

HANDBOOK 4350.3 REV-1 CHG-3 ISSUED

Change 3 to Handbook 4350.3 REV-1, Occupancy Requirements of Subsidized Multifamily Housing Programs, was issued on June 23, 2009. The effective date for implementation of Change 3 is August 1, 2009.

The majority of the changes are corrections or clarifications to current handbook text. Some of the more significant changes are:

- Updates information on access to and use of the Systematic Alien Verification Entitlements (SAVE) system used for verifying the immigration status of individuals declaring eligible non-citizen status.
- Revises and expands the requirements for a live-in aide.
- Incorporates the requirements from Housing Notice H 03-07 on treatment of deployment of military personnel to active duty.
- Clarifies that the same requirements for treatment of Federal Government pension funds paid directly to an applicant's/tenant's former spouse pursuant to the terms of a court decree of divorce, annulment, or legal separation also applies to Uniformed Services pensions and other state, local government, social security or private pension funds.
- Includes that owners may develop rules covering tenants conducting incidental business in their units and who receive incidental business income.
- Removes the requirement that signatures on the HUD-50059-A for gross rent increases must be obtained before submitting the data to TRACS. A note has been added that tenant signatures for gross rent changes affecting the rent the household must pay or utility reimbursement must be obtained within 60 days from the date the gross rent change is implemented by the owner, as evidenced by the owner's submission of the voucher whereby the owner begins vouchering for assistance based on the new rents.
- Clarifies that when HUD or the Contract Administrator terminates assistance payments when a new certification is not submitted to TRACS within 15 months of the previous year's recertification anniversary date, the owner must repay the assistance collected for the 3-month period from the date the annual recertification should have been effective through the end of the 15th month when assistance was terminated.
- Includes TRACS 202C requirements which includes implementation of the new HUD-50059-A, Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures - Partial Certification.

The HUD Occupancy Handbook 4350.3 REV-1, CHG-3 is posted on HUDCLIPS at:

<http://www.hud.gov/offices/adm/hudclips/handbooks/hsg/4350.3/index.cfm>