

## COMPARISON BETWEEN HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT (HOTMA) AND CURRENT LAW

Note: This comparison covers the rental assistance reforms in Title I of HOTMA (H.R. 3700) as approved by the House on February 2, 2015. Except where noted, provisions apply to all of the major HUD rental assistance programs: Housing Choice Vouchers, Section 8 Project-Based Rental Assistance, and public housing. In recent years, Congress considered a range of rental assistance reforms — including provisions similar or identical to some in HOTMA — as part of the Section 8 Voucher Reform Act (SEVRA) and the Affordable Housing and Self-Sufficiency Improvement Act (AHSSIA). For a detailed description of the provisions in SEVRA and AHSSIA, see <http://www.houserscorner.org/sevra-ahssia-current-law/>.

<b>Inspections in the Housing Choice Voucher (HCV) program .....</b>	<b>3</b>
<b>Project-based vouchers.....</b>	<b>4</b>
<b>Rent Policy</b>	
Affordability and minimum rents.....	4
Recertification of income.....	5
Use of prior-year income .....	5
Work-related deductions.....	6
Dependent standard deduction .....	6
Deductions for the elderly and people with disabilities .....	6
Veterans' aid and attendance expenses.....	7
Verification of income and cross-program data sharing.....	7
Income from assets .....	7
Impact on program costs.....	7
<b>Fair Market Rents and Voucher Payment Standards</b>	
Fair Market Rents.....	8
Payment standards.....	8

<b>Eligibility</b>	
<b>Income eligibility</b> .....	9
<b>Asset limits</b> .....	9
<b>Public Housing Funding Flexibility</b>	
<b>Public Housing Operating and Capital Fund flexibility</b> .....	10
<b>Public housing replacement reserves</b> .....	10
<b>Other Provisions</b>	
<b>Definition of PHA-owned unit</b> .....	11
<b>Manufactured homes</b> .....	11
<b>Tenant representation on public housing agency boards</b> .....	11
<b>Family Unification Program</b> ...1212	
<b>Utility data</b> .....	12
<b>Public housing heating guidelines</b> .....	12
<b>Migrants to Guam from associated states</b> .....	12

Policy	CURRENT LAW	HOUSE-PASSED HOTMA
<p><b>Inspections in the Housing Choice Voucher (HCV) program</b></p>	<p>Citations are to the U.S. Housing Act of 1937 and Title 24 of the Code of Federal Regulations unless otherwise specified.</p> <p>Agencies must determine whether a unit selected by a family complies with the voucher program’s housing quality standards (HQS) before beginning assistance payments. If the PHA owns the unit, inspections must be performed by the local government or another entity approved by HUD.</p> <p>Units must be reinspected at least every two years as well as at any time there is a complaint about the unit. The ongoing inspection requirement may be met by a satisfactory inspection of the property under the rules of another federal housing assistance program or under a non-federal program with standards that equal or exceed the protections of the voucher program HQS. An assisted family or government official may request an interim inspection due to alleged failure of a unit to comply with HQS. PHAs must inspect within 24 hours if the condition is life threatening, and 15 days in other cases. If a PHA determines on re-inspection that a unit fails to meet HQS, HUD rules require: (1) life-threatening conditions to be fixed within 24 hours; (2) a minimum cure period of 30 days for other defects, which PHAs may extend without limit; (3) abatement (i.e., suspension) of subsidy payments in the month following the expiration of the PHA-allowed cure period; and (4) termination of the housing assistance payment (HAP) contract with the owner after allowing the family a reasonable time to relocate with voucher assistance. (Section 8(o)(8); 24 C.F.R. section 982.404(a); Housing Choice Voucher Program Guidebook 10-27.)</p>	<p>Citations are to Housing Opportunity Through Modernization Act (H.R. 3700) as passed by the House on February 2, 2016 unless otherwise specified.</p> <p>Federal housing quality standards continue to apply.</p> <p><i>Initial inspection.</i> The bill alters the requirements regarding initial inspections in two ways:</p> <p>a. Units must be inspected prior to payment unless the unit qualifies under an alternative inspection (see (b) below). At PHA discretion, initial subsidy payments may be made to owners when a unit does not pass the initial inspection, so long as the failure resulted from “non-life threatening conditions.” Defects have to be corrected within 30 days of initial occupancy in order for the owner to receive continuous payments.</p> <p>b. A PHA may allow a family to occupy a unit in advance of inspection if in the previous 24 months the property has been determined to meet housing quality and safety standards under a federal housing program inspection standard that is at least as stringent as the voucher program’s HQS. For such properties, subsidy payment may be retroactive to the beginning of the lease term after the unit passes inspection under the voucher program HQS.</p> <p><i>Ongoing inspection cure periods.</i> Owners have the same time periods to cure defects as under current regulations, but the standards of 24 hours to fix life-threatening conditions and 30 days (or a longer period if approved by the PHA) for other defects are incorporated in the statute. PHAs may withhold payments during this cure period, and pay assistance retroactively when defects are fixed.</p> <p><i>Abatement period.</i> If defects are not fixed within the allotted time, PHAs are to abate subsidy payments for a further 60 days (or other reasonable period established by the PHA). Tenants are protected from eviction due to subsidy payments being withheld or abated, and may terminate the lease in order to move. If repairs are not made and the PHA terminates the contract, the lease between the owner and tenant also terminates. The PHA must give the family at least an additional 90 days to find a new unit to lease with voucher assistance, extended if the PHA determines it to be necessary. The family also may elect to receive preference for the next available public housing unit. A PHA may provide a family displaced without fault after a unit fails inspection with assistance in finding a new residence, including use of up to two months of abated subsidy payments for relocation costs, which must cover security deposits if needed and may cover moving expenses. PHAs may require a family to repay a security deposit if it is subsequently refunded. (Section 101, revising section 8(o)(8) of the U.S. Housing Act of 1937.)</p>

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<b>Project-based vouchers</b>	<p>Citations are to the U.S. Housing Act of 1937 and Title 24 of the Code of Federal Regulations unless otherwise specified.</p> <p>An agency may project-base up to 20 percent of its <i>budget authority</i>. (HUD’s regulations allow agencies to exceed this level if annual funding is reduced after the commitment of project-based vouchers.)</p> <p>The initial contract term may be up to 15 years, and PHAs may agree at any time to extend the term in up to 15-year increments subject to certain conditions. Project-basing is permitted only in areas consistent with the goals of deconcentrating poverty and expanding housing and economic opportunity.</p> <p>No more than 25 percent of units in a project may receive project-based voucher assistance, with exceptions for units housing the elderly, people with disabilities, or families receiving supportive services. (PHAs may define what types of supportive services qualify.)</p> <p>Families have a right to relocate with the next available voucher after one year. Certain special subsidy and rent rules apply, enabling higher subsidies if reasonable (including in LIHTC units) and restricting tenants’ contribution to 30 percent of income. (Section 8(o)(13) as amended by the Housing and Economic Recovery Act of 2008, P.L.110-289; final rules at 24 C.F.R. Part 983.</p>	<p>Citations are to Housing Opportunity Through Modernization Act (H.R. 3700) as passed by the House on February 2, 2016 unless otherwise specified.</p> <p>An agency may project-base up to 20 percent of its <i>authorized number</i> of vouchers, plus an additional 10 percent of its vouchers to assist certain types of households (formerly homeless people, veterans, persons with disabilities or elderly persons) or in area where vouchers are difficult to use. PBVs attached to certain types of previously federally-assisted or rent-restricted units are exempt from these limitations.</p> <p>The maximum term of an initial contract or extension is 20 years.</p> <p>Vouchers may be project-based in 25 units in a project, or 25 percent of the units, whichever is greater. Exceptions are modified prospectively to include units housing the elderly or other households eligible for supportive services that are made available to the assisted residents of the project, or located in areas where vouchers are difficult to use. In census tracts with a poverty rate of 20 percent or less, vouchers may be project-based in 25 units or 40 percent of the units in a project, whichever is greater.</p> <p>PHAs and owners have new flexibility regarding the terms of PBV contracts, to add units to an existing PBV contract, to enter into a PBV contract for a property under construction, to agree to rent adjustments using operating cost adjustment factors (rather than market rent comparisons), and to establish owner-maintained site-based waiting lists. PHAs may commit PBVs to a property owned or controlled by the PHA without competition.</p> <p>Upon termination or expiration of a contract, families have the right to use their vouchers to remain in the property.</p> <p>Vouchers provided under the Family Unification or HUD-VASH programs may be project-based subject to the same requirements as other vouchers. (Section 106, modifying section 8(o)(13) of the U.S.H.A.)</p>
<b>Rent Policy</b>		
<b>Affordability and minimum rents</b>	<p>For rent and reasonable utility costs, families generally pay the higher of 30 percent of adjusted income or 10 percent of gross income, plus (for voucher holders) the amount by which</p>	<p>Requirements are similar to those under current law, except that required interim adjustments for changes in income between periodic income reviews are limited (see recertification of income below), and HUD must certify to Congress within six months of HOTMA’s enactment that minimum rent hardship protections are being enforced and that</p>

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<b>Affordability and minimum rents cont'd</b>	<p>Citations are to the U.S. Housing Act of 1937 and Title 24 of the Code of Federal Regulations unless otherwise specified.</p> <p>rent and utility costs exceed the local payment standard. For public housing and vouchers, agencies may establish a minimum rent up to \$50, subject to federally established hardship exceptions. For project-based section 8, HUD establishes the minimum rent by regulation up to a maximum of \$50 (currently \$25). In public housing, tenants are permitted to choose annually between a “flat rent” that does not take income into account and an income-based rent determined under the regular rules. (Section 3(a))</p>	<p>Citations are to Housing Opportunity Through Modernization Act (H.R. 3700) as passed by the House on February 2, 2016 unless otherwise specified.</p> <p>HUD “will continue to provide due consideration to the hardship circumstances” of housing assistance recipients (Section 102(b)).</p>
<b>Recertification of income</b>	<p>Verification of income and calculation of family contribution for rent and utilities required at least every three years for families on “fixed” incomes (at least 90 percent of income from fixed income sources), and annually for other families. (Sections 3(a)(1) and 8(c)(3) and (o)(5).) Interim recertifications for income declines required at tenant’s request. Interim recertifications for increases at discretion of agency.</p>	<p>Interim recertifications at tenant’s request for any decrease in adjusted income exceeding 10 percent (and for smaller drops if HUD establishes or permits the PHA or owner to establish a threshold below 10 percent) and required for an annual increase exceeding 10 percent (or a different threshold if HUD establishes one), except that no interim rent increases based on earnings are permitted unless the family has received an interim reduction during the year. A PHA or owner may choose not to conduct an interim recertification for an increase in income that occurs in the last 3 months of a certification period. (Section 102(a)(1)(B), inserting new paragraph (6) on Reviews of Family Income in section 3(a) of the U.S.H.A.)</p>
<b>Use of prior-year income</b>	<p>Regulations state that income is based on the 12-month period following certification. A shorter period may be used, but rents are then subject to recertification at the end of that period. (24 CFR 5.609.)</p>	<p>Agencies and owners must use income from the prior year when setting rents, except for purposes of the initial income determination when a family begins receiving housing assistance and interim recertifications due to changes in income. (Section 102(a)(1)(B), inserting new section 3(a)(7) of the U.S.H.A.)</p>

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<b>Work-related deductions</b>	<p>Citations are to the U.S. Housing Act of 1937 and Title 24 of the Code of Federal Regulations unless otherwise specified.</p> <p>For voucher tenants with disabilities and all public housing residents who were recently unemployed or on welfare, the full amount of an earnings increase in the first year after the increase occurs and half of that amount in the second year is disregarded. (Section 3(d).)</p> <p>Reasonable child care expenses needed for employment or education are deducted. (Section 3(b)(5)(A).)</p>	<p>Citations are to Housing Opportunity Through Modernization Act (H.R. 3700) as passed by the House on February 2, 2016 unless otherwise specified.</p> <p>Eliminates existing earned income disregard. (Section 102(a)(2), deleting section 3(d) of the U.S.H.A.)</p> <p>Child care deduction is unchanged.</p>
<b>Dependent standard deduction</b>	<p>\$480 deducted from total annual income for each dependent in a household. No provision to adjust deduction for inflation. (Sec. 3(b)(5)(A).)</p>	<p>Dependent deduction would initially remain at \$480 but would be adjusted for inflation in future years. (Section 102(c), amending section 3(b)(5) of the U.S.H.A.)</p>
<b>Deductions for the elderly and people with disabilities</b>	<p>Each elderly or disabled family (defined in U.S. Housing Act as a family whose head, spouse or sole member is at least 62 or has a disability) is eligible for a \$400 standard income deduction.</p> <p>Elderly and disabled families are eligible for a deduction of unreimbursed medical expenses, and families with a member who has a disability are eligible for a deduction of reasonable expenses for attendant care and auxiliary aids necessary for the person with a disability or another member to be employed, but only the portion of unreimbursed medical, attendant care, and auxiliary aid expenses above 3 percent of income is deducted. (Section 3(b)(5)(A))</p>	<p>Increases standard deduction for elderly and disabled families to \$525, with adjustments for inflation in future years.</p> <p>Limits deduction for medical, attendant care and auxiliary aid expenses to expenses exceeding 10 percent of income. HUD would be required to enact regulations providing exemptions for families who due to financial hardship cannot pay rent increases required under HOTMA's deduction provisions. (Section 102(c) amending Section 3(b)(5) of the U.S.H.A.)</p> <p>HUD would be required to conduct a study to determine the impact of decreases in deductions on elderly and disabled people. (Section 102(i).)</p>

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<b>Veterans' aid and attendance expenses</b>	No special exclusion, although some expenses for veterans who are elderly or have disabilities are excluded under the regular medical and disability expense deduction.	Excludes from income “any expenses related to aid and attendance under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance”. (Section 102(c), amending Section 3(b)(4) of the U.S.H.A.)
<b>Verification of income and cross-program data sharing</b>	Agencies and owners must obtain third-party verification of income and deductions or document why it is not available. (24 CFR 982.516 for voucher program.) No special provision regarding reliance on determinations of income by other programs.	Allows agencies and owners to rely on determinations of income conducted for other federal means-tested public assistance programs, including TANF, Medicaid, and Food Stamps. (Section 102(a), inserting new section 3(a)(8)(D) of the U.S.H.A.) Agencies cannot be required to maintain records of excluded income. (Section 102(c), amending section 3(b)(4) of the U.S.H.A.)
<b>Income from assets</b>	Regulations require agencies to impute (i.e., deem) income from assets exceeding \$5,000 using current interest rates, and count the higher of imputed income or actual income from the asset when determining the family's rent. (24 CFR 5.609.)	Actual income from assets is counted when determining rents, but imputed income is only counted to the extent that net family assets exceed \$50,000. (Section 102(c), amending section 3(b)(4) of the U.S.H.A.)
<b>Impact on program costs</b>	Increases or reductions in tenant rent payments can lower or raise the amount of funding for which PHAs are eligible under the public housing operating fund (though with a time lag) and the voucher renewal formula (under some circumstances). Changes in funding eligibility in these programs do not automatically affect federal costs, however, because in some years Congress has provided funding levels below the amount for which agencies were eligible. Rent changes also affect the subsidies owners receive under project-based Section 8 contracts.	Allows HUD to make adjustments in the public housing operating fund formula for agencies that experience a material and disproportionate reduction in rent revenues due to HOTMA's rent provisions during the first year in which the provisions are implemented. In addition, directs HUD to report to Congress in each of the first two years after implementation on the effect of the bill's rent and asset limit provisions on revenues and costs in public housing, the voucher program and project-based Section 8, and to recommend legislative changes to address any overall material reduction in public housing revenues or increase in voucher or project-based costs. (Section 102(g))

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<b>Fair Market Rents and Voucher Payment Standards</b>		
<b>Fair Market Rents</b>	HUD is required to establish Fair Market Rents (FMRs) for units of various sizes that are suitable for occupancy by low-income households in each “market area.” Proposed FMRs must be published in advance for comment in the Federal Register and final FMRs must be published by October 1 <sup>st</sup> of each year. (Section 8(c)(1).)	Eliminates requirement that proposed FMRs be published for comment, but requires that FMRs be published at least 30 days before they go into effect. In addition, requires that HUD publish proposed methodological changes in advance for comment and allow interested parties to request changes after final FMRs are published. To protect current voucher holders from declines in subsidies when FMRs drop, PHAs are permitted to continue to use payment standards based on the pre-reduction FMRs for as long as a family remains in the same unit. (Section 107, amending sections 8(c)(1) and 8(o)(1) of the U.S.H.A.)
<b>Payment standards</b>	Agencies must set a “payment standard” for each unit size within 10 percent of the HUD-determined Fair Market Rent (FMR). The payment standard operates as the maximum subsidy for a unit. HUD may approve lower or higher payment standards. (Section 8(o)(1).) Payment standards may vary by neighborhood. The subsidy payment may not exceed the difference between the payment standard or the unit’s rent and applicable utility allowance, whichever is lower, and a family’s required contribution. If a family rents a unit with a rent higher than the local payment standard, it must pay the rent above the payment standard itself (in addition to 30 percent of adjusted income).	The 90 to 110 percent of FMR discretionary range for area payment standards remains unchanged, but PHAs can increase the payment standard to 120 percent of the FMR without having to seek HUD approval as a reasonable accommodation for a person with a disability. (Section 102(d), amending section 8(o)(1)(D) of the U.S.H.A.)
<b>Eligibility</b>		
<b>Income eligibility</b>	Income limits apply only at initial eligibility determination. (See Sections 3(a)(1) and 8(o)(4).) Generally, a family is eligible to begin to receive public housing or any type of section 8 assistance only if it is “low income,” that is, if its income does not exceed 80 percent of the HUD-adjusted area median income for its family size. (Exceptions apply for families	If an income review finds that a family in public housing has had income above 120 percent of area median income for two consecutive years the housing agency must either terminate the family’s tenancy within six months or charge the family a monthly rent equal to the higher of the HUD-determined Fair Market Rent for the units and the operating and capital subsidies provided for the unit. HUD may adjust the 120 percent of area median income limit based on local construction costs or unusually high or low incomes, vacancy rates, or rents. Each year housing agencies must submit to HUD and make public a report listing the number of families in public housing with incomes above the 120



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<b>Income eligibility cont'd</b>	receiving vouchers due to the end of federal mortgage assistance for certain types of properties [see 24 C.F.R. § 982.201(b)(v)], for public housing operated by small agencies without income-eligible applicants, and for police officers.) By regulation, HUD permits (but does not require) PHAs to evict over-income families from public housing unless they are participating in the Family Self-Sufficiency program or receiving the earned income disregard. (24 C.F.R. § 960.261.) In most geographic areas, voucher assistance phases out at an income level well below the eligibility ceiling of 80 percent of area median because 30 percent of the family's income exceeds the subsidy level.	percent of area median income limit and the number of families on public housing waiting lists. (Section 103, inserting new paragraph 16(a)(5) of the U.S.H.A.)
<b>Asset limits</b>	There are no asset limits for public housing or the Section 8 programs. Income from assets is counted in determining rent obligations. (See rent section above.)	Makes applicants and current tenants or participants ineligible for public housing or the Section 8 programs if they have more than \$100,000 in net assets (adjusted annually for inflation) or have "a present ownership interest" in a suitable home for which they have a legal right to reside and legal authority to sell, unless the home is being purchased with a voucher or the family includes a person who is a victim of domestic violence or is offering the home for sale. Excluded from assets are interests in Indian trust land, equity in homes purchased with a voucher, equity accounts in HUD homeownership or FSS programs, certain inaccessible trust funds, retirement accounts, settlements or awards due to actions that resulted in the serious disability of a household member, tax-protected education savings accounts, personal property not of significant value, and real property that the family does not have legal authority to sell. Allows PHAs and owners to adopt a policy of not enforcing the asset limitations at all, to establish exceptions, or to delay for up to six months evictions of tenants or termination of voucher holders with assets above the limit. Allows PHAs to determine a family's assets based on the family's certification that its assets do not exceed \$50,000 and it does not have an ownership interest in real property. Requires PHAs to require families to authorize access to financial records if needed to verify assets and income, but it is not clear that this would require a broad change in PHA practices since families are already required to authorize PHAs to request income information from financial institutions and the requirement would not alter the option for

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<b>Assets limits cont'd</b>		PHAs to rely on asset self-certifications. (Section 104, inserting new section 16(e) of the U.S.H.A.)
<b>Public Housing Funding Flexibility</b>		
<b>Public Housing Operating and Capital Fund flexibility</b>	PHAs that are not “small” can transfer up to 20 percent of their capital funds to the operating fund (Section 9(g)(1)). 2015 appropriations legislation allowed agencies to transfer up to 25 percent of 2015 capital fund grants to operating fund and allowed HUD to waive that limitation to fund anticrime and antidrug activities. PHAs can use operating funds only for certain capital purposes, including payments on debt used to finance capital improvements and addressing emergencies such as damage from a disaster, and may not transfer operating funds to the capital fund unless they are “small.” (Section 9(e), PIH notice 2012-2) Small PHAs (with fewer than 250 public housing units) that are not troubled and operate their public housing in a safe, clean, healthy condition have complete flexibility to use operating and capital funds for purposes authorized under either funding stream. (Section 9(g)(2).	Allows agencies to transfer up to 20 percent of operating funds appropriated for fiscal year 2016 and later years to the capital fund. (Section 109(b), amending paragraph 9(g)(1) of the U.S.H.A.)
<b>Public housing replacement reserves</b>	Housing agencies must obligate at least 90 percent of capital funds within 24 months of the date the funds become available or the date the agency accumulates enough funds to undertake modernization, substantial rehabilitation or new construction of public housing, and expend all capital funds within 4 years of the date they become available. HUD has authority to extend these deadlines, but there is no special provision for establishing replacement reserves. (Section 9(j)	Housing agencies may establish public housing replacement reserves using capital funds and, at the discretion of HUD, other funding sources (including operating funds in excess of the 20 percent that HOTMA would otherwise allow to be transferred to the capital fund). Housing agencies may not hold replacement reserves beyond the amount needed to cover anticipated capital needs. In addition, HUD has authority to cap replacement reserve levels. Replacement reserves are exempt from the obligation and expenditure time limits that otherwise apply to public housing capital funds. (Section 109(a), amending section 9(g) of the U.S.H.A.)

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<b>Other Provisions</b>		
<b>Definition of PHA-owned unit</b>	For HCV program purposes, a unit owned by a PHA or by an entity substantially controlled by a PHA. (24 C.F.R 982.352(b)).	For HCV program purposes, a unit owned directly by a PHA or by an entity in which a PHA has a controlling interest. Specifies that properties will not be considered PHA-owned solely because a PHA holds a fee interest as ground lessor, a security interest under a mortgage or deed of trust, or a non-controlling interest in an entity which owns or manages the property (Section 105, modifying section 8(o)(11) of the U.S.H.A.)
<b>Manufactured homes</b>	Subsidy payments are permitted only to meet the cost of renting the land on which a manufactured home owned by a family is located. No subsidy is permitted for utility costs, property taxes, or the cost of the loan or insurance on the manufactured home. (Section 8(o)(12).) HUD generally limits the payment standards for land rentals to 40 percent of the two-bedroom fair market rent. (24 C.F.R. section 888.113(g).)	Allows vouchers used for manufactured homes to cover payments and insurance on the home, property taxes, ground rent, and tenant-paid utility costs, subject to the same payment standards that apply to rental payments for other housing. PHAs may choose to pay the subsidy amount attributable to costs other than ground rent directly. (Section 112 modifying section 8(o)(12) of the U.S.H.A.)
<b>Tenant representation on public housing agency boards</b>	PHAs' governing bodies must include at least one member who receives assistance from the agency unless the agency has fewer than 300 units and no residents opt to participate after the PHA provides reasonable notice, or the agency is located in a state that requires board members to be salaried and serve on a full time basis. (Section 2(b).) Appropriations acts have regularly allowed PHAs in Los Angeles County, Alaska, Mississippi, and Iowa to opt out of this requirement for the year covered by the act and instead establish an advisory board of at least six public housing, voucher, or other Section 8 tenants that meets at least quarterly. (Division L, Title 2, Section 210 of Consolidated Appropriations Act, 2016 (P.L. 114-113).)	PHAs in Los Angeles County, Alaska, Mississippi, and Iowa would be permanently permitted to opt out of the requirement to have an assistance recipient on the board and instead establish an advisory board of at least six public housing, voucher, or other Section 8 tenants that meets at least quarterly. (Section 114 modifying Section 2(b) of the U.S.H.A.)

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<b>Family Unification Program</b>	Citations are to the U.S. Housing Act of 1937 and Title 24 of the Code of Federal Regulations unless otherwise specified.  The Family Unification Program (FUP) is a component of the Housing Choice Voucher program that sets aside some vouchers for (1) families where the lack of affordable housing is the primary factor placing a child at risk of child welfare placement or delaying the return of a child from such a placement, and (2) youths age 18 to 21 who have left foster care at age 16 or older. Youth who have left foster care may receive assistance for no more than 18 months. (Section 8(x))	Citations are to Housing Opportunity Through Modernization Act (H.R. 3700) as passed by the House on February 2, 2016 unless otherwise specified.  FUP eligibility is extended to former foster youth up to age 24 and to otherwise eligible youth who will leave foster care within 90 days and are homeless or at risk of homelessness. In addition, extends the period for which youth who have left foster care may receive assistance to 36 months. Requires HUD, in consultation with other appropriate federal agencies, to issue guidance to improve coordination between housing and child welfare agencies in administering FUP. (Section 110, amending Section 8(x) of the U.S.H.A.)
<b>Utility data</b>	No provision.	Requires HUD to regularly publish data regarding utility consumption and costs that can be collected cost-effectively and that HUD determines will be useful for setting voucher utility allowances, and to provide the data in a manner that avoids unnecessary administrative burdens for agencies and protects families from high rent and utility cost burdens relative to income. (Section 108(a)(2), inserting new Section 8(o)(20) of the U.S.H.A.)
<b>Public housing heating guidelines</b>	PHAs are required to supply “reasonable amounts of heat at appropriate times of year (according to local custom and usage)” in most public housing units where heat is controlled by building management rather than individual tenants, but HUD has not established more specific guidelines. (24 C.F.R. section 966.4(e).)	Directs HUD to publish model guidelines for minimum heating requirements in public housing. (Section 111, inserting new subsection (9)(o) of U.S.H.A.)
<b>Migrants to Guam from associated states</b>	Migrants from three former U.S. Pacific territories (the Republic of the Marshall Islands, Federated States of Micronesia, and Republic of Palau) who are lawfully living in the U.S. and its territories are eligible for housing assistance. In Guam, such families may not be given preference for assistance over U.S. citizens and nationals. (Section 214(a)(7) of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a(a)(7)))	In Guam, requires that U.S. citizens and nationals be given preference for assistance over lawfully resident migrants from the Republic of the Marshall Islands, Federated States of Micronesia, and Republic of Palau. (Section 113, modifying section 214(a)(7) of the Housing and Community Development Act of 1980.)