



**U.S. Department of Housing and Urban Development
Office of Public and Indian Housing**

SPECIAL ATTENTION OF:

Regional and Field Office Directors of Public Housing; Section 8 Financial Management Center; Public Housing Agencies Administering Housing Choice Voucher and Public Housing Programs; Resident Management Corporations; Resident Councils; Resident Advisory Boards; Program Participants; ONAP Administrators, Tribes, and Tribally Designated Housing Entities (TDHEs)

NOTICE PIH-2009-37 (HA)

Issued: September 24, 2009

Expires: September 30, 2010

References:

24 CFR 5.609(c)(9); and
24 CFR 5.609(b)(5)

Subject: Treatment of Income for Participants of Public Housing and Section 8 programs that qualify for payment adjustments under the American Recovery and Reinvestment Act (ARRA).

1. **PURPOSE:** This Notice clarifies that the ARRA one-time \$250 recovery payment to beneficiaries of Social Security (SS), Supplemental Security Income (SSI), certain railroad retirement programs, and Veterans retirement and disability programs, are not included as income when an income determination is calculated during mandatory interim and annual reexaminations. Exclusions from annual income calculations includes temporary, nonrecurring or sporadic income pursuant to 24 CFR 5.609(c)(9). However, the ARRA provision for a weekly \$25.00 increase in unemployment benefits is calculated as income when annual income determinations are calculated.
2. **APPLICABILITY:** This notice applies to Public and Indian Housing (PIH) rental assistance programs including: Public Housing, Section 8 Moderate Rehabilitation, Housing Choice Voucher and Section 8 Project-Based Voucher and Certificate Programs, and the Indian Housing Block Grant program.
3. **BACKGROUND:** The American Recovery and Reinvestment Act (ARRA) of 2009 (Section 2201, paragraph(a)(1)), authorized the Social Security Administration to issue a one-time payment of \$250 to adult SS beneficiaries, SSI recipients, certain railroad retirement program pensioners, and recipients of Veterans retirement and disability programs except those receiving Medicaid in health care facilities. To receive the payment, the individual must be eligible for SS or SSI during the months of November 2008, December 2008, or January 2009. No action is required to get the payment, which will be sent separately from the person's regular monthly payment. The Social Security Administration began dispersing payments on May 7, 2009, and expects all payments to be received by recipients by June 4, 2009.

The Assistance for Unemployed Workers and Struggling Families Act is also part of ARRA. The \$25 unemployment payment increase became effective the week of February 22, 2009 and ends December 26, 2009. The new temporary Federal Additional Compensation program will provide a \$25 weekly increase in unemployment compensation for eligible workers. These extra benefits are 100 percent federally-funded.

4. **TREATMENT OF INCOME:** Pursuant to 24 CFR 5.609(c)(9), PHAs are to exclude the **one time-payment** of \$250 to recipients of PIH rental assistance programs including: Public Housing, Section 8 Moderate Rehabilitation, Housing Choice Voucher and Section 8 Project-Based Voucher and Certificate Programs, and the Indian Housing Block Grant Program. Tribes/Tribally Designated Housing Entities are also required to exclude this one-time payment when determining annual income for the Indian Housing Block Grant Program.

Under current HUD program requirements, this one-time payment is treated as excluded income and **accordingly is not included** in income determinations.

Furthermore, under Section 2201, paragraph (c)(1), this one-time payment is specifically excluded income for income determination purposes for all other Federal and Federally assisted programs. For more information, go to:

<http://www.socialsecurity.gov/pressoffice/pr/recovery-payments-pr.htm>.

Under the Assistance for Unemployed Workers and Struggling Families Act, States may pay an additional \$25 in unemployment compensation (Section 2002, paragraph (b)(1)). There is **no** provision for this income to be excluded in income determinations for the PIH rental assistance programs, or the Indian Housing Block Grant Program. As such, it is **included** in income determinations, pursuant to 24 CFR 5.609(b)(5).

For more information regarding ARRA, please visit <http://www.recovery.gov>.

5. **Further information:** Direct inquiries to local HUD offices or to the Office of Public Housing Programs at (202) 708-0744 or PIH.RHIIP.TA@HUD.GOV.

/s/

Sandra B. Henriquez, Assistant Secretary for
Public and Indian Housing