



OFFICE OF PUBLIC & INDIAN HOUSING

February 14, 2023

Dear PHA Executive Directors,

Today, we are pleased to announce that the Final Rule implementing Sections 102, 103, and 104 of the Housing Opportunity Through Modernization Act of 2016 (HOTMA) has been officially published in the Federal Register. Please click [here](#) to view the Final Rule.

The Final Rule updates regulations related to income and assets for the Public Housing, Housing Choice Voucher (HCV), and other HUD programs, including the Moderate Rehabilitation program. This regulation delivers important benefits to residents and reduces administrative burden for PHAs.

This rule impacts all PHAs that administer Public Housing and/or HCV programs. While PHAs have until January 1, 2024 to implement the broader income and asset changes in Sections 102 and 104, for PHAs that administer the Public Housing program, the rule includes new Public Housing over-income provisions in Section 103 that become effective March 16, 2023.

Section 103 of HOTMA created new limitations on tenancy and program participation for formerly income-eligible families residing in public housing with incomes over the newly created over-income limit. PHAs must implement the new requirements through their written policies and, if implementation of these provisions requires a significant amendment, PHAs are required to complete all relevant PHA Plan changes. PHAs have until July 14, 2023 (120 days following the effective date) to implement fully all over-income requirements in the rule.

The Department will be hosting a webinar series to help agencies better understand and implement the rule. The first webinar is scheduled for Thursday, March 2nd from 2:00-3:30 PM EST and will cover Section 103, the implementation of the over-income limitation for public housing. Subsequent webinars will be held on April 6th and April 13th, covering the income and assets provisions of Sections 102 and 104. More information, including the registration link for the Section 103 training, is available at the [HOTMA Income and Assets Training Series page](#).

For more information about the Final Rule, visit the [HOTMA Resources webpage](#), where you will find [Final Rule Highlights](#) and [FAQs](#). Additionally, you can send questions directly to us at HOTMAquestions@hud.gov.

Thank you for your attention to this rule, and for continuing to provide critical housing assistance and services to families in your communities.

Many thanks,

A handwritten signature in blue ink that reads "Danielle Bastarache".

Danielle Bastarache
Deputy Assistant Secretary for Public Housing and Voucher Programs