

CHANGE 3 HIGHLIGHTS

EFFECTIVE 8/1/09

CHAPTER 3 CHANGE RELEVANT TO TAX CREDIT PROJECTS

3-6 E3 Live In Aide

Change 3 gives requirements to qualify as a live in aide never before in the handbook.

- (a) The need for the aide must be obtained from the person's physician, psychiatrist, or other medical practitioner or health care provider. May be verified as necessary only to the extent necessary to document that applicants or tenants who have requested and aide have disability-related need for the requested accommodation. Owner may not require applicants or tenants to provide access to confidential medical records or to submit to a physical examination.
- (b) Expenses are eligible medical expenses (for Section 8 adjusted income)
- (c) Aide qualifies for occupancy only as long as the individual needing supportive services requires the services and remains a tenant. The aide may not qualify for continued occupancy as a remaining family member. Handbook recommends a lease addendum to this effect.
- (d) Income is excluded
- (e) Aide must meet screening criteria discussed in 4-7 B 5.

A relative may be an aide if they meet the requirements, especially "c".

CHAPTER 5 CHANGES – ALL OF WHICH ARE RELEVANT TO TAX CREDIT PROJECTS

Figure 5-2 - is changed to note that the unearned income, including income from assets, for foster children under 18 is countable income. What isn't counted is payments to the family for the care of foster children (this has been the case in the past).

5-6 C – Encourages owners to be as lenient as responsibly possible to support affected households in situations where persons are called to active duty. Requested allowances include:

- Allowing a guardian to move in on a temporary basis to care for any dependents left in the unit. The income of the guardian would not be counted.
- Allow a tenant living in an assisted unit to provide care for any dependents of persons on deployment on a temporary basis. Income of the child (earned or unearned) is not counted as income of the person providing the care.
- Exclude from annual income special pay received for hostile fire (not new)
- Give consideration for delayed payment of rent.
- Allow assistance payment and lease to remain in effect for a reasonable period of time beyond that required by the Soldiers and Sailors Civil Relief Act, even though the adult members of the military family are temporarily absent from the

unit (this is giving exception to the “sole residence” requirement of HUD Section 8 properties).

5-6 K4 and K5 are now 5-6 L – the same requirements for determining annual income for Federal Government pensions directly paid to a former spouse adherent to a court decree of divorce, annulment, or legal separation also apply to Uniformed Services pensions and other State, local government, social security or private pensions paid to a former spouse. The decree and copies of statements should be obtained in order to verify the net amount (the net “gross” amount received after the deducted amount) of the pension that should be applied in order to determine eligibility and calculate rent.

5-7 G5 – adds that the same applies to Uniformed Services pensions (this originally restated that amounts deducted by divorce etc. of a government pension was excluded income)

5-7 G6 – a new paragraph that excludes from annual income amounts paid via divorce, etc. from other State, local government, social security or private pensions.

Exhibit 5-1, Income Inclusions, 9 – this is the financial aid inclusion. The change adds a note that paragraph 9 does not apply to a student who is living with his/her parents who are applying for or receiving Section 8 assistance. For our purposes that simply means we do not count financial aid for a student living with his/her parent(s).