Proposed Changes to the LCHA

ADMISSION AND OCCUPANCY POLICY

Includes changes through July 2026 (six 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 residents

Chapter 1

- 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
- Added HOTMA (Housing Opportunity Through Modernization Act of 2016) general description
- Added the Fair Housing Act in the list of applicable regulations

Chapter 2

- Added that all signs and posters will be placed in a manner that is easily readable from a wheelchair.
- Added section on discrimination complaints that include general housing complaints and VAWA (Violence Against Women Act) complaints.
- Added reasonable accommodation allowing a change in the rent due date to correspond to the timing of a person's receipt of their SSI or SSDI payments.
- Removed references to a Language Assistance Plan
- 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 HUD has already rescinded Notice PIH 2014-20 regarding Equal Access Rule enforcement and has removed references to the rule from the Public Housing *Guidebook*. As of Spring 2026, elimination of the regulation is currently under review by OMB.

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 by VAWA. Note: this was changed throughout the policy

- Added property ownership restrictions for eligibility and a geographic hardship when looking at property owned by residents 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
- 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)
- Added applicants must provide a complete list of all states in which any household member has resided.

Chapter 6

- For calculating asset amount in a checking account, it is being 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
- Changed from using the local welfare agency's schedule of childcare costs to using a qualified local entity that either subsidizes childcare costs or licenses childcare providers
- Added that residents may apply for higher utility allowance as a reasonable accommodation
- Added we will only revise utility allowances once a year unless regulation dictates another change due to rate change
- Revised the wording when claiming a temporary hardship
- 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.
- 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
- Clarified process to determine medical expenses and provided examples of allowable expenses

- Provided storage and retention protocol when medical information is provided to document disability or medical expenses

Chapter 7

- When a resident 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
- While only two paystubs are required, the LCHA may request additional paystubs at their discretion
- Clarified the process to verify social security benefits for applicants and residents; describes process if the resident disputes the social security information on the EIV report
- Added over-income verbiage
- Described the streamlining options for recertifications for those on fixed incomes.
- Added that we must verify immigration status for every resident through the SAVE (Systematic Alien Verification for Entitlements) system and retain documentation in their file.
- All adult members must provide consent for the head of household to receive copies of their EIV information

Chapter8

- States the LCHA will not enter a unit if there is an uncaged pet present unless the pet owner or responsible person accompanies the staff person the entire time. The exception would be if there is an emergency
- Added verbiage regarding the NSPIRE inspections. Also, added references to carbon monoxide detectors.
- Added a requirement that the 30 day notice of termination for nonpayment of rent is outlined in the residential lease
- Added a statement that the smoke free policy for residents and guests also pertains to employees and service personnel.

Chapter 9

- Added section on non-interim reexamination transactions which are changes that do not trigger an interim recertification but are still required to be reported on the HUD 50058.

Chapter 10

- Added assistance animals to the chapter regarding pets

Chapter 13

- Added information on residents who become over income during their residency and notice requirements. Sample notices were added.
- Added that any member of the household, guest or visitor is held under the same guidance as the head of household regarding firearms and weapons

Chapter 14

- Updated grievance procedures

Chapter 15

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

Chapter 16

- Added language that the utility allowance review must include changes in circumstances (i.e. modernization and/or other energy conservation measures made by the LCHA)
- Revised the process for setting the flat rent amounts
- Added definitions of economic abuse and technological abuse in relation to VAWA. Also revised the forms related to VAWA

Overall HOTMA changes throughout several chapters

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