Proposed Changes to the LCHA

HCV Administrative Plan

Includes changes through July 2026 (eight versions of changes)

Throughout

- Grammatical changes and changes to Federal Regulations references (non-substantive)
- Added email as an acceptable means of communication with applicants, clients and landlords

Chapter 1

- Added the mandatory HOTMA compliance date of January 1, 2027
- Updated the definition of the housing we are providing. Previously it was *decent, safe and sanitary.* Now, it is worded to include meeting NSPIRE (National Standards for the Physical Inspection of Real Estate) standards – to provide safe and habitable housing

Chapter 2

- Added section on discrimination complaints that include general housing complaints and VAWA (Violence Against Women Act) complaints
- Enforcement of the *Equal Access to Housing in HUD Program Regardless of Sexual Orientation or Gender Identity Final Rule* has been halted. HUD has proposed the elimination of the Equal Access Rule regulation at 24 CFR 5.105(a)(2) to harmonize HUD regulations with Executive Order 14168. HUD has already rescinded Notice PIH 2014-20 regarding Equal Access Rule enforcement and has removed references to the rule from the HCV Guidebook. As of Spring 2026, elimination of the regulation is currently under review by OMG.
- Revised policy language on serving limited English proficient (LEP) persons in accordance with Executive Order 14224 and Office of Attorney General (OAG) Memo 7/14/25. PHA oral and written communications with families will generally be conducted in English. For applicants and participants who may require language assistance, the PHA will encourage families to bring an advocate, family member, friend, or other adult representative to assist in communications. The PHA will also utilize available resources such as bilingual staff, community volunteer resources, responsible use of artificial intelligence technology, and/or machine translation to assist families with communication.
- Elaborated policy language on how to file a discrimination complaint

Chapter 3

- Added information about denying admission when money is owed to another housing authority and the process to follow if wanting to dispute the information in the HUD EIV system
- Added human trafficking to the list of offenses covered under VAWA. Note: this was changed throughout the Administrative Plan
- Added property ownership restrictions for eligibility and a geographic hardship when looking at property owned by clients and suitable for occupancy

- Updated definition of family to include individuals turning 18 who are currently in foster care
- Added "minors" in addition to dependents
- Added restriction on assistance based on assets
- Added that if we discover an applicant is not present in the United States legally, we must provide a report to the Department of Homeland Security
- Removed all references of not using arrest records only to deny admission or terminate assistance
- Added applicants must provide a complete list of all states in which any household member has resided

Chapter 4

- Removed the requirement that housing authorities must take reasonable steps to ensure access to programs for people with limited English proficiency (NOTE: although this is not a requirement, the LCHA continues to provide translation both verbally and in written communication)

Chapter 5

- Revised policy language on serving limited English proficient (LEP) persons in accordance with Executive Order 14224 and Office of Attorney General (OAG) Memo 7/14/25
- Added that if a PHA determines that there is insufficient funding after a voucher has been issued, the PHA may rescind the voucher and place the affected family back on the waiting list but only with HUD approval

Chapter 6

- For calculating asset amount in a checking account, it has been changed from a six-month average to a current balance
- Clarified that we will calculate the COLA of Social Security as soon as it's announced each year for the recertifications that are effective January 1 and after
- Removed all references to Earned Income Disallowance
- Reworded the process to anticipate annual income
- Defined day laborer and seasonal worker. Income for those two categories is included in annual income.
- Added babysitters, rideshare drivers and house cleaners as independent contractors
- Separated student financial assistance into two categories
- Clarified periodic income
- Added additional guidance on excluded income
- Clarified definitions of necessary and non-necessary personal property
- Added information regarding revocable and irrevocable trusts
- Added that clients may apply for higher utility allowance as a reasonable accommodation
- Previously, the sources of income that were included in rent calculations were listed. Now, the listing is of excluded income. Any income not on that list is included.
- Clarified process to determine health and medical care expenses and provided examples of allowable expenses
- Added policies on increases and decreases in the payment standard

- Provided storage and retention protocol when medical information is provided to document disability or medical expenses
- Changed from using the local welfare agency's schedule of childcare costs to using a qualified local entity that either subsidizes childcare costs or license childcare providers
- Clarifications on phased-in relief for hardship exemptions for health and medical care expenses

Chapter 7

- Described the streamlining options for recertifications for those on fixed incomes
- While only two paystubs are required, the LCHA may request additional paystubs at their discretion
- When a client completes self-certification, it no longer needs to be in the presence of an LCHA representative or notary public but will include language that false statements could cause criminal and/or civil penalties including confinement for up to five years
- All adult members must provide consent for the head of household to receive copies of their EIV information
- Added that we must verify immigration status for every applicant and participant through the SAVE (Systematic Alien Verification for Entitlements) system and retain documentation in their file

Chapter 8

- Added under Rent Reasonableness that LCHA will primarily utilize Nelrod's EZ-Reasonable Rent Determination which will collect and maintain date on market rents in the PHA's jurisdiction. If EZ-Reasonable Rent Determination cannot locate any comparables for the rent reasonableness, then the LCHA will look at the different rental websites within the LCHA's jurisdiction.
- Units assisted under the program must comply with HUD's NSPIRE regulations and standards no later than February 1, 2027.

Chapter 11

- Changes regarding conducting interim reexaminations per Notice PIH 2023-27, revision 3

Chapter 12

- Revisions regarding death of a sole family member and family absence from the unit per Notice PIH 2026-11
- Policy revisions regarding insufficient funding

Chapter 14

- Added a section on De Minimis Errors. De Minimis Errors are defined as an error where the family income deviates from the correct income determination by no more than $30 per month.

Chapter 16

- Added definitions of economic abuse and technological abuse in relation to VAWA. Also revised the forms related to VAWA.
- Added section on Criminal Prosecution for Program Fraud/Abuse to better align with HUD protocols
- Revised language on language assistance in accordance with Executive Order 14224 and Office of Attorney General (OAG) Memo 7/14/25 (Informal reviews will be conducted in English. For applicants and participants who may require language assistance, the PHA will responsibly use artificial intelligence, a PHA staff person who can interpret, and/or machine translation to communicate. The PHA will also permit families to bring an advocate, family member, friend, or other adult representative to assist in communications.)
- Clarified language to reflect updated VAWA forms and included sample versions of new forms

Chapter 17

- Added Family Unification Program (FUP) and Foster Youth to Independence (FYI) as eligible to receive Project Based assistance
- Added that PHAs may also participate in the PBV program through public housing repositioning

Chapter 18

- HUD has added a new chapter, Project Based Vouchers (PBV) Under The Rental Assistance Demonstration (RAD) Program.

Chapter 19

- Added Foster Youth to Independence (FYI) Vouchers to this section
- Added voucher issuance limits to Mainstream Vouchers
- Updated the FYI section to bring current with Notice PIH 2025-08

Temporary Policy Supplement (TPS) for Emergency Housing Vouchers (EHV)

- Updated this section to state that the funds for the EHV program are likely sufficient to cover EHV families through Calendar Year 2026.

<u>Overall HOTMA changes throughout several chapters</u>

- Asset limits for eligibility and imputed interest will be established annually by HUD
- Updated all references from HUD-9886 to HUD-9886-A. Previously, clients were required to sign HUD-9886 annually. Now, they are just required to sign the HUD-9886-A once.
- Elderly and dependent allowance will be adjusted by HUD annually