



Special Attention of:

## NOTICE PDR-2020-03

Regional Directors, Field Office Directors,  
Economists, Public & Indian Housing  
Division Directors, Multifamily Hub Directors,  
Multifamily Program Center Directors

Issued: April 1, 2020  
Expires: Effective until superseded

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Cross References:

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Subject: Transmittal of Fiscal Year (FY) 2020 Income Limits for  
the Section 221(d)(3) Below Market Interest Rate rental program,  
Section 235, and Section 236 Programs

This notice transmits income limits used to determine the income eligibility of applicants for assistance under three programs authorized by the National Housing Act. These programs are the Section 221(d)(3) Below Market Interest Rate (BMIR) rental program, the Section 235 program, and the Section 236 program. These income limits are listed by dollar amount and family size, and they are effective on the on the later of April 1, 2020 or the date issued.

Since FY 2010<sup>1</sup> HUD has limited all annual income limit decreases to five percent and all annual increases to the greater of five percent or twice the change in the national median family income. HUD has maintained these limits to increases and decreases in income limits for FY 2020. The national median family income for the United States for FY 2020 is \$78,500, an increase of almost four percent over the national median income in FY 2019. Twice this change is 7.9 percent which is greater than five percent, so this higher value is used as the cap on increases.

All of HUD's income limits are derived from the HUD Section 8 Income Limits, that begin with the calculation of median family incomes for each area. HUD uses the Fair Market Rent (FMR) area definitions in developing medians, which means that median family incomes are developed for each metropolitan area, parts of some metropolitan areas, and each nonmetropolitan county. For FY 2020, there are no changes to the geographic area definitions used last year. There is, however one fewer record in the EXCEL files because Bedford city in VA is no longer incorporated and is now part of Bedford County, VA. It remains part of the Lynchburg, VA MSA but is no longer listed separately as a Virginia city. Income limits are calculated for every FMR area with adjustments for family size and for areas that have unusually high or low income-to-housing-cost relationships.

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<sup>1</sup> Prior to FY 2010, HUD maintained a "hold harmless" policy, whereby Section 8 income limits for certain areas were held at previously published levels when reductions would otherwise have resulted from changes in housing cost, median income, or income limit methodologies, or changes in metropolitan area definitions.

The 2017 American Community Survey (ACS) and Puerto Rico Community Survey (PRCS) median family income data (as opposed to household income data) are the basis of FY 2020 Income Limits for all areas of geography, except for the U.S. Virgin Islands and the Pacific Islands. The Consumer Price Index forecast published by the Congressional Budget Office (CBO) is used to bring the ACS and PRCS data forward from mid-2017 to the mid-point of the fiscal year, April 2020. The median family incomes and income limits in the U.S. Virgin Islands and the Pacific Islands (Guam, American Samoa and the Northern Marianas) are based on 2010 Decennial Census data which is the most current information available. The decennial data used for the U.S. Virgin Islands and the Pacific Islands is trended forward using the change in national median family incomes between 2009 (which is the year of the income in the decennial census) and 2017, (from the ACS). The same CBO forecast is then applied from mid-2017 to the mid-point of the fiscal year, April 2020.

HUD is considering a change that would replace the CBO forecast with the economic forecast of the Office of Management and Budget (OMB), beginning with the calculation of the FY 2021 Medians. This OMB forecast would match the economic assumptions used in the calculation of HUD median family income estimates with assumptions used in the formulation of the Administration's Budget. HUD has not used OMB forecasts previously because they have not been available for public release.

The income limits used for the Section 236 program are currently the same as the Public Housing/Section 8 Low-Income Limits, which are defined by Section 3(b)(2) of the United States Housing Act of 1937. These income limits are normally set at 80 percent of the median family income for a four-person family, adjusted for family size and adjusted for unusually high or low housing costs. There are, however, situations where they are additional upward or downward adjustments.

Most four-person low-income limits are the greater of 80 percent of the area median income, or 80 percent of the state nonmetropolitan median income. Because the very low-income limits are not always based on 50 percent of median, however, calculating low-income limits as 80 percent of the median would produce anomalies inconsistent with statutory intent (e.g., very low-income limits could be higher than low-income limits). To eliminate this problem, the normal calculation is to set the four-person low-income limit at 1.6 (i.e., 80 percent/50 percent) times the relevant four-person very low-income limit. The two exceptions to this practice are that the resulting four-person income limit is not allowed to exceed the U.S. median income (\$78,500 for FY 2020) except when justified by high housing costs; and once adjusted, the four-person low-income limit decrease is limited to five percent or, if increasing, capped at the greater of five percent or twice the national change in median income (which is 7.9 percent for FY 2020). Use of very low-income limits as a starting point for calculating other income limits has the effect of adjusting low-income limits in areas where the very low-income limits have been adjusted because of unusually high or low housing-cost-to-income relationships.

The Section 221(d)(3) BMIR Income Limits, which serve "individuals and families of low- and moderate-income," are set at 95 percent of median income, adjusted for family size. These income limits are also adjusted for unusually high or low area housing costs, and use the HUD low-income limits as a basis for calculations. For instance, rather than the four-person limit being set at 95 percent of the local median family income, it is set at 95/80ths of the four-person low-income limit.

Section 235 states that income limits are to be defined as "95 per centum of the median family income for the area, as determined by the Secretary with adjustments for larger and smaller families..." These income limits are identical to Section 221(d)(3) BMIR Income Limits except in instances where the Secretary has used his discretion to permit higher income limits to reflect high area construction costs.

### **Family Size Adjustments:**

By statute, family size adjustments are required to provide higher income limits for larger families and lower income limits for smaller families. The factors used are as follows:

#### Number of Persons in Family and Percentage Adjustments

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
70%	80%	90%	Base	108%	116%	124%	132%

Income limits for families with more than 8 persons are not included in the printed lists because of space limitations. For each person over eight-persons, the four-person income limit should be multiplied by an additional eight percent. (For example, the nine-person limit equals 140 percent [132 + 8] of the relevant four-person income limit.) Income limits are rounded up to the nearest \$50. Local agencies may round income limits for nine or more persons to the nearest \$50, or they may use the un-rounded numbers. Family size-adjusted income limits are not re-tested for compliance with the with the cap and floor rule. Rounding anomalies produce some family size-adjusted income limits whose annual change is slightly larger or smaller than the five percent change in the floor and the 7.9 percent change in the cap allowed for FY 2020.

FY 2020 income limits are available at <http://www.huduser.gov/portal/datasets/il.html>. Questions related to how these income limits apply to the programs of state and other federal agencies should be referred to those agencies. Questions concerning the methodology used to develop these income limits are addressed in the FY 2020 Income Limits Methodology, or the documentation system for income limits and median family incomes, which are on the income limits website.

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Federal Housing Commissioner, H