

Model Administrative Plan

TEMPORARY ADDENDUM DOCUMENT Self Implementing HOTMA Updates 2016

INTRODUCTION

On July 29, 2016, the Housing Opportunity Through Modernization Act of 2016 (HOTMA) (Pub. L. 114-201) was signed into Law. The law makes a number of changes to the U.S. Housing Act of 1937 that affect the Section 8 Housing Choice Voucher (HCV) and Public Housing programs. Of these, five sections of the Act became effective immediately upon enactment. All of the other sections in HOTMA that impact the HCV and public housing programs require that HUD first issue a notice or regulation for the provision to become effective. Until HUD issues the applicable notices or regulations, your PHA may not implement those additional sections. Relevant sections immediately effective are:

1. Effective April 7, 2016, Section 102(d). Reasonable Accommodation Payment Standards - amends section 8(o) of the 1937 Act to expressly provide that PHAs may establish, without HUD approval, a payment standard of up to 120 percent of the Fair Market Rent (FMR) as a reasonable accommodation for a person with a disability.
- 2, Effective July 29, 2016 Section 107 amends section 8(o)(1)(B) of the 1937 Act to provide that no PHA in the HCV program is required, as a result of a reduction in the FMR, to reduce the payment standard applied to a family continuing to reside in a unit under a housing assistance payment (HAP) contract at the time the FMR was reduced.
3. Section 113. Effective upon enactment of HOTMA, preference for United States Citizens or Nationals - only applies to Guam and establishes a preference or priority in receiving financial assistance (e.g., admission to public housing, the HCV program, etc.) for any citizen or national of the United States over aliens covered by section 141 of the Compacts of Free Association between the United States and the Marshall Islands, the Federated States of Micronesia, and Palau.