



# HOUSING AUTHORITY CITY OF ELKHART

1396 BENHAM AVENUE  
Office# (574) 295-8392

Fax# (574) 293-6878  
[www.ehai.org](http://www.ehai.org)

ELKHART, INDIANA 46516  
TTY# (574) 295-9682

**Terry Walker,**  
Executive Director

## Resident Notice

### Proposed Changes to the EHA Public Housing Over-Income Policy

March 19, 2019

The Housing Opportunity Through Modernization Act (HOTMA) of 2016 placed an income limitation on public housing tenancies. The over-income requirement states that after a family's income has exceeded 120 percent of area median income (AMI) for two consecutive years, the Housing Authority must either:

- 1.) Terminate the family's tenancy within six months of the determination; or
- 2.) Charge the family a monthly rent that is the higher of the applicable fair market rent (FMR) or the amount of monthly subsidy for the unit, including amounts from the operating and capital funds, as determined by regulations.

#### **EHA has chosen to do the following:**

At annual or interim reexamination, if a family's income exceeds 120 percent of the area median income (AMI) the applicable over-income limit, the EHA will document the family file and begin tracking the family's over-income status.

If one year after the applicable annual or interim reexamination the family's income continues to exceed the applicable over-income limit, the EHA will notify the family in writing that their income has exceeded the over-income limit for one year, and that if the family continues to be over-income for 12 consecutive months, the family will be subject to the EHA's over-income policies.

If two years after the applicable annual or interim reexamination the family's income continues to exceed the applicable over-income limit, the EHA **will charge the family a rent that is the applicable fair market rent (FMR)**. The EHA will notify the family in writing of their new rent amount. The new rent amount will be effective 30 days after the EHA's written notice to the family.

If at any time, an over-income family experiences a decrease in income, the family may request an interim redetermination of rent in accordance with EHA policy. If, as a result, the previously over-income family is now below the over-income limit, the family is no longer subject to over-income provisions as of the effective date of the recertification. The EHA will notify the family in writing that over-income policies no longer apply to them. If the family's income later exceeds the over-income limit again, the family is entitled to a new two-year grace period.

The EHA will not evict or terminate the tenancies of families whose income exceeds the income limit for program eligibility as described at 24 CFR 960.261.

**If you have any comments to the proposed Over-Income Policy changes they must be submitted in writing to Kristen Borchert, Director of Asset Management 1396 Benham Ave, Elkhart, IN 46516 within 30 days of the date of this notice.**



Equal opportunity for housing and employment

