



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
Income and Rent Limits in TDHCA-Supported Properties



Property Name: \_\_\_\_\_

Management Company \*

Property Owner \*

Company Name:

\_\_\_\_\_

\_\_\_\_\_

Contact Name:

\_\_\_\_\_

\_\_\_\_\_

Phone Number:

\_\_\_\_\_

\_\_\_\_\_

Email Address:

\_\_\_\_\_

\_\_\_\_\_

\* As listed in TDHCA's Compliance Monitoring Tracking System (CMTS).

The Texas Department of Housing and Community Affairs (TDHCA) assists housing developers build reduced rent apartments statewide mostly through federally funded programs. These apartments are called program units. The federal programs have certain rules. The federal rules direct how income and rent limits are set.

Here's how income and rent limits are set for TDHCA-monitored properties.

### Income Limits

- Income limit is the maximum income you can earn to live in a program unit. You cannot live in a program unit if your income is over the income limit for that program unit. Income limits vary by the *number of household* members.
- The federal government releases income limits every year.
- Income limits are based on what other peoples' incomes are in your area. This is called the Area Median Income or "AMI."
- See your property manager or owner if you have questions about income limits.
- If your income goes up, you may continue to live in your unit and pay the fair market rent.

### Rent Limits

- Rent limit is the maximum rent the property may charge for the program units. The rent limit is a percentage of the income limit.
- Rent limits vary by the *number of bedrooms* in an apartment.
- Rent limits for TDHCA-monitored properties are not based on your individual household income.
- See your property manager or owner if you have questions about rent limits.

### Why Rents are Different

- Each property has its own Land Use Restriction Agreement (LURA).
- The LURA sets the *number of apartments* that must be leased at certain income and rent limits.
- Income and rent limits may be different for apartments with the same floor plan on the same property. This means that your rent may be different from your neighbor's rent because of the LURA.
- Other properties in the same area can have different income and rents limits because their LURA may be different.

### WHY RENTS GO UP

1. When people in your area make more money, the Area Median Income goes up.
2. When the Area Median Income goes up, the income limit for your apartment may go up.
3. Your rent may go up even if your personal or household income does not change.



### QUESTIONS, CONCERNS OR COMPLAINTS

See your property manager or owner if you have any questions, concerns or complaints.

## What To Do When Rents Go Up

If your rent goes up to more than you can afford you may want to:

- Ask your property manager if there are any lower rent apartments available for you.
  - If a lower rent apartment is not available, ask to be placed on a **waiting list** if you qualify.
- Look for other lower rent properties that may better fit your budget. Below are some resources to help you find reduced rent properties in your area.
  - TDHCA-Supported Properties:  
Visit <http://goo.gl/LFe3yZ> or call TDHCA toll free 800-525-0657
  - U.S. Department of Housing and Urban Development (HUD) Project-Based Properties: Visit <https://goo.gl/kTqLRg> or call HUD toll free 866-641-8102
  - USDA Rural Development Properties: Visit <https://goo.gl/4M4GVc>
- Rent payment help may be available from a local organization. Find providers at [www.tdhca.state.tx.us/texans.htm](http://www.tdhca.state.tx.us/texans.htm)

See your property manager or owner if you have questions about your rent.



### GOOD TO KNOW

TDHCA does not own or manage properties.

TDHCA-monitored properties do not help you pay your rent.

### ANNUAL DATA COLLECTION

Some properties may have to get information from you every year.

You may be asked to give the number of people in your household, your household income, and other information.

## Utility Allowances

The Utility Allowance for a property is an estimate of the utilities expected for *an energy conservative household*; this amount may not be the actual amount which utilities cost monthly. The rent that an owner is allowed to charge is a calculation of the maximum allowed rent minus the utility allowance, fees, and, in some instances, housing assistance. If you have questions or concerns about the Utility Allowance please contact the owner, management company, on-site staff, or the Department.

- Utilities are gas, electricity, water, sewer, and trash.
- Cable, phone, and internet are never included in the utility allowance.
- Annually, at a minimum, the owner of the property is required to review the utility allowance and, in some cases, submit to the Department for approval.
- At the time of a Utility Allowance change, unless the property uses the Public Housing Authority to calculate the amount, a posting will be available in a common area to notify residents of the change.
- The resident posting will give you information on how to address concerns directly to the Department.
- A change in the utility allowance may cause your rent to go down, or go up, depending on the change in the allowance amount. The property must properly notify you of a rent increase as required by Texas law or Department rules. If the rent is increasing more than \$75, the property must notify you, the tenant, at least 75 days prior to the higher rent going into effect. Additionally, the rent may not be increased more than once in a 12-month period per Department rules.
- The amount the owner may charge for an apartment is calculated as follows: Gross Rent (from page 1) minus the approved Utility Allowance minus any required fees equals Net Rent (the amount the owner can charge a tenant (i.e. you)). Sometimes this calculation includes housing assistance, if received by the household. That is going to depend on the LURA for the property and program requirements.

## Questions, Concerns or Complaints

- Step 1: Call or write your property manager and state your question, concern, or complaint.
- Step 2: Give your property manager time to respond to your question, concern, or complaint.
- Step 3: Call or write your property owner if the manager has not responded to your question, concern, or complaint.
- Step 4: Give your property owner time to respond to your question, concern, or complaint.
- Step 5: Make sure you live in a TDHCA-supported property.
- Look for your property in TDHCA's database at <http://goo.gl/LFe3yZ>
  - If your property is *not* in TDHCA's database, TDHCA *cannot* help with your complaint.
- Step 6: File a written complaint with TDHCA *only* if the property manager or property owner have *not* responded to your complaint.
- Mail: TDHCA, Attn: Housing Resource Center, PO Box 13941, Austin, TX 78711-3941
- Fax: 800-733-5120 or submit a complaint online at [www.tdhca.state.tx.us/complaint.htm](http://www.tdhca.state.tx.us/complaint.htm)
- Note: TDHCA may take up to 15 working days to respond to your complaint.

### The information on these pages:

- *Do not apply* to properties funded by the US Department of Agriculture (USDA or rural development properties), or properties funded by the US Department of Housing and Urban Development (HUD) or "project-based Section 8 properties".
- Is provided as a courtesy for informational purposes only, and nothing on this document is either a legal opinion or a complete statement of the laws or administrative rules of the Texas Department of Housing and Community Affairs. In any conflict between this information and Texas laws or administrative rules, the laws and administrative rules shall prevail.
- Includes shortened web addresses (URLs) for your convenience.