

Welcome to the MULTIFAMILY HOUSING RENTAL HOUSING INTEGRITY IMPROVEMENT PROJECT (RHIIP) LISTSERV that brings you up-to-date RHIIP related publications, news, information and occupancy tips in an effort to help reduce errors in rent determinations and subsidy calculations.

APPLICABILITY OF STUDENT RULE

Does the student rule published in the Federal Register on December 30, 2005, apply to all individuals enrolled at an institution of higher education or does it only apply to persons under the age of 24?

The student rule applies to all individuals enrolled as students at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential except for a student who is living with his/her parents who are applying for or receiving section 8 assistance.

Part 327(a), amended by Public Law 109-249, only applies to individuals under the age of 24 unless the individuals are students who are living with his/her parents who are applying for or receiving section 8 assistance.

“No section 8 assistance shall be provided to any individual who:

- Is enrolled as a student at an institution of higher education;
- Is under the age of 24;
- Is not a veteran of the United State military;
- Is unmarried;
- Does not have a dependent child;
- Is not a person with disabilities, as such term is defined in section 3(b)(3)(F) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and
- Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive section 8 assistance.”

Part 327(b) applies to all individuals enrolled as students at an institution of higher education unless the student is living with his or her parents who are applying for or receiving Section 8 assistance or is a person over the age of 23 with dependent children.

“Financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education is considered income for that individual, except for persons over the age of 23 with dependent children.”

Items of Interest

The Office of Multifamily Housing posted a document on the HUD Multifamily RHIP webpage (<http://www.hud.gov/offices/hsg/mfh/rhip/mfhrhip.cfm>) that archived posting #31-35 from the RHIP Listserv. We recently received feedback that our policy of compiling every ten postings into once archive document was not efficient; therefore, we will develop an archive document after every five postings. If you have any suggestions on ways to improve the RHIP Listserv, please feel free to email MFH_RHIP_LISTSERV@HUD.GOV.

Please encourage others to sign-up for the Listserv, so they too can receive current RHIP related information from HUD <http://www.hud.gov/subscribe/maillinglist.cfm>

You can view the RHIP Tips Archives: issues 31-35, under "Listserv-Multifamily RHIP Tips" at <http://www.hud.gov/offices/hsg/mfh/rhip/mfhrhip.cfm>.