886 is signed once instead of annually. No policy decisions.
7	7-2	Policy on signing consent forms when family member turns 18	Y	2023-27 requires PHA establish a policy
7	7-2 and 7-3	Revocation of consent	Y	PHA should adopt a policy that revocation of consent will lead to denial since the PHA may not access financial information without consent. 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. Our model policy has denial and termination policy match since this was formerly required by the regulations and is less administratively burdensome since the PHA will eventually terminate assistance anyway for failure to comply with annual requirements. When PHAs don't establish a policy such that revoking consent will result in termination of assistance, participant families will be required to sign a new consent form by the next regularly scheduled reexamination or interim reexamination, whichever occurs first. See the Guide for additional requirements if PHAs do not adopt the model policy.
7	7-3	Deleted language on acceptable documents	Y	Language is now incorporated elsewhere in the policy and the language was problematic given HOTMA requirements on sometimes anticipating income and sometimes using past income.
7	7-4 to 7-6	Safe harbor income determinations from means-tested federal assistance programs	Y	Default policy is to accept these as verification at annual in order to make verification and calculation process easier for the PHA.

		policy		
7	7-7 and 7-8	Streamlining fixed sources of income	Y	Default policy is to use streamlined determinations at annual in order to make verification and calculation process easier for the PHA.
7	7-8 and 7-9	Verification hierarchy changed by Notice PIH 2023-27.	Y	Replaces Notice PIH 2018-18
7	7-9	File documentation requirements now found throughout the chapter	N	N/A
7	7-10	Updated description of UIV and requirements	Y	
7	7-11 to 7-13	Update requirements for EIV	Y	
7	7-14 to 7-16	Added information on Level 4 third-party verification	Y	Distinguishes between tenant-provided documents and EIV + Self-Certification
7	7-16 and 7-17	Updated information on third-party verification forms	Y	
7	7-17	Updated information on oral verification	Y	
7	7-19	Imputed asset income no longer applicable	Y	Information moved to assets section
7	7-19	Value of assets and asset income	Y	Information deleted and new information added to asset section to comply with HOTMA requirements
7	7-10	Updated information on self-certification	Y	
7	7-22	Added information on self-certification and 3 rd party verification of SSNs	Y	
7	7-30	Added policy that if/when the PHA uses safe harbor income determinations, the income and asset section doesn't apply	Y	
7	7-30	Added UIV sources to places tips may be verified	Y	EIV may include tip income in gross income
7	7-30	Clarified that pay	Y	

		stubs are used when the PHA requires third party verification		
7	7-30 and 7-31	Updated self-employment language	Y	
7	7-32	Updated notice number and changed verification timeframe from 60 to 120 days	Y	
7	7-33	Updated child support language	Y	
7	7-33	Added information on self-certification of non-recurring income	Y	PHA may accept self-certification that income will not be repeated
7	7-34	Self-certification of asset equal to or less than \$50,000	Y	May rely on self-certification at admission and reexam. Policy language reflects regulatory requirements for what the self-certification must include and reflects that third-party is required every three years.
7	7-34 and 7-35	Self-certification of real property	Y	A policy requiring third-party verification that someone does not own real property wouldn't make sense so the PHA should adopt a policy to accept self-certification when a family claims they do not have real property.
7	7-36	Formatting	Y	Information from earlier in the chapter was moved here so all HOTMA assets information was in the same place.
7	7-37	Added information on tax refunds	Y	No policy decisions
7	7-37	Retirement accounts are not assets	Y	PHA only needs to verify distributions from the account as periodic payments.
7	7-38	Updated for new notice and to remove EID	Y	
7	7-38 and 7-39	Updated for new notice	Y	Notice provides new information on zero income families
7	7-40	Student financial assistance	Y	Clarifies what will be verified if someone has student financial assistance. If income under Title IV of the HEA is the only student financial assistance, the PHA doesn't need to bother verifying actual covered costs since all the assistance is

				excluded.
7	7-42	Removed references to specific sections of Chapter 6	Y	N/A
7	7-43	Health and medical care expenses	Y	Changed the title and bullet to match the new term
7	7-43	2/14/23 FR Notice adds language on privacy	Y	<i>This language comes directly from the 2/14/23 FR Notice: HUD reminds responsible entities that they must comply with the Health Insurance Portability and Accountability Act (HIPAA) (Pub. L. 104-191, 110 Stat. 1936) and the Privacy Act of 1974 (Pub. L. 93-579, 88 Stat. 1896) when requesting documentation to determine eligibility for a financial hardship exemption for unreimbursed health and medical care expenses. Responsible entities may not request documentation beyond what is sufficient to determine anticipated health and medical care and/or reasonable attendant care and auxiliary apparatus costs or when a change in circumstances took place. Before placing bills and documentation in the tenant file, the responsible entity must redact all personally identifiable information. Responsible entities must also comply with all Federal nondiscrimination and civil rights statutes and requirements, including, but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act, Section 504, and the Americans with Disabilities Act, as applicable. Among other obligations, this includes providing for reasonable accommodations that may be necessary for persons with disabilities.</i>
7	7-44 and 7-45	Health and medical care expenses	Y	Changed the term to match the new term and added language clarifying when income is projected vs past income being used.
7	7-46	2/14/23 FR Notice adds language on privacy	Y	See discussion above
7	7-47	Removed references to specific sections of Chapter 6	N	N/A

7	7-49	Removed references to specific sections of Chapter 6	N	N/A
7	7-51	Removed references to specific sections of Chapter 6	N	N/A
8	8-1	UPCS to NSPIRE change	Y	Specific requirements for notice to families discussed in Notice PIH 2023-16
8	8-1	UPCS to NSPIRE change	Y	Minimum heating requirements are not part of NSPIRE
8	8-11	UPCS to NSPIRE change	Y	Minimum heating requirements are not part of NSPIRE
8	8-13	UPCS to NSPIRE change	Y	Added information on NSPIRE to replace UPCS information.
8	8-14 and 8-15	UPCS to NSPIRE change	Y	PHAs are required to conduct an annual self-inspection under NSPIRE so removed the old policy on 8-15 and added the new regulatory requirements.
8	8-16	UPCS to NSPIRE change	Y	NSPIRE does not have requirements around NIS (non-industry-standard) repairs. Inspector Notice 2016-03 has been rescinded and NSPIRE standards now prevail.
8	8-17	UPCS to NSPIRE change	Y	Added clarifying language
8	8-18 to 8-22	UPCS to NSPIRE change	Y	Deleted and replaced with NSPIRE language
8	8-23 to 8-24	UPCS to NSPIRE change	Y	NSPIRE language added from Notice PIH 2023-16
9	9-1	Added non-interim transactions	Y	
9	9-3	Annual reexams using past income	Y	Added language to clarify
9	9-4	Moved streamlined income determinations to verification chapter	Y	
9	9-5	Renumbered	Y	Renumbered because streamlining was removed
9	9-6	Renumbered	Y	Renumbered because streamlining was removed
9	9-6	Changes to Form HUD 9886	Y	Form HUD-9886 is signed once instead of annually. No policy decisions.
9	9-7 and 9-8	Added new section on annual reexams	Y	

		using past income		
9	9-9	Added a title	Y	
9	9-10	Renumbered	Y	Renumbered because streamlining was removed and new section was added
9	9-11	OI families	Y	N/A
9	9-13	OI families	Y	N/A
9	9-15	Updated information on interims	Y	
9	9-16 and 9-18	Updated household composition requirements	Y	
9	9-19 to 9-23	Interim increases and decreases	Y	<p>The PHA should just delete what they have here and paste in our policy and work with it.</p> <p>Reasons behind policy decisions:</p> <p>If PHAs do not conduct an interim for any increases in earned income between annuals, then the PHA will not need to consider whether an interim was conducted since the last annual when the family reports an increase in earned income. This is much easier on staff so they don't have to resort to the flow chart.</p> <p>Since the threshold amount is a percentage, all changes are reported since the family may not be able to calculate the 10%. The family reports and then the PHA calculates and decides if they are going to perform an interim. HOTMA doesn't require this. The PHA can have the family only report if there's been a change that meets the threshold, but that seems burdensome on the family.</p>
9	9-24	Interim reporting requirements	Y	
9	9-26 to 9-29	Effective dates	Y	PHAs used to have discretion now it's in the regulations
9	Part V	Added	Y	No policy decisions

10	No changes			
11	No changes			
12	No changes			
13	13-9 to 13-13	OI families	Y	N/A
13	Exhibit 13-1	OI families	Y	N/A
14	No changes			
15	15-10	De minimis errors	Y	N/A
16	16-13	UPCS to NSPIRE change	Y	N/A
Glossary	N/A	Various HOTMA and NSPIRE changes	Y	Briefly point out to participants to have them note they need to add changed terms