Use this decision table to determine how you will implement Discretionary Policies for your TSP or EIV Policy.

| **TSP Discretionary Policies** | | | | | | | | | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **9887 Requirements** | | | | | | | | | | | | | | | |
| Action if Resident revokes consent (9887) after MI (deny if any required member does not sign during eligibility review) | Terminate Assistance | | | | | | Wait until Next AR/IR to Terminate Assistance | | | | | | | | |
| 9887/9887A – Number of Days to Sign when member turns 18. Failure to sign results in TM of assistance for all programs except PRAC – TM of tenancy for PRAC | *(Note: for our customers, we recommend 30 calendar days. A sample notice is available in our FASTForms library* [***Notice Requirement to Sign 9887***](https://www.rbdnow.com/fast-forms/individual-forms/all-forms#modal-10195189123965768973)*)* | | | | | | | | | | | | | | |
| **Interim Recertification Requirements** | | | | | | | | | | | | | | | |
| # Days to Report a Change |  | | | | | | | | | | | | | | |
| Create retroactive IR for **AAI decrease** when resident did not report timely | | | Never | Reasonable Accommodation | | | | | | LEP | | | Extenuating Circumstance | | |
| % Annual Adjusted Income decrease for IR | 10% (HUD default) | | | | | | **%** (lower %) | | | | | | Any Decrease | | |
| Interims for earned income increases | No IR for increases in earned income except at AR | | | | | | IR for earned income increase only after IR reducing Annual Adjusted Income since MI/IC/AR | | | | | | | | |
| IR for AAI **increase** reported timely within 3 months of AR | Yes | | | | | | No | | | | | | | | |
| **Verification Requirements** | | | | | | | | | | | | | | | |
| Streamlining | Streamlined Determination of Fixed Income | | | | Streamlined Verification of Assets 2024 $50,000 or Less/2025 $51,600 or Less/2026 $52,787 | | | | | | | Streamlined Certification for Fixed Income Families | | | |
| Means-tested Verification | Will not implement Means-tested Verification | | | | | | | | Will implement Means-tested Verification | | | | | | |
| Means-tested Verification for Which Cert Type | Means-tested MI/IC | | | | | Means-tested AR | | | | | | Means-tested IR | | | |
| Sources to be Used | The Temporary Assistance for Needy Families block grant (42 U.S.C. 601, et seq.).Medicaid (42 U.S.C. 1396 et seq.).  The Supplemental Nutrition Assistance Program (42 U.S.C. 2011 et seq.).  The Earned Income Tax Credit (26 U.S.C. 32).  The Low Income Housing Tax Credit (26 U.S.C. 42).  The Special Supplemental Nutrition Program for Woman, Infants, and Children (42 U.S.C. 1786).  Supplemental Security Income (42 U.S.C. 1381 et seq.).  HUD’s Public & Indian Housing Program using HUD form 50058;  HUD’s Multifamily Housing Programs using HUD form 50059;  The Treasury’s LIHTC Program (Property TIC) | | | | | | | | | | | | | | |
| Policy if family provides Means-tested verification from multiple sources. | Housing Documents Receive highest priority | | | | | | | Use most current verification | | | | | | | Other |
| **Hardship Exemptions** | | | | | | | | | | | | | | | |
| Childcare Hardship Exemption | *Previously, the interpretation was that implementing Financial Hardship Exemptions was optional. On 7/8, HUD clarified that this is mandatory.* | | | | | | Childcare Hardship Exemption with  90 Day Extensions (define maximum # extensions) | | | | | | | | |
| Phase-in Hardship Exemption Continues at MI if the certification completed before 1/1/2024 included a Medical Expense Deduction or a Disability Assistance Expense Deduction | | Not offering to continue Phase-in at Move-in | | | | | | | | | Continue Phase-in at Move-in | | | | |
| Financial Hardship Exemption (General Relief) related to Health & Medical Expense Deductions and Attendant Care & Auxiliary Aide Expense Deduction | *Previously, the interpretation was that implementing Financial Hardship Exemptions was optional. On 7/8, HUD clarified that this is mandatory.* | | | | | | Financial Hardship Exemption with  90 Day Extensions (define maximum # extensions) | | | | | | | | |
| **Section 8 Asset Restrictions (Section 8 Only)** | | | | | | | | | | | | | | | |
| Section 8 Asset Restrictions – Existing Assisted Residents | Non-Enforcement | | | | | | Enforcement | | | | | | | Limited Enforcement | |
| # Months to delay Termination of Assistance | NA | | | | | |  | | | | | | | NA | |
| # Months to “cure” | NA | | | | | | NA | | | | | | |  | |
| Exceptions for Enforcement/Limited Enforcement (e.g. disabled persons needing an accessible unit) | NA | | | | | |  | | | | | | |  | |
| If exceptions – Total Non-enforcement or Limited Enforcement for exceptions | NA | | | | | | Total  Limited  NA | | | | | | | Total  NA | |

| **EIV Discretionary Policies** | | |
| --- | --- | --- |
| Review EIV Income Reports at IR | Yes | No |
| New Hires Report – Master File | No IR for increases in earned income after MI/IC except at AR so quarterly review of New Hires Report is not required if the owner/agent has decided not to consider earned income increases except at AR | IR for earned income increase only after IR reducing Annual Adjusted Income since MI/IC/AR so quarterly review of New Hires Report is required |
| Income Report | Will not implement Means-tested Verification so review of Income Reports post MI and at AR is required for all families. | Will implement Means-tested Verification – for those families where Means-tested verification is used, review of Income Reports post MI and at AR is not required for families when Means-tested verification is used. *Note: Policies should explain how the owner/agent will address the family’s inclusion on the report.* |

Many of our customers have asked for recommendations related to forms necessary to implement HOTMA.

You are responsible for updating both the TSP and the EIV Policy to comply with HOTMA but these new HOTMA policies are not to be implemented until HOTMA compliant site software is available and implemented. RBD can help.

We offer five FASTForms Packages that include both Pre-HOTMA forms and HOTMA compliant forms.

1. The [HOTMA FASTForms Package](https://www.rbdnow.com/fast-forms/packages) ($1200) - The HOTMA FASTForms Package does not include the TSP or EIV forms.
2. The [TSP FASTForms Package for PRAC](https://www.rbdnow.com/fast-forms/packages) ($1250) updated for HOTMA.
3. The [TSP FASTForms Package for Section 8](https://www.rbdnow.com/fast-forms/packages) ($1250) updated for HOTMA.
4. The [EIV FASTForms Package](https://www.rbdnow.com/fast-forms/packages) ($500) updated for HOTMA.
5. The [Streamlining FASTForms Package](https://www.rbdnow.com/fast-forms/packages) ($250) updated for HOTMA.

*(Click on the link to see a complete list of forms that are included with each package – if you are using Chrome and the list will not display, please switch to Microsoft Edge).*

Please note that many of the forms in the Streamlining FASTForms Package are included in the HOTMA FASTForms Package. Click on the package name above to see what is included. Any of these forms [can be purchased individually.](https://www.rbdnow.com/fast-forms/individual-forms)

We offer stand-alone templates for both the TSP and the EIV Policy and they have been updated for HUD’s Multifamily Housing programs to comply with the latest guidance provided in HSG Notice 2023-10 [Implementation Guidance: Sections 102 and 104 of the Housing Opportunity Through Modernization Act of 2016 (HOTMA)](https://www.hud.gov/sites/dfiles/OCHCO/documents/2023-10hsgn.pdf).

1. \*The [TSP Template FASTForms for PRAC](https://www.rbdnow.com/fast-forms/individual-forms/tsp) ($400)
2. \*The [TSP Template FASTForms for Section 8](https://www.rbdnow.com/fast-forms/individual-forms/tsp) ($400)
3. \*The [EIV Policy Template FASTForm](https://www.rbdnow.com/fast-forms/individual-forms/eiv) ($300)

*\*Please note that these forms are NOT part of the HOTMA FASTForms Package.*

These templates are provided in Microsoft Word so that owner/agents may edit the TSP and EIV Policy to conform with internal policies.

When updating the TSP, owner/agents have two choices.

1. Replace the existing TSP; or
2. Modify your existing TSP to include new HOTMA required language.

For those of you who have a TSP that you’re happy with, but you want to add required HOTMA language to the existing TSP, we provide a document that just includes HOTMA language including, but not limited to, a description of:

* New Section 8 Asset Restrictions
* Hardship Exemptions
* Interim Reporting Requirements
* New SSN Documentation
* HUD’s New Verification Hierarchy
* Streamlining

That FASTForm is the [TSP Sample Language HOTMA](https://www.rbdnow.com/fast-forms/individual-forms/hotma) form ($100).

To check to see if your HOTMA TSP is compliant, visit our [HOTMA Resources Page](https://www.rbdnow.com/resources/hotmaresources) and click on [**HOTMA TSP Checklist**](https://www.rbdnow.com/filemanager_uploads/resource%20document/HOTMA/TSP%20Checklist%20HOTMA%20V6-JLZ2024.pdf).

Because of the nature of the changes to EIV requirements, we were not able to create a similar document for the EIV Policies; we had to complete a re-write. The only option is to purchase the EIV Policy Template or the EIV FASTForms Package.

To obtain our **free** EIV Policy checklist, visit our [HOTMA Resources Page](https://www.rbdnow.com/resources/hotmaresources) and click on [**HOTMA EIV Policy Checklist**](https://www.rbdnow.com/filemanager_uploads/resource%20document/HOTMA/EIV%20Policy%20Checklist%20HOTMA%20.pdf).

If you have additional questions, please contact us at [admin@rbdnow.com](mailto:admin@rbdnow.com) or by calling the office at 770-424-1806.