

NAHMA HUD Update: Eligibility of Independent Students for Assisted Housing; Additional Supplementary Guidance

Dear NAHMA Member,

HUD recently issued the following supplementary guidance concerning the “Student Rule,” or the eligibility of tenants who are pursuing a higher education. With this notice, HUD seeks to:

1. Clarify the definition of “Independent Student.” HUD aligned the definition of “Independent Student” with the U.S. Department of Education’s definition of “Independent Student.” The definition of Independent Student was updated to include those who were an orphan, in foster care, or ward of court at the age of 13 (previous definition had age 18 and did not include “in foster care”). The new Independent Student definition also added those students who are or were emancipated or in legal guardianship; and added unaccompanied youths who are homeless or at risk of homelessness; and
2. Clarify the verification process for vulnerable populations. HUD also clarified what documentation is needed to support “vulnerable youth populations” that are independent of his or her parents (where the income of the parents is not relevant). Vulnerable youth populations include an orphan, in foster care, ward of the court, emancipated minor, unaccompanied homeless youth, and youth at risk of being homeless. This clarification indicated that for vulnerable youth populations: (1) the tax return requirement only applies to providing the student’s tax returns and not that of the student’s parents, and (2) a written certification is not required by the student’s parent. The previous requirements created barriers for vulnerable youth to receive assistance and continue their education.

The notice is attached to this message and may also be found on the NAHMA website [here](#)

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