

Welcome to the MULTIFAMILY HOUSING RENTAL HOUSING INTEGRITY IMPROVEMENT PROJECT (RHIIP) LISTSERV that brings you up-to-date RHIIP related publications, news, information and occupancy tips in an effort to help reduce errors in rent determinations and subsidy calculations.

Correction to Listserv #135 - Revised Definition of Annual Income in Final Rule Published on January 27, 2009

It has come to our attention that Listserv #135 issued on January 29, 2009, incorrectly described the change to the definition of annual income in the Final Rule entitled, "Refinement of Income and Rent Determination in Public and Assisted Housing Programs." In order that there be no confusion, the definition is repeated here directly from the final rule, as follows:

Annual income is now defined as all amounts, monetary or not, which:

- 1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; and
- 2) Are based on, at the time of admission, reexamination, or recertification:
 - (i) Actual income being received (projected forward for a 12-month period) or
 - (ii) Past actual income received or earned within the last 12 months of the determination date, as HUD may prescribe in applicable administrative instructions when:
 - (A) The family reports little or no income; and
 - (B) The processing entity is unable to determine annual income due to fluctuations in income (e.g., seasonal or cyclical income).
- (3) Which are not specifically excluded in paragraph (e) of this section.
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

Please note that paragraph (e) referred to in (3) above is currently 5.609(c) of the existing regulation which describes the exclusions to annual income. Once the final rule is effective, 5.609(c) will become 5.609(e).

The Department apologizes for any confusion the earlier issued Listserv message may have caused.

