

Q & A | Has HOTMA Been Delayed A Year?

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Question from a Blog Reader

"My boss just heard from a friend that HOTMA has been delayed for a year, and we cannot apply HOTMA at our Section 8 or LIHTC properties until 12/31/2024. Is this correct?"

Answer

Summary answer: No. HUD Public Housing has been given a "grace period" of up to 1/01/2025, while HUD also implements changes to the PIH Housing Information Portal (HIP) software system, and PHAs work with other software vendors. There is no evidence at this point that this procedural allowance will extend to HUD Multifamily or CPD programs.

In an email to PHA Executive Directors that HUD PIH later made available to the public [HERE](#), Richard Monocchio, Principal Deputy Assistant Secretary of HUD PIH said that, in recognition of operational issues and challenges, "PIH will establish by notice a compliance date for sections 102 and 104 of HOTMA that will permit PHAs time to work with their software vendors to enable them to submit transactions to HIP. Specifically, PHAs must bring their programs into compliance with the HOTMA final rule as quickly as possible, but no later than January 1, 2025. "Compliance" means administering all aspects of the affected programs in accordance with the HOTMA final rule." (underlined emphasis ours)

Note that the statutory effective date of HOTMA has not been changed (and cannot be changed short of an act of Congress). HUD PIH is simply allowing a grace period to come into full compliance with HOTMA. Interesting to note are the following important provisions mentioned by Mr. Monocchio in the email.

- Consistent with the requirements of the HOTMA final rule, PHAs must complete the necessary public processes to update *Public Housing Admissions and Continued Occupancy Policies (ACOP)* and *Housing Choice Voucher Administrative Plans* to reflect HOTMA rules and discretionary decisions and submit them to PIH by the effective date of January 1, 2024. PIH will provide a list of policies that PHAs need to establish on the HOTMA Resources webpage.
- Once a PHA is ready to transition to HOTMA rules, the PHA must do so in all affected areas of operations. This includes New Admissions, Interim Reexaminations, and Annual Reexaminations. PHAs need to plan accordingly, including having Annual Reexamination and Interim Reexamination reporting forms ready before the compliance date. For example, a PHA with a May 1, 2024, compliance date will typically need to send Annual Reexamination packets reflecting the HOTMA changes in January 2024. The PHA must inform the family as to whether their income determination is being conducted under the pre-HOTMA regulations or in accordance with the HOTMA final rule.
- To further facilitate the HOTMA final rule implementation process, once HIP is available to PHAs, PIH will monitor HIP submissions and reach out to PHAs that are not yet submitting to HIP to check on their status.

If HUD Multifamily issues similar guidance, we will let our readers know as soon as we know! At this point, HUD Multifamily officials have confirmed verbally that there is no intention to delay HOTMA for those programs.

Source: Costello University <https://www.costellocompliance.com/blog/q-a-has-hotma-been-delayed>