

HOTMA TSP Requirements
Deadline to Create HOTMA Compliant TSPs - No Later Than 5/31/2024

TSP REQUIREMENTS HH 4350.3 MODIFIED FOR HOTMA (WITH NOTES)

PLEASE NOTE. WHILE A HOTMA COMPLIANT TSP MUST BE AVAILABLE NO LATER THAN 5/31/2024, OWNER/AGENTS MAY NOT IMPLEMENT THE NEW TSP UNTIL SITE SOFTWARE IS AVAILABLE AND HAS BEEN IMPLEMENTED.

1. Project Eligibility Requirements:

- a. Project-specific Eligibility requirements (see Chapter 3, Section 2);
- b. Citizenship Eligibility requirements (see Chapter 3, Section 1); and
- c. Social Security Number Disclosure requirements (see Chapter 3, Section 1); **Modified with HOTMA See HSG Notice 2023-10 J.6**
 - i. Change the penalty for “failure to disclose” SSN as required to termination of assistance (except for PRAC) instead of termination of tenancy;
 - ii. Change acceptable documentation;
 - iii. Change to exceptions for TRACS v 2.0.3.A – add exception for fosters when the foster agency will not provide the SSN.
- d. Section 8 Asset Restriction – Section 8 Asset Cap – Section 8 Only (including PBRA RAD and 202/8) **New with HOTMA See HSG Notice 2023-10 Attachment A**
 - i. Reject Section 8 applicants if the net cash value of all family assets exceeds the current Section 8 Asset Cap (2024=\$100,000/2025=\$103,200/2026=\$105,574);
 - ii. After MI, Non-enforcement;
 - iii. After MI, Limited Enforcement including the amount of time that an owner/agent will delay the initiation of termination or eviction proceedings for families who do not demonstrate eligibility;
 - iv. After MI, Enforcement including the amount of time that an owner/agent will delay the initiation of termination proceedings for ineligible families;
 - v. After MI, exceptions to Enforcement or Limited Enforcement Policies (if applicable);
- e. Section 8 Asset Restriction – Section 8 Real Property Rule – Section 8 Only (including PBRA RAD and 202/8) **New with HOTMA See HSG Notice 2023-10 Attachment A**
 - i. Reject Section 8 applicants if any member owns Real Property Suitable for Occupancy as defined under HOTMA;
 - ii. After MI, Non-enforcement;
 - iii. After MI, Limited Enforcement including the amount of time that an owner/agent will delay the initiation of termination or eviction proceedings for families who do not demonstrate eligibility;
 - iv. After MI, Enforcement including the amount of time that an owner/agent will delay the initiation of termination proceedings for ineligible families;
 - v. After MI, exceptions to Enforcement or Limited Enforcement Policies (if applicable).
- f. Eligibility Of Students (see Chapter 3, Sections 1 and 3).
 - (1) Student Financial Assistance (Section 8 and Non-Section 8) **Modified for HOTMA See HSG Notice 2023-10 G.16** Note: HUD’s HOTMA language does not include special consideration for vulnerable youth as provided in the Final Rule - [Eligibility of Independent Students for Assisted Housing Under Section 8 of the U.S. Housing Act of 1937; Additional Supplementary Guidance](#) provided in 2016.

2. Occupancy Standards (see Chapter 3, Section 2).

3. Income Limits (see Chapter 3, Section 1).

- a. Income Targeting – Section 8 only.

4. Procedures For Accepting Applications And Selecting From The Waiting List:

- a. Procedures for accepting applications and pre-applications (see Chapter 4, Section 3);
- b. Procedures for applying preferences (including income-targeting in Section 8 properties) (see Chapter 4, Sections 1 and 4);
- c. Policy For Opening And Closing The Waiting List for the property (see Chapter 4, Section 3).

5. Applicant screening criteria (see Chapter 4, Sections 1 and 4);

HOTMA TSP Requirements
Deadline to Create HOTMA Compliant TSPs - No Later Than 5/31/2024

- a. Required drug-related or criminal activity criteria including State lifetime sex offender registration in all states where applicant household members have resided or using a database that checks against all state registries, e.g., the Dru Sjodin National Sex Offender Database;
- b. Procedures For Using The EIV Existing Tenant Search;
- c. Other allowable screening criteria.
6. **Procedures For Rejecting Ineligible Applicants** (see Chapter 4, Section 1).
7. **Unit Transfer Policies**, including selection of in-place residents versus applicants from the waiting list when vacancies occur (see Chapter 7, Section 3).
 - a. Unit Transfer Preference;
 - b. RAM Transfer Preference;
 - c. VAWA Emergency Transfer – Internal Transfer;
 - d. Preference for someone who no longer needs accessibility features of a unit;
 - e. In some cases, Split Household Preference.
8. **Fair Housing, Section 504** and other relevant civil rights laws and statutes (see Chapter 2, Section 3).
 - a. Policies for applying Violence Against Women Act (VAWA) protections.

NEW HOTMA TSP REQUIREMENTS

PLEASE NOTE. WHILE A HOTMA COMPLIANT TSP MUST BE AVAILABLE NO LATER THAN 5/31/2024, OWNER/AGENTS MAY NOT IMPLEMENT THE NEW TSP UNTIL SITE SOFTWARE IS AVAILABLE AND HAS BEEN IMPLEMENTED.

1. **Verification Modified for HOTMA See HSG Notice 2023-10 Attachment J**
 - a. Means-tested verification including what to do if multiple means-tested documents are provided; and
 - b. New verification hierarchy.
2. **Streamlined Determination of Fixed Income** Modified for **HOTMA** Now mandatory **See HSG Notice 2023-10 B.3**
3. **Streamlined Verification of Assets Modified for HOTMA See HSG Notice 2023-10 F.7**
 - a. Whether OA will accept a family's Self-Certification Of Net Family Assets Equal To Or Less Than the Current Threshold (2024=\$50,000/2025=\$51,600/2026=\$52,787) at Admission/Initial Certification;
 - b. Whether OA will accept a family's Self-Certification Of Net Family Assets Equal To Or Less Than the Current Threshold (2024=\$50,000/2025=\$51,600/2026=\$52,787) at Recertification;
 - c. While not required, suggested to include information that the passbook rates and Asset Thresholds may change.
4. **Streamlined Certification Not New but Now a TSP Requirement See HSG Notice 2023-10 I.8**
5. **How OA Will Repay Or Credit When The Family Was Overcharged New with HOTMA See HSG Notice 2023-10 B.4 & I.7**
 - a. When caused by owner/agent error, change is retroactive to the Effective Date of the action the error was made, regardless of the dollar amount associated with the error;
 - b. When the resident overpaid because the resident failed to report in a timely manner, a retroactive rent decrease may not be applied by the owner/agent prior to the later of the first of the month following:
 - (1) The date of the change leading to the Interim Recertification of family income; or
 - (2) The effective date of the family's most recent certification.
6. **Hardship Exemptions Modified for HOTMA See HSG Notice 2023-10 C.4 & C.5**
 - a. Definition Of Changes In Circumstances That Are Required For The Family To Be Eligible For The Health And Medical Care Expense And Reasonable Attendant Care & Auxiliary Apparatus Expense Hardship Exemption (Financial Hardship Exemption/General Relief);
 - b. Whether Extensions of The 90-Day Financial Hardship Exemption Period (General Relief) are allowable, and the maximum number of 90-day extensions families may receive (if establishing a maximum policy);

HOTMA TSP Requirements
Deadline to Create HOTMA Compliant TSPs - No Later Than 5/31/2024

- c. Whether or not owner/agents will continue Phase-In Relief for new admissions – when the family is receiving the Phased-In Relief at their current assisted housing at the time that the family is admitted to their current unit;
 - d. Definition of changes in circumstances that are required for the family to be eligible for The Childcare Hardship Exemption;
 - e. Whether extensions of the 90-Day Childcare Hardship Exemption Period are allowable, and the maximum number of 90-Day Extensions families may receive (if establishing a maximum policy).
7. **Consent 9887/9887A –**
- a. Impact of failure to sign and revoking consent; **Modified for HOTMA See HSG Notice 2023-10 J.1 and J.2**
 - b. Timeframe for signature when a member turns 18.
8. **Interim Recertification Modified for HOTMA**
- a. When to report a change.
 - a. Income changes;
 - b. Family composition changes;
 - c. Other changes.
 - b. Timely Reporting Requirements;
 - c. Interim Recertification will be submitted when there is a change to household composition that results in any Annual Adjusted Income decrease (required);
 - d. Percentage threshold the owner/agent will use for conducting Interim Recertification for decreases in a family's Annual Adjusted Income – may not be greater than 10% and may not be a dollar amount (required);
 - e. Whether or not the owner/agent will create an IR if a family reports an Annual Adjusted Income (AAI) increase within three months of their next Annual Recertification Effective Date;
 - f. Earned and unearned income increases.
 - i. No IR will be created for an earned income increase unless an AAI decrease has been submitted since the last AR;
 - ii. Whether the OA will create an IR for an earned income increase after an IR for an Annual Adjusted Income decrease.