



Update on Emerging LIHTC Issues

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Welcome to the recent addition to the credential. Our intent is to provide HCCPs with a brief update on the latest upcoming news and potential changes in the LIHTC industry. Keeping in mind that the majority of HCCPs work with multi-funded projects so we will also touch on some non-LIHTC changes that will most likely affect your day-to-day work.

- On December 29, 2025, the Internal Revenue Service issued the [2026 standard mileage rates](#) used to calculate the deductible costs of operating an automobile for business, charitable, medical, or moving purposes. In affordable housing, these rates become a factor when calculating net income from some businesses that families may be involved in (such as gig economy drivers with Uber, Lyft, or Grubhub) or when calculating medical expense deductions for mileage to and from medical treatment or appointments for subsidized rent programs. Our friends at Costello Compliance have a more in-depth look at why this might affect how you calculate self-employment income and can be accessed by clicking [HERE](#).
- On December 30, HUD further [extended the deadline](#) for compliance with new Housing Opportunity Through Modernization Act (HOTMA) requirements to include its Community Planning and Development (CPD) programs. The HOME Investment Partnerships Program, HOME-American Rescue Plan Program, Housing Trust Fund, Housing Opportunities for Persons With AIDS, Community Development Block Grant program, Emergency Solution Grants, Continuum of Care programs, and CPD programs funded through competitive processes will be required to comply with HOTMA requirements by January 1, 2027, aligning the HOTMA compliance deadline for CPD programs with [other HUD multifamily programs](#). This extension follows an earlier extension of the HOTMA compliance date to January 1, 2026.
- On the Fair Housing front HUD has recently proposed rescission of the Disparate Impact Rule. The rule was originally established in 2013 to prohibit policies that would result in discriminatory effects. This comes on the heels of the DOJ's final rule which ended Title VI Disparate Impact in December of 2025. Our friends at US Housing Consultants have an interesting article on this development that can be read [HERE](#). It now seems that HUD, with pressure from our current administration in Washington, is proposing to repeal the rule which would make the repeal applicable to Fair Housing. Our friends at NCSHA have a more in-depth look into why HUD is making this move and the



article can be read [HERE](#). It should be noted that the Fair Housing rules have not formally been changed yet. Until we can read the language in the Final Rule issued by HUD and/or any other memorandums issued by HUD, you are encouraged to continue applying your current policies and following the current known guidelines.

- At the end of last year, the U.S. Senate passed The ROAD to Housing Act which included several bills that encourage the strengthening of affordable housing. The bills included provisions to create more funding for projects, strengthen some current funding sources and provide an easier avenue for the development of housing. Our friends at NCSHA have summarized what is in the Act and it can be found [HERE](#).

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