

De Minimis Error: 24 CFR 5.609(c)(4); 882.515(f); 882.808(i)(5); 960.257(f); and 982.516(f)

De Minimis Errors This relates to the allowable margin of error regarding a PHA's calculation of your income. De minimis errors occur when a PHA makes a determination of the family's income that differs from the correct income by NO MORE THAN \$30.00 per month in adjusted income (or \$360.00 per year). HUD will not issue a finding to the PHA for errors that are De Minimis Errors.

- If a family was **overcharged** due to an error, PHAs must repay or credit the family retroactive to the effective date of the action the error was made regardless of the dollar amount associated with the error. Families will not be required to enter a repayment agreement if they are undercharged due to a PHA error.
- If a family is **undercharged** due to PHA error, the error will be corrected moving forward and the family will not be required to repay the PHA. If the difference is larger than \$30 and it was due to family error, the family will be required to enter a repayment agreement with the PHA.

Example:

If RHA mistakenly calculates a family's income, leading to a \$25 per month difference, RHA will not be penalized in a Management or Occupancy Review by HUD, but RHA must still correct the certification.