

760 CMR 6.00 Occupancy Standards and Tenant Participation for State-Aided Housing Regulatory Changes



Effective June 7, 2024

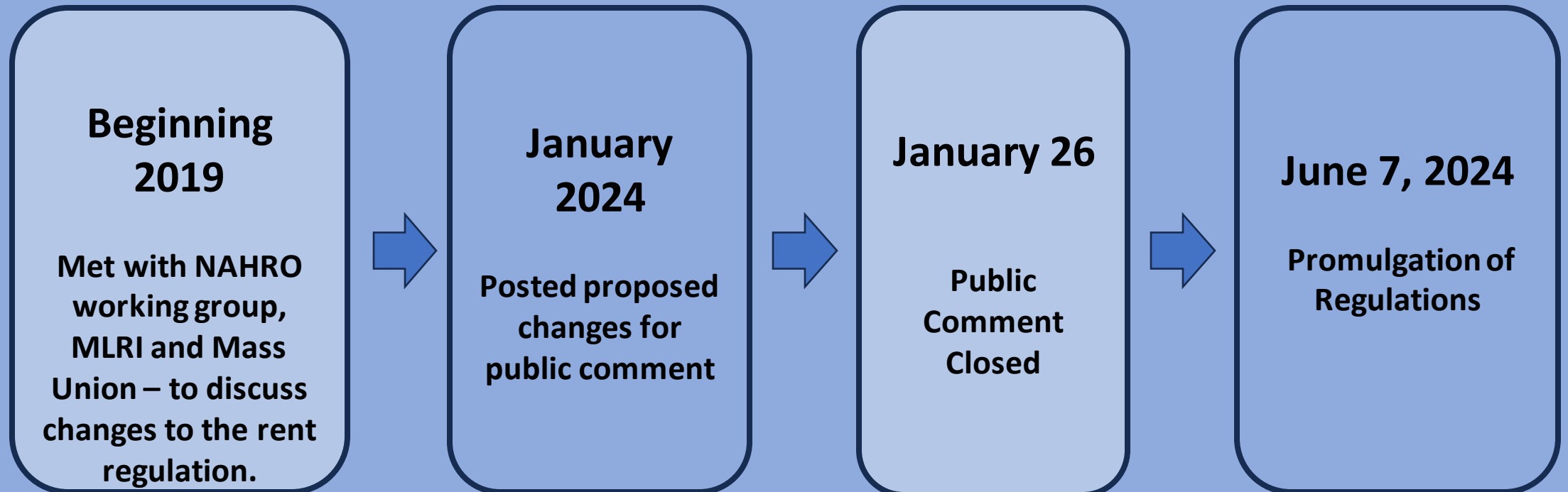
Goals

- Promote economic mobility
- Encourage training and educational opportunities
- Support families who need personal care to remain independent
- Help ease the financial strain on individuals with disabilities
- Support Veterans and their families
- Reduce administrative burden for residents and LHAs
- Encourage and promote resident engagement

760 CMR 6.00 Occupancy Standards and Tenant Participation for State-Aided Housing

Regulatory Process

Timeline:



Upcoming Changes to 760 CMR 6.00

- Student Income – Exclude Half-Time Student Income
- PCAs – Who qualifies?
- Asset Income
- Gifts
- Stipends received by non-profit volunteers
- Employment training programs, on-the-job training and apprenticeships
- Elderly Wage Exclusion- recognize and exclude unemployment and workman's comp
- Exclude payments to and benefits from ABLE accounts– a tax free savings accounts for disabled individuals
- Annuity payments to veterans or their families under M.G.L c.115, sec6B
- Deduction of Tuition and Fees-Vocational or Post Secondary Education
- Increase funding for LTOs from \$6 to \$25 per unit
- *Update Heat Deduction

**In guidance*

Excluding Student Income: Half-Time Students



- 6.05, (k) Wages and/or **salary earned by at-least Half-Time Student** as defined in 760 CMR 6.03, or by an unemancipated minor.
- Allows flexibility to obtain higher education in a time-frame that works for the individual.

760 CMR 6.03 Definitions

Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution. Half-time Student status shall remain in effect as long as the individual carries at least a Half-time Student course load in pursuit of a bachelor's degree, an associate's degree, or a diploma from an accredited educational institution or a certificate from an accredited vocational institution, but except as expressly permitted in the following sentence, Half-time Student status shall not last longer than twice the length of time normally required for full-time students to complete the required course of study. A normal course of study for Half-time Students can be up to eight years and may be extended for no longer than two years with verification from the educational or vocational institution of ongoing enrollment and credit attainment. If an institution does not have a formal half-time program, in order to qualify for Half-time Student status, a Household Member must be enrolled in a course load that is at least half the course load that would be required for a full-time student at the educational or vocational institution in the same field of study as the Household Member.

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Half-Time Student

REQUIREMENTS:

- A Household Member

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760 CMR 6.03 Definitions

Half-Time Student

REQUIREMENTS:

- A Household Member
- Started education between 18 and 26

Half-time Student. A Household Member **between the ages of 18 and 26**, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution. Half-time Student status shall remain in effect as long as the individual carries at least a Half-time Student course load in pursuit of a bachelor's degree, an associate's degree, or a diploma from an accredited educational institution or a certificate from an accredited vocational institution, but except as expressly permitted in the following sentence, Half-time Student status shall not last longer than twice the length of time normally required for full-time students to complete the required course of study. A normal course of study for Half-time Students can be up to eight years and may be extended for no longer than two years with verification from the educational or vocational institution of ongoing enrollment and credit attainment. If an institution does not have a formal half-time program, in order to qualify for Half-time Student status, a Household Member must be enrolled in a course load that is at least half the course load that would be required for a full-time student at the educational or vocational institution in the same field of study as the Household Member.

760 CMR 6.03 Definitions

Half-Time Student

REQUIREMENTS:

- A Household Member
- Started education between 18 and 26
- Is the dependent of another household member.

Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution. Half-time Student status shall remain in effect as long as the individual carries at least a Half-time Student course load in pursuit of a bachelor's degree, an associate's degree, or a diploma from an accredited educational institution or a certificate from an accredited vocational institution, but except as expressly permitted in the following sentence, Half-time Student status shall not last longer than twice the length of time normally required for full-time students to complete the required course of study. A normal course of study for Half-time Students can be up to eight years and may be extended for no longer than two years with verification from the educational or vocational institution of ongoing enrollment and credit attainment. If an institution does not have a formal half-time program, in order to qualify for Half-time Student status, a Household Member must be enrolled in a course load that is at least half the course load that would be required for a full-time student at the educational or vocational institution in the same field of study as the Household Member.

760 CMR 6.03 Definitions

Half-Time Student

REQUIREMENTS:

- A Household Member
- Started education between 18 and 26
- Is the dependent of another household member.
- Is enrolled and attending an accredited educational or vocational school

Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution. Half-time Student status shall remain in effect as long as the individual carries at least a Half-time Student course load in pursuit of a bachelor's degree, an associate's degree, or a diploma from an accredited educational institution or a certificate from an accredited vocational institution, but except as expressly permitted in the following sentence, Half-time Student status shall not last longer than twice the length of time normally required for full-time students to complete the required course of study. A normal course of study for Half-time Students can be up to eight years and may be extended for no longer than two years with verification from the educational or vocational institution of ongoing enrollment and credit attainment. If an institution does not have a formal half-time program, in order to qualify for Half-time Student status, a Household Member must be enrolled in a course load that is at least half the course load that would be required for a full-time student at the educational or vocational institution in the same field of study as the Household Member.

760 CMR 6.03 Definitions

Half-Time Student

REQUIREMENTS:

- A Household Member
- Started education between 18 and 26
- Is the dependent of another household member.
- Is enrolled and attending an accredited education or vocational school
- Carrying a course load considered at least half-time for students under the standards of the institution

Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution. Half-time Student status shall remain in effect as long as the individual carries at least a Half-time Student course load in pursuit of a bachelor's degree, an associate's degree, or a diploma from an accredited educational institution or a certificate from an accredited vocational institution, but except as expressly permitted in the following sentence, Half-time Student status shall not last longer than twice the length of time normally required for full-time students to complete the required course of study. A normal course of study for Half-time Students can be up to eight years and may be extended for no longer than two years with verification from the educational or vocational institution of ongoing enrollment and credit attainment. If an institution does not have a formal half-time program, in order to qualify for Half-time Student status, a Household Member must be enrolled in a course load that is at least half the course load that would be required for a full-time student at the educational or vocational institution in the same field of study as the Household Member.

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760 CMR 6.03 Definitions

Half-Time Student

REQUIREMENTS:

How long can you claim the exclusion?

Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution. Half-time Student status shall remain in effect as long as the individual carries at least a Half-time Student course load in pursuit of a bachelor's degree, an associate's degree, or a diploma from an accredited educational institution or a certificate from an accredited vocational institution, but except as expressly permitted in the following sentence, Half-time Student status shall not last longer than twice the length of time normally required for full-time students to complete the required course of study. A normal course of study for Half-time Students can be up to eight years and may be extended for no longer than two years with verification from the educational or vocational institution of ongoing enrollment and credit attainment. If an institution does not have a formal half-time program, in order to qualify for Half-time Student status, a Household Member must be enrolled in a course load that is at least half the course load that would be required for a full-time student at the educational or vocational institution in the same field of study as the Household Member.

760 CMR 6.03 Definitions

Half-Time Student

REQUIREMENTS:

- Remains in effect....
 - As long as the student carries at least a Half-time course load
 - At an accredited educational or vocational institution

Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution. Half-time Student status shall remain in effect as long as the individual carries at least a Half-time Student course load in pursuit of a bachelor's degree, an associate's degree, or a diploma from an accredited educational institution or a certificate from an accredited vocational institution, but except as expressly permitted in the following sentence, Half-time Student status shall not last longer than twice the length of time normally required for full-time students to complete the required course of study. A normal course of study for Half-time Students can be up to eight years and may be extended for no longer than two years with verification from the educational or vocational institution of ongoing enrollment and credit attainment. If an institution does not have a formal half-time program, in order to qualify for Half-time Student status, a Household Member must be enrolled in a course load that is at least half the course load that would be required for a full-time student at the educational or vocational institution in the same field of study as the Household Member.

760 CMR 6.03 Definitions

Half-Time Student

REQUIREMENTS:

- Remains in effect....
 - As long as the student carries at-least a Half-time course load
 - At an accredited educational or vocational institution
 - Can last twice the time it takes a full-time student to complete the required course of study.
 - Up to 8 years
 - May be extended an additional 2 years (10 years total)

Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution. Half-time Student status shall remain in effect as long as the individual carries at least a Half-time Student course load in pursuit of a bachelor's degree, an associate's degree, or a diploma from an accredited educational institution or a certificate from an accredited vocational institution, but except as expressly permitted in the following sentence, Half-time Student status shall not last longer than twice the length of time normally required for full-time students to complete the required course of study. A normal course of study for Half-time Students can be up to eight years and may be extended for no longer than two years with verification from the educational or vocational institution of ongoing enrollment and credit attainment. If an institution does not have a formal half-time program, in order to qualify for Half-time Student status, a Household Member must be enrolled in a course load that is at least half the course load that would be required for a full-time student at the educational or vocational institution in the same field of study as the Household Member.

760 CMR 6.03 Definitions

Half-Time Student

- Times will vary based upon the course of study of individual student.
 - Seek verification from the institution.
- Eligibility is based upon the age of the student when they claim the exemption
- Can claim Half-Time Student status when change course of study

760 CMR 6.03 Definitions

Does Full-Time
Student Qualify?
Yes!

Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution. Half-time Student status shall remain in effect as long as the individual carries at least a Half-time Student course load in pursuit of a bachelor's degree, an associate's degree, or a diploma from an accredited educational institution or a certificate from an accredited vocational institution, but except as expressly permitted in the following sentence, Half-time Student status shall not last longer than twice the length of time normally required for full-time students to complete the required course of study. A normal course of study for Half-time Students can be up to eight years and may be extended for no longer than two years with verification from the educational or vocational institution of ongoing enrollment and credit attainment. If an institution does not have a formal half-time program, in order to qualify for Half-time Student status, a Household Member must be enrolled in a course load that is at least half the course load that would be required for a full-time student at the educational or vocational institution in the same field of study as the Household Member.

6.05(3), Exclusions from Gross Household Income, cont.

- Leo, age 27, and is a half-time student at UMass Boston who has a part time job and is a dependent of his parents. He began his half-time student status when he was 24. His wages are **NOT** included in rent calculation.
- Mary is 18, is a full-time student at UMass Amherst who has a part time job. Her wages are **NOT** included in rent calculation.

Proposed Regulatory Rent Changes:

- Student Income – Exclude Half-Time Students
- **PCAs – Who qualifies?**
 - Asset Income
 - Gifts
 - Stipends received by non-profit volunteers
 - Employment training programs, on-the-job training and apprenticeships
- Elderly Wage Exclusion-recognize and exclude unemployment and workman's comp
- Exclude payments to and benefits from ABLE accounts– a tax free savings accounts for disabled individuals
- Annuity payments to veterans or their families under M.G.L c.115, sec6B
- Deduction of Tuition and Fees-Vocational for Post Secondary Education

760 CMR 6.03 Definitions

Personal Care Attendants PCAs

Personal Care Attendant (PCA). A person who resides with a Household Member with a disability and who:

- (a) provides necessary assistance in activities of daily living to such Household Member insofar as he or she requires such assistance on account of his or her disability;
- (b) is not obligated for support of the Household Member; and
- (c) is paid for the fair value of such assistance; and.

Pursuant to 760 CMR 5.03: Family (Household)(b), if determined by the LHA to be qualified, a full-time, live-in PCA shall be deemed a Household Member for purposes of determining the appropriate unit size in public housing.

If a full-time, live in PCA's income is included in gross household income for purposes of rent determination while the PCA is serving as a PCA, then if the Household Member with a disability to whom the PCA was providing services ceases to occupy the unit, the PCA may receive permission for continued occupancy as a remaining member of the Family (Household) for purposes of 760 CMR 5.03: Family (Household)(b), provided all other criteria for remaining members of the Family (Household) contained in 760 CMR 5.03: Family (Household)(b) have been met. If a full-time, live-in PCA's income is not included in gross household income for purposes of rent determination while the PCA is serving as a PCA, then the PCA is eligible to be considered a remaining member of the Family (Household) if the Household Member with a disability to whom the PCA was providing services ceases to occupy the unit if, going forward, the individual's income will be included in gross household income for purposes of rent determination and all other criteria for remaining are met.

760 CMR 6.03 Definitions

Personal Care Attendants PCAs

Personal Care Attendant (PCA). A person who resides with a household member with a disability and who:

- (a) provides necessary assistance in activities of daily living to such household member insofar as he or she requires such assistance on account of his or her disability;
- (b) is not obligated for support of the household member;
- 3. is paid for the fair value of such assistance; and

760 CMR 6.05 (3) Exclusions from Gross Household Income

(I) Personal Care Attendants PCAs

Old Regulation Language:

(l) Income of a live-in personal care attendant (PCA), ~~who is not a family member~~, who is paid for the fair value of his or her services to a household member with a disability and whose income is not available for the needs of any household member, provided that the PCA shall be required to substantiate that he or she receives wages for the fair value of his or her services and that such income is not available for the needs of any household member. (m) Inheritances and life insurance proceeds. This exclusion does not apply to post-death interest paid on inheritances or insurance proceeds.

760 CMR 6.03 Definitions

Personal Care Attendants - PCAs

PCA Requirements:

A person who resides with a household member with a disability and who:

- (a) provides necessary assistance in activities of daily living to such household member insofar as he or she requires such assistance on account of his or her disability;**
- (b) is not obligated for support of the household member;**
- (c) is paid for the fair value of such assistance;**

Note:

➤ **Verified by physician or medical practitioner**

➤ **X cannot be spouse, parent/foster parent or surrogate.**

760 CMR 6.03 Definitions Personal Care Attendants - PCAs

- Person must be a full-time PCA (at least 20 hrs).
- PCA income should not be included in household income.
- If the PCA is added as a new household member, the LHA should complete a CORI.
- PCA added to lease is eligible to be considered a remaining household family member if the member with a disability ceases to live in the unit.



Regulatory Rent Changes:

- Student Income – Exclude Half-Time Students
- PCAs – Who qualifies?
- **Asset Income**
 - Gifts
 - Stipends received by non-profit volunteers
 - Employment training programs, on-the-job training and apprenticeships
- Elderly Wage Exclusion-recognize and exclude unemployment and workman's comp
- Exclude payments to and benefits from ABLE accounts– a tax free savings accounts for disabled individuals
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760 CMR 6.03 Definitions Personal Care Attendants - PCAs

- PCA is eligible to be considered a remaining household family member if the member with a disability ceases to live in the unit.
- If a **full-time**, live-in PCA's income is not included in gross household income for purposes of rent determination while the PCA is serving as a PCA, then the PCA is eligible to be considered a remaining member of the Family (Household) if the Household Member with a disability to whom the PCA was providing services ceases to occupy the unit if, going forward, the individual's income will be included in gross household income for purposes of rent determination and all other criteria for remaining are met.



760 CMR 6.05 (2) Inclusions in Gross Household Income

- (c) Income of any kind from real or personal property including rent, dividends, and interest. Amortization of capital indebtedness and depreciation shall not be deducted in computing net income. Any realization of taxable capital gain on sale or transfer of an investment or other real or personal property shall be included in income. If the Household has marketable real or personal property with a fair market value exceeding \$25,000 (excluding any automobile used as the primary means of transportation by one or more Household Members), gross Household income shall include the higher of actual income derived from any such property or a percentage of the value of such property. This percentage shall be one percent or as otherwise determined from time to time by EOHLC and posted on EOHLC's website.



760 CMR 6.05 (2) Inclusions in Gross Household Income

- $\leq \$25,000$ include actual income
- $> \$25,000$ imputed or earned income, whichever is higher



Assets under or equal to \$25,000 vs. Assets in excess of \$25,000

- The Bank's family has \$24,000 in assets
 - LHA includes actual income from the asset
- The Green family has \$27,000 in assets
 - LHA reviews actual income vs. imputed income and includes whichever is greater in household income
 - Tenant provides documentation of assets
 - LHA verifies assets
 - Interest earned on asset is verified to be \$500 vs. imputed interest (1%) is \$270
 - LHA includes \$500 in household income



Regulatory Rent Changes:

- Student Income – Exclude Half-Time Students
- PCAs – Who qualifies?
- Asset Income

• Gifts

- Stipends received by non-profit volunteers
- Employment training programs, on-the-job training and apprenticeships

- Elderly Wage Exclusion-recognize and exclude unemployment and workman's comp
- Exclude payments to and benefits from ABLE accounts– a tax free savings accounts for disabled individuals
- Annuity payments to veterans or their families under M.G.L c.115, sec6B
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760 CMR 6.05 (3) Exclusions from Gross Household Income

(a) **Contributions or gifts** received from non-Household Members that are more than \$5,000 in the aggregate in a 12-month period, provided that only the amount of the contributions or gifts that exceeds \$5,000 in the aggregate shall be included.



760 CMR 6.05 (3) Exclusions from Gross Household Income

At recertification, Jonah reports that he received some gifts and contributions during the last 12 months. These include:

- A \$1000 gift at Christmas from an Aunt
- A total of \$2000 over 3 months from his brother to help with bills.
- And \$3000 from a Go-Fund-Me account.



760 CMR 6.05 (3) Exclusions from Gross Household Income

How much of Jonah's gift income is included?

Answer:

\$1000

- Jonah received a total of \$6000
- LHA includes amounts over \$5000



Regulatory Rent Changes:

- Student Income – Exclude Half-Time Students
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- **Stipends received by non-profit volunteers**
- Employment training programs, on-the-job training and apprenticeships
- Elderly Wage Exclusion-recognize and exclude unemployment and workman's comp
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- Annuity payments to veterans or their families under M.G.L c.115, sec6B
- Deduction of Tuition and Fees-Vocational for Post Secondary Education

760 CMR 6.05 (3) Exclusions from Gross Household Income

(h) Payments received by participants in programs pursuant to the Domestic Volunteer Service Act of 1973, 42 U.S.C. § 4950, et seq., or stipends received by volunteers for activities performed on behalf of a tax-exempt non-profit organization or foundation or an accredited educational or vocational institution. The amount of stipends to volunteers that shall be excluded may not exceed the total amount which would have been earned by a person working 20 hours per week at the minimum wage specified in M.G.L. c. 151, § 1.

760 CMR 6.05 (3) Exclusions from Gross Household Income

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760 CMR 6.05 (3) Exclusions from Gross Household Income

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Programs Include:

- AmeriCorps Vista

760 CMR 6.05 (3) Exclusions from Gross Household Income

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760 CMR 6.05 (3) Exclusions from Gross Household Income

(h) The amount of stipends to volunteers that shall be excluded may not exceed the total amount which would have been earned by a person working 20 hours per week at the minimum wage specified in M.G.L. c. 151, § 1.

May Exclude:

Wage stipends paid to volunteers of non-profit organizations are excluded up to the equivalent of :

20 hours per week at minimum wage
(\$15 x 20hrs = \$300 x 52 = \$15,600)

6.05(3), Exclusions from Gross Household Income, cont.

- Natasha volunteers for the Boys and Girls Club in the after school program. The Boys and Girls Club is a tax-exempt nonprofit
- As a volunteer she receives a stipend of \$2,500 a year.
- This stipend **does not count as income.**
 - The Boys and Girls Club is a tax-exempt nonprofit
 - The total amount of her stipend is below the maximum allowed by the exclusion (equivalent of 20 hrs per week at minimum wage or \$15,600).

Regulatory Rent Changes:

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6.05(3), Exclusions from Gross Household Income

Employment Training and Apprenticeship Programs 6.05(3)(j)

May Exclude:

1. Payments from an employment training program:

- Approved by EOHLC, or
- Sponsored by a government agency.

2. Wages from on-the-job training or apprenticeship program

3. Head of household qualifies for exclusion

(j) Payments for a Household Member in association with participation in a bona fide program providing training for employment, approved by EOHLC or sponsored or administered by a government agency, to cover costs related to training or employment, such as transportation, program fees, books, or childcare (during training). This exclusion shall apply to wages received through programs for training for employment, such as wages from on-the-job training, or apprenticeship, for a period not to exceed two years. This amount of the exclusion shall be limited to the amount of wages received in such programs for working up to 37.5 hours per week that do not exceed one and one half times the minimum wage specified in M.G.L. c. 151, §1.

6.05(3), Exclusions from Gross Household Income Employment Training and Apprenticeship Programs 6.05(3)(j)

Limits on the Exclusion:

- **Maximum 2 years**
- **Maximum amount is equivalent of the following:**
- **1.5 x minimum wage x 37.5 hrs week**
- **This is: $1.5 \times 15.00 \times 37.5 = 843.75 \times 52 \text{ weeks} = \$43,875$**
(maximum allowable exclusion per year).

(j) Payments for a Household Member in association with participation in a bona fide program providing training for employment, approved by EOHLC or sponsored or administered by a government agency, to cover costs related to training or employment, such as transportation, program fees, books, or childcare (during training). This exclusion shall apply to wages received through programs for training for employment, such as wages from on-the-job training, or apprenticeship, for a period not to exceed two years. This amount of the exclusion shall be limited to the amount of wages received in such programs for working up to 37.5 hours per week that do not exceed one and one half times the minimum wage specified in M.G.L. c. 151, §1.

6.05(3), Exclusions from Gross Household Income Employment Training and Apprenticeship Programs 6.05(3)(j)

Robert is an apprentice machinist with the MBTA.

He earns \$56,236 per year.

How much of his income can be excluded in year 1?

Answer: \$43,875

(j) Payments for a Household Member in association with participation in a bona fide program providing training for employment, approved by EOHLC or sponsored or administered by a government agency, to cover costs related to training or employment, such as transportation, program fees, books, or childcare (during training). This exclusion shall apply to wages received through programs for training for employment, such as wages from on-the-job training, or apprenticeship, for a period not to exceed two years. This amount of the exclusion shall be limited to the amount of wages received in such programs for working up to 37.5 hours per week that do not exceed one and one half times the minimum wage specified in M.G.L. c. 151, §1.

Regulatory Rent Changes:

- Student Income – Exclude Half-Time Students
- PCAs – Who qualifies?
- Asset Income
- Gifts
- Stipends received by non-profit volunteers
- Employment training programs, on-the-job training and apprenticeships

• **Elderly Wage Exclusion- recognize and exclude unemployment and workman's comp**

- Exclude payments to and benefits from ABLE accounts– a tax free savings accounts for disabled individuals
- Annuity payments to veterans or their families under M.G.L c.115, sec6B
- Deduction of Tuition and Fees- Vocational for Post Secondary Education

6.05(3), Exclusions from Gross Household Income

Elderly Wage Exclusion 6.05 (3)(p)

Old Regulation

- Income of tenants who are 62 or older working up to a maximum of 20 hours weekly at minimum wage. (up to \$15,600)

New/Amended Regulation

- Now includes unemployment insurance, worker's compensation, short and long-term disability up to the value of a person working 20 hours per week at minimum wage.
- *This is to protect the tenant against unemployment which may under current regulation may result in increased rent.*

Regulatory Rent Changes:

- Student Income – Exclude Half-Time Students
- PCAs – Who qualifies?
- Asset Income
- Gifts
- Stipends received by non-profit volunteers
- Employment training programs, on-the-job training and apprenticeships
- Elderly Wage Exclusion-recognize and exclude unemployment and workman's comp
- **Exclude payments to and benefits from ABLE accounts– a tax free savings accounts for disabled individuals**
- Annuity payments to veterans or their families under M.G.L c.115, sec6B
- Deduction of Tuition and Fees-Vocational for Post Secondary Education

6.05(3), Exclusions from Gross Household Income

ABLE Accounts: Achieving a Better Life Experience

6.05 (3)(r)

ABLE

- Stand for Achieving a Better Life Experience. Tax free savings accounts for individuals with disabilities.

Exclude
Contributions
and/or Withdrawals

- (r) Contributions to, and withdrawals from, Achieving a Better Life Experience (ABLE) accounts established pursuant to 26 U.S.C. § 529A.

6.05(3), Exclusions from
Gross Household Income

ABLE Accounts: Achieving a Better Life Experience 6.05 (3)(r)

- Each state administers the ABLE program.
- Eligible persons can apply in any state, but can have only 1 account
- The Massachusetts ABLE program is called “Attainable Savings Plan”
- The State Administrator of the program is the Massachusetts Educational Financing Authority (MEFA)
- The person with signatory authority can withdraw and deposit funds.
- Withdrawals and deposits would appear on a statement from the administering agency (MEFA in Massachusetts)

Regulatory Rent Changes:

- Student Income – Exclude Half-Time Students
- PCAs – Who qualifies?
- Asset Income
- Gifts
- Stipends received by non-profit volunteers
- Employment training programs, on-the-job training and apprenticeships
- Elderly Wage Exclusion-recognize and exclude unemployment and workman's comp
- Exclude payments to and benefits from ABLE accounts– a tax free savings accounts for disabled individuals
- **Annuity payments to veterans or their families under M.G.L c.115, sec6B**
- Deduction of Tuition and Fees-Vocational for Post Secondary Education

6.05 (3) Exclusions from Gross Household Income:

(s) Veteran Annuity Payments

- New Language: Section (s)
- (s) Annuity payments made pursuant to M.G.L. c. 115, § 6B to certain disabled veterans or to the parents or non-remarried surviving spouses of such veterans who are deceased.
- The benefit is \$2000 annually, paid in two installments.
- Benefit letters will cite the statute M.G.L. c. 115 § 6B . (Brave Act)
- Benefit monies are excluded from household income.

Regulatory Rent Changes:

- Student Income – Exclude Half-Time Students
- PCAs – Who qualifies?
- Asset Income
- Gifts
- Stipends received by non-profit volunteers
- Employment training programs, on-the-job training and apprenticeships
- Elderly Wage Exclusion-recognize and exclude unemployment and workman's comp
- Exclude payments to and benefits from ABLE accounts– a tax free savings accounts for disabled individuals
- Annuity payments to veterans or their families under M.G.L c.115, sec6B
- **Deduction of Tuition and Fees- Vocational or Post Secondary Education**

6.05 (4) Deductions from Gross Household Income:

(h) Tuition and Fees

- **Deduction for cost of tuition and fees for household member**

- Includes:

- **Vocational, or**
- **Post Secondary Education**

(h) Non reimbursable payments of tuition and fees of vocational or post secondary education of a Household Member, provided that the amount deducted for this deduction and the deductions in 760 CMR 6.05(4)(f) and (g) for this Household Member shall not exceed the income of the Household Member that has been included in the gross Household income.

6.05 (4) Deductions from Gross Household Income: (h) Tuition and Fees

(h) Non reimbursable payments of tuition and fees of vocational or post secondary education of a Household Member, provided that the amount deducted for this deduction and the deductions in 760 CMR 6.05(4)(f) and (g) for this Household Member shall not exceed the income of the Household Member that has been included in the gross Household income.

6.05 (4) Deductions from Gross Household Income:

(h) Tuition and Fees

- 4(h) Non reimbursable payments of tuition and fees of vocational or post secondary education of a Household Member, provided that the amount deducted for this deduction and the deductions in 760 CMR 6.05(4)(f) and (g) for this Household Member shall not exceed the income of the Household Member that has been included in the gross Household income.

6.05 (4) Deductions from Gross Household Income:

(h) Tuition and Fees

- 4(h) Non reimbursable payments of tuition and fees of vocational or post secondary education of a Household Member, provided that the amount deducted for this deduction and the deductions in 760 CMR 6.05(4)(f) and (g) for this Household Member shall not exceed the income of the Household Member that has been included in the gross Household income.
- (f) Payments for the care of child(ren) or of a sick or incapacitated Household Member provided that the LHA shall have determined the payments to be necessary for the employment of another Household Member who would otherwise have provided such care; the total amount deducted for this deduction and the deductions in 760 CMR 6.05(4)(g) and (h) for this Household Member who makes the payment shall not exceed his or her gross income.
- (g) Child support, separate support, and/or alimony paid under court order or court approved agreement by a Household Member for the support of a minor child, spouse, or ex spouse, not residing with the Household, provided that the total amount deducted for this deduction and the deductions in 760 CMR 6.05(4)(f) and (h) for this Household Member shall not exceed his or her gross income.
- Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution.

6.05 (4) Deductions from Gross Household Income:

(h) Tuition and Fees

- 4(h) Non reimbursable payments of tuition and fees of vocational or post secondary education of a Household Member, provided that the amount deducted for this deduction and the deductions in 760 CMR 6.05(4)(f) and (g) for this Household Member shall not exceed the income of the Household Member that has been included in the gross Household income.
- (f) Payments for the care of child(ren) or of a sick or incapacitated Household Member provided that the LHA shall have determined the payments to be necessary for the employment of another Household Member who would otherwise have provided such care; the total amount deducted for this deduction and the deductions in 760 CMR 6.05(4)(g) and (h) for this Household Member who makes the payment shall not exceed his or her gross income.
- (g) Child support, separate support, and/or alimony paid under court order or court approved agreement by a Household Member for the support of a minor child, spouse, or ex spouse, not residing with the Household, provided that the total amount deducted for this deduction and the deductions in 760 CMR 6.05(4)(f) and (h) for this Household Member shall not exceed his or her gross income.
- Half-time Student. A Household Member between the ages of 18 and 26, who is the dependent of another Household Member and who is enrolled in and attending an accredited educational or vocational institution and is carrying a course load that is considered at least half-time for students under the standards and practices of the institution.

6.05 (4) Deductions from Gross Household Income:(h) Tuition and Fees

Example: Sue is claiming a deduction for the costs of attending community college. How do we calculate the deduction?

Questions:

- 1) What is the cost of tuition and fees?
- 2) Is Sue also claiming a deduction for childcare in order to work? (6.05(4)(f))
- 3) Is Sue claiming a deduction for child support or alimony? (6.05(4)(g))
- 4) Is Sue working and earning wages?
- 5) Is Sue claiming an income exclusion as a Half-Time Student? (6.05(3)(k))

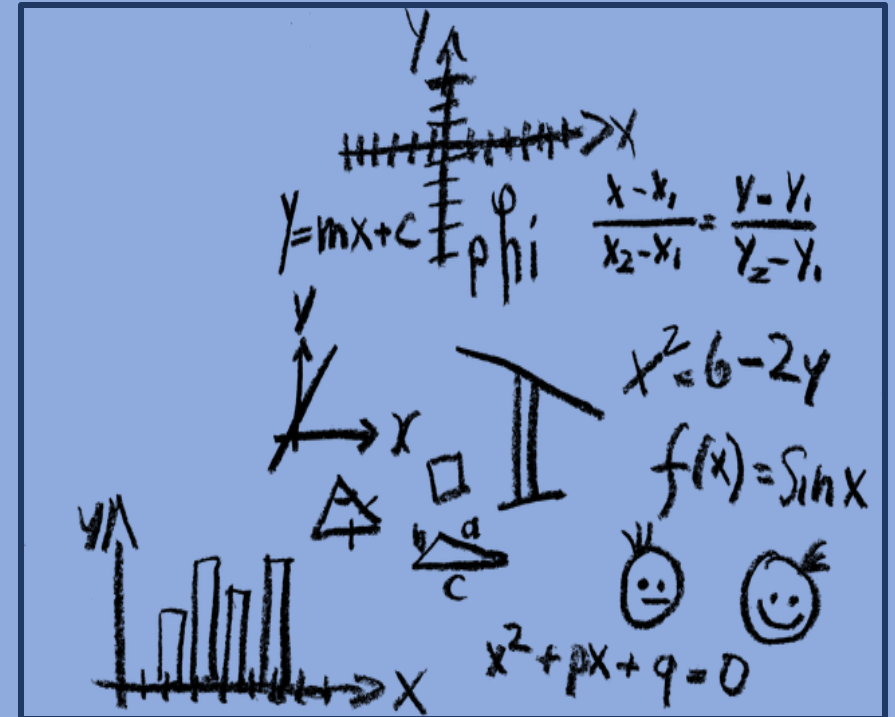
Answers:

- 1) \$7000
- 2) Yes- \$1,500
- 3) No claim for child support or alimony.
- 4) Sue works part-time earning \$10,000.
- 5) Sue does not qualify as a Half-Time Student because she started school at 27.

6.05 (4) Deductions from Gross Household Income:(h) Tuition and Fees

Example: Sue is claiming a deduction for the costs of attending community college. How do we calculate the deduction?

Income =	\$10,000
Minus Childcare Deduction (6.05 (4)(f):	\$1500
Total Gross Income =	\$8500
Compare Total Gross income:	\$8500
to the cost of tuition and fees:	\$7000
Does the tuition and fees exceed the amount of income?	No
Deduction equals=	\$7000



6.05 (4) Deductions from Gross Household Income: (h) Tuition and Fees

Final Thoughts on Tuition and Fees:

- Can a head of household (the Tenant) qualify to receive a deduction of tuition and fees under 6.05(4)(h)?

Answer: Yes

X They do not qualify for an income exclusion as a Full-Time or Half-Time Student under 6.05(3)(k)

- What if a household member claiming a deduction of Tuition and Fees is a Half-Time Student who qualifies for their income to be excluded under 6.05(3)(k)? Do they qualify for a deduction of Tuition and Fees under 6.05(4)(h)?

- **Answer: No**

X If income is excluded, they do not qualify for deduction under 6.05(4)(h).

760 CMR 6.00 Occupancy Standards and Tenant Participation for State-Aided Housing

Proposed Regulation Changes



6.06(4)(r), regarding LHA obligation to re-key locks

- LHAs to re-key locks within 48 hours of request of Tenant or Household Member under imminent threat of:
 - domestic violence;
 - rape;
 - sexual assault; or
 - stalking.

6.06(4)(r), regarding LHA obligation to re-key locks

If abuser is
Tenant or
Household
Member:

- request to re-key locks must be accompanied by a copy of a valid protective order issued under M.G.L. c. 209A or M.G.L. c. 258E.

If abuser is
from
outside
Tenant
household:

- protective order is X-**not** required.

760 CMR 6.00 Occupancy Standards and Tenant Participation for State-Aided Housing Promulgated Regulations Changes

6.06 (6) (f) regarding over-income Tenant exemption

- Discretionary six-month grace period for over-income Tenants is now mandatory.
- With an additional six-month period allowed, at the LHA's discretion, based on Tenant circumstances.



760 CMR 6.00 Occupancy Standards and Tenant Participation for State-Aided Housing Promulgated Regulations Changes

6.09(3)(c) regarding the funding of Local Tenant Organizations (LTOs)



- LTOs historically funded at an annual rate of \$6 per state-aided public housing unit or \$500 whichever is greater.
 - Increase to \$25 per state-aided public housing unit or \$500, whichever is greater.

6.09(3)(c) regarding the funding of Local Tenant Organizations (LTOs).

- Funding is for:
 - ordinary and necessary business expenses:
 - paper, copying, mailings, etc.
 - authorized activities:
 - LTO Meetings, tenant outreach, fund raising



6.09(3)(c) regarding the funding of Local Tenant Organizations (LTOs).

- Tenants involvement in:
 - Executive Director Hiring Process
 - Management Agreement(s) Process
 - LHA Policies affecting Tenants
 - Annual Budgeting Process
 - The Annual Plan Process
 - Capital Plan Process

New Heat Deduction Schedule

- Current Heat Deduction
 - Values are 30 years old
 - To better align with today's utility prices, HLC plans to increase these values
- Climate-Related Heat Deduction
 - To meet climate goals, we need to begin phasing out natural gas
 - Therefore, EOHLC proposes a second Heat Deduction schedule
 - Applies to those who convert from natural gas heat to electric heat, and has higher Deductions
 - Will also consider differences in housing programs and related energy use
 - Exact numbers to be announced soon

New Heat Deduction Schedule

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	c.705
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

PHN 2024-07

Promulgation of Amendments to 760 CMR 6.00

<i>Rent Determination Type</i>	<i>Use the regulation effective 6/7/2024</i>	<i>Use the regulation prior to 6/7/24</i>
Move in, before 6/7		x
Move In, 6/7 or later	x- if the notice of rent was not sent prior to 6/7	x – if the notice of rent was sent before 6/7
Interim Redetermination, before 6/7		x
Interim Redetermination, 6/7 or later	x	
7/1 Annual Redetermination	x - if the notice for rent change was sent AFTER 6/7	x - if the notice for rent change was sent BEFORE 6/7
8/1 Annual Redetermination	x	

PHN 2024-07

Attachment E:

Rent Calculation Sheet

NOTES:

1. Enter household data in middle column. Fields highlighted in yellow contain formulas.

2. This Rent Calculation Sheet **does not** allow LHA to separate income from each household member's other exclusions and deductions claimed by the individual tenant. The figures entered are for the household.

3. This sheet is meant as a job aid and does not perform all calculations for you.

Data Field	Household Data (enter data below)
Head of Household First Name	
Head of Household Last Name	
Unit Street Address	
Unit City or Town	
Unit Zip Code	
Development Number	
Date Processed	
Processed By	
Effective Date	
Bedrooms	
Number of Males in Household	
Number of Females in Household	
Student Status	
<i>Full-time Student (number)</i>	
<i>Half-time Student (number)</i>	
Minors in Household	
Personal Care Attendant (PCA)	
Income Items Included in Gross Income (760 CMR 6.05(2))	
Wages	
Salary	
Overtime Pay	
Commissions	
Fees	
Tips	
Bonuses	
Other Compensation for Personal Services	
Self-employment	
Pension, annuities, retirement funds	
Social Security, SSI, SSDI	
Unemployment Insurance	
Disability Insurance, Health & Accident Insurance, Workers Compensation	
Gifts or contributions	
TAFDC	

Revised Lease and Lease Addendum



EXECUTIVE OFFICE OF HOUSING & LIVABLE COMMUNITIES

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Edward M. Augustus Jr., Secretary

Public Housing Notice 2024-08

To: All Local Housing Authority Executive Directors
From: Ben Stone, Undersecretary of Public Housing and Rental Assistance
Subject: Amendments to State-Aided Public Housing Lease and Lease Addendum
Date: May 28, 2024

Need to Know: In connection with its promulgation of amendments to 760 CMR 6.00, EOHLC is making changes to its state-aided public housing form lease and lease addendum. These changes include:

- updating the utilities section to reflect changes to the heat deduction schedule;
- updating the PCA section to align with the changes to the definition of PCA in 760 CMR 6.03;
- updating the appliances section to reflect changes to the State Sanitary Code; and
- updating the language regarding the overincome household exemption to align with the changes in 760 CMR 6.06(6).

The updated lease should immediately be utilized by LHAs when entering into leases with new households.

For existing households, the lease changes will become effective 30 days after the LHA notifies households of the changes. Existing households must sign the updated lease addendum at their next redetermination following the 30-day notice period.

Executive Office of Housing and Livable Communities (EOHLC)



Thank You