



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

Special Attention of:
ONAP Administrators;
Tribes; and Tribally
Designated Housing Entities

Notice PIH 2011 -15 (ONAP)

Issued: March 18, 2011

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Cross Reference(s):
24 CFR Part 1000

Subject: Implementation of Statutory Change to the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) related to Income

- 1. Purpose:** The purpose of this notice is to provide tribes and tribally designated housing entities (TDHE) with information about the exclusion of certain veteran's benefits from income calculations.
- 2. Summary:** On October 12, 2010, the Indian Veterans Housing Opportunity Act of 2010 (Public Law 111-269) was enacted and amended the definition of "income" in section 4, paragraph 9, of NAHASDA by adding a new subparagraph (C). Paragraph 9 now reads as follows:

(9) INCOME - The term 'income' means income from all sources of each member of the household, as determined in accordance with criteria prescribed by the Secretary, except that the following amounts may not be considered as income under this paragraph:

(A) any amounts not actually received by the family.

(B) Any amounts that would be eligible for exclusion under section 1613(a)(7) of the Social Security Act.

(C) Any amounts received by any member of the family as disability compensation under chapter 11 of title 38, United States Code, or dependency and indemnity compensation under chapter 13 of such title.

- 3. Amendment:** Annual income is used to determine program eligibility under NAHASDA. The amendment provides an additional exclusion when determining income in accordance with sec. 4 of NAHASDA. Veteran compensation for service-connected disability or death under title 38 U.S.C. chapter 11 and dependency and indemnity compensation for service-connected deaths under title 38 U.S.C. chapter 13 are excluded from income.

This Notice implements the above provision. A conforming regulation is not required.

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