

Households Over-Income Limit:

The “over-income limit” will be determined in accordance with 24 CFR 960.507. Families whose income exceeds the over-income limit for 24 consecutive months will have their tenancy terminated.

Determination of over-income limit:

The over-income limit is set by multiplying the Very Low-Income level applicable for the area and the correct family size by a factor of 2.4. HUD will publish the income limits for each family size annually, and the YHA will calculate and post the over-income limits within 60 days following the effective date of the income limits.

Notifying over-income families:

1. If the YHA, during the course of conducting an annual or interim rent redetermination, or at any other time, determines that the family’s income exceeds the over-income limit, the family’s over-income status will be documented in the family’s tenant file and the YHA will send a written notice to the family of the over-income determination no later than 30 days after the income examination. The notice shall state that the family income exceeds the over-income limit and that by continuing to exceed the over-income limit for a total of 24 consecutive months results in the termination of tenancy. The family may dispute the determination by making a written request for a hearing within 30 days of the notice.

2. The YHA must conduct an income examination 12 months after the initial overincome determination. If the YHA determines that the family’s income still exceeds the over-income limit, the YHA will send a second notice to the family of the over-income determination no later than 30 days after the 12-month income examination. This second notice shall state that the family income has exceeded the over-income limit for 12 consecutive months and continuing to exceed the over-income limit for a total of 24 consecutive months will result in the termination of tenancy. The family may dispute the determination by making a written request for a hearing within 30 days of the notice.

3. The YHA must conduct an income examination 24 months after the initial overincome determination. If the YHA determines that the family’s income has exceeded the over-income limit for 24 consecutive months, the YHA will send a third notice to the family of the over-income determination no later than 30 days after the 24-month overincome examination. The third notice must state that: (i) the family’s income has exceeded the over-income limit for 24 consecutive months and (ii) the YHA shall terminate the family’s tenancy within six months of the third notice.

The over-income family will continue to be a public housing program participant until the tenancy is terminated and the YHA shall continue to charge the family’s choice of income-based, flat rent, or prorated rent for mixed households during the period before the lease termination.

The 24 months must be consecutive for the tenancy to be terminated. If the YHA determines that the family is no longer over-income prior to the expiration of the 24-month period, the 24-month period is reset. The household will be entitled to a new 24-month grace period if the household income exceeds the over-income limit at another time.

If the family has been over-income for 24 consecutive months, their tenancy will be terminated even if their income subsequently goes below the over-income limit after the 24-month period.

Reporting Requirements:

In accordance with 24 CFR 960.507(f) requirements, as amended, YHA will report the following data as of the end of the calendar year, i.e., December 31st, to HUD