

in accordance with § 982.552 of this chapter.

**§ 983.205 Reexamination of family income and composition.**

(a) Section 882.212 of this title, *Reexaminations of family income and composition*, does not apply.

(b) *Regular and interim reexaminations.* (1) The HA must reexamine the income and composition of all families at least once every 12 months. After consultation with the family and upon verification of the information, the HA must make appropriate adjustments in the total tenant payment in accordance with part 813 of this title and determine whether the family's unit size is still appropriate (see § 982.402 of this chapter). The HA must adjust tenant rent and the housing assistance payment to reflect any change in total tenant payment.

(2) The family must supply any information requested by the HA or HUD concerning changes in income. If the HA receives information concerning a change in the family's income or other circumstances between regularly scheduled reexaminations, the HA must consult with the family and make any adjustments determined to be appropriate. Any change in the family's income or other circumstances that results in an adjustment in the total tenant payment, tenant rent, and housing assistance payment must be verified.

(3) The family must disclose and verify social security numbers (as provided by 24 CFR part 750) and must sign and submit consent forms for obtaining information in accordance with 24 CFR part 760 and 24 CFR part 813.

(c) *Continuation of housing assistance payments.* A family's eligibility for housing assistance payments shall continue until the total tenant payment equals the gross rent. The termination of eligibility at such point will not affect the family's other rights under its lease, nor will such termination preclude the

resumption of payments as a result of later changes in income, rents, or other relevant circumstances during the term of the HAP contract. However, eligibility also may be terminated in accordance with HUD requirements for such reasons as failure to submit requested verification information.

**§ 983.206 Overcrowded and underoccupied units.**

(a) Section 982.403(a)(2) of this chapter, *Termination of HAP contract: violation of HQS space standards*; § 982.403(b) of this chapter, *Certificate program only: Termination of HAP contract—subsidy too big for family size*; and § 982.403(c) of this chapter, *Termination*, do not apply.

(b) If the HA determines that a contract unit is not decent, safe, and sanitary because of an increase in family size that causes the unit to be overcrowded or that a contract unit is larger than appropriate for the size of the family in occupancy under the HA's subsidy standards, housing assistance payments with respect to the unit may not be terminated for this reason. The owner, however, must offer the family a suitable alternative unit if one is available and the family shall be required to move. If the owner does not have available a suitable unit within the family's ability to pay the rent, the HA (if it has sufficient funding) must offer Section 8 assistance to the family or otherwise assist the family in locating other standard housing in the HA's jurisdiction within the family's ability to pay, and require the family to move to such a unit as soon as possible. The family must not be forced to move, nor shall housing assistance payments under the HAP contract be terminated for the reasons specified in this paragraph, unless the family rejects, without good reason, the offer of a unit that the HA judges to be acceptable.

**§ 983.207 Assisted tenancy and termination of tenancy.**

(a) Section 982.309 of this chapter, *Term of assisted tenancy*, and § 982.310

of this chapter, *Owner termination of tenancy*, do not apply.

(b) *Term of lease.* The term of a lease, including a new lease or a lease amendment, executed by the owner and the family must be for at least one year, or the remaining term of the HAP contract if the remaining term of the HAP contract is less than one year.

(c) *Move from unit.* The family must notify the HA and the owner before the family moves out of the unit.

(d) *Termination of tenancy.* (1) Subpart A of part 247 of this title, *Eviction from Certain Subsidized and HUD-Owned Projects*, applies, except § 247.4(d) of this title.

(2) The lease may contain a provision permitting the family to terminate the lease on not more than 60 days advance written notice to the owner. In the case of a lease term for more than one year, the lease must contain a provision permitting the family to terminate the lease on such notice after the first year of the term.

(3) The owner may offer the family a new lease for execution by the family for a term beginning at any time after the first year of the term of the lease. The owner must give the family written notice of the offer at least 60 days before the proposed commencement date of the new lease term. The offer may specify a reasonable time for acceptance by the family. Failure by the family to accept the offer of a new lease in accordance with this paragraph shall be "other good cause" for termination of tenancy (under § 247.3(a)(3) of this title).

**§ 983.208 Informal review.**

Section 982.554, *Informal review for applicant*, applies, except § 982.554(c)(3) of this chapter.

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