



Preview Version of HOTMA Final Rule Available: Important Changes for Multifamily Owners and Operators

Dear Multifamily Owners and Program Operators,

Today, HUD posted a [preview version](#) of its final rule implementing the Housing Opportunity Through Modernization Act of 2016 (HOTMA). The rule covers sections 102, 103, and 104 of HOTMA; only sections 102 and 104 apply to Multifamily Housing (MFH) programs. Specifically, these sections affect owners participating in the following programs: Section 8 Project-Based Rental Assistance (PBRA), Section 202 Housing for Low-Income Elderly, and Section 811 Housing for Low-Income Persons with Disabilities.

The effective dates of these provisions will be established upon publication of the final rule in the *Federal Register*. Owners may not implement these provisions prior to their effective dates.

Sections 102 and 104

The changes put into effect by sections 102 and 104 of HOTMA are described below:

- Section 102 addresses income reviews, making modifications to such things as the frequency of income reviews and the definitions of income and assets.
- Section 104 establishes an asset limitation for families assisted under the PBRA program while also implementing deductions and exceptions for certain investments, including retirement savings and modest increases in income.

Updates to TRACs are under way and will be released prior to the effective dates of these provisions.

HOTMA Resources for Multifamily Property Owners

MFH has updated its HOTMA [Web page](#) with information to assist MFH stakeholders in understanding the final rule. This page will be refreshed as new resources become available. [Subscribe here](#) to the Office of Housing's email list to receive notification of new resources.

In the late spring of 2023, MFH and the Office of Public and Indian Housing will publish comprehensive implementation guidance (programs administered by public housing agencies are likewise subject to sections 102 and 104).

MFH is also developing a series of webinars and other materials to assist owners in implementing HOTMA.