

To: Property Owners and Managers Compliance Memorandum: 23-03
From: Coreen Ryan, Compliance Coordinator Date: May 17, 2023
Planning and Housing Development Division
Re: 2023 National Housing Trust Fund Rent and Income Limits

The FY2022 Income and Rent Limitations have been released by the U.S. Department of Housing and Urban Development (HUD) and are effective as of June 15, 2023. North Dakota Housing Finance Agency (NDHFA) published the new National Housing Trust Fund (HTF) limits on the agency's website, www.ndhfa.org, under Compliance and then HTF as [Rent and Income Limits, As of June 15, 2023](#).

Guidance for Implementing HTF Rent and Income Limit Changes

RENT: A HTF project's Gross Rent Floors are established in each project's Financial Award. Gross Rent Floors are the minimum gross rents a project will be required to lower rents to, throughout the project's HTF Affordability Period, regardless of future rent maximum changes within the HTF program. Rents may never exceed the currently effective limits but you also are not required to decrease gross rents below their project's Gross Rent Floors as stated in the Financial Award.

Property owners and managers should compare their project's current Gross Rents for HTF-assisted units to the annually published HTF Rent Limits to determine if a unit's tenant-paid rent must be decreased to ensure the unit's Gross Rent does not exceed the newly published limits as of the new limit's Effective Date. Projects are not required to decrease Gross Rents for HTF-assisted units beyond their project's Gross Rent Floors listed in the Financial Award. Gross rents include tenant-paid rent plus current utility allowance plus tenant-based rental assistance.

RENT APPROVAL: Annually, HTF-assisted project rents must be approved by NDHFA. Within 30 days of the receipt of the new rent limits, owners/property managers must submit a [Housing Trust Fund Annual Rent Approval Form](#) to hfainfo@nd.gov.

An updated utility allowance must accompany the approval form.

HTF UTILITY ALLOWANCE: For HTF-assisted units, owners may use the utility allowances for the Section 8 HCV program from the local housing and redevelopment authority or public housing authority (PHA) that administers HCVs in the area in which the property is located.

- Utility allowances must be implemented project-wide.
- A project may not use more than one utility allowance method for the project.

INCOME: Household income must be determined initially and be re-examined each year during the Period of Affordability in accordance with HTF regulations. See Section 1.12 of the compliance manual.

Initially qualified HTF-assisted units continue to qualify as HTF-assisted units despite temporary non-compliance of over-income households so long as the owner has taken actions allowable by regulation. See Section 2.13 of the compliance manual.

If you have any questions regarding the new program limits, contact the Planning and Housing Development Division staff at hfainfo@nd.gov or (701) 328-8080.