



December 18, 2024

GENERAL NEWS

PIH Issues Updated Guidance on HOTMA Sections 102 and 104 Compliance

Late yesterday HUD’s Office of Public and Indian Housing ([PIH](#)) issued Notice [PIH 2024-38](#) identifying the income and assets provisions from Sections 102 and 104 of HOTMA that PHAs must comply with no later than July 1, 2025. HUD had previously established a compliance deadline of January 1, 2025, to fully comply with the HOTMA final rule. However, due to IT system development delays, HUD will not enforce compliance with all Sections 102 and 104 income and assets provisions by that date.

Yesterday’s notice indicates that for the specific HOTMA provisions identified in the document, the new deadline for PHA compliance is July 1, 2025. For all other provisions that are not identified in the notice, HUD will not enforce PHA compliance by January 1, 2025. The Department will issue further guidance on the new deadlines when the timeline for HIP completion and PHA migration has been established.

HUD will enforce the following compliance dates with HOTMA Sections 102 and 104:

HUD enforcement prior July 1, 2025

- **Earned Income Disregard (EID):** PHAs must have ceased enrolling families into the EID as of December 31, 2023.
- **Form HUD-9886-A:** Form HUD-9886 expires on January 31, 2025, at which point Form HUD-9886-A will be the only approved version of the authorization for release of information form.

HUD enforcement beginning July 1, 2025

All transactions with an effective date on or after July 1, 2025, must be processed using the following provisions. Since the reexamination process typically starts 90-120 days prior to the effective date of the transaction, PHAs may need to utilize these provisions as soon as March 3, 2025.

- **Income exclusions:** For all income examinations with an effective date on or after July 1, 2025, PHAs must utilize the list of income exclusions noted in 24 CFR 5.609(b).
- **Definitions:** For all transactions with an effective date on or after July 1, 2025, PHAs must use the definitions for *earned income*, *unearned income*, *family*, *day laborer*, *independent contractor*, *seasonal worker*, *dependent*, *foster child*, *foster adult*, *health and medical care expenses*, and *minor*.
- **De Minimis Errors:** Refer to Notice [PIH 2023-27](#) for guidance on de minimis errors, including when PHAs must take corrective action to credit or repay a family.

Section C of the notice includes a table summarizing the provisions and their respective compliance deadlines.

PIH Revises Compliance Date for NSPIRE New Affirmative Requirements

Late yesterday HUD’s Office of Public and Indian Housing ([PIH](#)) also issued Notice [PIH 2024-39](#) extending the date for the inclusion of point deductions in the physical inspection scores for new affirmative requirements under NSPIRE. The revised compliance date is October 1, 2025. The new affirmatives requirements include:

- Fire Labeled Doors
- Electrical—GFCI or Arc Fault Circuit Interrupter (AFCI)
- Guardrail
- Heating, Ventilation, and Air Conditioning (HVAC)
- Interior Lighting
- Minimum Electrical and Lighting

The extension is applicable to Public Housing and Multifamily Housing programs. For detailed descriptions of each category and the associated defects, please refer to Section IV.D. of the NSPIRE [scoring notice](#).



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