



Public Housing Admissions and Continued Occupancy Plan Revisions Effective January 1, 2025

The Admissions and Continued Occupancy Plan

The U.S. Department of Housing and Urban Development (HUD) requires the Housing Authority of Washington County (HAWC), to revise and update the Public Housing Admissions and Continued Occupancy Plan (ACOP) whenever necessary to incorporate changes in federal law, HUD regulations, or legal operating procedures. HAWC also periodically reviews the ACOP to maintain discretionary policies in accordance with best practice.

Housing Opportunity Through Modernization Act (HOTMA)

The Housing Opportunity through Modernization Act (HOTMA) makes changes to the Public Housing program that streamline income and asset verifications and recertification schedules. The proposed Admissions and Continued Occupancy Plan includes HOTMA compliant updates. Additional HUD published information about HOTMA is linked at the end of this document.

Summary of Changes:

Changes to the Admissions and Continued Occupancy Plan that make updates to departmental policy are highlighted below.

Introduction: About the ACOP

	<i>Section:</i>	<i>Proposed Change:</i>	Mandatory <input checked="" type="checkbox"/>	HOTMA <input checked="" type="checkbox"/>
Introduction	About the ACOP	Add information about HOTMA implementation	Discretionary <input type="checkbox"/>	
Proposed Policy:	The proposed policy adds language to the introduction about HOTMA implementation stating that “The proposed Admissions and Continued Occupancy Plan includes HOTMA compliant updates as required by HUD, however, many of these changes require extensive updates to HUD reporting software prior to implementation. The HOTMA compliance date will be determined following HUD guidance regarding the timing of the necessary HUD software updates. HAWC will notify all program participants of the HOTMA compliance date once it is determined.”			
Current Policy:	This is new language to the introduction of the ACOP. The ACOP does not currently explain that HOTMA implementation is dependent on HUD software upgrades currently in progress or comply with HUD guidance directing the PHA to include notification of the HOTMA compliance date in the ACOP.			

Chapter 1: Overview of the Program and Plan Introduction

	Section:	Proposed Change:	Mandatory <input type="checkbox"/>	HOTMA <input type="checkbox"/>
Chapter 1	1-I.C	Update Strategic Framework	Discretionary <input checked="" type="checkbox"/>	

Proposed Policy: The updated departmental strategic framework articulating the HAWC vision, mission, values, and equity statement has been added to the ACOP. This is a discretionary change to ensure HAWC values are reflected in the ACOP.

Current Policy: At present, the document contains HAWC's previous mission statement. The current ACOP does not include information on HAWC's vision, values, or equity goals.

Chapter 3: Eligibility

	Section:	Proposed Change:	Mandatory <input type="checkbox"/>	HOTMA <input type="checkbox"/>
Chapter 3	3-1.M	Correction to clarify that live-in aide(s) may be allocated a bedroom	Discretionary <input checked="" type="checkbox"/>	

Proposed Policy: The proposed policy adds this language "The live-in aide or aides will be included when determining household bedroom size eligibility as described in chapter five ". This corrects current language that says live-in aide or aides will not be counted in the household bedroom size eligibility calculation.

Current Policy: The current policy states "The aide will not be counted for the purposes of determining bedroom size" this does not reflect current practice, conflicts with the PHA reasonable accommodation policy, and does not provide adequate space for live-in aides.

Chapter 5: Occupancy Standards and Unit Offers

	Section:	Proposed Change:	Mandatory <input type="checkbox"/>	HOTMA <input type="checkbox"/>
Chapter 5	5-II.D	Allow two unit refusals prior to removal from the waiting list	Discretionary <input checked="" type="checkbox"/>	

Proposed Policy: The proposed policy states "If a household refuses two unit offers, the household will be removed from the public housing waiting list. Unit refusals due to accessibility needs protected under the ADA (Americans with Disabilities Act) or due to a VAWA (Violence Against Women Act) protected circumstance will not be counted towards the two-offer limit." The proposed policy removes the subjective term "good cause" when describing reasons an offer refusal might not be counted towards the limit.

Current Policy: The current policy allows for waiting list removal after a single unit refusal. The policy allows for exceptions using the subjective term "good cause". The definition of "good cause" is not transparent to participants and staff, and HAWC's responsibility to applicants with ADA or VAWA protected circumstances is not clearly described.

Chapter 6A: Income and Rent Determinations Effective Prior to the HOTMA Compliance Date

	Section:	Proposed Change:	Mandatory <input checked="" type="checkbox"/>	HOTMA <input checked="" type="checkbox"/>
Chapter 6A	6A-I.E	Clarify that HUD ended enrollment in the Earned Income Disallowance effective January 1, 2024	Discretionary <input type="checkbox"/>	

Proposed Policy:	The proposed change updates the section regarding the Earned Income Disallowance to state that “the EID is available only to families that are eligible for and participating in the program as of December 31, 2023, or before; no new families may be added on or after January 1, 2024”. This is a mandatory change to incorporate HOTMA policies already in effect.
Current Policy:	The current policy document does not reference the HUD mandated end to the Earned Income Disallowance as of January 1, 2024.

Chapter 7A and 7B: Verification for PHA Actions

	Section:	Proposed Change:	Mandatory <input type="checkbox"/>	HOTMA <input type="checkbox"/>
Chapter 7A and 7B	7A-II.A 7B-II.A	Clarify that PHA will accept standard and Real ID act compliant identification	Discretionary <input checked="" type="checkbox"/>	

Proposed Policy:	The updated policy adds this language "The PHA will accept both standard and Real ID Act Compliant cards issued by the Department of Motor Vehicles, provided that they are valid and unexpired." This is a discretionary change to ensure that the Real ID Act will not create obstacles to program participation.
Current Policy:	The current policy does not clarify that the PHA will accept both standard and Real ID Act compliant forms of state issued identification.

Chapter 10: Pets

	Section:	Proposed Change:	Mandatory <input type="checkbox"/>	HOTMA <input type="checkbox"/>
Chapter 10	10-I.B	Clarify that service and assistance animals are subject to some "pet" policy rules	Discretionary <input checked="" type="checkbox"/>	

Proposed Policy:	The proposed policy states that service animals and assistance animals are subject to provisions of the pet policy related to registration, notification of the PHA, care and handling, and adherence to the lease and house rules, unless specific exemption to a provision has been granted through the reasonable accommodation process.
Current Policy:	The current policy does not clarify that service and assistance animals may still be subject to provisions of the lease, house rules, and pet policy.

Chapter 16: Program Administration

	Section:	Proposed Change:	Mandatory <input type="checkbox"/>	HOTMA <input type="checkbox"/>
Chapter 16	16-II.B	Replace PHA Policy Language regarding flat rents for increased flexibility regarding flat rent implementation	Discretionary <input checked="" type="checkbox"/>	

Proposed Policy:

The proposed policy states “HAWC will review flat rents on an annual basis to adjust them as necessary to comply with HUD regulations regarding flat rents.” This removes the specific requirement that the PHA will set flat rents at exactly 80% of the fair market rent (FMR), and will allow the PHA to respond to future FMR changes from HUD in a way that meets local and operational needs.

Current Policy:

The current policy states “HAWC will review flat rents on an annual basis and adjust them as necessary to ensure that flat rents continue to mirror 80 percent of FMR/SAFMR (Fair Market Rent/Small Area Fair Market Rent)”. This requires the PHA to administer a flat rent change for even minor changes to the FMR, and prevents the PHA from responding to FMR changes with a simplified administrative approach, such as by using round numbers for flat rents, adjusting flat rents for specific operational needs, or making incremental flat rent changes that mitigate unexpected changes in flat rent based on shifting market conditions.

References:

More information on HOTMA can be found by following the links below.

PIH Notice 2023-27 Implementation Guidance: Sections 102 and 104 of the Housing Opportunity Through Modernization Act of 2016 (HOTMA)

<https://www.hud.gov/sites/dfiles/OCHCO/documents/2023-27pihn.pdf>