

PENNSYLVANIA DEFINITIONS

The Housing Opportunities Through Modernization Act (HOTMA) includes updated income and asset exclusions. The household's income calculation and applicable income limit are affected by certain family members such as foster children or foster adults. Occupancy standards remain intact. The following definitions of foster children, foster adults, real property, manufactured housing are utilized by the Pennsylvania Housing Finance Agency for HOTMA income and asset calculation purposes:

FOSTER CHILDREN

In Pennsylvania, this reference is a regulation, not legislation.

An individual who was an adjudicated dependent before reaching 18 years of age and who:

- (1) has not reached 18 years of age and is in placement; or
- (2) is in placement after reaching 18 years of age and while engaged in a course of instruction or treatment, requests the court to retain jurisdiction until the course of instruction or treatment is completed, but in no event shall the court maintain jurisdiction after the individual reaches 21 years of age.

<https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2010&sessInd=0&act=119>

FOSTER ADULT

Pennsylvania does not define foster adult in legislation; however, it is addressed in Pennsylvania Code:

F § 2610.3. Client characteristics.

(a) A client placed in a foster home for adults shall:

- (1) Be 18 years of age or older.
- (2) Have demonstrated, over an extended period, marginal social adjustment which prevents independent living in the community.
- (3) Not require intermediate care, skilled nursing care or general or special hospital care, on a 24-hour, residential basis.
- (4) Have no family or significant others willing or able to provide the necessary support.
- (5) Have no in-home service, necessary for independent living, available to him.

<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/055/chapter2610/chap2610toc.html&d=#:~:text=%C2%A7%202610.3.independent%20living%20in%20the%20community>

REAL PROPERTY

While Pennsylvania does not have a general definition for real property, the legislature uses the following:

Land and all structures and fixtures thereon and all estates and interests in land, including easements, covenants, and leaseholders.

MANUFACTURED HOUSING

If it is affixed to the property, it becomes real property. If not affixed, it is personal property (if the manufactured housing has been installed it will most likely be real property).