

[LHA LETTERHEAD]

RULES RELATED TO YOUR HOUSING HAVE CHANGED

On June 7, 2024, the Executive Office of Housing and Livable Communities (EOHLC) made changes to one of its public housing regulations, 760 CMR 6.00.

This regulation has rules about your lease, the way your rent is calculated, and how residents can participate and be heard, among other things.

Most of the changes adjust how the Housing Authority calculates your rent. These changes will better encourage education and job training while making rent easier to calculate.

The below chart explains these changes and a full copy of the regulations should be posted in common areas by your LHA. Read them carefully to see how the changes may impact you.

CHANGE TO HEAT DEDUCTION SCHEDULE

UPDATED HEAT DEDUCTION SCHEDULE
EOHLC has doubled the deduction for households paying their own heat and added a new deduction for households paying for electric heat. For more info, see the new Heat Deduction Schedule below.

Bedrooms	Standard Heat Deduction (All Programs, Tenant Pays Heat)	Electric Heat Increment (Addition to Standard Deduction)		Total Deduction w/ Electric Heat	
		All Programs	c.200 and c.667	c.705	c.200 and c.667
0	\$600	\$200	\$200	\$800	\$800
1	\$800	\$400	\$600	\$1,200	\$1,400
2	\$1,000	\$800	\$1,500	\$1,800	\$2,500
3	\$1,200	\$1,000	\$1,900	\$2,200	\$3,100
4	\$1,400	\$1,200	\$2,300	\$2,600	\$3,700
5	\$1,600	\$1,400	\$2,700	\$3,000	\$4,300

CHANGES TO INCLUSIONS IN HOUSEHOLD INCOME

INCOME FROM ASSETS	
Old Rule	New Rule
The Housing Authority included all income from assets; for assets over \$5,000, the Housing Authority included imputed or actual income.	While Housing Authorities still count all actual income from assets for rent calculation, they now only impute income from assets over \$25,000. For more info, see 760 CMR 6.05(2)(c).

GIFTS	
Old Rule	New Rule
Gifts were included in household income when they occurred in back-to-back years or exceeded \$2,000 in one year.	Gifts are any monies received from a non-household member and are included in household income when they exceed \$5,000 in any 12-month period. The Housing Authority may only include the amount above \$5,000 for rent calculation. For more info, see 760 CMR 6.05(2)(f).

PAYMENTS TO SUPPORT HOUSEHOLD MEMBERS	
Old Rule	New Rule
Payments for the support of a household member were only included in household income if they were for the support of a minor.	Any Payments for the support of a household member are included. For more info, see 760 CMR 6.05(2)(h).

CHANGES TO EXCLUSIONS FROM HOUSEHOLD INCOME

VOLUNTEER STIPENDS	
Old Rule	New Rule
<p>Most payments or stipends for public volunteer work were INCLUDED in income for rent calculation.</p>	<p>ALL payments to a household member for volunteering for a tax-exempt non-profit organization are excluded.</p> <p>The max amount that can be excluded is currently \$15,600 per year.</p> <p>For more info, see 760 CMR 6.05(3)(h).</p>

TRAINING AND APPRENTICESHIP PROGRAMS	
Old Rule	New Rule
<p>Payments from participation in an employment training program were excluded from income, but apprenticeship income was INCLUDED.</p>	<p>Payments from a household member's participation in employment training programs AND payments from a household member's participation in apprenticeship programs are excluded from household income for a period of up to 2 years.</p> <p>The max amount that can be excluded is currently \$43,875 per year.</p> <p>For more info, see 760 CMR 6.05(3)(j).</p>

AT LEAST HALF-TIME STUDENT WAGES	
Old Rule	New Rule
<p>Only wages earned by full-time students were excluded from household income.</p>	<p>Wages earned by half-time or full-time students are excluded from household income.</p> <p>For more info, see 760 CMR 6.05(3)(k).</p>

INCOME EARNED BY SENIORS	
Old Rule	New Rule
<p>Only wages or salary earned by a household member aged 62 or older were excluded from household income.</p>	<p>Wages, salary, and income from unemployment, worker's compensation, and short- and long-term disability earned by a household member aged 62 or older are excluded from household income.</p> <p>For more info, see 760 CMR 6.05(3)(p).</p>

CHANGES TO EXCLUSIONS FROM HOUSEHOLD INCOME (CONT.)

ACHIEVING A BETTER LIFE EXPERIENCE (ABLE) ACCOUNTS	
Old Rule	New Rule
Contributions to and withdrawals from ABLE accounts were included in household income.	Contributions to and withdrawals from ABLE accounts are excluded from household income. For more info, see 760 CMR 6.05(3)(r).

BRAVE ACT ANNUITY PAYMENTS	
Old Rule	New Rule
Annuity payments for certain disabled veterans made under the BRAVE Act should have been excluded from household income per EOHLC policy, but there was no rule in the regulations.	Annuity payments for certain disabled veterans made under the BRAVE Act are excluded from household income. This exclusion is now in the regulations. For more info, see 760 CMR 6.05(3)(s).

CHANGES TO DEDUCTIONS FROM HOUSEHOLD INCOME

CHILD SUPPORT AND ALIMONY	
Old Rule	New Rule
<p>Child support, separate support, or alimony were only deducted from household income if they supported a minor child living outside the household.</p>	<p>Child support, separate support, or alimony are deducted from household income if they support a child not residing in the household, whether or not the child is a minor.</p> <p>Any deduction cannot exceed gross household income.</p> <p>For more info, see 760 CMR 6.05(4)(g).</p>

NON-REIMBURSABLE TUITION AND FEES	
Old Rule	New Rule
<p>Households could deduct non-reimbursable tuition and fee payments, but only if for vocational education after high school.</p>	<p>Households can deduct non-reimbursable tuition and fee payments for any education after high school.</p> <p>Any deduction cannot exceed gross household income.</p> <p>For more info, see 760 CMR 6.05(4)(h).</p>

LEASE CHANGES

LOCK CHANGES	
Old Rule	New Rule
<p>A housing authority had to promptly change a unit's locks upon request of a household member who had obtained a restraining order due to domestic violence.</p>	<p>A housing authority must change a unit's lock within 48 hours of a request of a household member under imminent threat of domestic violence, rape, sexual assault, or stalking.</p> <p>If the abuser is a tenant or household member, the household member requesting the locks be changed must provide the housing authority with a protective/restraining order.</p> <p>If the abuser does not live in the unit, the household member requesting the locks be changed is not required to provide the housing authority with a protective/restraining order.</p> <p>For more info, see 760 CMR 6.06(4)(r).</p>

OVER-INCOME HOUSEHOLDS	
Old Rule	New Rule
<p>A housing authority was allowed to, but did not have to, allow over-income households to stay in their unit for up to 6 months after the household became over-income.</p>	<p>A housing authority is required to allow an over-income household to stay in their unit for 6 months after the household becomes over-income.</p> <p>A housing authority is allowed to, but does not have to, allow an over-income household to stay in their unit for an additional 6 months.</p> <p>Adding these together, an over-income household may receive permission from a housing authority to stay up to 12 months after the household becomes over-income.</p> <p>For more info, see 760 CMR 6.06(6)(f).</p>

CHANGE RELATED TO TENANT PARTICIPATION

LOCAL TENANT ORGANIZATION (LTO) FUNDING	
Old Rule	New Rule
LTOs were funded at a rate of \$6 per state-aided public housing unit, or \$500, whichever was more.	<p>LTOS are funded at a rate of \$25 per state-aided public housing unit, or \$500, whichever is more.</p> <p>To receive the increased amount, LTOs must submit a revised budget for housing authority approval that reflects the increase in LTO funding. Once an LTO budget is approved by the housing authority, the housing authority will provide the increased funding.</p> <p>For more info, see 760 CMR 6.09(3)(c).</p>

CHANGE RELATED TO PCAs

DEFINITION OF PERSONAL CARE ATTENDANT (PCA)	
Old Rule	New Rule
<p>Family members could not be a PCA.</p> <p>PCAs could not remain in the unit if the person who hired the PCA left the unit.</p>	<p>Family members and non-family members may be a PCA.</p> <p>To qualify, any PCA must:</p> <ol style="list-style-type: none"> (1) help a Household Member with a disability with daily living; (2) be at least 14.5 years old; (3) be legally allowed to work in the U.S., (4) complete the MassHealth new PCA orientation; and (5) be paid through the MassHealth PCA program. <p>A parent cannot serve as a PCA for their child and a spouse cannot serve as a PCA for their spouse.</p> <p>A Tenant may choose to add a PCA working at least 20 hours per week to their lease. If a Tenant adds a PCA to the lease, the PCA may be able to stay in the unit after the person with a disability leaves the unit if the PCA is qualified for housing.</p> <p>Income of a full-time live-in PCA is excluded from rent.</p> <p>For more info, see the definition of PCA at 760 CMR 6.03.</p>

PCA INCOME	
Old Rule	New Rule
<p>Full-time live-in PCA income was only excluded from household income if it was not available for the needs of other household members.</p>	<p>All income of full-time live-in PCAs is excluded. To be full-time, a PCA must be working at least 20 hours per week.</p> <p>For more info, see 760 CMR 6.05(3)(l).</p>

CHANGE RELATED TO STUDENTS

DEFINITION OF HALF-TIME STUDENT	
Old Rule	New Rule
<p>Only full-time students had their wages excluded from gross household income.</p>	<p>Now, half-time students and full-time students may have their wages excluded from gross household income.</p> <p>To have their wages excluded, a Half-time Student must be:</p> <ul style="list-style-type: none"> (1) a Household Member; (2) between the ages of 18 and 26; (3) a dependent of another Household Member; and (4) taking courses that are at least half-time for students at the school. <p>For more info see the definition of Half-Time Student at 760 CMR 6.03</p>