Tuesday,
June 21, 2005

Part V

Department of
Housing and Urban
Development

Notice of Regulatory Waiver Requests
Granted for the First Quarter of Calendar
Year 2005; Notice
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[DOCKET NO. FR–4997–N–01]

Notice of Regulatory Waiver Requests Granted for the First Quarter of Calendar Year 2005

AGENCY: Office of the General Counsel, HUD.

ACTION: Notice.

SUMMARY: Section 106 of the Department of Housing and Urban Development Reform Act of 1989 (the HUD Reform Act) requires HUD to publish quarterly Federal Register notices of all regulatory waivers that HUD has approved. Each notice covers the quarterly period since the previous Federal Register notice. The purpose of this notice is to comply with the requirements of section 106 of the HUD Reform Act. This notice contains a list of regulatory waivers granted by HUD during the period beginning on January 1, 2005, and ending on March 31, 2005.

FOR FURTHER INFORMATION CONTACT: For general information about this notice, contact Aaron Santa Anna, Assistant General Counsel for Regulations, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–0500, telephone 202–708–3055 (this is not a toll-free number). Persons with hearing- or speech-impairments may access this number through TTY by calling the toll-free number (1–800–877–8339). For information concerning a particular waiver that was granted and for which public notice is provided in this document, contact the person whose name and address follow the description of the waiver granted in the accompanying list of waivers that have been granted in the first quarter of calendar year 2005.

SUPPLEMENTARY INFORMATION: Section 106 of the HUD Reform Act added a new section 7(q) to the Department of Housing and Urban Development Act (42 U.S.C. 3535(q)), which 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 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 HUD 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 the grounds for approval of the request; and
   e. State how additional information about a particular waiver may be obtained.

Section 106 of the HUD Reform Act also contains requirements applicable to waivers of HUD handbook provisions that are not relevant to the purpose of this notice.

This notice follows procedures provided in HUD’s Statement of Policy on Waiver of Regulations and Directives issued on April 22, 1991 (56 FR 18337). This notice covers waivers of regulations granted by HUD from January 1, 2005, through March 31, 2005. For ease of reference, the waivers granted by HUD are listed by HUD program office (for example, the Office of Community Planning and Development, the Office of Fair Housing and Equal Opportunity, the Office of Housing, and the Office of Public and Indian Housing, etc.). Within each program office grouping, the waivers are listed sequentially by the regulatory section of title 24 of the Code of Federal Regulations (CFR) that is being waived. For example, a waiver of a provision in 24 CFR part 58 would be listed before a waiver of a provision in 24 CFR part 570.

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 that appears in 24 CFR and that is being waived. For example, a waiver of both § 58.73 and § 58.74 would appear sequentially in the listing under § 58.73.

Waiver of regulations that involve the same initial regulatory citation are in time sequence beginning with the earliest-dated regulatory waiver.

Should HUD receive additional information about waivers granted during the period covered by this report (the first quarter of calendar year 2005) before the next report is published (the second quarter of calendar year 2005), HUD will include any additional waivers granted for the first quarter in the next notice.

Accordingly, information about approved waiver requests pertaining to HUD regulations is provided in the Appendix that follows this notice.

Dated: June 9, 2005.

Kathleen D. Koch,
Deputy General Counsel.

Appendix—Listing of Waivers of Regulatory Requirements Granted by Offices of the Department of Housing and Urban Development January 1, 2005, Through March 31, 2005

Note to Reader: More information about the granting of these waivers, including a copy of the waiver request and approval, may be obtained by contacting the person whose name is listed as the contact person directly after each set of regulatory waivers granted.

The regulatory waivers granted appear in the following order:

I. Regulatory waivers granted by the Office of Fair Housing and Equal Opportunity.

II. Regulatory waivers granted by the Office of Housing.

III. Regulatory waivers granted by the Office of Public and Indian Housing.

I. Regulatory Waivers Granted by the Office of Fair Housing and Equal Opportunity Development

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.


Project/Activity: The City of Watsonville, California requested a waiver of § 135.38 of the regulations governing Economic Opportunities for Low- and Very Low-Income Persons in 24 CFR part 135.

Nature of Requirement: Section 135.38 enumerates the Section 3 clauses for contracts awarded with federally assistance.

Granted by: Carolyn Peoples, Assistant Secretary for Fair Housing and Housing and Equal Opportunity.

Date Granted: April 5, 2004.

Reasons Waiver: The City of Watsonville, CA, a Community Development Block Grant entitlement city, was in jeopardy of losing a $2.75 million grant from the United States Department of Commerce’s Economic Development Administration (EDA) for a public parking structure in downtown Watsonville. The inclusion of the Section 3 contract clause in construction contracts conflicted with EDA’s procurement regulations.

II. Regulatory Waivers Granted by the Office of Housing—Federal Housing Administration (FHA)

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.

- **Regulation:** 24 CFR 219.220(b).
  - **Project/Activity:** Eden Green Cooperatives, Chicago, Illinois, FHA
    - **Project Numbers:** 071–55068, 071–55069, 071–55070, 071–55071.
  - **Nature of Requirement:** Section 219.220(b) governs the repayment of operating assistance provided under the Flexible Subsidy Program for Troubled Projects prior to May 1, 1996. This section states: “Assistance that has been paid to a project owner under this subpart must be repaid at the earlier of the expiration of the term of the mortgage, termination of mortgage insurance, prepayment of the mortgage, or a sale of the project * * *” Either of these actions would typically terminate FHA involvement with the property, and the Flexible Subsidy Program loan would be repaid, in whole, at that time.
  - **Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.
  - **Date Granted:** February 3, 2005.
  - **Reason Waived:** This waiver is granted in order to allow the owners of Eden Green Cooperatives to repay a Flexible Subsidy Program loan. The owners have requested to subordinate the Flexible Subsidy Program loan to the new Section 221(d)(4) mortgage. The cooperative will transfer ownership to a new limited partnership, the Habitat Company, which is fully restoring the property with tax credits, FHA insurance and tax-exempt bonds from the City of Chicago. The cooperative voted on August 9, 2004, to sell four of the five mortgages covering the cooperative. The Habitat Company plans to return the properties to the residents upon expiration of the Low Income Housing Tax Credits. The refinance will be used to pay off the delinquent HUD-held mortgage and complete needed rehabilitation of the property.
  - **Contact:** Beverly J. Miller, Director, Office of Asset Management, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–7000, telephone (202) 708–3730.
  - **Regulation:** 24 CFR 401.461.
  - **Project/Activity:** The following project requested a waiver to the simple interest requirement on the second mortgage to allow compound interest at the applicable Federal rate. (24 CFR 401.461):

<table>
<thead>
<tr>
<th>FHA No.</th>
<th>Project</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>08435239</td>
<td>Brookfield Apartments ..........</td>
<td>MO</td>
</tr>
</tbody>
</table>

**Nature of Requirement:** Section 401.461 requires that the second mortgages have an interest rate not more than the applicable Federal rate. Section 401.461(b)(1) states that interest will accrue but not compound. The intent of simple interest instead of compound interest is to limit the size of the second mortgage accruals to increase the likelihood of long-term financial and physical integrity.

- **Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.
- **Date Granted:** March 22, 2005.
- **Reason Waived:** This regulatory restriction would be construed as a form of Federal subsidy, thereby creating a loss of tax credit equity. This loss will adversely affect the ability to close the restructuring plan, and could cause the loss or deterioration of these affordable housing projects. Therefore, compound interest is necessary for the owners to obtain Low Income Housing Tax Credits under favorable terms, and in order to maximize the savings to the Federal government.
- **Contact:** Dennis Manning, Office of Affordable Housing Preservation, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–0001.

- **Regulation:** 24 CFR 401.600.
- **Project/Activity:** The following projects requested waivers to the 12-month limit at above-market rents (24 CFR 401.600):

<table>
<thead>
<tr>
<th>A FHA No.</th>
<th>D Project</th>
<th>F State</th>
</tr>
</thead>
<tbody>
<tr>
<td>6235209</td>
<td>Cedars Green Apartments .......</td>
<td>AL</td>
</tr>
<tr>
<td>10110557</td>
<td>Birchwood Manor ...............</td>
<td>CO</td>
</tr>
<tr>
<td>7355120</td>
<td>Eden Green Apartments .........</td>
<td>IN</td>
</tr>
<tr>
<td>4635265</td>
<td>Carl Apartments ...............</td>
<td>OH</td>
</tr>
<tr>
<td>4238002</td>
<td>Firelands Retirement Center ...</td>
<td>OH</td>
</tr>
<tr>
<td>4244020</td>
<td>Pentecostal Apartments .......</td>
<td>TX</td>
</tr>
<tr>
<td>11344071</td>
<td>Western Heights Apartments ....</td>
<td></td>
</tr>
<tr>
<td>1732022</td>
<td>Underwood Elderly .............</td>
<td>CT</td>
</tr>
<tr>
<td>7135568</td>
<td>Austin Renaissance ..........</td>
<td>IL</td>
</tr>
</tbody>
</table>

**Nature of Requirement:** Section 401.600 requires that projects be marked down to market rents within 12 months of their first expiration date after January 1, 1998. The intent of this provision is to ensure timely processing of requests for restructuring, and that the properties will not default on their FHA insured mortgages during the restructuring process.

- **Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.
- **Date Granted:** February 11, 2005.
- **Reason Waived:** The projects listed above were not assigned to the participating administrative entities (PAEs) in a timely manner or the restructuring analysis was unavoidably delayed due to no fault of the owners.
- **Contact:** Norman Dailey, Office of Affordable Housing Preservation, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000; telephone (202) 708–0001.

- **Regulation:** 24 CFR 401.600.
- **Project/Activity:** The following projects requested waivers to the 12-month limit at above-market rents (24 CFR 401.600):
<table>
<thead>
<tr>
<th>FHA No.</th>
<th>Project</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>3135236</td>
<td>Audubon Park</td>
<td>NJ</td>
</tr>
<tr>
<td>35427</td>
<td>Cavalier Apartments</td>
<td>DC</td>
</tr>
<tr>
<td>6535291</td>
<td>Driftwood Apartments</td>
<td>MS</td>
</tr>
<tr>
<td>4535069</td>
<td>Dunbar Towers</td>
<td>WV</td>
</tr>
<tr>
<td>12235488</td>
<td>East 35th Street Apartments</td>
<td>CA</td>
</tr>
<tr>
<td>12235551</td>
<td>Hamlin Estates</td>
<td>CA</td>
</tr>
<tr>
<td>3135244</td>
<td>Hampshire House</td>
<td>NJ</td>
</tr>
<tr>
<td>2336613</td>
<td>Lena Park (Granite Package #7)</td>
<td>MA</td>
</tr>
<tr>
<td>2336612</td>
<td>Washington Columbia Apartments</td>
<td>MA</td>
</tr>
<tr>
<td>6235342</td>
<td>Woodlands Apartments</td>
<td>AL</td>
</tr>
<tr>
<td>5335428</td>
<td>Greentree Village Apartments</td>
<td>NC</td>
</tr>
<tr>
<td>6144048</td>
<td>Holsey Cob Village Apartments</td>
<td>GA</td>
</tr>
<tr>
<td>6144148</td>
<td>Shy Manor Apartments</td>
<td>GA</td>
</tr>
</tbody>
</table>

**Nature of Requirement:** Section 401.600 requires that projects be marked down to market rents within 12 months of their first expiration date after January 1, 1998. The intent of this provision is to ensure timely processing of requests for restructuring and that the properties will not default on their FHA insured mortgages during the restructuring process.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** March 10, 2005.

**Reason Waived:** The projects listed above were not assigned to the participating administrative entities (PAEs) in a timely manner, or the restructuring analysis was unavoidably delayed due to no fault of the owners.

**Contact:** Norman Dailey, Office of Affordable Housing Preservation, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–0001.

- **Regulation:** 24 CFR 891.100(d).
  - **Project/Activity:** William W. Winpisinger, Cleveland, Ohio, Project Number: 042–EE145/OH12–S021–008.
  - **Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** January 6, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d).
  - **Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** March 2, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d).
  - **Project/Activity:** College Park Towers II, Orlando, Florida, Project Number: 067–EE125/FL29–S031–001.
  - **Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** February 4, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d).
  - **Project/Activity:** Hickory Lane One, Princess Anne, Maryland, Project Number: 052–EE035/MD06–S001–001.
  - **Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** February 14, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d).
  - **Project/Activity:** Oak Knoll Villa, San Antonio, Texas, Project Number: 115–EE058/TX59–S021–001.
  - **Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** January 28, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d).
  - **Project/Activity:** Sterling Senior Apartments, Bellingham, Washington, Project Number: 127–EE038/WA19–S001–004.
  - **Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** January 28, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d).
  - **Project/Activity:** New Castle Housing, New Castle, Colorado, Project Number: 101–EE058/CO99–S033–001.
  - **Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** February 4, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.
Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d).

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 4, 2005.

Reason Waived: The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d).

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 9, 2005.

Reason Waived: The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d).
  Project/Activity: South Seven Senior Housing, Port Hadlock, Washington, Project Number: 127–EE036/WA19–S021–001.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 15, 2005.

Reason Waived: The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d).
  Project/Activity: Hanover Street Elderly Housing, Manchester, New Hampshire, Project Number: 024–EE073/NH36–S031–003.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 21, 2005.

Reason Waived: The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d).

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 15, 2005.

Reason Waived: The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d).

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 13, 2005.

Reason Waived: The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.
**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** March 24, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d).
- **Project/Activity:** Carlton Avenue Group Home, Charlottesville, Virginia, Project Number: 051–HD123/VA36–Q031–005.

**Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** March 29, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d).
- **Project/Activity:** Family Services of Western Pennsylvania IV, Vandergrift, Pennsylvania, Project Number: 033–HD075/PA26–Q021–003.

**Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** March 30, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d).
- **Project/Activity:** VOANNE Brackett Street House, Portland, Maine, Project Number: 024–HD041/ME36–Q031–001.

**Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** March 30, 2005.

**Reason Waived:** The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d) and 24 CFR 891.165.
- **Project/Activity:** Sherman Apartments, Aurora, Illinois, Project Number: 071–HD121/IL06–Q011–001.

**Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** January 14, 2005.

**Reason Waived:** The project is economically designed and comparable to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources. This project also required additional time to prepare for initial closing.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d) and 24 CFR 891.165.
- **Project/Activity:** Helena Elderhousing, Inc., Helena, Montana, Project Number: 093–EE012/MT99–S021–002.

**Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

**Granted by:** John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted:** January 18, 2005.

**Reason Waived:** The project is economically designed and comparable to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources. This project also required additional time to issue the firm commitment.

**Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.
• Regulation: 24 CFR 891.100(d) and 24 CFR 891.165.
  

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: January 25, 2005.

Reason Waived: The project is economically designed and comparable to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources. This project also required additional time because of the City’s lengthy review process and their shortage of staff.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d) and 24 CFR 891.165.
  

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: January 26, 2005.

Reason Waived: The project is economically designed and comparable to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources. This project also required additional time to correct the Lease Agreement and for approval of the contractor.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d) and 24 CFR 891.165.
  

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 3, 2005.

Reason Waived: The project is economically designed and comparable to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources. This project also required additional time for the sponsor/owner to obtain additional funding from other sources. This project also required additional time to prepare for initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.130(b).
  

Nature of Requirement: Section 891.130(b) prohibits an identity of interest between the sponsor or owner (or borrower, as applicable) and any development team member or between development team members until two years after final closing.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: January 13, 2005.

Reason Waived: There are few, if any companies in the area with the capability and expertise to serve as the management agent, no individuals will benefit financially from either the sale of the property or from managing the project. The Grant County Housing Authority has agreed to sell the project sites at 10 percent below the appraised fair market value.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d) and 24 CFR 891.165.
  
Project/Activity: Casas de Corazon, Las Cruces, New Mexico, Project Number: 116–HD020/NM16–Q021–002.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: January 26, 2005.

Reason Waived: The project is economically designed and comparable to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources. This project also required additional time because of the City’s lengthy review process and their shortage of staff.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.100(d) and 24 CFR 891.165.
  

Nature of Requirement: Section 891.130(b) prohibits an identity of interest between the sponsor or owner (or borrower, as applicable) and any development team member or between development team members until two years after final closing.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 11, 2005.

Reason Waived: The contractor agreed to maintain the construction cost estimate provided in May 2004, and a substantial increase in HUD funds would be required if the Sponsor/Owner was required to seek a new contractor. In addition, the original architect was allowed to remain with the project through initial closing in order to comply with State requirements. However, a new architect was hired to complete the project.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.
  
Project/Activity: Seniors at Hegemon, Columbus, Ohio, Project Number: 043–EE085/OH16–S021–006.
Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: January 3, 2005.

Reason Waived: This project required additional time for the owner to obtain the building permit.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.

Project/Activity: South Suburban Elderly, Harvey, Illinois, Project Number: 071–EE174/IL06–S021–002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: January 3, 2005.

Reason Waived: This project required additional time for the firm commitment to be issued.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: January 3, 2005.

Reason Waived: This project required additional time for the owner to revise the site plan.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: January 3, 2005.

Reason Waived: This project required additional time for the general contractor to find a new contractor.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 3, 2005.

Reason Waived: This project required additional time to reach an initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: January 5, 2005.

Reason Waived: This project required additional time for the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 3, 2005.

Reason Waived: This project required additional time to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 3, 2005.

Reason Waived: This project required additional time for the sponsor/owner to select another contractor and for HUD to process the firm commitment application.
Date Granted: February 3, 2005. Reason Waived: This project required additional time for the Project Attorney to correct deficient items in the closing documents.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 4, 2005. Reason Waived: This project required additional time for the initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 9, 2005. Reason Waived: This project required additional time for HUD to process the initial closing documents.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 8, 2005. Reason Waived: This project required additional time for the sponsor/owner to find another site.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.

Project/Activity: Proctor Avenue Residence, Revere, Massachusetts, Project Number: 023–HD153/MA06–Q091–001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 15, 2005. Reason Waived: This project required additional time for the project to reach initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

• Regulation: 24 CFR 891.165.


Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 22, 2005. Reason Waived: This project required additional time to review the initial closing documents and for the owner to receive the building permit.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.
Regulation: 24 CFR 891.165.  
Project/Activity: Gulfport Manor, Gulfport, Mississippi, Project Number: 065–EE031/MS26–S001–002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 28, 2005.

Reason Waived: This project required additional time to obtain a building permit.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

Regulation: 24 CFR 891.165.  

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 28, 2005.

Reason Waived: This project required additional time for the owner to complete the bidding process and submit the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

Regulation: 24 CFR 891.165.  

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 23, 2005.

Reason Waived: The project is economically designed and comparable to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources. This project also required additional time to hire a new consultant and replace the general contractor.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

Regulation: 24 CFR 891.165 and 24 CFR 891.100(d).  

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 29, 2005.

Reason Waived: This project required additional time to obtain a building permit.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

Regulation: 24 CFR 891.165 and 24 CFR 891.100(d).  

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 28, 2005.

Reason Waived: This project required additional time for the owner to complete the bidding process and submit the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

Regulation: 24 CFR 891.165.  

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 30, 2005.

Reason Waived: This project required additional time for the building permit to be issued.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

Regulation: 24 CFR 891.165 and 24 CFR 891.100(d).  

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 30, 2005.

Reason Waived: This project required additional time for the project to reach initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

Regulation: 24 CFR 891.165.  

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 24 months, as approved by HUD on a case-by-case basis.

Granted by: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 14, 2005.

Reason Waived: This project also required additional time to hire a new consultant and replace the general contractor.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

Regulation: 24 CFR 891.165 and 24 CFR 891.100(d).  
### III. Regulatory Waivers Granted by the Office of Public and Indian Housing

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**Nature of Requirement**: The objective of this regulation is to determine whether a housing authority is meeting the standard of decent, safe, sanitary, and in good repair. The REAC provides for an independent physical inspection of a housing authority’s property of properties that includes a statistically valid sample of the units. The waiver granted.

**Granted by**: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted**: January 3, 2005.

**Reason Waived**: The project consists of acquisition and rehabilitation of four single-family structures to be used as group homes for independent living for persons with chronic mental illness. One home will be made fully accessible, which will result in 8.3 percent of the total project meeting the accessibility requirements.

**Contact**: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.


**Project/Activity**: Bell Tower Apartments, Torrington, Wyoming, FHA Project No. 109–EE002.

**Nature of Requirement**: HUD regulations at 24 CFR part 891 relates to admission of families to projects for elderly or handicapped families that receive reservations under section 202 of the Housing Act of 1937. Section 891.410(c) limits occupancy to very low-income elderly persons. To qualify, households must include a minimum of one person who is at least 62 years of age at the time of initial occupancy.

**Granted by**: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

**Date Granted**: March 14, 2005.

**Reason Waived**: This waiver is granted in order to alleviate the current occupancy problem. The current occupancy level will not support the operating needs of the project. The waiver will help alleviate occupancy and financial problems at the project.

**Contact**: Beverly J. Miller, Director, Office of Asset Management, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3730.

**Regulation**: 24 CFR 902.20.

**Project/Activity**: The Housing Authority of the City of Daytona Beach (FL007), Daytona Beach, FL.

**Nature of Requirement**: The objective of this regulation is to determine whether a housing authority is meeting the standard of decent, safe, sanitary, and in good repair. The REAC provides for an independent physical inspection of a housing authority’s property of properties that includes a statistically valid sample of the units.

**Granted by**: Michael Liu, Assistant Secretary for Public and Indian Housing.

**Date Granted**: February 18, 2005.

**Reason Waived**: Three hurricanes hit the area in August and September of 2004. The housing authority experienced extensive property damage, including roof collapse, and had to relocate residents.

**Contact**: Delton Nichols, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.


**Project/Activity**: Housing Authority of the City of Stuart (FL045), Stuart, FL.

**Nature of Requirement**: The objective of 24 CFR 902.20 is to determine whether a housing authority is meeting the standard of decent, safe, sanitary, and in good repair. The REAC provides for an independent physical inspection of a housing authority’s property of properties that includes a statistically valid sample of the units.

**Granted by**: Michael Liu, Assistant Secretary for Public and Indian Housing.

**Date Granted**: March 14, 2005.

**Reason Waived**: Both Hurricane Frances and Hurricane Jeanne hit the area in September of 2004. The hurricanes caused extensive physical damage, which is in the process of being repaired.

**Contact**: Delton Nichols, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.


**Project/Activity**: DeLand Housing Authority (FL072), DeLand, FL.

**Nature of Requirement**: The objective of 24 CFR 902.20 is to determine whether a housing authority is meeting the standard of decent, safe, sanitary, and in good repair. The REAC provides for an independent physical inspection of a housing authority’s property of properties that includes a statistically valid sample of the units.

**Granted by**: Michael Liu, Assistant Secretary for Public and Indian Housing.

**Date Granted**: March 14, 2005.

**Reason Waived**: Four hurricanes this past summer caused extensive physical damage. In addition, the housing authority has not been able to secure bids to repair the damage.

**Contact**: Delton Nichols, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.

Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.

- Regulation: 24 CFR 902.20.
- Project/Activity: Fort Walton Beach Housing Authority (FL069), Fort Walton Beach, FL.

**Nature of Requirement:** The objective of 24 CFR 902.20 is to determine whether a housing authority is meeting the standard of decent, safe, sanitary, and in good repair. The REAC provides for an independent physical inspection of a housing authority’s property of properties that includes a statistically valid sample of the units.

**Granted by:** Michael Liu, Assistant Secretary for Public and Indian Housing.

**Date Granted:** March 14, 2005.

**Reason Waived:** Hurricane damage resulted in mold. Remediation of the mold damage was delayed due to insurance settlement issues and contractor pricing concerns. It is expected that repairs will be completed by June 1, 2005.

**Contact:** Delton Nichols, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.

- Regulation: 24 CFR 902.20.
- Project/Activity: Lakeland Housing Authority (FL011), Lakeland, FL.

**Nature of Requirement:** The objective of 24 CFR 902.20 is to determine whether a housing authority is meeting the standard of decent, safe, sanitary, and in good repair. The REAC provides for independent physical inspection of a housing authority’s property of properties that includes a statistically valid sample of the units.

**Granted by:** Michael Liu, Assistant Secretary for Public and Indian Housing.

**Date Granted:** March 14, 2005.

**Reason Waived:** Hurricanes Charley, Frances, and Jeanne caused significant damage to the Housing Authority.

**Contact:** Delton Nichols, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.

- Regulation: 24 CFR 902.20.
- Project/Activity: Pahokee Housing Authority (FL021), Pahokee, FL.

**Nature of Requirement:** The objective of 24 CFR 902.20 is to determine whether a housing authority is meeting the standard of decent, safe, sanitary, and in good repair. The REAC provides for an independent physical inspection of a housing authority’s property of properties that includes a statistically valid sample of the units.

**Granted by:** Michael Liu, Assistant Secretary for Public and Indian Housing.

**Date Granted:** March 28, 2005.

**Reason Waived:** Hurricanes Frances and Jeanne caused significant damage to the housing authority. In addition, the housing authority has had difficulty finding contractor help.

**Contact:** Delton Nichols, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.

- Regulation: 24 CFR 902.20.
- Project/Activity: Milton Housing Authority FL053, Milton, FL.

**Nature of Requirement:** The objective of 24 CFR 902.20 is to determine whether a housing authority is meeting the standard of decent, safe, sanitary, and in good repair. The REAC provides for an independent physical inspection of a housing authority’s property of properties that includes a statistically valid sample of the units. Management operations certification is required to be submitted within two months after the housing authority’s fiscal year end (24 CFR 902.40).

**Granted by:** Michael Liu, Assistant Secretary for Public and Indian Housing.

**Date Granted:** February 9, 2005.

**Reason Waived:** Hurricanes on September 3 and 23, 2004, caused damage to over 400 units, and some residents had to be relocated. In addition, some needed repair materials such as roof shingles, are at a shortage. It is estimated the physical repairs will take 24 to 30 months to complete.

**Contact:** Delton Nichols, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing.
Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.

- Regulation: 24 CFR 902.20, 902.40, 902.50.

Project/Activity: Riviera Beach Housing Authority (FL076), Riviera Beach, FL.

Nature of Requirement: The objective of 24 CFR 902.20 is to determine whether a housing authority is meeting the standard of decent, safe, sanitary, and in good repair. The REAC provides for an independent physical inspection of a housing authority’s property of properties that includes a statistically valid sample of the units. Management operations certification is required to be submitted within two months after the housing authority’s fiscal year end (24 CFR 902.40). The Resident Service and Satisfaction Indicator is performed through the use of a survey. The housing authority is also responsible for completing implementation plan activities and developing a follow-up plan (24 CFR 902.50).

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: March 28, 2005.

Reason Waived: Damage from wind, debris, and water from two hurricanes resulted in the relocation of 83 families. The housing authority is waived from physical inspections and resident satisfaction surveys for Fiscal Year (FY) 2004 and FY2005, and from the management operations certification for FY2004.

Contact: Delton Nichols, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.

- Regulation: 24 CFR 902.33(c).

Project/Activity: The Housing Authority of the City of Gary (IN011), Gary IN.

Nature of Requirement: The regulation establishes certain reporting compliance dates. Unaudited financial statements are required to be submitted two months after the public housing agency (PHA) fiscal year end, and audited financial statements will be required no later than nine months after the PHA’s fiscal year end, in accordance with the Single Audit Act and OMB Circular A–133.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: January 28, 2005.

Reason Waived: After completing the fieldwork, the auditor became critically ill and remained in intensive care through the due date. The other partner in the firm agreed to complete the audit, but requested additional time. The PHA has until March 31, 2005, to submit its audited financial data.

Contact: Judy Wojciechowski, Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–7907.

- Regulation: 24 CFR 902.33(c).

Project/Activity: The Housing Authority City of Sanford (FL016), Sanford, FL.

Nature of Requirement: The regulation establishes certain reporting compliance dates. Unaudited financial statements are required to be submitted two months after the PHA fiscal year end, and audited financial statements will be required no later than nine months after the PHA’s fiscal year end, in accordance with the Single Audit Act and OMB Circular A–133.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: February 18, 2005.

Reason Waived: The PHA has been under the same fiscal control since August 4, 2003. The complexity of identifying and locating invoices, and other irregularities, prevents the completion of a viable audit by the due date. Financial consultants reviewed and evaluated the records and confirmed they are not ready for audit. The PHA has until September 30, 2005, to submit its audited financial information.

Contact: Delton Nichols, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW., Suite 100, Washington, DC 20410–5000, telephone (202) 475–8795.

- Regulation: 24 CFR 941.610

Subparts (a)(1)–(a)(7).

Project/Activity: Trouton and Woolsey Closings, New Columbia HOPE VI Grant: OR–16–URD–006–1–100, Portland, Oregon

Nature of Requirement: The provision requires that HUD review and approve certain legal documents and evidentiary materials relating to mixed-finance development before a closing can take place and funds can be released.

Granted by: Michael Liu, Assistant Secretary for the Office of Public and Indian Housing.

Date Granted: March 18, 2005.

Reason Waived: The waiver was approved in order to streamline the review and approval process, to reduce duplicate review, and to expedite closing. The waiver was approved because: (1) The Housing Authority of Portland (HAP) will submit documentation that certifies to the accuracy and authenticity of the subject evidentiary materials; (2) HAP is a high performing housing authority with extensive affordable housing development and mixed-finance experience and has thus far met all of its locked checkpoints for the New Columbia Grant; (3) these mixed-finance phases involve Low Income Housing Tax Credits from the Oregon Housing and Community Services Department, Federal Home Loan Bank Affordable Housing Program funds, and City of Portland funds, all of which have extensive review and financial control mechanisms; (4) Trouton and Woolsey are near duplicates of the Cecelia and Haven phases, which were reviewed and approved by HUD, in May of 2004, and which have the same financial and operating structure. HAP continues its role as developer, sole general partner and lender. All financial partners are the same as with the exception of the equity investor.

Contact: Milan Ozdinec, Deputy Assistant Secretary for the Office of Public Housing Investments, Department of Housing and Urban Development, 451 Seventh Street, SW.,
• Regulation: 24 CFR 982.505(d).
Project/Activity: Fall River Housing Authority (FRHA), Fall River, MA. The FRHA requested extension of a special exception payment standard that exceeds 120 percent of the fair market rent as a reasonable accommodation for a housing choice voucher holder’s disabilities.

Nature of Requirement: Section 982.505(d) allows a PHA to approve a higher payment standard within the basic range for a family that includes a person with a disability as a reasonable accommodation in accordance with 24 CFR part 8.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: January 4, 2005.

Reason Waived: Approval of the waiver was granted to allow a disabled housing choice voucher holder to continue to reside in his two-bedroom unit, which is considered medically necessary because of his many illnesses, including a mood disorder.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

• Regulation: 24 CFR 982.505(d).

Project/Activity: Housing Authority of Snohomish County (HASCO), Everett, WA. The HASCO requested approval of a special exception payment standard that exceeds 120 percent of the fair market rent as a reasonable accommodation for a housing choice voucher holder’s disabilities.

Nature of Requirement: Section 982.505(d) allows a PHA to approve a higher payment standard within the basic range for a family that includes a person with a disability as a reasonable accommodation in accordance with 24 CFR part 8.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: January 4, 2005.

Reason Waived: Approval of the waiver was granted to allow a disabled housing choice voucher holder to obtain a two-bedroom unit, which is considered medically necessary by his physician, for his recovery from surgery and to accommodate a live-in aide.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

• Regulation: 24 CFR 982.505(d).

Project/Activity: Wayne Metropolitan Housing Authority (WMHA), Wooster, OH. The WMHA requested a waiver of payment standard (PS) requirements to permit it to reduce PS below basic range with immediate implementation to avoid termination of housing assistance payments (HAP) contracts during calendar year 2005 due to insufficient funding.

Nature of Requirement: Section 982.505(d), states that HUD may consider a public housing agency’s (PHA) request for approval to establish a PS amount that is lower than the basic range (90 to 110 percent of the current fair market rent (FMR) for the unit size). Section 982.505(c)(3) states that if the amount on the PS schedule is decreased during the term of the HAP contract, the lower PS amount generally must be used to calculate the monthly HAP for the family beginning at the effective date of the family’s second regular reexamination following the effective date of the decrease.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: February 9, 2005.

Reason Waived: Waivers were granted because the cost-savings measures the WMHA proposed through immediate reduction of PSs below 90 percent of FMR for three of the four unit sizes would enable it to both manage its Housing Choice Voucher program within allocated budget authority and avoid the termination of additional HAP contracts due to insufficient funding.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

• Regulation: 24 CFR 982.505(d).

Project/Activity: Fall River Housing Authority (FRHA), Fall River, MA. The FRHA requested extension of a special exception payment standard that exceeds 120 percent of the fair market rent as a reasonable accommodation for a housing choice voucher holder’s disabilities.

Nature of Requirement: Section 982.505(d) allows a PHA to approve a higher payment standard within the basic range for a family that includes a person with a disability as a reasonable accommodation in accordance with 24 CFR part 8.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: February 11, 2005.

Reason Waived: Approval of the waiver was granted to allow a disabled housing choice voucher holder to continue to live in a two-bedroom unit to isolate problematic chemicals until it is safe to remove the items in the other living space in the home.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

• Regulation: 24 CFR 982.505(d).

Project/Activity: Franklin County Regional Housing and Redevelopment Authority (FCRHRA), Turner Fall, MA. The FCRHRA requested approval of a special exception payment standard that exceeds 120 percent of the fair market rent as a reasonable accommodation for a housing choice voucher holder’s disability.

Nature of Requirement: Section 982.505(d) allows a PHA to approve a higher payment standard within the basic range for a family that includes a person with a disability as a reasonable accommodation in accordance with 24 CFR part 8.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: February 18, 2005.

Reason Waived: Approval of the waiver was granted to allow a disabled housing choice voucher holder to continue to reside in her two-bedroom unit, which her physician considers medically necessary because of her many illnesses.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

• Regulation: 24 CFR 983.3(a)(2).

Project/Activity: Northwest Regional Housing Authority (NRHA), Boone, NC. The NRHA requested a waiver regarding the availability of vouchers for project-based assistance so that it could enter into an agreement to enter into a housing assistance payments contract
(AHAP) for 48 units to Grandview Ridge Apartments.

Nature of Requirement: The regulation at 24 CFR 983.3(a)(2) requires that the number of units to be project-based must not be under a tenant-based or project-based housing assistance payments (HAP) contract or otherwise committed, e.g., vouchers issued to families searching for housing or units under an AHAP.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: February 22, 2005.

Reason Waived: The requirement to have vouchers available at the time of execution of an AHAP was waived for Grandview Ridge Apartments since the project will not be ready for occupancy until October 1, 2005, at which time the NRHA should have sufficient turnover of vouchers to meet its contractual obligations under a HAP contract.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

• Regulation: 24 CFR 983.7(c)(9).

Project/Activity: Housing Authority of the City of Atlanta (HACA), Atlanta, GA. The HACA requested a waiver of § 983.7(c)(9) to allow the attachment of project-based voucher assistance to non-subsidized units located in a project with a Section 202 loan.

Nature of Requirement: Section 983.7(c)(9) prohibits the attachment of project-based assistance to units within a project with a Section 202 loan.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: March 24, 2005.

Reason Waived: The waiver was granted based on the Department’s plans to remove the prohibition on attaching project-based voucher assistance to projects with a Section 202 loan.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

• Regulation: Section II subpart E of the January 16, 2001, Federal Register Notice, Revisions to PHA Project-Based Assistance (PBA) Program; Initial Guidance.

Project/Activity: Rochester Housing Authority (RHA), Rochester, NY. The RHA requested a waiver of deconcentration requirements to permit it to attach PBA to eight units at Susan B. Anthony Apartments, which is located in census tract 55 that has a poverty rate of 39.6 percent.

Nature of Requirement: Section II subpart E of the initial guidance requires that in order to meet the Department’s goal of deconcentration and expanding housing and economic opportunities, the projects must be in census tracts with poverty rates of less than 20 percent.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: February 18, 2005.

Reason Waived: An exception to the deconcentration requirements was granted since the project is located in the City of Rochester’s HUD-designated Renewal Community. The purpose of establishing renewal communities is to open new businesses, and create jobs, housing, and new educational and healthcare opportunities for thousands of Americans.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

• Regulation: Section II subpart F of the January 16, 2001, Federal Register Notice, Revisions to PHA Project-Based Assistance (PBA) Program; Initial Guidance.

Project/Activity: Housing Authority of the City of Newport, RI. The HACN requested an exception to the initial guidance for the Newport Heights project that is located in a census tract with a poverty rate greater than 20 percent.

Nature of Requirement: Section II subpart E of the initial guidance requires that in order to meet the Department’s goal of deconcentration and expanding housing and economic opportunities, the projects must be in census tracts with poverty rates of less than 20 percent.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: March 9, 2005.

Reason Waived: Approval of the exception for deconcentration was granted since the area of the City where the units would be located has been targeted for revitalization and will be a mixed income, privately managed community. The units are part of a 329-unit HOPE VI site and 70 of the 329 units will be market rate units that are targeted to households earning above 80 percent of area median income. The revitalization plan for the neighborhood in which the units will be located includes the construction of a college and day care center. Additionally, a 14-acre mall has been developed near the Newport Heights site that has created 400 new jobs available to area residents.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of
Public Housing and Voucher Programs,
Office of Public and Indian Housing,
Department of Housing and Urban
Development, 451 Seventh Street, SW.,
Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

• Regulation: Section II subpart E of
the January 16, 2001, Federal Register
Notice, Revisions to PHA Project-Based
Assistance (PBA) Program; Initial
Guidance.

Project/Activity: San Diego Housing
Commission (SDHC), San Diego, CA.
The SDHC requested a waiver of
deconcentration requirements to permit
it to attach PBA to 23 units at Catholic
Charities 9th and F Street Apartments,
which is located in census tract 53 that
has a poverty rate of 22.8 percent.

Nature of Requirement: Section II
subpart E of the initial guidance
requires that in order to meet the
Department’s goal of deconcentration
and expanding housing and economic
opportunities, the projects must be in
census tracts with poverty rates of less
than 20 percent.

Granted by: Michael Liu, Assistant
Secretary for Public and Indian
Housing.

Date Granted: March 28, 2005.

Reason Waived: An exception to the
deconcentration requirements was
granted since the project is located in
the City of San Diego’s HUD-designated
Renewal Community as well as a locally
designated Metropolitan Enterprise
Zone and Redevelopment area. The
purpose of establishing renewal
communities is to open new businesses,
and create jobs, housing, and new
educational and healthcare
opportunities for thousands of
Americans. The local designations serve
the same purpose.

Contact: Dr. Alfred C. Jurison,
Director, Housing Voucher Management
and Operations Division, Office of
Public Housing and Voucher Programs,
Office of Public and Indian Housing,
Department of Housing and Urban
Development, 451 Seventh Street, SW.,
Room 4210, Washington, DC 20410–
5000, telephone (202) 708–0477.

• Regulation: 24 CFR 982.505(c)(3).

Project/Activity: Chesapeake
Redevelopment and Housing Authority
(CRHA), Chesapeake, VA. The CRHA
requested the waiver in order to reduce
program costs to avoid having to
terminate housing assistance payments
contracts and terminate family
participation in the program because of
insufficient funding.

Nature of Requirement: Section
982.505(c)(3) provide that if the amount
on the payment standard schedule is
decreased during the term of the HAP
contract, the lower payment standard
amount generally must be used to
calculate the monthly HAP for the
family beginning at the effective date
of the family’s second regular
reexamination following the effective
date of the decrease.

Granted by: Michael Liu, Assistant
Secretary for Public and Indian
Housing.

Date Granted: March 28, 2005.

Reason Waived: The reduction in
costs that the voucher program for
CRHA will realize through the earlier
implementation of the reduced payment
standard for families under HAP
contracts will enable the agency to both
manage its HCV program within
allocated budget authority and avoid the
termination of HAP contracts due to
insufficient funding.

Contact: Dr. Alfred C. Jurison,
Director, Housing Voucher Management
and Operations Division, Office of
Public Housing and Voucher Programs,
Office of Public and Indian Housing,
Department of Housing and Urban
Development, 451 Seventh Street, SW.,
Room 4210, Washington, DC 20410–
5000, telephone (202) 708–0477.

• Regulation: 24 CFR 990.107(f) and
990.109.

Project/Activity: Muskegon Heights,
MI, Housing Commission.

A request was made to permit the
Muskegon Heights Housing Commission
to benefit from energy performance
contracting for developments that have
resident-paid utilities. The Muskegon
Heights Housing Commission estimates
that it could increase energy savings
substantially if it were able to undertake
energy performance contracting for its
resident-paid utilities.

Nature of Requirement: Under 24 CFR
part 990, the Operating Fund Formula
energy conservation incentive that
relates to energy performance
contracting currently applies only to
PHA-assisted utilities. The Muskegon
Heights Housing Commission has
resident-paid utilities.

Granted by: Michael Liu, Assistant
Secretary for Public and Indian
Housing.

Date Granted: March 2, 2005.

Reason Waived: In September 1996,
the Oakland Housing Authority was
granted a waiver to permit the Authority
to benefit from energy performance
contracting for developments with
resident-paid utilities. The waiver was
granted on the basis that the Authority
presented a sound and reasonable
methodology for doing so. The
Muskegon Heights Housing Commission
requested a waiver based on the same
approved methodology. The waiver
permits the Commission to exclude
from its Operating Fund calculation of
rental income the increased rental
income due to the difference between
updated baseline utility allowances
(before implementation of the energy
conservation measures) and revised
allowances (after implementation of the
measures) for the project(s) involved
for the duration of the contract period,
which cannot exceed 12 years.

Contact: Director, Public Housing
Financial Management Division, REAC,
Attn: Peggy Mangum, Public Housing
Financial Management Division, Office
of Public and Indian Housing–Real
Estate Assessment Center, 550 12th St.,
SW., Washington, DC 20024–5000,
telephone (202) 475–8778.

Regulation: 24 CFR 1000.214.

Project/Activity: The Big Pine Paiute
Tribe’s submission of an Indian Housing
Plan (IHP) for Fiscal Year (FY) 2004
funding made available under the
Native American Housing Assistance
and Self-Determination Act
(NAHASDA) of 1996. The Tribe is
located in Big Pine, California.

Nature of Requirement: The
regulation at § 1000.214 establishes a
July 1 deadline for the submission of an
IHP.

Granted by: Michael Liu, Assistant
Secretary for Public and Indian
Housing.

Date Granted: January 28, 2005.

Reason Waived: The Big Pine Paiute
Tribe submitted for comment a draft IHP
to the Southwest Office of Native
American Programs on March 3, 2004,
that was complete except for the
executed certifications. The Tribe
indicated that a final IHP would be
submitted by July 1. However, Big
Pine’s former Housing Manager failed to
effectively communicate to the Tribal
Council that the deadline for submittal
of the IHP was pending, and that
signatures for the IHP were necessary
before sending. As a consequence, the
IHP was not submitted by the due date.
Based on the fact that Big Pine had
made an attempt to submit the IHP
within the required time frame, their
request for a waiver of the requirement
to submit before July 1 was approved.

Contact: Jennifer Martinez, Acting
Director, Grants Management,
Headquarters Office of Native American
Programs (ONAP), Department of
Housing and Urban Development, 451
Seventh Street, SW., Room 4126,
Washington, DC 20410–5000, telephone,
(202) 401–7914.

• Regulation: Section II subpart E of
the January 16, 2001, Federal Register
Notice, Revisions to PHA Project-Based
Assistance (PBA) Program; Initial
Guidance.

Project/Activity: Rochester Housing
Authority (RHA), Rochester, NY. The
RHA requested a waiver of deconcentration requirements to permit it to attach PBA to eight units at the Providence Housing Corporation Project, which is located in census tracts 64 and 65 that have poverty rates of 29.9 percent and 39.6 percent, respectively.

Nature of Requirement: Section II subpart E of the initial guidance requires that in order to meet the Department’s goal of deconcentration and expanding housing and economic opportunities, the projects must be in census tracts with poverty rates of less than 20 percent.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: January 4, 2005.

Reason Waived: An exception to the deconcentration requirements was granted since the project is located in the City of Rochester’s HUD-designated Renewal Community. The purpose of establishing renewal communities is to open new businesses, and create jobs, housing, and new educational and healthcare opportunities for thousands of Americans. The goals of a renewal community are consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

Regulation: Section II subpart F of the January 16, 2001, Federal Register Notice, Revisions to PHA Project-Based Assistance (PBA) Program; Initial Guidance.

Project/Activity: Cambridge Housing Authority (CHA), Cambridge, MA. The CHA requested an exception to the 25 percent cap on the number of units in a building that can have PBA attached to permit it to attach PBA to 32 units at the Trolley Square Project.

Nature of Requirement: Section II subpart F requires that no more than 25 percent of the dwelling units in any building may be assisted under a housing assistance payments (HAP) contract for PBA except for dwelling units that are specifically made available for elderly families, disabled families and families receiving supportive services. Until regulations are promulgated regarding the category of families receiving supportive services, Headquarters has been authorizing implementation of this aspect of the law on a case-by-case basis.

Granted by: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: January 18, 2005.

Reason Waived: An exception to the unit cap was granted since the HACSB, in coordination with various community service agencies, will provide the following supportive services to the families in Central Plaza Apartments: Money management and family budgeting counseling; high school classes; a computer lab; pre-purchase home ownership counseling; job search and career development counseling; and parenting classes.

Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.