



June 7, 2024

HCV PROGRAM NEWS

HUD Issues Guidance on HOTMA HCV and PBV Final Rule

Late yesterday HUD’s Office of Public and Indian Housing ([PIH](#)) issued Notice [PIH 2024-19](#) to provide initial guidance to PHAs on the HOTMA voucher [final rule](#) published in the *Federal Register* on May 7, 2024, which implements changes made by the Housing Opportunity Through Modernization Act of 2016 ([HOTMA](#)) to the Housing Choice Voucher ([HCV](#)) and the Project-Based Voucher ([PBV](#)) programs. Specifically, the notice outlines the various effective and compliance dates listed in the final rule and provides guidance to PHAs on how to prepare for a timely implementation of the changes. Below are some key points of the notice:

The effective date of the HOTMA voucher final rule is June 6, 2024, except for the following provisions for which the effective date has been delayed indefinitely:

- PHA-owned certification and PHA-owned agreement certification
- PBV HAP contract rider

Compliance with the final rule is required on the same date as the effective date (June 6, 2024), except for the following provisions which have compliance dates after the applicable effective date:

90 days after the effective date (September 4, 2024):

- Information when the family is selected (24 CFR 982.301 and 24 CFR 983.252)
- Payment standard amount and schedule (24 CFR 982.503)
- Homeownership program (24 CFR 982.625 to 982.641)
- PBV analysis of impact (24 CFR 983.58(b))
- Overcrowded, under-occupied, and accessible units (24 CFR 983.260)
- SEMAP indicators, verification methods, and ratings (24 CFR 985.3)

180 days after the effective date (December 3, 2024):

- Payment standards - How to calculate the HAP (24 CFR 982.505)

One year after the effective date (June 6, 2025):

- Independent entities for PHA-owned units (24 CFR 983.57 and 24 CFR 983.155(b))
- Offer of PBV assistance or owner’s rejection (24 CFR 983.251(e))
- Occupancy of PBV units under the increased program cap and project cap excepted units (24 CFR 983.262)
- Administrative plan

According to the notice, if a regulatory provision has a compliance date that differs from its effective date, the PHA may choose whether to begin to follow the new provision beginning on the effective date or to follow the prior provision for a period until the PHA is ready to follow the new provision (no later than the compliance date). The amount of time between the effective dates and the compliance dates is intended to afford PHAs sufficient time to prepare for timely compliance. PHAs must not implement any changes prior to the effective date.

HUD recommends that PHAs make updates to their administrative plans at their earliest opportunity and makes clear that “the delayed compliance date (June 6, 2025) for revisions to existing administrative plan policies does not authorize delayed compliance with any other provisions of the HOTMA voucher final rule. In other words, PHAs that choose not to bring existing administrative plan policies into compliance with the HOTMA voucher final rule until June 6, 2025, must still operate in a manner consistent with all provisions of the HOTMA voucher final rule as of each provision’s compliance date.”

The notice also covers the application of the HOTMA voucher final rule to PBV projects underway, the enforcement of the housing quality standards, and the notices, guidebook chapters, and forms impacted by the rule. For further details, please refer to the [notice](#).



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