

Over-Income Families Policy

An over-income family is defined as a family with an annual income which exceeds the over-income limit. The over-income limit is calculated by multiplying the applicable income limit for a very low-income family, as defined in 24 CFR 5.603(b), by a factor of 2.4. If the family's income has exceeded the over-income limit for 36 consecutive months, PHA will terminate the family in accordance with the regulations at 24 CFR 960.507(d).

Over Income Families - Notices and Tracking

Initial Over-Income Determination and Notice

At a regular or interim reexamination, if a family's annual income exceeds the applicable over-income limit, PHA will document the family file and begin tracking the family's over-income status. At this time, PHA will notify the family in writing that they have been determined to be over-income and that if they continue to be over-income for 36 consecutive months (36-month grace period), the family will be terminated. The notice will also inform the family that they may request a hearing if they dispute the determination that they are over-income within a reasonable timeframe.

Second Over-Income Determination and Notice (12 consecutive months)

PHA will recertify the over-income family one (1) year (12 months) after the initial over-income determination. If PHA determines that the family's annual income has exceeded the applicable over-income limit for 12 consecutive months, PHA will notify the family, in writing, that their income continues to exceed the over-income limit. The notice will also inform the family that if their income exceeds the over-income limit for an additional 24 months, the family will be terminated. The notice will again inform the family that they may request a hearing if they dispute the determination that they are over-income.

Third Over-Income Determination and Notice (24 consecutive months)

PHA will recertify the over-income family two (2) years (24 months) after the initial over-income determination. If PHA determines that the family's annual income has exceeded the applicable over-income limit for 24 consecutive months, PHA will notify the family, in writing, that their income continues to exceed the over-income limit. The notice will also inform the family that if their income exceeds the over-income limit for an additional 12 months, the family will be terminated. The notice will again inform the family that they may request a hearing if they dispute the determination that they are over-income. If an over-income family experiences a decrease in income during the 36-month grace period, the family may request an interim redetermination of rent in accordance with PHA policy. If, as a result, the previously over-income family is now below the over-income limit, the family is no longer subject to over-income provisions as of the effective date of the recertification. In such instances, PHA will notify the family in writing that over-income policies no longer apply to them. If the family's income later exceeds the over-income limit again, the family will be entitled to a new 36-month grace period.

Final Over-Income Determination and Notice (36 consecutive months)

PHA will recertify the over-income family three (3) years (36 months) after the initial over-income determination. If PHA determines that the family's income has exceeded the applicable over-income limit for 36 consecutive months, PHA will notify the family in writing of this determination. The notice

will state that the family will be terminated within six (6) months. As with the prior notices, the final notice will also inform the family of their opportunity to dispute PHA's determination that they have exceeded the overincome limit in accordance with the regulations at 24 CFR 960.507(c)(3)(iii).

During the period between the final notice and termination, the family will continue to pay either income-based or flat rent. The family is permitted to request an interim recertification during the period between notice and termination. However, the interim recertification will not enable the family to avoid termination after the 36-month grace period has elapsed; PHA will proceed with termination regardless of whether the interim recertification may be due to loss of income.

| Wichita Housing Authority | | |
|---------------------------|-----------------------|------------------------------|
| Over-Income Limits | | |
| 2023 | | |
| # of Persons in Family | Very Low Income Limit | Over Income Limit (2.4x VLI) |
| 1 | \$29,800 | \$71,520 |
| 2 | \$34,050 | \$81,720 |
| 3 | \$38,300 | \$91,920 |
| 4 | \$42,550 | \$102,120 |
| 5 | \$46,000 | \$110,400 |
| 6 | \$49,400 | \$118,560 |
| 7 | \$52,800 | \$126,720 |
| 8 | \$56,200 | \$134,880 |

This Over-Income Limit Policy is required by regulation in accordance with the Housing Opportunity Through Modernization Act of 2016 (HOTMA), its implementing guidance at PIH-2023-23(HA), and Code of Regulations at 24 CFR 960.507 and 24 960.509 and therefore is not deemed a significant amendment to the Admissions and Continued Occupancy Policy.