



January 31, 2023

GENERAL NEWS

HUD Releases HOTMA Final Rule

Today the Department of Housing and urban Development ([HUD](#)) [released](#) a prepublication copy of the final rule implementing Sections 102, 103, and 104 of the Housing Opportunity Through Modernization Act of 2016 (HOTMA). These sections make extensive changes to the United States Housing Act of 1937, particularly those affecting income calculation and reviews. According to the summary:

Section 102 changes requirements pertaining to income reviews for public housing and HUD's Section 8 programs. Section 103 modifies the continued occupancy standards of public housing residents whose income has grown above the threshold for initial eligibility. Section 104 sets maximum limits on the assets that families residing in public housing and Section 8--assisted housing may have. Additionally, Section 104 provides that HUD must direct public housing agencies (PHAs) to require that all applicants for and recipients of assistance through HUD's public housing or Section 8 programs provide authorization for PHAs to obtain financial records needed for eligibility determinations.

The regulatory changes will impact determinations of income eligibility, rent calculation, resident self-certification, and interim reexaminations, among others. In addition to amending regulations for HUD's public housing and Section 8 programs, the final rule also revises the regulations for several other HUD programs in order to align the requirements across its programs. These include the regulations for HUD's Community Development Block Grants, HOME Investment Partnerships, Housing Trust Fund, Housing Opportunities for Persons With AIDS, Supportive Housing for the Elderly (Section 202), and Supportive Housing for Persons with Disabilities (Section 811) programs.

Further details can be found in the prepublication copy of the final rule, accessible [here](#). We will offer a more in-depth analysis of the changes brought about by the rule upon official publication in the *Federal Register*.



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