

APPENDIX A.—FISCAL YEAR 1994 PUBLIC AND INDIAN HOUSING RECIPIENTS OF THIRD AND FOURTH QUARTER FUNDING DECISIONS—Continued

Name and address	Amount awarded
DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC AND ASSISTED HOUSING, DC, ROBERT BORGHESE, 21 S. 12th St., Suite 902, Philadelphia, PA 19107	7,805.00
DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC AND ASSISTED HOUSING, DC, SEVERIN SORENSEN, PO Box 34469, Bethesda, MD 20813-1072	10,000.00
MUCKLESHOOT INDIAN HOUSING AUTHORITY, WA, SEVERIN SORENSEN, PO Box 34469, Bethesda, MD 20813-1072	10,000.00
HOUSING AUTHORITY OF BALTIMORE CITY, MD, DAVID ROUEN, TSAILE, INC. (PATH) Box 1827, Carolina Beach, NC 28428	5,496.00
DANBURY HOUSING AUTHORITY, CT, PATRICIA SURPRENANT, 418 Robin Ct., Cheshire, CT 06410	4,836.00
HOUSING AUTHORITY OF WINONA, MS, PAUL TANNER, 5618 Shorewood Rd., Jacksonville, FL 32210	9,018.00
FORT BERTHOLD INDIAN HOUSING AUTHORITY, ND, ANNE FALLIS, Rural Route 1, Box 1845, Rapid City, SD 57702	9,204.00
HATTIESBURG HOUSING AUTHORITY, MS, C. JEAN BENNETT, 207 Valley North Blvd., Jackson, MS 39206	8,084.00
FOREST HOUSING AUTHORITY, MS, C. JEAN BENNETT, 207 Valley North Blvd., Jackson, MS 39206	8,718.00
HOUSING AUTHORITY OF THE CITY OF NEW BERN, NC, LEXIE WILLIAMS, 1177 Dominion Court, Port Orange, FL 32119 .	7,240.00
HOUSING AUTHORITY OF GRANT COUNTY, WA, ROXANNA NANTO, CC CONSULTING ASSOCIATES, 704 NE Larch Court, Wenatchee, WA 98802	6,613.00
TAYLOR HOUSING AUTHORITY, TX, JAMES GODFREY, GODFREY & ASSOCIATES, P.O. Box 2470, Hot Springs, AR 71914	9,512.00
COLORADO RIVER INDIAN HOUSING AUTHORITY, AZ, SUSAN GUYETTE, 97 Moya Rd., Santa Fe, NM 87505	8,953.00
HOUSING AUTHORITY OF WOONSOCKET, RI, ROBERT BORGHESE, 21 S. 12th St., Suite 902, Philadelphia, PA 19107	9,132.00
ROME HOUSING AUTHORITY, GA, JAMES GODFREY, GODFREY & ASSOCIATES, P.O. Box 2470, Hot Springs, AR 71914	9,787.00
PROVIDENCE HOUSING AUTHORITY, RI, SEVERIN SORENSEN, PO Box 34469, Bethesda, MD 20813-1072	10,000.00
CANTON HOUSING AUTHORITY, NY, LYNN BORRELL, Lynne Borrell & Associates, Suite 402, 1165 North Clarke, Chicago, IL 60610	10,000.00
THE HOUSING AUTHORITIES OF FAIRBURN/UNION CITY, GA, SAUNDRA D. WILLIAMS, D & J CONSULTANTS, 4300 Flat Shoals Road #2606, Union City, GA 30291	9,440.00
MARIANNA HOUSING AUTHORITY, FL, PAUL TANNER, 5618 Shorewood Road, Jacksonville, FL 32210	8,858.00
SCHWARTZ-ROBESON TENANTS ASSOCIATION, NJ, ALEXANDER SUTTON, 1133 Kensington Ave., Plainfield, NJ 07060 ..	10,000.00
HOUSING AUTHORITY OF GALLATIN, TN, KARRIEM SHABAZZ, 3150 Borge Street, Oakton, VA 22124	6,630.00
TRIANA HOUSING AUTHORITY, AL, JOSEPH ALEX, P.O. BOX 210546, 4604 Virginia Loop Road, Montgomery, AL 36121	8,355.00
PENNINGTON COURT TENANTS ASSOCIATION, NJ, GERARD LEE, 810 Belvidere Ave., Plainfield, NJ 07060	10,000.00
HOUSING AUTHORITY OF MERCED, CA, JEFFREY OSHINS, 271 Rosario Park Road, Santa Barbara, CA 93105	7,504.00
WILMINGTON HOUSING AUTHORITY, DE, NANCY LOWE-CONNO, 3406 Wild Cherry Road, Baltimore, MD 21207	9,959.00
SOUTHERN PUGET SOUND INDIAN HOUSING AUTHORITY, WALINDA RINALDI, Seattle, WA	9,786.00
HOUSING AUTHORITY OF JACKSON COUNTY OR ROXANNA NANTO, CC CONSULTING ASSOCIATES, 704 NE Larch Court, Wenatchee, WA 98802	9,441.00
OLNEY HOUSING AUTHORITY, TX, JEFFREY OSHINS, 271 Rosario Park Road, Santa Barbara, CA 93105	7,911.00
Total	595,673.00

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Office of the Secretary

[Docket No. N-95-3892; FR-3864-N-01]

Notice of Regulatory Waiver Requests Granted

AGENCY: Office of the Secretary, HUD.

ACTION: Public notice of the granting of regulatory waivers. Request: July 1, 1994 through September 30, 1994.

SUMMARY: Under the Department of Housing and Urban Development Reform Act of 1989 (Reform Act), the Department (HUD) is required to make public all approval actions taken on waivers of regulations. This notice is the fifteenth in a series, being published on a quarterly basis, providing notification of waivers granted during the preceding reporting period. The purpose of this notice is to comply with the

requirements of section 106 of the Reform Act.

FOR FURTHER INFORMATION CONTACT:

For general information about this Notice, contact Camille E. Acevedo, Assistant General Counsel for Regulations, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410; (telephone 202-708-3055); TDD: (202) 708-3259. These are not toll-free numbers.) For information concerning a particular waiver action, about which public notice is provided in this document, contact the person whose name and address is set out, for the particular item, in the accompanying list of waiver-grant action.

SUPPLEMENTARY INFORMATION: As part of the Housing and Urban Development Reform Act of 1989, the Congress adopted, at HUD's request, legislation to limit and control the granting of regulatory waivers by the Department. Section 106 of the Act (Section 7(q)(3)

of the Department of Housing and Urban Development Act, 42 U.S.C. 3535 (q)(3), provides that:

1. Any waiver of a regulation must be in writing and must specify the grounds for approving the waiver;

2. Authority to approve a waiver of a regulation may be delegated by the Secretary only to an individual of Assistant Secretary rank or equivalent rank, and the person to whom authority to waive is delegated must also have authority to *issue* the particular regulation to be waived;

3. Not less than quarterly, the Secretary must notify the public of all waivers of regulations that the Department has approved, by publishing a Notice in the Federal Register. These Notices (each covering the period since the most recent previous notification) shall:

a. Identify the project, activity, or undertaking involved;

b. Describe the nature of the provision waived, and the designation of the provision;

c. Indicate the name and title of the person who granted the waiver request;

d. Describe briefly the grounds for approval of the request;

e. State how additional information about a particular waiver grant action may be obtained.

Section 106 also contains requirements applicable to waivers of HUD handbook provisions that are not relevant to the purposes of today's document.

Today's document follows publication of HUD's Statement of Policy on Waiver of Regulations and Directives Issued by HUD (56 FR 16337, April 22, 1991). This is the twelfth Notice of its kind to be published under Section 106. It updates HUD's waiver-grant activity from July 1, 1994 through September 30, 1994. In approximately three months, the Department will publish a similar Notice, providing information about waiver-grant activity for the period from October 1, 1994 through December 31, 1994.

For ease of reference, waiver requests grant by departmental officials authorized to grant waivers are listed in a sequence keyed to the section number of the HUD regulation involved in the waiver action. For example, a waiver-grant action involving exercise of authority under 24 CFR 24.200 (involving the waiver of a provision in part 24) would come early in the sequence, while waivers in the Section 8 and Section 202 programs (24 CFR Chapter VIII) would be among the last matters listed. Where more than one regulatory provision is involved in the grant of a particular waiver request, the action is listed under the section number of the first regulatory requirement in Title 24 that is being waived as part of the waiver-grant action. (For example, a waiver of both § 811.105(b) and § 811.107(a) would appear sequentially in the listing under § 811.105(b).) Waiver-grant actions involving the same initial regulatory citation are in time sequence beginning with the earliest-dated waiver grant action.

Should the Department receive additional reports of waiver actions taken during the period covered by this report before the next report is published, the next updated report will include these earlier actions, as well as those that occur between October 1, 1994 and December 31, 1994.

Accordingly, information about approved waiver requests pertaining to regulations of the Department is

provided in the Appendix that follows this Notice.

Dated: February 14, 1995.

Henry G. Cisneros,
Secretary.

Appendix

Listing of Waivers of Regulatory Requirements Granted by Officers of the Department of Housing and Urban Development, July 1, 1994 through September 30, 1994.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: James B. Mitchell, Director, Financial Services Division, Office of Housing, Department of Housing and Urban Development, 470 L'Enfant Plaza East, Room 3119, Washington, DC 20024, Phone: (202) 755-7450.

Regulation: 24 CFR Sections 811.106(d) and 811.107(d) of 1977 Regulations.

Project/Activity: Gloucester County (New Jersey) HA refunding of bonds which financed an uninsured Section 8 assisted project, Colonial Park, HUD Project Number NJ16-0029-002.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted By: Nicholas P. Retsinas, Assistant Secretary for Housing—FHA Commissioner.

Dated Granted: September 16, 1994.

Reasons Waived: The Part 811 regulations cited above prohibited refunding and required that excess reserve balances be used for project purposes. The issuer has requested HUD permission to release excess reserve balances from the 1979 Trust Indenture to help pay transaction costs of a McKinney Act Section 8 bond refunding. Issuance of 1994 refunding bonds of \$6,755,000 at a yield of 6.10% under Section 103 of the Tax Code will generate Section 8 savings.

Regulation: 24 CFR Sections 811.106(d) and 811.107(d) of 1977 Regulations.

Project/Activity: Akron (Ohio) Metropolitan HA refunding of bonds which financed an uninsured Section 8 assisted project, Mayflower Manor, HUD Project Number OH12-0003-002.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted By: Nicholas P. Retsinas, Assistant Secretary for Housing—FHA Commissioner.

Dated Granted: September 30, 1994.

Reasons Waived: The Part 811 regulations cited above prohibited refunding and required that excess reserve balances be used for project purposes. The issuer has requested HUD permission to release excess reserve balances from the 1980 Trust Indenture to help pay transaction costs of a McKinney Act Section 8 bond refunding. Issuance of 1994 refunding bonds of \$6,005,000 at a yield of 6.54% under Section 103 of the Tax Code will generate Section 8 savings.

Regulation: 24 CFR Sections 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b).

Project/Activity: Washoe Housing Finance Corporation refunding of bonds which financed a Section 8 assisted project, the Golden II Apartments (FHA No. 125-135094).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing—Federal Housing Commissioner.

Dated Granted: July 21, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refundings bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR Section 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on July 6, 1994. Refunding bonds have been priced to an average yield of 6.8%. The tax-exempt refunding bond issue of \$2,355,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 9.75% at the call date with tax-exempt bonds yielding 6.8%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 10% to 7.05%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Sections 811.114(d), 811.115(b), 811.117.

Project/Activity: The Housing Finance Corporation of Irvington, New Jersey refunding of bonds which financed a Section 8 assisted project, Berkeley Terrace Apartments (FHA No. 031-35238).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing—Federal Housing Commissioner.

Dated Granted: August 18, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions under Section 103 of the Tax Code. This refunding proposal was approved by HUD on February 8, 1994. Refunding bonds have been priced to an average yield of 6.38%. The tax-exempt refunding bond issue of \$4,570,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax

revenue benefits through replacement of outstanding tax-exempt coupons of 10.5% at the call date in 1994 with tax-exempt bonds at a substantially lower interest rate. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for lower-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Sections 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(2), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b).

Project/Activity: Providence, Rhode Island HA refunding of bonds which financed a Section 8 assisted project, the Maplewood Terrace Apartments (FHA No. 016-35076).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 119(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: August 23, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. This refunding proposal was approved by HUD on June 17, 1994. Refunding bonds have been priced to an average yield of 6.9%. The tax-exempt refunding bond issue of \$4,425,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 9.7%–10.75% at the call date with tax-exempt 6.9% bonds. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 10.6% to 7.75%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Sections 811.107(a)(2), 811.107(b), 811.108(b)(1), 811.108(b)(3), 811.108(b)(4), 811.114(b)(3), 811.114(d), 811.115(b).

Project/Activity: Monroe-McKeen Plaza (Louisiana) HDC refunding of bonds which financed a Section 8 assisted non-insured project, the McKeen Plaza Apartments, (FHA No. LA48-0053-001).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: August 29, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. This

refunding proposal was approved by HUD on July 26, 1994. Refunding bonds have been priced to an average yield of 6.80%. The tax-exempt refunding bond issue of \$2,660,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10.5%–11.25% at the call date in 1994 with tax-exempt bonds yielding 6.8%. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for lower-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Sections 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b).

Project/Activity: Town of Babylon, New York refunding of bonds which financed a Section 8 assisted project, Andpress Plaza Apartments (FHA No. 012-35582).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: September 8, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transaction and do not fit the terms of refunding transactions. To credit enhance refundings bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR Section 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on June 2, 1994. Refunding bonds have been priced to an average yield of 6.79%. The tax-exempt refunding bond issue of \$2,405,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 9.9% at the call date with tax-exempt bonds yielding 6.79%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 9.9% to 7.2%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury Tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Sections 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b).

Project/Activity: Providence, Rhode Island HDC refunding of bonds which financed a Section 8 assisted project, the Barbara Jordan Apartments (FHA No. 016-57008).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from

Federal income taxation and authorize call of debentures prior to maturity.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: September 15, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transaction and do not fit the terms of refunding transactions. To credit enhance refundings bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR Section 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on June 14, 1994.

Refunding bonds have been priced to an average yield of 6.74%. The tax-exempt refunding bond issue of \$8,890,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 11.8% at the call date with tax-exempt bonds yielding 6.74%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 12% to 6.9%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury Tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Sections 811.107(a)(2), 811.107(b), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b).

Project/Activity: Regional HDC of Kansas City, Missouri refunding of bonds which financed a Section 8 assisted project, the Lawndale Heights Apartments (FHA No. 084-37229).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: September 30, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. This refunding proposal was approved by HUD on August 30, 1994. Refunding bonds have been priced to an average yield of 6.78%. The tax-exempt refunding bond issue of \$4,465,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10.25% at the call date with tax-exempt bonds yielding 6.78%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 10.375% to 6.93%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects

will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Sections 811.114(d), 811.115(b), 811.117.

Project/Activity: The Housing Authority of Seattle, Washington refunding of bonds which financed a Section 8 assisted project, Market House Elderly Project, No. WA19-8023-005.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: July 21, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions under Section 103 of the Tax Code. This refunding proposal was approved by HUD on June 29, 1994. Refunding bonds have been priced to an average yield of 6%. The tax-exempt refunding bond issued of \$1,730,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 11% at the call date in 1994 with tax-exempt bonds at a substantially lower interest rate. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for lower-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Section 811.114(d).

Project/Activity: District of Columbia HFA redemption of bonds which financed a Section 8 assisted project in 1979, the Trinity Towers Apartments, FHA No. 000-35240.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: July 27, 1994.

Reasons Waived: The Part 811 regulation cited above requires HUD approval and reduction of Section 8 rents for prepayment of Section 11(b) bonds. The bonds will be redeemed by sale of the FHA mortgage note. Proceeds of the note sale will also finance project repairs. No reduction in project debt service or contract rents will occur. The Treasury also gains long-term tax revenue benefits through prepayment of outstanding tax-exempt bonds. The refunding serves the important public purposes of improving Treasury Tax revenue, (helping reduce the budget deficit), and assuring that the project is maintained in sound physical condition.

Regulation: 24 CFR Sections 811.114(d), 811.115(b), 811.117.

Project/Activity: The Housing Authority of Delaware County, Pennsylvania refunding of bonds which financed a Section 8 assisted

project, Kinder Park Apartments, FHA No. PA26-0020-001.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: August 10, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transaction and do not fit the terms of refunding transactions under Section 103 of the Tax Code. This refunding proposal was approved by HUD on March 18, 1994. Refunding bonds have been priced to an average yield of 5.66%. The tax-exempt refunding bond issue of \$4,040,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 6.00%-6.40% at the call date in 1994 with tax-exempt bonds at a substantially lower interest rate. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury Tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for lower-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Section 811.114(d).

Project/Activity: Whiteside County, Illinois HA refunding of bonds which financed a Section 8 assisted project, the Civic Plaza II Apartments, HUD No. IL-06-0038-002).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted By: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: September 26, 1994.

Reasons Waived: The Part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding bonds to be issued as taxable obligations. Refunding bonds will be issued in an amount sufficient to provide capitalized distributions to the Project Owner entity which agrees to extend low-income occupancy for ten years after expiration of the Section 8 Housing Assistance Payments Contract. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt bonds of 9.5% coupons of lower yielding debt. The refunding serves the important public purposes of improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for lower-income families after subsidies expire, a priority HUD objective.

Note to Reader: The person to be contacted for additional information about the waiver-grant items in this listing is: Robin Prichard, Drug-Free Neighborhoods Division, Office of Community Relations and Involvement, Department of Housing and Urban Development, 451 7th Street, S.W.—Room

4116, Washington, DC 20410-5000, (202) 708-1197.

14. Regulation: 24 CFR 961.

Project/Activity: Maricopa County Housing Authority, Phoenix, AZ.

Nature of Requirement: 24 CFR 961, allows only one six month extension on each grant awarded beyond the grant period.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: September 1994.

Reason Waived: The Resident Services Coordinator for MCHD, along with the leadership of the Housing Director, have the contacts, respect and commitment from reputable agencies to carry out the drug elimination program successfully. It is clear that they have identified the most vulnerable complexes needing the services of a drug elimination initiative, which are generally social and economically stressed. Also, it is very clear, that the need for this drug elimination grant extension to be approved can and will have a tremendous affect on the safety of our resident and will be felt throughout MCHD, therefore, we are asking for your approval to grant this extension request.

MCHD is a Troubled Housing Authority, that is in the process of entering into a Memorandum of Agreement and have the staff, commitment and resources, if approved to implement this initiative. All of the programs requested and planned in the revised budgets not only will help make their living environment safer, the programs proposed include self-help programs for low income residents.

Note to Reader: The person to be contacted for additional information about the waiver-grant items in this listing is: John Comerford, Director, Financial Management Division, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410, Phone: (202) 708-1872, TDD: (202) 708-0850 (These are not toll-free numbers).

15. Regulation: 24 CFR 990.104.

Project/Activity: Guntersville, AL, Housing Authority In determining the operating subsidy eligibility, a request was made for funding for two units approved for non-dwelling use to promote economic self-sufficiency programs.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: August 4, 1994.

Reason Waived: To allow additional subsidy for units approved for non-dwelling use to promote economic self-sufficiency services pending publication of a final rule implementing this change to the regulation.

16. Regulation: 24 CFR 990.104.

Project/Activity: Jennings, LA, Housing Authority In determining the operating subsidy eligibility, a request was made for funding for one unit approved for non-dwelling use to promote anti-drug programs.

Nature of Requirement: The operating subsidy calculation excludes funding for

units removed from the dwelling rental inventory.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: August 30, 1994.

Reason Waived: To allow additional subsidy for one unit approved for non-dwelling use to promote anti-drug programs pending publication of a final rule implementing this change to the regulation.

17. Regulation: 24 CFR 990.104.

Project/Activity: Los Angeles, CA, Housing Authority. In determining the operating subsidy eligibility, a request was made for funding for units approved for non-dwelling use to promote economic self-sufficiency and anti-drug programs.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 25, 1994.

Reason Waived: To allow additional subsidy for 29 units approved for non-dwelling use to promote economic self-sufficiency services and anti-drug programs pending publication of a final rule implementing this change to the regulation.

18. Regulation: 24 CFR 990.104.

Project/Activity: Tulsa, OK, Housing Authority. In determining the operating subsidy eligibility, a request was made for funding for units approved for non-dwelling use to promote economic self-sufficiency and anti-drug programs.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 19, 1994.

Reason Waived: To allow additional subsidy for six units approved for non-dwelling use to promote economic self-sufficiency services and anti-drug programs pending publication of a final rule implementing this change to the regulation.

19. Regulation: 24 CFR 990.109(b)(3)(iv).

Project/Activity: A request was made by the Allentown, PA Housing Authority to use an occupancy rate of 91% in determining its operating subsidy eligibility for its fiscal year 6/30/95.

Nature of Requirement: A Low Occupancy Public Housing Agency (PHA) without an approved Comprehensive Occupancy Plan (COP) must use a projected occupancy rate of 97%.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 11, 1994.

Reason Waived: The vacancy problem being experienced by the Allentown Housing Authority is the result of an accidental gas explosion and fire at an elderly high-rise development which left 147 units uninhabitable. These units are expected to be repaired in approximately nine months. During this period, the elderly residents will be relocated to private-owned housing. Because of the short-term nature of the problem, the Allentown Housing Authority was allowed to use 91% as its occupancy percentage for its fiscal year ending 6/30/95.

20. Regulation: 24 CFR 990.109(b)(3)(iv).
Project/Activity: A request was made by the St. Edward, NE Housing Authority to use its actual occupancy rate of 61% in determining its operating subsidy eligibility for its fiscal year ending (FYE) 12/31/94.

Nature of Requirement: A public housing agency (PHA) that has completed a Comprehensive Occupancy Plan (COP) without achieving a 97% occupancy percentage or having an average of five or fewer vacant units must use a projected occupancy rate of 97%.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 14, 1994.

Reason Waived: The St. Edward Housing Authority is a small PHA of 18 units, primarily elderly. There has been a significant decline in the town's population according to census data, as well as loss of businesses during the past several years. Because the documented lack of demand was basically beyond the control of the Authority, and in order to preclude further depletion of its operating reserves, the PHA was allowed to use 61% as its occupancy percentage for its fiscal year ending 12/31/94.

21. Regulation: 24 CFR 990.110 and 990.107.

Project/Activity: Springfield, MA Housing Authority. In determining the operating subsidy eligibility, a request was made to permit the Springfield Housing Authority to retain a refund in excess billing charges for water consumption.

Nature of Requirement: Public Housing Agencies (PHAs) must pay back any savings that result from utility rate decreases as compared to the budgeted amount for that year.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 14, 1994.

Reason Waived: The Springfield Housing Authority (SHA) realized in early 1989 that water costs had increased significantly and immediately began to investigate the cause. Both its maintenance and finance departments, over a lengthy period of time, spent considerable effort and expense trying to find the reason for the increased costs. In 1992, the SHA's energy auditor found that the problem was the installation, by the water department, of an improper water register on the water meter.

Based on the SHA's extraordinary efforts to determine the cause of the problem and the resulting savings to HUD, a waiver was granted to permit the SHA to retain the refund from excess billing. This waiver was granted on the basis that the refund be used to implement a water conservation program for several federally funded developments.

22. Regulation: 24 CFR 990.118(h).

Project/Activity: A request was made by the Department of Public and Assisted Housing (DPAH), Washington, DC to use an occupancy rate of 83% for its fiscal year ending (FYE) 9/30/94 and to use 85% for its FYE 9/30/95.

Nature of Requirement: A Public Housing Agency (PHA) with an approved COP must use the projected occupancy rates of the COP. The projected occupancy rate for the last year of the COP, FYE 9/30/94, is 97%.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 26, 1994.

Reason Waived: The request for a waiver follows a number of meetings with the staff of DPAH. The exchange of views on the vacancy problems faced by DPAH has been productive and a four-year plan has been developed that is project-specific and will serve as a guide for the commitment of funds and staff. In order to be supportive of the efforts and progress made to date, a waiver was granted to permit the use of the 93% as the occupancy percentage for its FYE 9/30/94, and 85% for its FYE 9/30/95. Of the additional funds received by DPAH as a result of this waiver, at least 60% must be used for specific, identifiable actions to increase occupancy.

23. Regulation: 24 CFR 990.118(h).

Project/Activity: A request was made by the Allegheny County, PA Housing Authority to use an occupancy rate of 93% instead of the 97% goal of its Comprehensive Occupancy Plan (COP) in determining its operating subsidy eligibility for its fiscal year ending (FYE) 9/30/94.

Nature of Requirement: A Public Housing Agency (PHA) with an approved COP must use the projected occupancy rates of the COP.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: August 19, 1994.

Reason Waived: The Allegheny County Housing Authority requested a 4% adjustment based on vacant units that are part of a funded, on-schedule modernization program. The regulations permit a PHA that completes the COP without achieving its occupancy goal to adjust the 97% rate that it otherwise would have to use in subsequent years by vacancies attributable to funded, on-schedule modernization work. In order to permit the PHA to receive the same benefits for its units undergoing modernization as do other PHAs that have completed their COPS, a waiver was granted to permit the use of the 93% as the occupancy percentage for its FYE 9/30/94.

Note to Reader: The person to be contacted for additional information about the waiver-grant items in this listing: Gary VanBuskirk, Director, Homeownership Division, Office of Resident Initiatives, Department of Housing and Urban Development, 451 Seventh Street, S.W., Room 4112, Washington, D.C. 20410, Phone: (202) 708-4233 (This is not a toll-free number).

24. Regulation: 24 CFR 904 Subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3).

Project/Activity: Butler Metropolitan Housing Authority (BMHA), Hamilton, Ohio Turnkey III Homeownership Opportunity Program Project OH 15-6 (Concord Green). Conversion to low income rental status.

Nature of Requirement: 24 CFR 904 Subpart B and the Turnkey III Handbook define and govern the Turnkey III Homeownership Opportunity Program.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: July 1, 1994.

Reason Waived: The Butler Metropolitan Housing Authority of Hamilton, Ohio

requested the ability to convert certain housing units of the BMHA's project OH 15-6 to low rent public housing status. The Department of Housing and Urban Development has established certain criteria and procedures by which to judge the efficacy of such a conversion on a case by case basis. After investigation of the circumstances, and in an attempt to assist the BMHA to better serve its low income tenants, the Department decided that granting this conversion was in the best interests of all concerned.

The conversion of Turnkey III units to low income rental is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for this conversion.

25. Regulation: 24 CFR 904 Subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3).

Project/Activity: Rockford Housing Authority (RHA), Rockford, Illinois Turnkey III Homeownership Opportunity Program Project IL 06-P022-008. Conversion to low income rental status.

Nature of Requirement: 24 CFR 904 Subpart B and the Turnkey III Handbook define and govern the Turnkey III Homeownership Opportunity Program.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: September 23, 1994.

Reason Waived: The Rockford Housing Authority of Rockford, Illinois requested the ability to convert certain housing units of the RHA's project IL 06-P022-008 to low rent public housing status. The Department of Housing and Urban Development has established certain criteria and procedures by which to judge the efficacy of such a conversion on a case by case basis. After investigation of the circumstances, and in an attempt to assist the RHA to better serve its low income tenants, the Department decided that granting this conversion was in the best interests of all concerned.

The conversion of Turnkey III units to low income rental is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for this conversion.

26. Regulation: HOPE for Public and Indian Housing Homeownership (HOPE 1) Program, Guidelines, Section 301(b)(1) as published on January 14, 1992 (57 FR 1522).

Project/Activity: To permit a HOPE 1 mini-planning grantee, the Knoxville, Tennessee Housing Authority (KHA) a time extension to carry out the activities specified in its grant agreement. This extension would be of benefit to the residents participating in homeownership planning under its mini-planning grant (IA05HM1190192).

Nature of Requirement: Section 301(b)(3) of the HOPE 1 Program Guidelines limit a HOPE 1 mini-planning grantee to carrying out activities funded under its grant within eighteen (18) months of the effective date of the mini-planning grant agreement.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: July 12, 1994.

Reason Waived: Pursuant to Section 901 of the HOPE 1 Guidelines, a regulatory provision that is "not otherwise required by law" may be waived by the Assistant Secretary for Public and Indian Housing upon a determination of good cause, and upon documentation of the pertinent facts and grounds supporting the waiver.

Good cause was exhibited as follows:

The KHA was unable to implement the family self sufficiency segment of the grant on schedule due to a change in staff plans and funding problems. Because the KHA is located in a rural area, it has experienced some difficulty in finding individuals and organizations that can assist in the grant. To complete the remaining tasks under the grant, the KHA has recently issued a request for proposal for the self sufficiency and training components and has begun working with an agency to assist them in these efforts. Further action on the grant was contingent upon this extension being granted.

27. Regulation: HOPE for Public and Indian Housing Homeownership (HOPE 1) Program, Guidelines, Section 301(b)(1) as published on January 14, 1992 (57 FR 1522).

Project/Activity: To permit a HOPE 1 mini-planning grantee, the Meridian, Mississippi Housing Authority (MHA) a time extension to carry out the activities specified in its grant agreement. This extension would be of benefit to the residents participating in homeownership mini-planning grant (MS26HM10040192).

Nature of Requirement: Section 301(b)(3) of the HOPE 1 Program Guidelines limit a HOPE 1 mini-planning grantee to carrying out activities funded under its grant within eighteen (18) months of the effective date of the mini-planning grant agreement.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: July 12, 1994.

Reason Waived: Pursuant to Section 901 of the HOPE 1 Guidelines, a regulatory provision that is "not otherwise required by law" may be waived by the Assistant Secretary for Public and Indian Housing upon a determination of good cause, and upon documentation of the pertinent facts and grounds supporting the waiver.

Good cause was exhibited as follows:

The management of the MHA has been in transition and the current executive director is acting in an interim capacity. The transition interrupted progress implementing the grant; however the MHA continues to desire to complete the remaining tasks under the grant. The MHA wishes to conduct economic development as well as training and technical assistance activities under the grant which would be of benefit to the low income residents participating in the homeownership grant. Further action on the grant was contingent upon the extension being granted.

28. Regulation: HOPE for Public and Indian Housing Homeownership (HOPE 1) Program, Guidelines, Section 301(b)(1) as published on January 14, 1992 (57 FR 1522).

Project/Activity: To permit a HOPE 1 mini-planning grantee, the Hall County, Nebraska Housing Authority (HCHA) a time extension to carry out the activities specified in its

grant agreement. This extension would be of benefit to the residents participating in homeownership planning under its mini-planning grant (NE26HM10030192).

Nature of Requirement: Section 301(b)(3) of the HOPE 1 Program Guidelines limit a HOPE 1 mini-planning grantee to carrying out activities funded under its grant within eighteen (18) months of the effective date of the mini-planning grant agreement.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: July 12, 1994.

Reason Waived: Pursuant to Section 901 of the HOPE 1 Guidelines, a regulatory provision that is "not otherwise required by law" may be waived by the Assistant Secretary for Public and Indian Housing upon a determination of good cause, and upon documentation of the pertinent facts and grounds supporting the waiver.

Good cause was exhibited as follows:

The HCHA noted that it was impeded in carrying out grant activities due to an initial lack of resident interest that has since been rectified. This interrupted early progress made on the grant. The HCHA wished to continue, among other items, resident management council training, development of homeownership plans and financial strategies, production and publication of outreach materials, and training and technical assistance for residents and staff. Further action on this grant was contingent upon the time extension being granted.

29. Regulation: HOPE for Public and Indian Housing Homeownership (HOPE 1) Program, Guidelines, Section 301(b)(1) as published on January 14, 1992 (57 FR 1522).

Project/Activity: To permit a HOPE 1 mini-planning grantee, the Church Community Housing Corporation (CCHC) of Newport, Rhode Island a time extension to carry out the activities specified in its grant agreement. This extension would be of benefit to the residents participating in homeownership planning at its Chapel Terrace development.

Nature of Requirement: Section 301(b)(3) of the HOPE 1 Program Guidelines limit a HOPE 1 mini-planning grantee to carrying out activities funded under its grant within eighteen (18) months of the effective date of the mini-planning grant agreement.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: July 22, 1994.

Reason Waived: Pursuant to Section 901 of the HOPE 1 Guidelines, a regulatory provision that is "not otherwise required by law" may be waived by the Assistant Secretary for Public and Indian Housing upon a determination of good cause, and upon documentation of the pertinent facts and grounds supporting the waiver.

Good cause was exhibited as follows:

The CCHC noted that although it has made substantial progress in carrying out the grant, the Resident Council of the Newport Public Housing Authority has encountered unexpected delays in hiring a coordinator. The coordinator is now in place and has been working to rebuild the resident involvement in the resident council. The lack of a coordinator interrupted early progress made on the grant but the CCHC desired to move forward with the grant activities. As a result

of dialogue with the residents of the Chapel Terrace development and the realization that further HOPE funding is unlikely, the CCHC concluded that it needed to come up with viable alternatives which would foster increased resident control. The extension would allow the Resident Council to complete a move to permanent office space and to begin to explore options to enhance resident control of the development. Action on the grant was contingent upon the extension being granted.

30. Regulation: HOPE for Public and Indian Housing Homeownership (HOPE 1) Program, Guidelines, Section 301(b)(1) as published on January 14, 1992 (57 FR 1522).

Project/Activity: To permit a HOPE 1 mini-planning grantee, the Housing Authority of the City of Waterbury, Connecticut (HAW) a time extension to carry out the activities specified in its grant agreement. This extension would be of benefit to the residents participating in homeownership planning at its Austin Road development.

Nature of Requirement: Section 301(b)(3) of the HOPE 1 Program Guidelines limit a HOPE 1 mini-planning grantee to carrying out activities funded under its grant within eighteen (18) months of the effective date of the mini-planning grant agreement.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P. Date Granted: July 25, 1994.

Reason Waived: Pursuant to Section 901 of the HOPE 1 Guidelines, a regulatory provision that is "not otherwise required by law" may be waived by the Assistant Secretary for Public and Indian Housing upon a determination of good cause, and upon documentation of the pertinent facts and grounds supporting the waiver.

Good cause was exhibited as follows:

The HAW noted that although it had made substantial progress in carrying out the grant it encountered unexpected delays in hiring a Resident Initiatives Coordinator. The lack of this coordinator interrupted early progress made on the grant, but the HAW continued to desire to complete the tasks remaining under the grant. As a result of dialogue with the residents of the Austin Road development, the HAW concluded that it needed to focus its efforts under grant in the area of economic development to further prepare residents for homeownership. In working towards that end, the HAW selected a consultant to work on a feasibility study. The successful completion of this grant was contingent upon the extension being granted.

31. Regulation: HOPE for Public and Indian Housing Homeownership (HOPE 1) Program, Guidelines, Section 301(b)(1) as published on January 14, 1992 (57 FR 1522).

Project/Activity: To permit a HOPE 1 mini-planning grantee, the North Charleston, South Carolina Housing Authority (NCHA) a time extension to carry out the activities specified in its grant agreement. This extension would be of benefit to the residents participating in homeownership planning at its North Park Village development.

Nature of Requirement: Section 301(b)(3) of the HOPE 1 Program Guidelines limit a HOPE 1 mini-planning grantee to carrying out activities funded under its grant within eighteen (18) months of the effective date of the mini-planning grant agreement.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P. Date Granted: July 25, 1994.

Reason Waived: Pursuant to Section 901 of the HOPE 1 Guidelines, a regulatory provision that is "not otherwise required by law" may be waived by the Assistant Secretary for Public and Indian Housing upon a determination of good cause, and upon documentation of the pertinent facts and grounds supporting the waiver.

Good cause was exhibited as follows:

The NCHA noted that although it had made substantial progress in carrying out the grant, the resignation of two members of the Board of Commissioners as well as the Mayor of North Charleston had resulted in unexpected delays in carrying out activities under the grant. The vacancies were in the process of being filled. Although the vacancies interrupted progress made on the grant, the NCHA continued to desire to move forward with the grant activities. The extension requested would permit the Board of Commissioners to authorize contracts for the feasibility studies necessary to complete the development of a formal homeownership strategy. The extension would also allow the NCHA to conduct training and planning for economic development activities in support of future homeownership. The successful completion of the grant was contingent on the extension being granted.

32. Regulation: HOPE for Public and Indian Housing Homeownership (HOPE 1) Program, Guidelines, Section 301(b)(1) as published on January 14, 1992 (57 FR 1522).

Project/Activity: To permit a HOPE 1 mini-planning grantee, the Auburn, Alabama Housing Authority (AHA) a time extension to carry out the activities specified in its five grant agreements. The extension would be of benefit to the residents participating in homeownership planning at its East Park, AL-050-1; East Park, AL-050-3; Ridgecrest, AL-50-6; Sparkman Park, AL-50-8; and East Park, AL-50-5A developments.

Nature of Requirement: Section 301(b)(3) of the HOPE 1 Program Guidelines limit a HOPE 1 mini-planning grantee to carrying out activities funded under its grant within eighteen (18) months of the effective date of the mini-planning grant agreement.

Granted By: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P. Date Granted: August 3, 1994.

Reason Waived: Pursuant to Section 901 of the HOPE 1 Guidelines, a regulatory provision that is "not otherwise required by law" may be waived by the Assistant Secretary for Public and Indian Housing upon a determination of good cause, and upon documentation of the pertinent facts and grounds supporting the waiver.

Good cause was exhibited as follows:

AHA noted that although it had made substantial progress in carrying out the grants it had encountered unexpected delays due to personnel changes in the housing authority. The personnel changes interrupted progress made on the grants. The AHA desired to complete the remaining tasks under the grants. After taking into consideration the diminished prospects of obtaining future HOPE 1 funding, the AHA concluded that it needed to alter the emphasis of its efforts

under the grants to concentrate more on the development of RMCs/RCs than on conducting feasibility studies. Towards that end the AHA requested that it be allowed to revise its budget allocation to conform to the change in emphasis. Successful completion of the grant was contingent upon the extension being granted.

Note to Reader: The person to be contacted for additional information about the waiver-grant items in this listing is: Debbie Ann Wills, Field Management Officer, U.S. Department of Housing and Urban Development, Office of Community Planning and Development, 451 7th Street, SW., Washington, DC 20410-7000, Telephone: (202) 708-2565.

33. Regulation: 24 CFR 92.150(a) & 24 CFR 576.51(a).

Project/Activity: Hartford, CT, New Britain, CT, Stamford CT. Waiver of the deadline for submission of a HOME Program description and an Emergency Shelter Grants application.

Nature of Requirement: Subpart D, Section 92.150(a) of the HOME Interim Rule requires that each participating jurisdiction submit its Program Description for a fiscal year to HUD within 45 days of HUD's publication of the HOME formula allocations. For fiscal year 1994, the due date for the Emergency Shelter Grants application is 45 days after the jurisdiction's notification of its grant amount.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: June 14, 1994.

Reasons Waived: The Department found that the existing deadlines hinder the effective coordination of these programs. Therefore a waiver granting additional time to accomplish the task of coordination was given for good cause.

34. Regulation: 24 CFR 92.150(a) & 24 CFR 576.51(a).

Project/Activity: City of Fresno, California requested waiver of the deadline for submission of a HOME Program description.

Nature of Requirement: Subpart D, Section 92.150(a) of the HOME Interim Rule requires that each participating jurisdiction submit its Program Description for a fiscal year to HUD within 45 days of HUD's publication of the HOME formula allocations. For fiscal year 1994, the due date for the Emergency Shelter Grants application is 45 days after the jurisdiction's notification of its grant amount.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: June 14, 1994.

Reasons Waived: The Department found that the existing deadlines hinder the effective coordination of these programs. Therefore a waiver granting additional time to accomplish the task of coordination was given for good cause.

35. Regulation: 24 CFR 92.150(a) & 24 CFR 576.51(a).

Project/Activity: City and County of Honolulu. Waiver of the deadline for submission of a HOME Program description and an Emergency Shelter Grants application.

Nature of Requirement: Subpart D, Section 92.150(a) of the HOME Interim Rule requires

that each participating jurisdiction submit its Program Description for a fiscal year to HUD within 45 days of HUD's publication of the HOME formula allocations. For fiscal year 1994, the due date for the Emergency Shelter Grants application is 45 days after the jurisdiction's notification of its grant amount.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: June 14, 1994.

Reasons Waived: The Department found the strike by City employees had caused administrative problems that effected the coordination of these programs. Therefore a waiver granting additional time to accomplish the task of coordination was given for good cause.

36. Regulation: 24 CFR 92.150(a) & 24 CFR 576.51(a).

Project/Activity: Harris County Texas. Waiver of the deadline for submission of a HOME Program description and an Emergency Shelter Grants application.

Nature of Requirement: Subpart D, Section 92.150(a) of the HOME Interim Rule requires that each participating jurisdiction submit its Program Description for a fiscal year to HUD within 45 days of HUD's publication of the HOME formula allocations. For fiscal year 1994, the due date for the Emergency Shelter Grants application is 45 days after the jurisdiction's notification of its grant amount.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: July 11, 1994.

Reasons Waived: The Department found that the existing deadlines hinder the effective coordination of these programs. A waiver granting additional time to accomplish the task of coordination for these two programs was given for cause.

Regulation: 24 CFR 92.214(a)(8).

Project/Activity: The State of West Virginia requested a waiver to allow HOME funds to be used to pay for single owned properties.

Nature of Requirement: The new regulations at 92.214(a)(8) prohibit the use of HOME funds "to pay for the acquisition of property owned by the participating jurisdiction".

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: August 17, 1994.

Reasons Waived: The waiver was granted because the State of West Virginia was in a unique situation. When the regulations at 24 CFR 92.214(a)(8) became effective, the State was in the process of negotiating with fourteen applicants to purchase State-owned properties under a HOME-funded project, an eligible activity under the then current regulations. There was not sufficient time to hold the loan closing prior to the effective date of the regulation. Therefore, the Assistant Secretary determined that the implementation of the regulation would unnecessarily have an impact on the State of West Virginia and the 14 applicants and adversely affect the purpose of the Act.

37. Regulation: 24 CFR 92.222(b).

Project/Activity: The city of Kansas Missouri requested that the match reduction made because the area was declared a natural disaster area be extended for Fiscal 1995.

Nature of Requirement: Under the HOME Program, each participating jurisdiction must match its allocation of HOME Program funds. Jurisdictions designated federal "natural disaster areas" are given relief from the match requirements for one year.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: June 7, 1994.

Reasons Waived: To relieve the jurisdiction of coming up with matching funds that would delay the use of HOME funds in an emergency situation.

38. Regulation: 24 CFR 92.222(b).

Project/Activity: Johnson County, Kansas requested that the match reduction made because the area was declared a natural disaster area be extended for Fiscal 1995.

Nature of Requirement: Under the HOME Program, each participating jurisdiction must match its allocation of HOME Program funds. Jurisdictions designated federal "natural disaster areas" are given relief from the match requirements for one year.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: June 8, 1994.

Reasons Waived: To relieve the jurisdiction of coming up with matching funds that would delay the use of HOME funds in an emergency situation.

39. Regulation: 24 CFR 92.222(b).

Project/Activity: The State of Wisconsin requested that the match reduction made because the area was declared a natural disaster area be extended for Fiscal 1995.

Nature of Requirement: Under the HOME Program, each participating jurisdiction must match its allocation of HOME Program funds. Jurisdictions designated federal "natural disaster areas" are given relief from the match requirements for one year.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: August 11, 1994.

Reasons Waived: To relieve the jurisdiction of coming up with matching funds that would delay the use of HOME funds in an emergency situation.

40. Regulation: 24 CFR 92.222(b).

Project/Activity: The State of Missouri requested that the match reduction made because the area was declared a natural disaster area be extended for Fiscal 1995.

Nature of Requirement: Under the HOME Program, each participating jurisdiction must match its allocation of HOME Program funds. Jurisdictions designated federal "natural disaster areas" are given relief from the match requirements for one year.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: August 12, 1994.

Reasons Waived: To relieve the jurisdiction of coming up with matching funds that would delay the use of HOME funds in an emergency situation.

41. Regulation: 24 CFR 92.222(b).

Project/Activity: The City of Lawrence, Kansas requested that the match reduction made because the area was declared a natural disaster area be extended for Fiscal 1995.

Nature of Requirement: Under the HOME Program, each participating jurisdiction must match its allocation of HOME Program funds. Jurisdictions designated federal "natural disaster areas" are given relief from the match requirements for one year.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: August 17, 1994.

Reasons Waived: To relieve the jurisdiction of coming up with matching funds that would delay the use of HOME funds in an emergency situation.

42. Regulation: 24 CFR 92.251(a).

Project/Activity: American Samoa and the Commonwealth of the Northern Mariana Islands requested a waiver of regulations to permit emergency repairs as an eligible HOME activity.

Nature of Requirement: Section 92.251(a) provides that housing assisted with HOME funds meet, at a minimum, HUD housing quality standards (HQS), and provides other minimum standards for substantial rehabilitation and new construction.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: June 14, 1994.

Reasons Waived: The waiver was granted because American Samoa and CNMI have determined that the need in their localities is to provide citizens with assistance which may alleviate a major health hazard. Examples include the installation of a septic tank which will prevent the contamination of drinking water, and the construction of a safety room to provide the family with shelter during typhoons. The waiver would alleviate hardship for American Samoa and CNMI and permitting them to address health hazards.

43. Regulation: 24 CFR 92.251(a).

Project/Activity: The City of Phoenix Arizona requested a waiver of section 92.251(a) to allow the United Methodist Outreach Ministries to use HOME monies for the rehabilitation of 41 units in a transitional housing project.

Nature of Requirement: The regulations provides that housing assisted with HOME funds meet, at a minimum, HUD housing quality standards (HQS) in Section 882.109, and provides other minimum standards for substantial rehabilitation and new construction.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: August 25, 1994.

Reasons Waived: The waiver was granted because using HOME monies for a portion of this project would assist the City and the State in meeting the Department's priority of providing additional housing for homeless families. In addition, not granting the waiver would adversely affect the purposes of the HOME Act, which include expanding the supply of decent, safe, sanitary and affordable housing for low and very low income persons.

44. Regulation: 24 CFR 92.254.

Project/Activity: State of California, San Benito County CPD requested a waiver to CFR 92.254 which limits the value of homes purchased using HOME funds.

Nature of Requirement: The HOME regulations at 24 CFR 92.254 state that for housing to qualify as affordable housing for homeownership, its purchase price and/or after rehabilitation value cannot exceed 95 percent of the median purchase price for single family housing for the jurisdiction as determined by HUD. If the jurisdiction believes the limits determined by HUD do not accurately reflect 95 percent of the median purchase price, the regulation provides that it may appeal the limits in accordance with 24 CFR 203.28(b).

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 22, 1994.

Reason Waived: The HUD Field Office presented data for single family home sales that was determined by the Assistant Secretary to be a reasonable and accurate representation of local market conditions and, therefore, the HOME purchase price/value limits were revised upward for San Benito County.

45. Regulation: 24 CFR 511.11(a).

Nature of Requirement: The City of Phoenix Arizona is requesting to repay its line of credit less than the amount drawn down for the Willow Ridge Apartments. When the project was 50 percent complete, the owners defaulted on the first mortgage which resulted in foreclosure by the lender. The City had drawn down \$70,264 and is requesting that HUD accept \$60,281.97, the amount in escrow, as the amount that it reimburses its Rental Rehabilitation line of credit for this project.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: June 17, 1994.

Reason Waived: HUD accepted the amount on the basis that the rehabilitation was substantially complete, low-income residents of the project and the neighborhood benefited with a relatively minimal amount of Rental Rehabilitation funds. Not waiving this requirement would adversely affect the purposes of the Rental Rehabilitation Program and would place hardship on the city.

46. Regulation: 24 CFR 570.466(c)(3)(i).

Project/Activity: An amendment to the UDAG Grant Agreement awarded to the City of Albuquerque.

Nature of Requirement: Jobs must be created if UDAG monies are used to fund a specific project.

Date Granted: July 8, 1994.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Reasons Waived: HUD determined that without the waiver to the regulations, the project developer would lose the business rationale for making a partial repayment of the UDAG loan thus causing and perpetuating undue hardship on the pocket of poverty residents, the beneficiaries of these funds.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AK-962-1410-00-P and AA-8096-03]

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue a reserved minerals conveyance under the provisions of Sec. 14(e) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(e), will be issued to Chugach Alaska Corporation for 919.79 acres. The lands involved are in the vicinity of Icy Bay, Alaska.

U.S. Survey No. 8967, Alaska;
U.S. Survey No. 8966, Alaska.

A notice of the decision will be published once a week, for four (4) consecutive weeks, in the Anchorage Daily News. Copies of the decision may be obtained by contacting the Alaska State Office of the Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599 ((907) 271-5960).

Any party claiming a property interest which is adversely affected by the decision, an agency of the Federal government or regional corporation, shall have until March 29, 1995 to file an appeal. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

Terry R. Hassett,

Chief, Branch of Gulf Rim Adjudication.

[FR Doc. 95-4678 Filed 2-24-95; 8:45 am]

BILLING CODE 4310-JA-P

[AK-060-1430-01; FF-84553]

Realty Action: Renewal & Amendment of Airport Lease, Coldfoot, AK

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The State of Alaska Department of Transportation and Public Facilities has requested renewal and amendment of an existing airport lease at Coldfoot, Alaska. The existing lease expires on December 27, 2004. The State has requested renewal for an additional 20 years.

ADDRESSES: Written comments on this notice should be submitted to the District Manager, Bureau of Land Management, Arctic District Office, 1150 University Avenue, Fairbanks, Alaska 99709.

FOR FURTHER INFORMATION CONTACT: Mike Worley, Realty Specialist, at the address given above or at telephone (907) 474-2309 or toll free 800-437-7021.

SUPPLEMENTARY INFORMATION: The following public lands at Coldfoot, Alaska, are being considered for lease to the State of Alaska for airport purposes under the Act of May 24, 1928, as amended (49 U.S.C., Appendix 211-213):

Fairbanks Meridian, Alaska

Township 28 North, Range 12 West, within Tract III, Parcels D, E & F:

Tract III, Parcel D

Commencing at the point of intersection of the westerly boundary of Tract II, Parcel B (left bank of Slate Creek) and the southeastern boundary of Federal Mining Claim "No. 19 Above", designated as Corner #1

Thence S 32° 10' 09" W a distance of 147.24 feet to Corner #2;

Thence S 42° 37' 00" E a distance of 466.77 feet to Corner #3;

Thence N 32° 10' 09" E a distance of 120.00 feet to Corner #4;

Thence S 81° 30' 00" E a distance of 550.94 feet to Corner #5 on the left bank of said Slate Creek at the ordinary high water line;

Thence continuing along the meanders of Slate Creek at the line of ordinary high water in a westerly direction, said meanders being generally described by the following predominant courses and distances from the last described point;

N 60° 17' 46" W a distance of 177.39 feet to Corner #6;

N 38° 50' 04" W a distance of 90.82 feet to Corner #7;

N 05° 11' 52" E a distance of 140.72 feet to Corner #8;

N 18° 49' 27" E a distance of 134.64 feet to Corner #9;

N 39° 02' 45" W a distance of 84.64 feet to Corner #10;

N 79° 58' 58" W a distance of 242.72 feet to Corner #11;

S 45° 15' 07" W a distance of 91.50 feet to Corner #12;

S 81° 38' 04" W a distance of 159.52 feet to Corner #13;

S 89° 32' 18" W a distance of 176.46 feet to Corner #1;

Said parcel contains 6.526 acres, more or less and is depicted as Tract III, Parcel D.

Tract III, Parcel E

Commencing at the point of intersection of the southwesterly boundary of Tract I, Parcel B and southerly boundary of Federal Mining Claim "No. 19 Above", designated as Corner #1

S 32° 10' 09" W a distance of 114.64 feet to Corner #2;