

Summary of Propose Revisions to the Section 8 Administrative Plan - FY 2025

<p>ACRONYMS</p> <p>CFR: Code of Federal Regulations PIH: Public and Indian Housing RAD: Rental Assistance Demonstration Program HOTMA: Housing Opportunity Through Modernization Act of 2016 HCV: Housing Choice Voucher PBV: Project-Based Voucher</p> <p>ACC: Annual Contributions Contract HAP: Housing Assistance Payments HQS: Housing Quality Standards EIV: Enterprise Income Verification System provided by HUD PH: Public Housing</p>				
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Chapter 1. Program Administration				
7	1.1 Purpose of the Plan	Discretionary	PHCD	The goal of this Administrative Plan for the Housing Choice Voucher, <u>Project Based Voucher (PBV)</u> and Moderate Rehabilitation Programs is to achieve three (3) major objectives:
9	1.7 Housing Opportunity Through Modernization (HOTMA) Act of 2016	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38 HOTMA Voucher and PBV Final Rule PIH Notice 2024-19	Overview of HOTMA Act.
Chapter 2. Applications, Waiting Lists and Tenant Selection				
17	2.2.B Organization of the Waiting List	Regulatory	24 CFR 982.204(b)	*Family selection <u>Qualification</u> for any admission preference. <u>Qualification for any admission process is conducted during the applicant's interview;</u> (see 24 CFR 982.204(b);
17	2.2.C Opening and Closing the Waiting List	Discretionary	PHCD	PHCD must seek the approval of the Board of County Commissioners prior to opening the waiting list for the <u>Housing Choice Voucher and Moderate Rehabilitation Programs.</u>
18	2.2.C Opening and Closing the Waiting List -PBV Waiting List	Discretionary	24 CFR § 983.251(c)	Pursuant to 24 CFR § 983.251(c), and the PBV waiting list process in PHCD's PHA Plan as approved by HUD and the Board, PHCD <u>may</u> proposes to establish site-based waiting lists for its Section 8 Project Based Voucher Program. <u>During the open registration, adopted admission preferences will be available for applicants to request. The site-based waiting list may remain perpetually open (Chapter 25).</u>
20	2.2F(ii) Updating the Waiting List	Discretionary	24 CFR § 982.204(c)	Families withdrawn due to returned mail may request an informal review at any time <u>up to five years or the closing of the waiting list</u> whichever occurs first for the purpose of reviewing and verifying the accuracy of the mail or email address
22	2.3.C(i) Selection Method	Discretionary	24 CFR § 982 Subpart E	Revised and moved from Section 3.9 Change of Program Special <u>Admission Preference</u> : PHCD may, at its sole discretion, for humanitarian reasons, <u>including but not limited to,</u> reasonable accommodation for a family member with disabilities in another PHCD administered federally assisted housing program, issue a voucher under another tenant-based PHCD program <u>or provide another site-based housing opportunity, such as the Public Housing program. This family may be placed on PHCD's waiting list even if the waiting list is otherwise closed or may already be on PHCD's waiting list. PHCD will confirm that the tenant is in compliance with all assisted housing tenant and lease obligations.</u> Approval of PHCD's Director or designee is required.

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25	2.3.C(ii) Selection Method -Income Targeting	Regulatory	24 CFR § 982.201	At least 75 percent of the families admitted to PHCD's program during PHCD's fiscal year must be extremely low-income families while 25 percent may include low-income families at <u>over 30</u> and not to exceed 80 percent of the median income for an area.
27-29	2.3.G HUD Approved Waivers Applicable to Persons Experiencing Homelessness	Discretionary	PIH Notice 2024-17	<u>PHCD has been granted two regulatory waivers related to verification requirements at admission to the HCV, PBV, or Public Housing programs to expedite admissions of persons experiencing homelessness (refer to homeless preference).</u>
30-31	2.4.B Social Security Numbers	Discretionary	HOTMA PIH Notice 2023-27 24 CFR 5.216(g)(1)(iii)	<u>Option to accept a declaration from the applicant stating why they cannot obtain their SSN card, and what their SSN is together with a document stating the person's name.</u>
35	2.4.E(vii) Lookback Period	Discretionary	PHCD	The lookback period starts from <u>upon commencement of the date the application is accepted</u> by PHCD, when formal eligibility screening commences.
Chapter 3. Non-Waiting List Issuance and Special Programs				
43	3.1 Relocation	Discretionary	PHCD	Provision of Housing Choice Voucher assistance may be provided to a family being relocated if allowed under the Uniform Relocation Assistance and Real Property Acquisition Regulations for federal and federally assisted programs <u>and subject to PHCD receiving a Tenant-Protection Voucher</u> .
Chapter 5. Occupancy Policies				
49	5.1 Subsidy Standards	Discretionary	PHCD	<u>Persons of the same sex but different generational relationship will not be required to share the same bedroom.</u>
Chapter 7. Determination and Verification of Annual Income				
59-61	7.2 Annual Income Inclusions	Regulatory	HOTMA PIH Notice 2023-27	Current policy maintained. <u>HOTMA policy on income inclusions moved to Attachment E pending release of compliance date by HUD.</u>
61	7.3 Exclusions from Annual Income	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	<u>Income exclusions apply at new admissions, annual, or interim reexaminations effective on July 1, 2025.</u>

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67	7.4(A) Calculating Annual Income / A. Annual Reexamination	Regulatory	HOTMA PIH Notice 2023-27	<u>HOTMA policy on Annual Reexamination was moved to Attachment E pending release of compliance date by HUD.</u>
67-68	7.4(B) Calculating Annual Income / B.Determination of Income Using Other Means Tested Public Assistance	Discretionary	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	<u>PHCD may determine the family's income during annual reexamination based on income calculation information from certain means-tested federal public assistance programs or agencies such as the Low-income Housing Tax Credit (LIHTC).</u>
66	7.4(C) Calculating Annual Income / C.Streamlined Income Determination	Regulatory	HOTMA PIH Notice 2023-27	<u>HOTMA policy on Streamlined Income Determination was moved to Attachment E pending release of compliance date by HUD.</u>
67	7.5(A), (B) & (c) Adjusted Annual Income	Regulatory	HOTMA PIH Notice 2023-27	Current policy on deductions maintained for dependents, elderly or disable family, and child care <u>HOTMA policy on deductions maintained for dependents, elderly or disable family, and child care were moved to Attachment E pending release of compliance date by HUD.</u>
67	7.5(D) Adjusted Annual Income / D. Health and Medical Care Expenses Defined	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	Updated with health and medical care expenses defined per PIH Notice 2024-38 <u>- Although HUD revised the definition of health and medical care expenses to reflect the Internal Revenue Service (IRS) general definition of medical expenses, HUD is not permitting PHAs to specifically align their policies with IRS Publication 502C2 for determining which expenses are included in HUD's mandatory deduction for health and medical care expenses. IRS Publication 502, in some instances, may instruct that certain expenses are not to be considered medical expenses that would otherwise be allowed under HUD's definition of health and medical care expenses. Effective July 1, 2025, PHCD must review each expense to determine whether it is eligible in accordance with HUD's definition of health and medical care expenses.</u> Current policy maintained for Health and Medical Care Expenses. <u>Note that remainder of policy on Reasonable Attendant Care and Auxiliary Apparatus Expense was moved to Attachment E pending release of compliance date by HUD.</u>
68	7.5(E) Adjusted Annual Income / E.Disability assistance	Regulatory	HOTMA PIH Notice 2023-27	Current policy on disability assistance maintained. <u>Note that remainder of this policy is part of Reasonable Attendant Care and Auxiliary Apparatus Expense section moved to Attachment E pending release of compliance date by HUD.</u>

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69-70	7.5 (F) Adjusted Annual Income / F. Student Aid and Financial Assistance	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	<u>Student aid and financial assistance policy effective July 1, 2025</u>
71	7.6 Enterprise Income Verification (EIV), Third Party Verification, and Factors Affecting Eligibility and Family Rent	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	EIV <ul style="list-style-type: none"> • <u>PHCD may accept income verification dated within 120 days of the date received by the PHCD to verify income.</u> • <u>PHCD may also accept a statement dated within the appropriate benefit year for fixed income sources</u> • Remaining current EIV policy maintained. <p><u>Note that remainder of EIV policy was moved to Attachment E pending release of compliance date by HUD.</u></p>
74	7.8 Income Validation Tool (IVT)	Regulatory	HOTMA PIH Notice 2023-27	<u>HOTMA policy moved on Income Validation Tool (IVT) - EIV report was moved to Attachment E pending release of compliance date by HUD.</u>
75	7.10 Assets	Regulatory	HOTMA PIH Notice 2023-27	• Current policy maintained. <u>HOTMA policy on Assets moved to Attachment E pending release of compliance date by HUD.</u>
76	7.11 (D) Verification Documents / D.Child Support	Regulatory	HOTMA PIH Notice 2023-27	• Current policy maintained. <u>HOTMA policy on income inclusion regarding child support moved to Attachment E pending release of compliance date by HUD.</u>
76	7.11 (E) Verification Documents / E.Self-Employment Income	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	Self-employment policy 1. <input type="checkbox"/> <u>Self-employment includes independent contractors and day laborers.</u> <ul style="list-style-type: none"> • <u>Examples of independent contract work include but are not limited to:</u> <ul style="list-style-type: none"> o <u>3rd party delivery and transportation service providers</u> o <u>Rideshare drivers e.g., Uber, Lyft</u> o <u>House cleaners, babysitting, childcare providers</u> <p><u>b) A day laborer is defined as an individual hired and paid one day at a time without an agreement that the individual will be hired or work again in the future. The income earned as a day laborer must be included, unless the income will not be repeated beyond the coming year (i.e., the 12 months following the effective date of the re-examination), based on information provided by the family.</u></p>

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77	7.11 (F) Verification Documents / F. Seasonal Employment	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	Seasonal employment policy <u>A seasonal worker is an individual who is hired into a short-term position and the employment begins about the same time each year (such as summer or winter). Typically, the individual is hired to address seasonal demands that arise for a specific employer or industry.</u> H. <input type="checkbox"/> Income received as an independent contractor, day laborer, or seasonal worker is not excluded from income under § 5.609(b)(24), even if the source, date, or amount of the income varies.
Chapter 8. Payment Standard and Housing Assistance Payments				
78	8.1 Payment Standard	Regulatory	24 CFR 982.503	<u>In accordance with 24 CFR 982.503, PHCD has established the SAFMR-based payment standards effective January 1, 2025.</u>
79	8.3 Calculating Housing Assistance Payments	Regulatory	24 CFR 982.505(c)(4)	During the Housing Assistance Payment (HAP) contract term for the unit, the payment standard is determined by the FMR rent limits effective at the most recent regular reexamination of family income and composition after the beginning of the HAP contract term. <u>For existing HAP contracts, PHCD must use the increased payment standard amount to calculate the monthly housing assistance payment for each program participant beginning no later than the earliest of:</u> <ul style="list-style-type: none"> • <u>Change in Gross Rent/Family Share:</u> The effective date of an increase in the gross rent that would result in an increase in the family share; • <u>Interim or annual reexamination:</u> The family's first regular or interim reexamination; or • <u>One year after effective date:</u> One year following the effective date of the increase in the payment standard amount

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Chapter 10. Housing Quality Standards and Inspections				
83	10.1 Initial Inspections	Discretionary Regulatory	PHCD 24 CFR §982.54(21)(iv)	Discretionary-If the unit fails inspection, the family and owner will be advised of the repairs needed to pass inspection and given <u>up to ten</u> (10) business days to correct the failed items. Regulatory - Owners will not be assessed a reinspection fee.
83	10.2.(A) Non-Compliance Due to Violations that are Owner Responsibility	Discretionary	PHCD	If unit is abated due to owner responsibility violations, abatement will begin on the first of the month.
83-84	10.2.(A) Non-Compliance Due to Violations that are Owner Responsibility	Regulatory/ Discretionary	HOTMA Voucher and PBV Final Rule PIH Notice 2024-19	Regulatory- Families who lose their units because owner failed HQS and the family has been unable to lease a new unit within the time period provided by PHCD, the family will be provided a selection preference for a public housing unit. Discretionary- No abated HAP will be applied towards relocation costs.
Chapter 11. Utilities				
87	11.1 Utility Allowance Schedule	Regulatory/ Discretionary	HOTMA Voucher and PBV Final Rule PIH Notice 2024-19	<u>When possible, PHCD will establish utility schedule based on the city where different utility operates.</u>
Chapter 13. Tenancy Approval				
91	13.3 Lease Requirements	Regulatory/ Discretionary	PHCD	<u>Detailed lease requirements for owners.</u>
Chapter 15. Annual and Interim Re-certification				
96	15.1.G Zero Income	Discretionary (not required per HOTMA)	HOTMA PIH Notice 2023-27	PHCD will run an EIV income report every 90 days for families reporting zero income and will take appropriate action for unreported income
97	15.2A A. Interim Re-certifications	Regulatory	HOTMA PIH Notice 2023-27	Current policy maintained on interim re-examination. <u>HOTMA policy on interim re-examination was moved to Attachment E pending release of compliance date by HUD.</u>
97	15.2.C Interim Re-certifications / Interim Rent Increases	Regulatory	HOTMA PIH Notice 2023-27	Current policy maintained on interim rent increases <u>HOTMA policy on interim rent increases was moved to Attachment E pending release of compliance date by HUD.</u>

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97	15.2.C Interim Re-certifications / Non-Interim Reexaminations	Regulatory	HOTMA PIH Notice 2023-27	HOTMA policy on non-interim re-examinations was moved to Attachment E pending release of compliance date by HUD.
Chapter 17. Tenant Rents and Housing Assistance Payment (HAP) Increases				
99	17.2 Contract Rent Increases	Discretionary	PHCD	<p>An owner cannot increase the contract rent during the initial term of the HAP contract. After the initial term, an owner may request an adjustment to the contract rent with at least 60 days prior of the anniversary date of the HAP contract notice to the tenant and submitting evidence of proper notice to PHCD.</p> <p>The rent to owner will only be increased for housing assistance payments covering months commencing on the latter of: the first day of the first month commencing on or after the contract anniversary date or a minimum of the first of the month following 60 days after the request is received. PHCD shall not grant a rent increase unless the owner has complied with obligations under the HAP contract, including compliance with the HQS for all contract units. Prior to PHCD's approval the owner's rent increase request, the tenant must also consent in writing to such rent increase. Such written consent may include the execution of a lease or other agreement with the owner.</p>
99	17.3 Change in responsibility for Utilities	Discretionary	PHCD	<p>The approved contract rent to the owner and amount of HAP payment includes consideration of utilities. Should the owner and tenant agree to change the responsibilities for utilities, PHCD must be notified. PHCD will recalculate the contract rent and HAP payment. The owner will be required to enter into a new HAP and the owner and tenant will be required to execute a new lease. Owners may not change utility responsibilities during the term of the HAP contract or unless submitting a Request for Tenancy Approval during the lease renewal period and with the written notice of a contract rent increase.</p>

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Chapter 18. Portability				
100	18.2.A & B Absorption of Incoming Portables	Discretionary	PHCD	<p>Absorption of incoming portable vouchers will be based on the following criteria: A. PHCD must determine the family's unit size for the portable family according to PHCD's subsidy standards D. The same conditions apply for incoming portable families participating in the Family Self-Sufficiency (FSS) program in the PHA initiating the portability process. 18.2 <u>A. Absorption is the point at which a receiving housing authority starts making assistance payments with funding under its consolidated ACC.</u> <u>PHCD may absorb a voucher based on the following criteria:</u></p> <ol style="list-style-type: none"> 1. Availability of assistance and funding. 2. Number of incoming Portables from a specific jurisdiction. 3. Possibility of swapping vouchers within a given jurisdiction. 4. Dependent upon whether sufficient funding allows for absorption. <p><u>B. Eligibility Screening criteria:</u></p> <ol style="list-style-type: none"> 1. PHCD may make the determination to deny or terminate assistance to a portable family in accordance with Section 2.4(E), Denial of Assistance, and Chapter 27, Termination of Assistance. 2. PHCD shall attempt to obtain criminal history checks, including sex offender, nationwide. The nationwide sex offender registration check will be conducted online using a database available at www.nsowp.gov (PIH Notice 2012-28).

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Chapter 22. Transfer of Ownership				
107	Chapter 22-Transfer of Ownership	Discretionary	PHCD	Added procedures on change of ownership, change of payee, direct deposit, and change of address.
Chapter 24. Disapproval of Owners and County Employee Participation in Tenant-Based Programs				
109	24.1 Disapproval of Owners: Conditions	Discretionary	PHCD	K. When the owner or a member of the owner's family is a County <u>official/employee</u> and has not obtained a waiver from the Miami-Dade Ethics Commission;
109	24.1 Disapproval of Owners: Conditions	Discretionary	PHCD	Refuse owners with a history of taking so long to respond during the Request for Tenancy Approval (RFTA) process that they caused a family to lose the voucher. including failing to submit inaccurate leases and/or execute HAP contracts in a timely manner.
Chapter 25. Project-based Voucher Program				
118	25.7 PBV Preferences	Discretionary	PHCD	The following preferences also offered by the particular project will be available for PBV site-based waiting list: <ul style="list-style-type: none"> • A preference for public housing residents affected by redevelopment and/or any government action. • A preference for elderly households 62 years old and older. • A preference when required by regulation (e.g., eligible in-place families, family's right to return, elderly families or units with supportive services, or mobility impaired persons for accessible units). • A preference to assist vulnerable populations; PHCD may establish further admission preferences to assist vulnerable populations, subject to resource availability and at its discretion. Examples of such population include families under the witness protection program, ex-offenders and felons that are part of a reentry program, and pregnant women or women with children where one or more members of the household have been diagnosed with the acquired immunodeficiency syndrome (AIDS).
118	25.7 PBV Preferences	Discretionary	PHCD	Applicants with the same preference will be selected according to the date and time of their application <u>their position on the waiting list.</u>
119	25.8(A) Placement and Organization of Site-Based Waiting list	Discretionary	24 CFR § 983.251	<u>A. Placement and Organization of Site-Based Waiting list</u> PHCD may choose to place families using a random selection process, based on date and time of the application, or a combination of these methods. PHCD will place applications on site-based waiting list consistent with the public notice that opened the waiting list.
119	25.9 PBV Payment Standards	Discretionary	HOTMA PIH Notice 2024-34	PHCD will not apply Small Area Fair Market Rents to its PBV program.

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119	25.10(A) Offer of PBV Assistance / Refusal of Offer	Discretionary	24 CFR § 983.251(e) (1)(2)(i) (II)	<p>A. <input type="checkbox"/> <u>Refusal of Offer</u></p> <p><u>PHCD shall not take any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:</u></p> <ol style="list-style-type: none"> <u>1. Refuse to list the applicant on the waiting list for tenant-based voucher assistance;</u> <u>2. Deny any admission preference for which the applicant qualifies;</u> <u>3. Change the applicant's place on the tenant-based voucher waiting list based on preference, date, and time of application, or other factors affecting selection under the PHCD's selection policy;</u> <u>4. Remove the applicant from the tenant-based voucher waiting list.</u> <p><u>If an applicant on a PBV site-based waiting list refuses without good cause, PHCD will remove the applicant from that PBV site-based waiting list; however, the applicant will retain their position on all other waiting lists. The applicant may reapply if the applicable PBV waiting list is open; however, the applicant will receive a new date and time of application.</u></p>

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120	25.10(B) Offer of PBV Assistance / Good Cause Refusal of PBV Units	Discretionary	24 CFR § 983.251(e) (2) (II)	<u>B. Good Cause Refusal of PBV Units</u> <u>Applicants may refuse to accept a unit offer for good cause. If a good cause for refusal is verified by PHCD, applicants may retain their position on the PBV site-based waiting list.</u> <u>1. Situations in which an applicant is willing to move but is unable to do so at the time of the unit offer (e.g., the applicant is in the hospital or is serving on a sequestered jury);</u> <u>Examples of good cause for refusal of a unit offer include, but are not limited to, the following:</u> <u>1. A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on the final application) or live-in aide necessary to the care of the principal household member.</u> <u>2. The unit is inappropriate for the applicant's disabilities and the property has units that meet the applicant's needs, whether occupied or vacant.</u> <u>3. The family does not need the accessible features in the unit offered and does not want to be subject to a transfer and the property has units without accessible features, whether occupied or vacant.</u> <u>PHCD will require documentation of good cause for unit refusals and will verify all claims of good cause. Good cause refusal policies may also be applied to unit offers related to applicable transfers.</u>
120	25.11 (C) Disapproval by Landlord	Discretionary	24 CFR § 983.251	<u>25.11 Disapproval by Landlord</u> <u>If a PBV owner rejects a family for admission to the owner's units, such rejection shall not affect the family's position on the tenant-based voucher waiting list; however, the family shall be removed from the site-based waiting list for which the family was rejected by the owner. Owners must retain documentation used to screen and determine suitability and must promptly notify, in writing, any rejected applicant of the grounds for any rejection. If requested by PHCD owners must supply PHCD with information regarding the rejection of the applicant, in order for PHCD to determine compliance with the owner's Tenant Selection Plan (TSP) and fair housing requirements.</u>
Chapter 29. Informal Hearing and Review Procedures				
134	29.2 Informal Review	Discretionary	24 CFR § 982.204	<u>Applicants during open registration who are not placed on the waiting list will not be offered an informal review..</u>
135	29.2 (C) Requesting an Informal Review	Discretionary	24 CFR § 982.204	<u>Applicant families withdrawn due to returned mail may request an informal review at any time up to five years or the closing of the waiting list whichever occurs first for the purpose of reviewing and verifying the accuracy of the mail or email address to where PHCD sent the notice as compared to existing program records on family reported information.</u>