

Sec. 8-365-4. Maximum income and rental limits

(a) To qualify as a low income family, at the time of initial occupancy of a dwelling unit, a family's gross income shall not exceed fifty percent (50%) of the area median income, adjusted for family size, as determined from time-to-time by the U.S. Department of Housing and Urban Development.

(b) To qualify as a moderate income family at the time of initial occupancy of a dwelling unit, a family's gross income shall not exceed one hundred percent (100%) of the area median income, adjusted for family size, as determined from time-to-time by the U.S. Department of Housing and Urban Development.

(c) At all times after initial occupancy, a family shall qualify as low or moderate income, if its gross income does not exceed the admission income limit as defined in Section 8-365-4 (b) of these regulations multiplied by a factor of 1.25.

(d) No low or moderate income family shall pay a rent in excess of thirty percent (30%) of their adjusted gross income, minus a utility allowance for those tenants who pay their own utilities. The term of the written rental agreement shall be at least one year.

(e) The following items shall be deducted from the gross income to arrive at an adjusted gross income in amounts as established by the Commissioner:

- (1) Income of all dependents who have not reached their 18th birthday;
- (2) Income received as compensation for the care of foster children or from the State Department of Children and Youth Services (DCYS) Adoption Program;
- (3) Income of full-time students who have not reached their 23rd birthday;
- (4) Annual medical expenses which exceed three percent of the family's gross income;
- (5) Child care costs which enable one or both parents to be gainfully employed;
- (6) Alimony and child support payments made by a tenant as ordered by the courts;
- (7) A deduction for dependents; and
- (8) Any other item which, from time to time, may be established by the Commissioner.

(f) In the event that any member of the family is self employed, net income, as defined by the Internal Revenue Service, plus depreciation, shall be used in the determination of the adjusted gross income.

(Effective December 17, 1987)