



400 US Highway #1 (Marion Gardens) Jersey City,  
NJ 07306  
Tel 201.706.4700 Fax 201.547.6638  
Web [www.jcha-gov.us](http://www.jcha-gov.us)

December 11, 2018

*Dear Resident Council Board Members:*

The U.S. Department of Housing and Urban Development (HUD) is requiring that all Public Housing Authorities (PHAs) modify their Admissions and Continued Occupancy Policies (ACOP) to address Section 103 of the Housing Opportunity Through Modernization Act (HOTMA) by March of 2019. These ACOP revisions are a significant amendment to the Agency Plan and require public notice, a public review period, and public hearing. In addition, we will also address another significant amendment to the Agency Plan -- the conversion of Annual Contribution Contract (ACC) units into Rental Assistance Demonstration (RAD) units at Lafayette Village, Lafayette Senior Living Center, Pacific Court, Woodward Terrace, Barbara Place Terrace, Glennview I, Glennview II East, and Glennview II West.

We propose the meeting schedule below, and ask that each Resident Council select up to ten (10) residents per property to participate in the significant change to the ACOP process. **Upon your selection of those representatives, please provide their names to Elisheva Davidoff, Acting Chief of Staff, at [edavidoff@jcha.us](mailto:edavidoff@jcha.us) and share this letter with each of them. We kindly ask that selection be made by Friday, December 21, 2019.** The meetings and tentative agendas have been scheduled as follows:

**Tuesday, January 8, 2019**

**ACOP Revision Kick-Off**

Curries Woods Community  
Revitalization Center  
65-67 Ruby Brown Terrace

*Vivian Brady-Phillips, Interim Executive Director*

**Jan 11– February 25, 2019**

**PUBLIC NOTICE/PUBLIC REVIEW**

*Available at Site Offices, the*

*Main Office location and JCHA*

*Website at [www.jcha-gov.us](http://www.jcha-gov.us)*

**Tuesday, February 26, 2019**

**PUBLIC COMMENTS DUE**

*All public comments are due by this date. (BY 12:00 Noon)*

*Please send comments to the attention of*

*Elisheva Davidoff via one of the following*

*methods:*

- *Email at edavidoff@jcha.us*
- *Mail to Attn: Elisheva Davidoff*
- *Jersey City Housing Authority*  
*400 U.S. Highway 1,*  
*Jersey City, NJ 07306*
- *Fax to (201)-547-6638*

**Thursday, February 28, 2019**

*Curries Woods Community  
Revitalization Center (CRC)  
65 – 67 Ruby Brown Terrace*

**PUBLIC HEARING**

6pm – 8pm

**Wednesday,  
March 6, 2019**

Main Office – 400 U.S. Hwy #1  
(Marion Gardens)

**JCHA Board of Commissioners Meeting**

Presentation & Approval of ACOP

**Friday, March 22, 2019**

**Submittal of Agency Plan Changes to HUD**

Copies of the proposed ACOP revision will be made available at the Property Management office, the Main Office location at 400 U.S. Highway #1 and on the JCHA website at [www.jcha.us](http://www.jcha.us). **All meetings will begin promptly at 6:00 pm and refreshments will be served beginning at 5:00 pm.** Thank you for your anticipated cooperation and we look forward to seeing everyone at the meetings.

Very truly yours,

Vivian Brady-Phillips  
Interim Executive Director

Cc: Board of Commissioners  
Dept. Heads  
Asset Managers

## **OVERVIEW OF HOUSING OPPORTUNITIES THROUGH MODERNIZATION ACT (HOTMA) OVER-INCOME PROVISIONS**

### **Background**

The Housing Opportunities through Modernization Act (HOTMA) was signed into law by President Obama on July 29, 2016. HOTMA modified multiple HUD programs and the Department of Agriculture's single-family housing guaranteed loan program by amending the U.S. Housing Act and other housing laws. While several HOTMA provisions were self-implementing, other provisions require HUD to first issue a notice or regulation before becoming effective. One such provision is Section 103 of HOTMA, which addresses "over-income" tenants.

### **HOTMA Section 103 – Over-income Families**

Section 103 of HOTMA sets a threshold for over-income families as those with incomes over 120 percent of area median income (AMI) for the most recent two consecutive years. For a family meeting this AMI threshold for two consecutive years, public housing authorities (PHAs) have the option of:

- charging the higher of either the fair market rent for the unit, or the monthly subsidy (operating and capital fund), or
- terminating the public housing tenancy within 6 months.

HUD will gather feedback on how to determine the amount of federal subsidy allocated to a specific unit when a family chooses to remain in the unit. Language in HOTMA also provides the HUD Secretary the discretion to establish different income limitations based on local construction costs or unusually high or low incomes, vacancy rates, or rents.

### **Mandated Changes to the Admissions and Continued Occupancy Policies (ACOP)**

PHAs operating more than 250 public housing units have until March 2019 must update their ACOP to implement HUD's over-income threshold. Such policies must include the imposition of an over-income limit in the program, all instances of when the two-year time frame begins, and notification requirements.