DATE: May 24, 2016

TO: Interested Parties

FROM: Lisa Bates, Deputy Director  
Division of Housing Policy Development

SUBJECT: State Income Limits for 2016

Attached are briefing materials and State Income Limits for 2016 that are now in effect and replace State 2015 Income Limits. Income limits reflect updated median income and household income levels for extremely low-, very low-, low-, and moderate-income households for California’s 58 counties. The State’s Official 2016 income limits can be downloaded on the Department of Housing and Community Development’s (Department) website <http://www.hcd.ca.gov/hpd/hrc/rep/state/incNote.html>.

State Income Limits apply to designated programs and are to be used to determine applicant eligibility (based on level of household income) and to calculate affordable housing cost for applicable housing assistance programs. Note that use of State Income Limits is subject to a particular program’s definition of income, family, family size, effective dates, and other factors. Also, definitions applicable to income categories, criteria, and geographic areas sometimes differ depending on funding source and program resulting in some programs using other income limits.

Briefing materials explain California’s 2016 income limits were updated based on: (1) changes to income limits the U.S. Department of Housing and Urban Development (HUD) released on March 28, 2016 for its Public Housing and Section 8 Housing Choice Voucher Program and (2) adjustments the Department made based on State statutory provisions and the Department’s 2013 Hold Harmless (HH) Policy.

Since 2013, the Department’s HH policy has held State Income Limits harmless from any decreases in household income category and median income levels that HUD, since 2010, began applying to its Section 8 Income Limits after eliminating its longstanding Hold Harmless Policy. HUD determined its HH Policy was no longer necessary due to federal law changes in 2008 (Public Law 110-98) prohibiting rent decreases in federal or private activity bond funded projects.

Please contact Department staff at (916) 263-2911 to answer questions concerning State Income Limits.

Attachments: 2016 State Income Limits and Briefing Materials
Overview

California Department of Housing and Community Development (HCD), pursuant to Health & Safety Code (H&SC) Section 50093(c), must file updates to its State Income Limits with the Office of Administrative Law. HCD annually updates these income limits based on Federal Department of Housing and Urban Development (HUD) revisions to its Public Housing and Section 8 Housing Choice Voucher Program that HUD released on March 28, 2016.

HUD annually updates its Section 8 income limits to reflect changes in area and family median income levels and income levels for different size households and income categories for extremely-low, very-low, and low-income households. HCD, pursuant to statutory provisions, makes the following additional revisions:

1) increases a county’s smaller area median income to equal California’s higher non-metropolitan median income,
2) adjusts area median income and household income category levels to not result in any decrease for any year after 2009 pursuant to HCD’s February 2013 Hold Harmless (HH) Policy. HCD’s HH policy was implemented to replace HUD’s HH Policy, discontinued in 2009, to not decrease income category and area median income levels below a prior year’s highest level, and
3) determines income limits for California’s moderate-income category.

Following are brief summaries of different technical methodologies used by HUD and HCD in updating income limits for different household income categories.

HUD Methodology

HUD uses 40th percentile rents in 50th percentile fair market rent (FMR) areas, to calculate high housing cost areas. The purpose is to prevent fluctuations in “Low-Income Housing Tax Credit Difficult Development Area” determinations that result solely from high housing cost income limit fluctuations as areas go in and out of the 50th percentile FMR program.

Extremely Low-Income

This income category comprises households with a maximum income of 30 percent (30%) of HUD’s median family income (MFI). HUD calculates extremely-low income limits based on very-low income limits. Extremely low-income limits reflect 60 percent (60%) of very-low income limits. However, HUD sets a floor based on minimum Supplemental Security Income (SSI).

Very Low-Income

The maximum very-low income limit typically reflects 50 percent (50%) of MFI. HUD’s MFI figure generally equals two times HUD’s 4-person very low-income limit, except when HUD applies adjustments. HUD may adjust income limits for an area or county to account for conditions that warrant special considerations, referred to as exceptions. HUD may
apply exceptions to areas with unusually high or low family income, uneven housing-cost-to-income relationships or historical exceptions. The following reflect HUD’s explanations of adjustment increases and decreases contained in HUD’s FY 2016 Income Limits Briefing Material:

Adjustment Increases:
HUD applies an increase, if the four-person very low-income limit would otherwise be less than the amount at which 35 percent (35%) of it equals 85 percent (85%) of the annualized two-bedroom Section 8 FMR (or 40th percentile rent in 50th percentile FMR areas). The purpose is to increase the income limit for areas where rental housing costs are unusually high in relation to the median income.

HUD applies an increase to the four-person income limit to equal the State non-metropolitan median family income level. In addition, the four-person income limit is also increased to not be less than 95 percent of last year’s very low income limit. HUD restricts adjustments so income limits do not vary more than five percent (5%) of the previous year’s very low-income figure. Very low-income limits are used as the base to calculate extremely-low and low-income limits.

Adjustment Decreases:
HUD applies a decrease to the greater of 80 percent (80%) of the U.S. median family level (MFI), or the amount at which 30 percent of a four-person family’s income equals 100 (100%) percent of the two-bedroom FMR (or 40th percentile rent in 50th percentile FMR areas). The purpose is to decrease the income limit for areas of high median family income. The four-person income limit is reduced to the greater of 105 percent (105%) of last year’s limit or twice the change in the national MFI estimate, if that amount would be larger than five percent (5%).

HUD restricts income limit adjustment increases and decreases to not vary more than five percent (5%) of the previous year’s very low-income figure. Adjusted very low-income limits are used as the base to calculate extremely-low and low-income limits.

Low-Income
In general, maximum income for low-income households reflects 80 percent (80%) of the MFI level. Most low-income limits represent the higher level of: (1) 80 percent of MFI or (2) 80 percent of State non-metropolitan median family income. However, due to adjustments that HUD sometimes makes, strictly calculating low-income limits as 80 percent of MFI could produce unintended anomalies inconsistent with statutory intent. HUD’s briefing materials specify that, with some exceptions, the low-income limit reflects 160 percent (160%) of the very low-income limit. HUD may apply exceptions to areas with unusually high or low housing-costs-to-income relationships. An example of the result from HUD applying an exception to an area could be an increase to the low-income limit without an increase to the very low-income limit. In sum, an “80%” limit cannot be assumed to equal 80 percent of the AMI or 4-person median income limit nor 160 percent of the very low-income limit due to adjustments HUD may make.
**Median Family Income/Area Median Income**
HUD references and estimates the term Median Family Income (MFI) in calculating its income limits. California law and income limits reference Area Median Income (AMI) that, pursuant to H&SC 50093(c), means the median family income of a geographic area estimated by HUD for its Section 8 Program.

HUD’s calculations of Section 8 Income Limits begin with the production of MFI estimates. FY 2016 MFI estimates use 5-year survey data (American Community Survey (ACS) 2009-2013 augmented by 2013, 1-year ACS. HUD then adjusts the survey data to account for anticipated income growth by applying the Consumer Price Index (CPI) inflation forecast (from federal FY mid-2013 through April, mid-2016) that the United States Congressional Budget Office published in January 2016. HUD’s determination of MFI is used to calculate very low-income limits that are then used as the basis to calculate income limits for other income categories.

**Income Limit Calculations for Household Sizes Other Than 4-Persons**
Income limits for all income categories are adjusted for household size so that larger households have higher income limits than smaller households. For all income categories, income limits for household sizes other than 4-persons are calculated using the 4-person income limit as the base. HUD’s adjustments use the following percentages, with results rounded to the nearest $50 increment:

Number of persons in Household: 1 2 3 4 5 6 7 8
Adjustments: 70% 80% 90% Base 108% 116% 124% 132%

**Income Limit Calculations for Household Sizes Greater Than 8-Persons**
For households of more than eight persons, refer to the formula at the end of the table for 2016 Income Limits. Due to the adjustments HUD can make to income limits in a given county, table data should be the only method used to determine program eligibility. Arithmetic calculations are applicable only when a household has more than eight members.

**Reference:** FY 2016 HUD Income Limits Transmittal Notice PDR-2016-02 issued March 28, 2016 and HUD Income Limits Briefing Material dated March 10, 2016, both of which can be found at [https://www.huduser.gov/portal/datasets/il/il16/index.html](https://www.huduser.gov/portal/datasets/il/il16/index.html).

**HCD Methodology**
State law (Health & Safety Code Section 50093, et. seq.) prescribes the methodology the Department uses to update its Official State Income Limits. The Department utilizes HUD’s Section 8 Housing Choice Voucher Program Income Limits. HCD’s methodology involves: (1) increasing counties’ smaller median incomes established by HUD to equal California’s non-metropolitan median income determined by HUD, (2) applying HCD’s Hold Harmless (HH) Policy, in effect since 2013, to not allow decreases in area median income levels and household income category levels, and (3) determining income limit levels applicable to California’s moderate-income households defined by State law as household income not exceeding 120 percent of county area median income.
Area Median Income and Income Category Levels
HCD, pursuant to federal and state law and its Hold Harmless (HH) Policy, adjusts median income levels determined by HUD for a metropolitan county (county included in a metropolitan statistical area) and for a non-metropolitan county (county not included in a metropolitan statistical area). HUD, pursuant to Federal law (Section 567 of the 1987 Housing and Community Development Act) and policy, requires adjusting any county’s smaller median income to equal HUD’s higher determined state non-metropolitan median income ($58,900: California for 2016). Next, HCD, for all counties, applies its HH policy to ensure area median income and income limits for all household income categories do not fall below any level achieved in the prior year.

4-person Median Income Calculation
HUD’s 4-person median income figure usually reflects the county’s AMI figure. HUD sometimes makes adjustments to decrease the 4-person very-low income limit when median family income is unusually high. The Department makes adjustments so its calculation of the 4-person very-low income limit for each county is not less than HUD’s median family income figure and, pursuant to HCD’s HH Policy, not less than the prior year’s higher level.

Moderate-Income Levels
The Department is responsible for establishing California’s moderate-income limit levels. After calculating the 4-person area median income (AMI) level as previously described, the Department sets the maximum moderate income limit to equal 120 percent of the county’s AMI.

Applicability of California’s Official State Income Limits
Applicability of these State Income Limits is subject to particular programs as program definitions of such factors as income, family, and household size, etc., vary. Some programs, such as Multifamily Tax Subsidy Projects (MTSPs), use different income limits.

For MTSPs, separate income limits apply per provisions of the Housing and Economic Recovery Act (HERA) of 2008 (Public Law 110-289). Income limits for MTSPs are used to determine qualification levels as well as set maximum rental rates for projects funded with tax credits authorized under Section 42 of the Internal Revenue Code (Code). Also, MTSP income limits apply to projects financed with tax exempt housing bonds issued to provide qualified residential rental development under Section 142 of the Code. These income limits are available at this web link http://www.huduser.org/datasets/mtsp.html.
## Section 6932. 2016 Income Limits

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### Section 6932. 2016 Income Limits

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*Low income exceeding median income is an anomaly for this county due to HUD historical adjustments to median income.

Household lower income figures are derived from very-low income figures that are not adjusted by HUD for exceptions.
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**Instructions:**

**Eligibility Determination:**
Use household size income category figures in this chart. Determine eligibility based on actual number of persons in household and total of gross income for all persons.

**Determination of Income Limit for Households Larger than Eight Persons:**
Per person (PP) adjustment above 8: (1) multiply 4-person income limit by eight percent (8%), (2) multiply result by number of persons in excess of eight, (3) add the amount to the 8-person income limit, and (4) round to the nearest $50.

| Yuba County | Extremely Low           | 24,300 | 1944  | 32,100 | 34,050 | 32,100 | 3888  | 36,000 |
|            | Very Low Income         | 29,700 | 2376  | 39,200 | 41,600 | 39,200 | 4752  | 43,950 |
|            | Lower Income            | 47,500 | 3800  | 62,700 | 66,500 | 62,700 | 7600  | 70,300 |
|            | Moderate Income         | 71,300 | 5704  | 94,100 | 99,800 | 94,100 | 11408 | 105,500 |

**Calculation of Housing Cost and Rent:**
Refer to Heath & Safety Code Sections 50052.5 and 50053. Use benchmark household size and multiply against applicable percentages defined in H&SC using Area Median Income identified in this chart.

**Determination of Household Size:**
For projects with no federal assistance, household size is set at number of bedrooms in unit plus one.
For projects with federal assistance, household size may be set by multiplying 1.5 against the number of bedrooms in unit.

**HUD release:** 3/28/2016

*Authority cited: Health and Safety Code (H&SC) Section 50093.*

*Reference: H&SC Sections 50079.5, 50093, 50105, and 50106.*