

# HOTMA 102/104 Appendix to the Admissions and Continued Occupancy Policy (ACOP)

## Purpose of the Appendix

HUD published a final rule on February 14, 2023, revising regulations related to income, assets, adjusted income, verification, and reexams (among others) to implement Sections 102 and 104 of HOTMA. While the new regulations were effective January 1, 2024, HUD has delayed the compliance date for HOTMA 102/104. Initially, HUD published a delayed compliance date of January 1, 2025, but HUD again delayed the compliance date for HOTMA 102/104 and no new date has been provided. *Compliance* with Sections 102 and 104 of HOTMA means not only applying HOTMA 102/104 regulations to affected programs but also reporting in HUD's new Housing Information Portal (HIP) system. Currently, PHAs remain unable to comply with HOTMA 102/104 because compliance depends on transitioning from HUD's IMS/PIC system (which is unable to accept HOTMA-compliant Form HUD-50058) to HUD's new HIP system (which will be the only system that accepts HOTMA-compliant Form HUD-50058). PHAs cannot transition to HOTMA until HIP is in place, HOTMA-compliant, and accessible. However, HUD has determined that a few HOTMA 102/104 policies are not dependent on transition systems and easily isolated from other HOTMA 102/104 policy changes. These policies may be implemented prior to the migration to HIP.

HUD stated that PHAs may update their policy documents before determining the date at which they will transition to all HOTMA Section 102 and 104 policies. HUD stated that in order to update their policy documents for HOTMA in this circumstance, PHAs may create an appendix that contains the HOTMA policies that will be incorporated at a later date. The model policy adopts such an approach. HOTMA 102/104 policies are provided in each affected area of the model policy. However, with the exception of the policies HUD has indicated may be adopted early, HOTMA policies that are "on hold" are indicated in the model policy as such. Further, an appendix has been provided to explicitly call out those policies that are on hold.

# HOTMA 102/104 Policies Not Yet Implemented

## Chapter 00

No HOTMA 102/104 policies apply.

## Chapter 1

No HOTMA 102/104 policies apply.

## Chapter 2

No HOTMA 102/104 policies apply.

## Chapter 3

Model policy section <b>3-I.B. FAMILY AND HOUSEHOLD</b> is amended to comply with section E.1 of Notice PIH 2023-27, <b>Definition of Family</b>
Model policy section <b>3-I.K. FOSTER CHILDREN AND FOSTER ADULTS</b> is amended to comply with section E.2 of Notice PIH 2023-27, <b>New Definitions of Foster Adult and Foster Child</b>
Model policy section <b>3-II.D. FAMILY CONSENT TO RELEASE OF INFORMATION</b> is amended to comply with section J.2 of Notice PIH 2023-27, <b>Revocation of Consent</b>
Model Policy section <b>III.C. RESTRICTION ON ASSISTANCE BASED ON ASSETS</b> is added to comply with section A.1 of Notice PIH 2023-27, <b>Asset Limitation</b>

## Chapter 4

No HOTMA 102/104 policies apply.

## Chapter 5

No HOTMA 102/104 policies apply.

## Chapter 6

Prior to the PHA's HOTMA compliance date, the PHA will follow policies in Chapter 6.A.

Upon the PHA's HOTMA compliance date, the PHA will follow policies in Chapter 6.B.

## Chapter 7

Prior to the PHA's HOTMA compliance date, the PHA will follow policies in Chapter 7.A.

Upon the PHA's HOTMA compliance date, the PHA will follow policies in Chapter 7.B.

## Chapter 8

No HOTMA 102/104 policies apply.

## Chapter 9

Prior to the PHA's HOTMA compliance date, the PHA will follow policies in Chapter 9.A.

Upon the PHA's HOTMA compliance date, the PHA will follow policies in Chapter 9.B.

## Chapter 10

No HOTMA 102/104 policies apply.

## Chapter 11

No HOTMA 102/104 policies apply.

## Chapter 12

Model policy section <b>12-I.D. MANDATORY TERMINATION OF ASSISTANCE</b> is amended to comply with section J.2 of Notice PIH 2023-27, <b>Revocation of Consent</b>
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Model Policy section <b>12-I.E. MANDATORY POLICIES AND OTHER AUTHORIZED TERMINATIONS</b> is added to comply with section A.1 of Notice PIH 2023-27, <b>Asset Limitation</b>
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## Chapter 13

No HOTMA 102/104 policies apply.

## Chapter 14

Model policy section <b>14-II.D. PHA-CAUSED ERRORS OR PROGRAM ABUSE</b> is amended to comply with 24 CFR 5.609(c)(4), <b>De Minimis Errors</b>
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## Chapter 15

No HOTMA 102/104 policies apply.

## Chapter 16

No HOTMA 102/104 policies apply.

## Chapter 17

No HOTMA 102/104 policies apply.

## Chapter 18

No HOTMA 102/104 policies apply.

## Chapter 19

No HOTMA 102/104 policies apply.

## Glossary

The following definitions are applicable upon the PHA's implementation of HOTMA 102/104:

- Annual income (revised)
- Day laborer
- De minimis error
- Earned income
- Family (revised)
- Foster child
- Foster adult
- Independent contractor
- Inflationary index
- Net family assets (revised)
- Real property
- Seasonal worker
- Unearned income