

**REVIEW OF DESIGNATED HOUSING PLANS:
A HUD PROCESSING GUIDEBOOK FOR PUBLIC
HOUSING HEADQUARTERS AND FIELD STAFF**

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Public Housing Management and Occupancy Division
Room 4222
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PURPOSE

This Guidebook explains the streamlined process that the U.S. Department of Housing and Urban Development (HUD) Public and Indian Housing (PIH) staff will use for reviewing Designated Housing Plans (Plan) submitted by Public Housing Agencies (PHAs). The Plans seek to designate housing for elderly families, disabled families, or elderly and disabled families. The designated housing can consist of part of a building, an entire building, multiple buildings, or a percentage of units in a specific building.¹ The authority and requirements governing designation are contained in Section 7 of the United States Housing Act and Notice PIH 2007-01 (HA). This authority permits PHAs to designate housing after developing a Designation Plan, which must be approved by HUD and requires HUD to notify the PHA within 60 calendar days of submission whether its plan complies with the requirements. The 60 calendar days run consecutively and may not be interrupted. If HUD does not notify the PHA within 60 calendar days, the Plan is automatically approved.

HUD's role in the designation process is to conduct a review of the plans in accordance with the requirements of 7 (d) of the United States Housing Act and Notice PIH 2007-01 (HA). Just as each community has a unique mix of people, housing needs, and housing supply, each Designated Housing Plan must be assessed individually. Therefore, HUD staff members need to exercise their judgment and work directly with the parties involved in the designation process to arrive at the best possible solution for the locality.

¹ In the last instance, when the PHA designates a percentage of units in a building or buildings, the units need not be contiguous, or even identified by apartment address, but can instead “float” based upon which units are ready for occupancy when the percentage drops below its target and the qualified applicant is offered a unit.

EXECUTIVE SUMMARY

To simplify HQ PIH's review of Designated Housing Plans, the processes and general guidance outlined in this *Guidebook* are presented in four separate parts. Included in the Guidebook are steps HQ PIH must follow to help PHAs meet certain conditions that will make a Plan approvable.

Part one describes the process for reviewing new Plans (new Plans are in effect for 5 years from the date they are approved), by HQ PIH staff with input from the respective FO PIH and the Office of Fair Housing and Equal Opportunity (FHEO).

Part two describes the process for reviewing requests for 2-year renewals beyond the approved 5-year period, which is handled exclusively by the FO PIH with input from the local FHEO staff.

Part three describes the process for reviewing Plan amendments. HQ PIH is responsible for reviewing requests to amend an active Plan, with input from the appropriate local public housing field office. The original 5-year duration of an approved Plan is unaffected by subsequent amendment(s).

Part four provides a brief overview for the tracking and maintenance of data regarding Designated Housing Plans. It also provides a timetable for FO PIH to notify PHAs when their Plans will expire.

Part five includes appendices that HQ PIH staff should use when reviewing the Plans. Appendices IV, V and VII include three checklists to assist FO PIH in the review process: to gather input on original Plans, to collect information for reviewing and if applicable, grant or deny PHA renewal requests, and to provide comments on requests for Plan amendments respectively.

The streamlined processes outlined in this *Guidebook* are in accordance with HUD Notice PIH 2007-01 (HA), that supersedes PIH Notice 97-12, extension Notice 2002-12, and makes all previous regulations including 24 CFR 945 and guidance that are in conflict with this Notice null and void.

PART I: REQUIREMENTS FOR HQ PIH REVIEW OF NEW PLANS

As described in Notice PIH 2007-01 (HA), HQ PIH must conduct a review of a PHA's Plan for the PHA to receive approval to designate a project (or portion of a project) for elderly only or for persons with disabilities only. Applications to designate housing must be submitted on the agency's official letterhead, and signed by the PHA's Executive Director. This will serve as certification that the data/details contained in the proposed Plan are accurate. The Plan must address and comply with the following criteria:

- Be complete in significant matters;
 - Be compliant with applicable requirements;
 - Provide no evidence that challenges, in a substantial manner, any information provided in the Plan; and
 - Not contradict any other data available to the field office.
- A. Justification for Designation. A PHA must establish that the designation of the project is necessary to achieve the housing goals for the jurisdiction under the Comprehensive Housing Affordability Strategy (CHAS) part of the Consolidated Plan (CP) and to meet the housing needs of the low-income population of the jurisdiction.
- B. Project Description. A Plan must include: a description of a project (or portion of a project) to be designated; the types of tenants for which the project is to be designated; any supportive services to be provided to tenants of the designated project (or portion); and how the design and related facilities (as such term is defined in Section 202 (d)(8) of the Housing Act of 1937 as such statute existed prior to October 1, 1991) of the project accommodate the special environmental needs of the intended occupants (see Appendix III).
- C. Alternative Resources. A Plan must include a description of any plans to secure additional resources or housing assistance to provide assistance to families that may have been housed if occupancy in project were not restricted pursuant to this section.
- D. No Eviction or Lease Termination Due to Designation. A PHA may not evict or terminate the lease of any tenant lawfully residing in a dwelling unit in public housing because of the designation.
- E. Voluntary Relocation Because of the Designation. A PHA must provide the following to persons and families who agree to be relocated in connection with a designation:
1. A notice of the designation and an explanation of available relocation benefits, as soon as is practical, for the agency and the person or family;
 2. Access to comparable housing (including appropriate services and design features), which may include tenant-based rental assistance under the Housing Choice Voucher Program, at a rental rate paid by the tenant that is comparable to the unit from which the person or family has vacated; and

3. Payment of actual, reasonable moving expenses.

F. Inapplicability of Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970. Tenants may not be considered to be displaced for purposes of the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970², because of the designation of any existing project or building, or portion thereof, of public housing.

G. Eligibility of near-Elderly Families. If the housing agency determines that there are insufficient numbers of elderly families to fill all the designated units, the housing agency may provide in the Plan that it will admit near elderly families to a project (or portion of a project) designated for occupancy by only elderly families. The definition contained in 24 CFR 5.403 specifies that near-elderly is a family whose head, spouse or sole member is between the ages of 50 and 61 years of age.

Duration of Designation

All designations remain in effect for 5 years from the date HQ PIH approves the Plan. A PHA may request to amend its Plan before the expiration of the 5-year period by submitting updated information to HUD Headquarters: Public and Indian Housing, Public Housing Management and Occupancy Division, Room 4222. An amended Plan will have the same expiration date as that of the original/renewal Plan.

Time-frame for HUD Review

Sixty calendar days from the date a Plan is received, HQ PIH must conduct a review and notify the PHA whether or not the Plan complies with requirements set forth in Notice PIH 2007-01 (HA). The 60 days run consecutively and may not be interrupted. If HQ PIH fails to complete its review and notify the PHA within the 60 day time frame, the Plan is automatically approved.

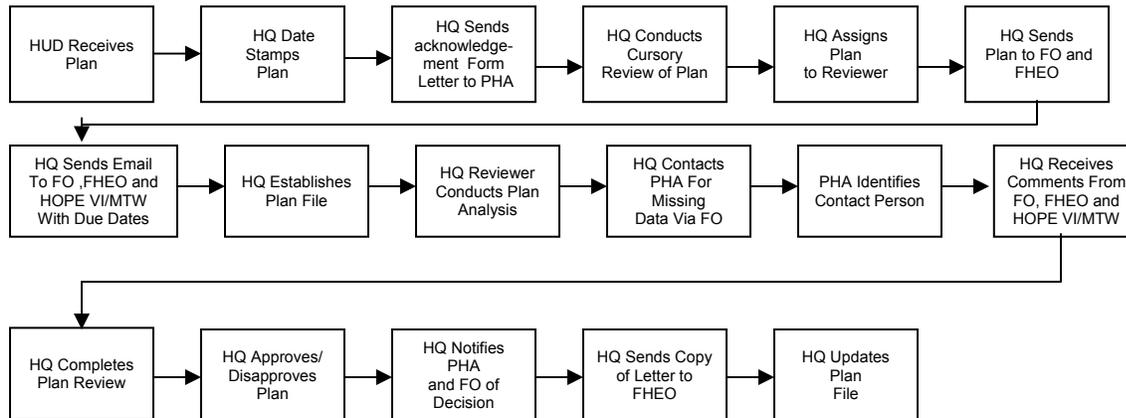
Plans that Do Not Comply

If a Plan, as submitted, does not comply with the statutory requirements, HQ PIH must notify the PHA of the reasons for the Plan's noncompliance and any modifications necessary for the Plan to be approved. HQ PIH may request additional information from the PHA, if needed. HUD must reject a Plan if:

- The Plan is incomplete in significant matters; or
- The Plan is not compliant with applicable requirements;
- There is evidence that challenges, in a substantial manner, any information provided in the Plan; and
- Not contradict any other data available to the field office.

² If a PHA wishes to offer relocation to members of the non-designated group, the PHA must offer relocation to all members of that group who are tenants of the designated project. The PHA should follow its lease provisions and consult the Public Housing Occupancy Guidebook online at: www.hud.gov/office/pih/programs/ph/rhiip/phguidebook.cfm.

PROCESSING STEPS FOR HQ PIH REVIEW OF NEW PLANS



Below are the four major steps HUD staff must follow when reviewing a PHA’s Plan.

STEP ONE: Receiving Plans, HQ PIH Review, Distribution, and File Setup

A Plan is considered received when it arrives in HQ PIH. Sixty days from receipt, the Plan will be automatically approved if HQ PIH has not taken action to approve or disapprove it. When the Plan is received in HQ PIH, several things take place:

- HQ PIH stamps the date on the Plan;
- HQ PIH sends a form letter to the PHA acknowledging receipt of the Plan. If HQ PIH does not notify the PHA with a letter of approval or disapproval within 60 calendar days of receiving the Plan, the Plan will be automatically approved. A copy of the approval/disapproval letter will be sent to FHEO Headquarters;
- Within 5 business days of receiving the Plan, HQ PIH assigns the Plan to a reviewer who performs a cursory review of the Plan to determine its completeness and technical acceptability and contacts the PHA if additional information is needed;
- HQ PIH sends a copy of the Plan to the applicable FO PIH and to the Headquarters FHEO Director of Program Standards Division in Room 5224;
- HQ PIH sends an e-mail message to Headquarters FHEO and the local Public Housing (PH) Director that the Plan has been sent and the date comments are due back to HQ PIH. FO PIH and FHEO have 20 business days to submit comments to HQ PIH; and
- If the Plan proposes to designate HOPE VI units or is a MTW agency, HQ PIH sends e-mail message to Headquarters HOPE VI Program office or MTW Program office, indicating the specific property, the number of units proposed for designation and the type of designation. Headquarters HOPE VI Program office or MTW Program Office has 20 business days to submit comments to HQ PIH regarding any conflicts with the PHA’s HOPE VI agreement or MTW agreement.

Plan Files

HQ PIH sets up a file for the Plan, noting the date received. A copy of the PHA notification letter is placed in the file. Eventually the file will contain:

- The original Plan submission;
- Additional information submitted by the PHA;
- Field Office, FHEO, HOPE VI and MTW comments;
- Additional correspondence related to the PHA's Plan;
- Any communication with the PHA; and
- Notation about any existing voluntary compliance agreements (VCA), or outstanding court orders under Section 504, Title VI, or the Fair Housing Act.

STEP TWO: Review of New Plans

Upon receipt of the Plan, the FO PIH provides HQ PIH with information about the PHA, the general housing situation in the PHA's locality, and specific data relating to the proposed designation (see appendix IV). The FO PIH also contacts the PHA regarding information that may be missing from the Plan, or to obtain explanations that may make the Plan approvable. The field office provides its analysis of the proposed designation (see Appendix IV) based on the requirements in Notice PIH 2007-01 (HA), and submits it to HQ PIH within 20 business days.

STEP THREE: HQ PIH Collaborative Discussions With the PHA (through FO PIH and FHEO Field Offices)

Important components to consider when discussing how to make a Plan approvable should include the following:

- Ensure that the PHA identifies the person with whom discussions should take place starting with the executive director. If he/she designates someone else, determine whether the executive director will sign off on the decision before it is finalized.
- Request additional information or data, if necessary and be prepared to explain precisely what is needed and why. Coordinate with FHEO to include data information that FHEO will need to complete its review of the Plan.
- Stress the need for an expeditious response from the PHA. If discussions have not produced an acceptable compromise within a reasonable time, HUD may write a disapproval letter to prevent the Plan from being approved since it is incomplete or not compliant.
- Explain to the PHA that the suggestions from HUD staff are in the PHA's best interest. For example, if the PHA is proposing to designate too many units for the elderly, decreasing the number may save the PHA money and reduce vacancies.
- Determine whether the PHA has sufficient resources to assist non-designated families.

- If the Plan includes accessible units, suggest that the PHA may want to consider excluding these units from the designation and make them available for people with mobility impairments regardless of age. The unit count for designation may not include UFAS units that will be available to anyone needing the features of the unit.
- If the PHA already has units under a separate Designated Housing Plan, the PHA must be notified that units currently approved for designation must be included in the New Plan submission. It should be explained to the PHA that this will ensure one expiration date for all approved units.

HQ and FO PIH decide, in advance, who will lead the discussions with the PHA regarding its Plan.

STEP FOUR: HQ PIH Action on New Plans

Once HQ PIH has completed its review of the PHA’s Plan, it formally determines whether the Plan can be:

- (a) approved as submitted,
- (b) made approvable, or
- (c) must be disapproved.

A. Plans that Can Be Approved as Submitted

In general, Plans are approved as submitted if they are complete, compliant with requirements in the statute/Notice PIH 2007-01 (HA), and HUD has no evidence that challenges, in a substantial manner, any information provided in the Plan (see the Appendix to Notice PIH 2007-01 (HA), “Suggestions for Preparing Approvable Plans” on page 31).

B. Plans that Can Be Made Approvable

The key to making an otherwise noncompliant Plan approvable is for HQ PIH to clearly state the terms that the PHA must provide or revise. Before commencing any discussions with the PHA, HQ PIH and FO PIH reviewers should agree on how the PHA can make its submission approvable. This process ensures that Plans with only minor deficiencies are not turned down because of a technicality.

C. Plans that Must Be Disapproved

Although HQ PIH reviewers should work with the PHA to make the Plan approvable, there may be circumstances where nothing can make a Plan compliant with the statutory requirements. Thus, HQ PIH cannot approve a Plan if it is inconsistent with the statutory requirements, Notice PIH 2007-01 (HA), and does not meet the jurisdiction’s Consolidated Plan. Conditional approvals are not acceptable.

D. Coordination With FHEO

HQ PIH will provide FHEO with a response to the concerns it has raised regarding a Plan, and at FHEO’s request, time permitting, will discuss these concerns in an effort to resolve any lingering issues. In order to conduct a thorough review of Plans, FHEO will include (as part of its comments to HQ PIH), any issues relating to on-going litigation, tenancy investigations, Letters of Findings (LOF), VCA’s, etc involving the PHA that

may impact the Plan under review. However, if HQ PIH determines that the Plan should be approved, it will notify FHEO regarding its decision to do so.

STEP FIVE: Preparation of Letters to the PHA

Approval Letters (See Appendix VIII) Copies of all letters will be sent to Headquarters FHEO

HQ PIH approval letter to the PHA should contain the following information:

- HQ PIH notification that the PHA Plan is approved;
- Restatement of the PHA's Designation proposal including;
- A description of the projects to be designated including the development name, development number, bedroom type, total number of units proposed for designation, and total number of units in PHA inventory;
- Citation of the section of the statute under which the Plan was reviewed;
- Statement that the Plan will be in effect for 5 years from the date of HUD's letter approving the Plan and that the Plan can be renewed in 2-year increments following FO PIH's receipt, review, and granting of the PHA's written request for a renewal;
- The names and phone numbers of HQ PIH staff to contact should the PHA have questions; and
- A wish for success in implementing the PHA Plan.

Disapproval Letters (See Appendix IX)

The statute requires that any PHA whose Plan is disapproved be informed of the reasons for the Plan's noncompliance and the modifications necessary for the Plan to be approved. The disapproval letter should provide detailed reasons for disapproval. The general form of a disapproval letter is as follows:

- Cites the section(s) of the statute/Notice PIH 2007-01 (HA), in which the Plan is noncompliant and summarizes how the Plan fails to comply with the statute;
- Briefly states the basis for HUD's determination; and
- Informs the PHA that it may submit a new Plan to HUD at any time, pointing out what must be different about a new Plan for it to be approvable.

PART II: REQUIREMENTS FOR FO PIH REVIEW OF RENEWAL REQUESTS

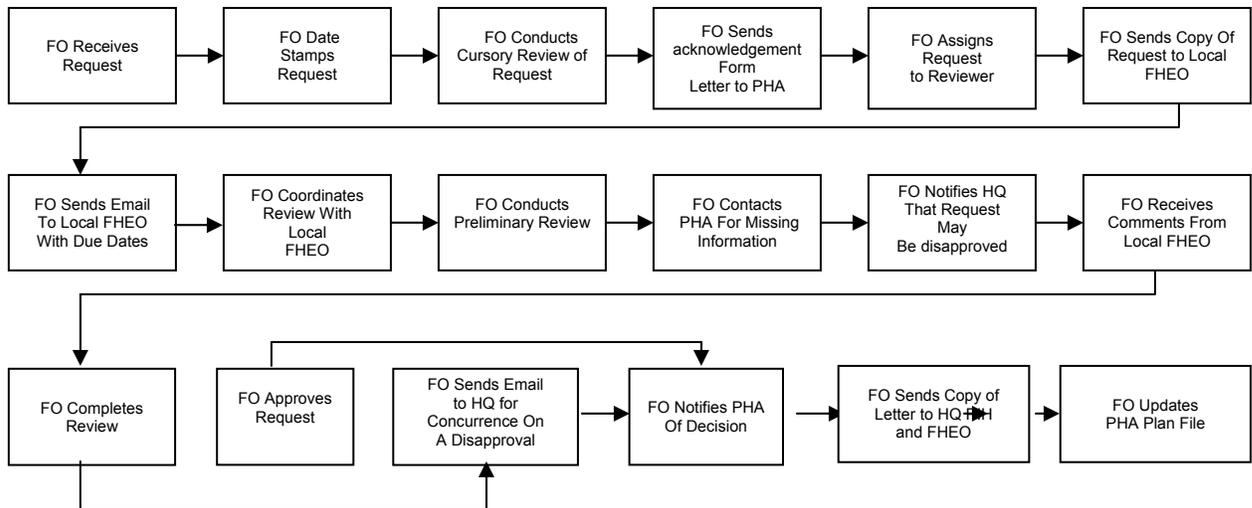
A PHA must submit its designated housing renewal request to its local PH Office for review and approval or disapproval. PHAs should submit requests for renewal on agency's official letterhead, and signed by the HA's Executive Director. This will serve as certification that the data/details contained in the proposed renewal Plan are accurate.

The Assistant Secretary for Public and Indian Housing delegated authority to local Public Housing Directors/Public Housing Program Center Coordinators to conduct all activity related to the renewal of Designated Housing Plans. ***Requests for plan renewals must be submitted to the appropriate local FO PIH 60 days prior to expiration.***

Plan renewals beyond the initial 5 years will be granted in 2-year increments after a PHA has submitted a written request to that effect.

- A. The PHA should submit a certification request, which attests that the requirements of the original Plan are being met and that there are no adverse impacts on the housing resources for the groups not served as a result of designation. The certification should also address the following:
 1. Request the extension in writing, identifying the affected project(s) by name and number in the existing plan that is being renewed;
 2. Specify the number of units and percentage(s) of the project being designated;
 3. Specify the total number of units (including any minor changes) in the affected project(s). A change in the number of designated units, or a change in location of units is not permitted; and
 4. Identify the population being served in the designated units.
- B. Where the FO PIH has no information available to challenge in a substantial manner the PHA's certification, the renewal will be granted. However, if HUD has information available that challenges in a substantial manner the PHA's certification, the Field Office will review such information before a renewal is granted.
- C. Where the requirements are not met by the designation, or if circumstances have changed, the PHA's request must include information needed to update the Plan for renewal.
- D. When the approved Plan expires and no renewal request has been submitted, the designated project or portion of a project will convert to its original status and become available for occupancy by the population group that was served prior the designation. Renewals may not be approved retroactively; if a Plan has expired the PHA will need to submit a new Plan.

PROCESSING STEPS FOR PUBLIC HOUSING (PH) FIELD OFFICE REVIEW OF RENEWAL REQUESTS



STEP ONE: Receiving and Setting Up Renewal Request Files

A request for renewal is considered received when it arrives at the applicable FO PIH; requests need to be received no less than 60 calendar days before current Plan expiration date. On the day the FO PIH receives the PHA’s renewal request, it:

- Stamps the date on the request;
- Sends a form letter to the PHA acknowledging receipt of the request and noting the date by which the request would be automatically granted if the FO PIH Director does not contact the PHA with a letter to the contrary;
- Sends a copy of the Plan to the FHEO Field Office for its comments, which are due back to the FO PIH within 20 business days;
- FO PIHs should coordinate with the respective local FHEO staff in reviewing requests for renewals;
- Conducts a preliminary review to determine if the request is approvable and if not, notifies HQ PIH within 20 business days of receiving request indicating that the Plan may be disapproved; and
- Updates the PHA file with the renewal request (Please refer to “Step One- Processing Steps For HQ PIH Review of New Plans” in the *Guidebook*).

STEP TWO: FO PIH Review of PHA’s Request

The FO PIH completes its review of the Plan based on the FO PIH *Renewal Checklist* (see Appendix V), the PHA’s certification and considers FHEO Field Office comments.

Unresolved FHEO comments may be included in the letter to the PHA as reasons for disapproval.

STEP THREE: Preparation of Letters to the PHA

***Approval Letters (See Appendix XI)* Copies of all letters will be sent to both HQ PIH and FHEO Headquarters, and addressed to: Nicole Faison, Director of Public Housing Programs in Room 4222, and Pamela Walsh, Director of Program Standards in Room 5224, respectively.**

The FO PIH Director sends a letter to the PHA. An approval letter should contain the following information:

- PHA's notification that the Plan is approved;
- Restatement of the PHA's renewal which includes:
 - A description of the projects to be designated including the development name, development number, bedroom type, total number of units proposed for designation, and total number of units in PHA inventory (Note that, if the unit count changes by 10 percent or less a PHA will need to submit an Amendment to the Plan rather than a Renewal. If the Plan is due to expire the PHA must also submit a Renewal request within the time limits outlined in this section.);
 - Citation of the section of the statute under which the Plan was reviewed;
 - Statement that the Plan will be in effect for 2 years from the day following the date of expiration of HUD's latest approval, and that the Plan can be renewed for additional 2-year increments following FO PIH receipt, review, and granting of the PHA's written request for a renewal;
 - The names and phone numbers of PH staff to contact should the PHA have questions;
 - A wish for continued success in implementing the PHA Plan; and
 - A copy of the Renewal letter must go to Nicole Faison or faxed to (202) 401-1122.

Disapproval Letters (See Appendix XII)

The statute requires that any PHA whose renewal Plan is disapproved be informed of the reasons for the Plan's noncompliance and the modifications necessary for the Plan to be approved. The disapproval letter should provide detailed reasons for noncompliance. The general form of a disapproval letter is as follows:

- Cites the section(s) of the statute/Notice PIH 2007-01 (HA), in which the renewal Plan is noncompliant and summarizes how the Plan fails to comply with the statute;
- Briefly states the basis for HUD's determination; and

- Informs the PHA that it may submit a new Plan to HQ PIH at any time, pointing out what must be different about a new Plan for it to be approvable. Conditional approvals are not acceptable.
- A copy of the Renewal letter must go to Nicole Faison or faxed to (202) 401-1122.

Note: If the FO PIH Director proposes to disapprove a Renewal, he/she must immediately notify HQ PIH, Director of Field Operations and the Deputy Assistant Secretary for Public Housing and Voucher Programs and their designees via email for concurrence on the decision to disapprove. The FO PIH Director must clearly state the reasons for the Plan's noncompliance and submit supporting information regarding the noncompliance 15 business days before the expiration date of the Plan. However, if HQ PIH fails to respond to the FO PIH regarding the notice of a potential disapproval, the FO PIH will have the discretion to disapprove the Plan if it still feels that the information available clearly justifies such action.

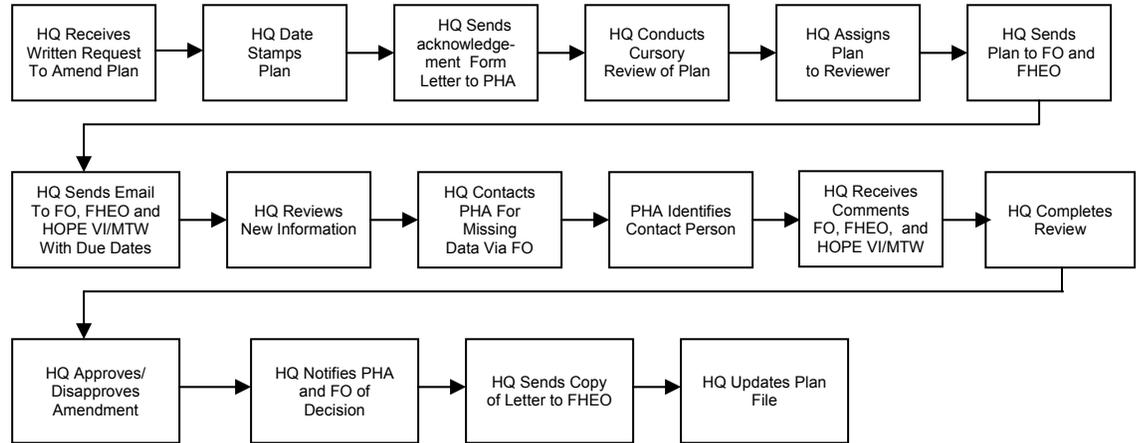
PART III: REQUIREMENTS FOR HQ PIH REVIEW OF AMENDMENT PLAN REQUESTS

As described in Notice PIH 2007-01 (HA), a PHA may request to amend an existing/active Plan before the expiration of 5-year period by submitting a written request (with any new information) to HQ PIH, so long as the amendment involves only technical changes or a de minimis change in the number of, or type of units/tenants affected by the designation. HQ PIH will notify the PHA whether or not the amendment request is approved within 60 calendar days from the date the request is received by HQ PIH. The 60 days run consecutively and may not be interrupted. If HQ PIH fails to notify the PHA within the 60 day time frame, the amendment is automatically approved. The approval of an amendment to an existing Plan does not change the original duration of such a Plan. The submission of a new Plan proposal is required when the request involves more than technical changes or a de minimis change in the number of or type of units/tenants affected by the designation.

A. The PHA should submit a certification request, which attests that the requirements of the original Plan are being met, and that there are no unanticipated adverse impacts on the housing resources available for the groups not served as a result of the designation. **The request must be submitted on the PHA's letterhead, and signed by the Executive Director.** The certification should also address the following relative to the amendment request:

1. Is consistent with the original approved Plan;
2. Is consistent with the PHA's current Annual Plan, and the jurisdiction's Consolidated Plan;
3. Involves only technical changes or a de minimis change in the number of or type of units/tenants affected by the designation (Note that, the number of units may not change more than 10 percent; otherwise a new Plan must be submitted. This applies to an increase or decrease in the number of units);
4. There is no evidence that challenges, in a substantial manner, any information contained in the PHA's amendment request;
5. Does not contradict any other data available to the field office; and
6. If the Plan has expired the PHA will need to submit a new Plan, amendments cannot be approved retroactively.

PROCESSING STEPS FOR HQ PIH REVIEW OF AMENDMENT PLAN REQUESTS



Below are the four major steps HUD staff must follow when reviewing a PHA's amendment request.

STEP ONE: Receiving and Setting Up Amendment Plan Request Files

A request for amendment is considered received when it arrives at HQ PIH. On the day HQ PIH receives the PHA's request, it:

- Stamps the date on the request;
- Sends a form letter to the PHA acknowledging receipt of the request and noting the date by which the request would be automatically approved if HQ PIH does not contact the PHA with a letter to the contrary.
- Within 5 business days of receiving the request, HQ PIH assigns the amendment Plan to a reviewer who performs a cursory review of the request to determine its completeness and technical acceptability, and contacts the PHA if additional information is needed;
- HQ PIH sends a copy of the request to the applicable FO PIH and to the Headquarters FHEO Director of Program Standards Division in Room 5224;
- HQ PIH sends an email message to Headquarters FHEO and the local Public Housing (PH) Director informing them that the request has been sent, and the date comments are due back to HQ PIH. FO PIH and FHEO have 20 business days to submit comments to HQ PIH; and

- If the amendment request includes the designation of HOPE VI units or a MTW agency, HQ PIH sends an e-mail message to Headquarters HOPE VI Program office or MTW Program Office, indicating the specific property, the number of units proposed for designation and the type of designation. Headquarters HOPE VI Program office or MTW Program office has 20 business days to submit comments to HQ PIH regarding any conflicts with the PHA's HOPE VI agreement or MTW agreement.

Plan Files

HQ PIH sets up a file for the request, noting the date received. A copy of the PHA notification letter is placed in the file. Eventually, the file will contain:

- The original amendment Plan request;
- Additional information submitted by the PHA;
- Field Office, FHEO, HOPE VI and MTW comments;
- Additional correspondence related to the PHA's request;
- Any communication with the PHA; and
- Notation about any existing voluntary compliance agreements (VCAs).

STEP TWO: REVIEW OF AMENDMENT PLAN REQUESTS

Upon receipt of the Plan, the FO PIH provides HQ PIH with information about the PHA, the general housing situation in the PHA's locality, and specific data relating to the proposed amendment. The FO PIH also contacts the PHA regarding information that may be missing from the request, or to obtain explanations that will make the amendment approvable. The field office provides its analysis of the proposed amendment (see Appendix VII) based on the requirements in Notice PIH 2007-01 (HA), and submits it to HQ PIH within 20 business days.

STEP THREE: HQ PIH Collaborative Discussions With the PHA (through FO PIH and FHEO Field Offices)

Important components to consider when discussing how to make a Plan amendment approvable should include the following:

- Ensure that the PHA identifies the person with whom discussions should take place starting with the executive director. If he/she designates someone else, determine whether the executive director will sign off on the decision before it is finalized.

- Request additional information or data, if necessary and be prepared to explain precisely what is needed and why. Coordinate with FHEO to include data information that FHEO will need to complete its review of the amendment.
- Stress the need for an expeditious response from the PHA. If discussions have not produced an acceptable compromise within a reasonable time, HUD may write a disapproval letter to prevent the amendment from being approved since it is incomplete or not compliant.
- Explain to the PHA that the suggestions from HUD staff are in the PHA's best interest. For example, if the proposed amendment designates too many units for the elderly, decreasing the number may save the PHA money and reduce vacancies.
- Determine whether the PHA has sufficient resources to assist non-designated families.
- If the amendment includes accessible units, suggest that the PHA not designate accessible units and keep them available for people with mobility impairments regardless of age. The unit count for designation may not include UFAS units that are available to anyone needing the features of the unit.

HQ and FO PIH decide, in advance, who will lead the discussions with the PHA regarding its amendment.

STEP FOUR: Preparation of Letters to the PHA

Approval Letters (See Appendix XIV) Copies of all letters will be sent to Headquarters FHEO. HQ PIH approval letter to the PHA should contain the following information:

- HQ PIH notification that the PHA request is approved;
- Restatement of the PHA's amendment proposal including;
- A description of the project(s) to be designated including the development name, development number, bedroom type, total number of units proposed for designation, and total number of units in PHA inventory;
- Citation of the section of the statute under which the Plan was reviewed;
- Statement that the duration of the amended Plan is the same as that indicated on HUD's most recent letter of approval, and that the Plan can be renewed in 2-year increments following FO PIH's receipt, review, and granting of the PHA's written request for a renewal;
- The names and phone numbers of HQ PIH staff to contact should the PHA have questions; and
- A wish for continued success in implementing the PHA Plan.

PART IV: PLAN MONITORING

The local PIH field staff will be responsible for monitoring DHPs to ensure that the plans are implemented as written and approved. The DHP will be monitored, as appropriate, either remotely or on-site through the variety of existing procedures such as limited monitoring checklists per agreement between FHEO and HQ PIH Field Operations Division, voluntary compliance agreements, routine audits, Annual Plans etc. PIH will provide FHEO the results and any documentation from monitoring that may potentially be in conflict with FHEO requirements.

PART V: PLAN TRACKING

Along with reviewing and making decision on a PHA's request to designate a project for occupancy by a specific segment of its resident population, HQ PIH is required to track and maintain data relating to the evolution of a PHA's new and renewal Plan. The PIH website contain links to Designated Housing Plan information. Some of the information that can be accessed includes Plan tracking and the status of all Designated Housing Plans.

With this information, FO PIHs will be able to notify PHAs that their Plans are about to expire within 6 months and provide 90 day reminder notices prior to the actual expiration dates. If a PHA does not submit a request for renewal in a timely fashion, before the Plan expires, the FO PIH may notify the PHA that the Plan has expired and that the designated project or portion of a project has converted to a mixed population development effective on the date the original approved Plan expired. FO PIH may obtain the current executive director's name and PHA's address from the PIH Information Center (PIC).

APPENDIX I: REDELEGATION OF AUTHORITY

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4837-D-56]

Redelegation of Authority Regarding Local Public Housing

Hub Directors/Public Housing Program Center Coordinators

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of redelegation of authority.

SUMMARY: In this notice, the Assistant Secretary for Public and Indian Housing redelegates to the local Public Housing Hub Directors/Public Housing Program Center Coordinators the authority to review and approve designated housing renewals pursuant to section 7 of the United States Housing Act of 1937.

HUD has not delegated authority for approval of new designated housing plans.

EFFECTIVE DATE: [January 7, 2005]

FOR FURTHER INFORMATION CONTACT: Pat Arnaudo, Office of Public Housing Occupancy and Management, Department of Housing and Urban Development, Room 4116, 451 Seventh Street, SW, Washington, DC 20410-5000; telephone (202) 708-0744 (this is not a toll-free number). Hearing or speech impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

FOR GENERAL INFORMATION PERTAINING TO DESIGNATED HOUSING

RENEWALS CONTACT: Your Local Public Housing Hub Director/Public Housing Program Center Coordinator. A list of HUD's Local Public Housing Hub Director/Public

Housing Program Center Coordinator can be found on the HUD website at http://www.hud.gov/offices/pih/about/field_office.cfm.

HUD has not delegated authority for approval of new designated housing plans. Therefore, the Public Housing Agency (PHA) must continue to send the plan to HUD in Washington, D.C., for review and approval or disapproval. The address is HUD, Office of Public and Indian Housing, Public Housing Management and Occupancy Division, Room 4222, 451 Seventh Street, SW Washington, DC 20410- 5000.

SUPPLEMENTARY INFORMATION:

A PHA must submit a designated plan for HUD’s approval in order to designate a project for elderly families only or for persons with disabilities only in accordance with Section 7 of the U.S. Housing Act of 1937. All designations are in effect for five years from the date of HUD’s notification of approval of the plan. Renewal of plans beyond the five years will be granted in two-year increments.

On September 16, 2003 (68 FR 54240), the Secretary delegated to the Assistant Secretary for Public and Indian Housing (PIH) authority to administer the Department’s programs related to public housing.

Section A. Authority Redelegated

The Assistant Secretary for PIH redelegates the following authority to the local Public Housing Hub Directors/Public Housing Program Center Coordinators the authority to conduct all activity related to the renewal of Designated Housing Plans.

Section B. Authority Excepted

The authority redelegated under Section A does not include the authority to waive regulations.

Section C. Authority to Further Redelegate

The authority in Section A may not be further redelegated.

Authority: Section 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Date December 23, 2004

_____/S/_____
Michael Liu
Assistant Secretary for Public and
Indian Housing

[FR-4837-D-56]
Published in the *Federal Register* January 7, 2005

APPENDIX II: NOTICE PIH 2007-01 (HA)



U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Special Attention of

Directors, Public Housing Hub Offices;
Directors, Public Housing Program Centers;
Director, Office of Field Operations;
Public Housing Agencies;
Regional Directors;
State/Area Coordinators;

Notice PIH 2007-01 (HA)

Issued: January 3, 2007

Expires: January 31, 2008

Cross Reference:

Notices PIH 06-01, PIH 05-02, PIH
97-12 (HA), 98-24 (HA), 98-44
(HA), 99-21 (HA), 2000-20 (HA),
2001-17 (HA), 2002-12 (HA),

Subject: Reinstatement – Notice PIH 2006-1 Requirement for Designation of Public Housing Projects.

1. **Purpose:** This Notice reinstates Notice PIH 2006-1 (HA), which expires January 31, 2007, for another year until January 31, 2008.
2. **Changes:** No changes were made to the Notice.
3. **Questions:** Should you have any questions regarding the Notice, please contact your local HUD Field Office.

/s/

Orlando J. Cabrera, Assistant Secretary
for Public and Indian Housing



NOTICE PIH 2005-2 (HA)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Special Attention of

Directors, Public Housing Hub Offices;
Directors, Public Housing Program Centers;
Director, Office of Field Operations;
Public Housing Agencies;
Regional Directors;
State/Area Coordinators;

Notice PIH 2005- 2 (HA)

Issued: January 5, 2005

Expires: January 31, 2006

Cross Reference:

Notices PIH 97-12 (HA), 98-24 (HA), 98-44 (HA), 99-21 (HA), 2000-20 (HA), 2001-17 (HA), 2002-12 (HA),

SUBJECT: REQUIREMENTS FOR DESIGNATION OF PUBLIC HOUSING PROJECTS

I. PURPOSE: This Notice reiterates the streamlined requirements for designating public housing projects for occupancy by elderly families only, disabled families only, or elderly and disabled families only. This Notice also includes the requirements and procedures for renewal of, or changes to, previously HUD approved designation plans.

II. STATUTORY REQUIREMENTS: A PHA must submit a designated plan for HUD's approval in order to designate a project for elderly families only or for persons with disabilities only in accordance with Section 7 of the U.S. Housing Act of 1937 (Section 7) which was amended by Section 10(a) of the Housing Opportunity Program Extension Act of 1996 (Section 10).

III. EFFECTIVE DATE: The provisions of the statute were effective on March 28, 1996. The provisions of this Notice supersede the regulatory requirements of 24 CFR 945, "Designated Housing – Public Housing Designated for Occupancy by Disabled, Elderly, or Disabled and Elderly Families" and therefore, are effective immediately. The following terms are defined in 24 CFR part 5, subpart D: *disabled family, elderly family, family, near-elderly family, and person with disabilities*. The term *mixed population development* is defined in 24 CFR part 960, subpart A. The term *accessible* is defined in 24 CFR part 8, subpart A. The term *consolidated plan* is defined in 24 CFR part 91, subpart A.

IV. NON-DISCRIMINATION REQUIREMENTS: Nothing in this Notice relieves a PHA from complying with the non-discrimination provisions of Federal civil rights laws, including but not limited to Section 504 of the Rehabilitation Act and its implementing regulation at 24 CFR Part 8, the Fair Housing Act and its implementing regulation at 24 CFR Part 100, and Titles II and III-of Americans With Disabilities Act and their implementing regulations at 28 CFR Parts 35 and 36.

V. INFORMATION COLLECTION REQUIREMENT: On December 23, 1996, a Notice of Proposed Information Collection was published in the Federal Register for public comment. The proposed information collection requirements contained in this Notice are being submitted to the Office of Management and Budget (OMB) for review, under section 3507(d) of the Paperwork Reduction-Act of 1995 (44 U.S.C. Chapter 35). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

VI. APPLICABILITY: This Notice and the requirements it describes apply only to projects (or portions of projects) operated by PHAs under the low-income public housing program.

VII. NO PLANS REQUIRED TO MAINTAIN MIXED POPULATION PROJECTS: Section 7 provides that PHAs may submit plans to formally designate housing for mixed populations of elderly families and persons with disabilities. However, HUD is not requiring PHAs to submit plans if they wish to continue administering their mixed population housing as housing for mixed populations of elderly families and persons with disabilities.

VIII. REQUIREMENTS FOR DESIGNATION OF PROJECTS: The format for submitting the plan is contained in Appendix A. Additional guidance is provided in the Public Housing Occupancy Guidebook available online at <http://www.hud.gov/offices/PIH/programs/ph/rhiip/phguidebooknew.pdf>. The PHA must submit a plan for HUD approval that addresses and complies with the criteria described below:

- A. Justification for Designation. A PHA must establish that the designation of the project is necessary to achieve the housing goals for the jurisdiction under the Comprehensive Housing Affordability Strategy, part of a jurisdiction's Consolidated Plan, and to meet the housing needs of the low-income population of the jurisdiction.
- B. Project Description. A Plan must include a description of a project (or portion of a project) to be designated; the types of tenants for which the project is to be designated; any supportive services to be provided to tenants of the designated project (or portion); and how the design and related facilities (as such term is defined in Section 202 (d)(8) of the Housing Act of 1959 as such statute existed prior to October 1, 1991) of

the project accommodate the special environmental needs of the intended occupants;

- C. Alternative Resource. A Plan must include a description of any plans to secure additional resources or housing assistance to provide assistance to families that may have been housed if occupancy in the project were not restricted pursuant to this section.
- D. No Eviction or Lease Termination Due to Designation. A PHA may not evict or terminate the lease of any tenant lawfully residing in a dwelling unit in public housing because of the designation.
- E. Voluntary Relocation Because of the Designation. A PHA must provide the following to persons and families who agree to be relocated in connection with a designation:
 - 1. A notice of the designation and an explanation of available relocation benefits, as soon as is practicable for the agency and the person or family.
 - 2. Access to comparable housing (including appropriate services and design features), which may include tenant-based rental assistance under the Housing Choice Voucher Program, at a rental rate paid by the tenant that is comparable to that applicable to the unit from which the person or family has vacated.
 - 3. Payment of actual, reasonable moving expenses.
- F. Inapplicability of Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970. Tenants may not be considered to be displaced for purposes of the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970.³ because of the designation of any existing project or building, or portion thereof, of public housing.
- G. Eligibility of near-Elderly Families If the housing agency determines there are insufficient numbers of elderly families to fill all the designated units, the housing agency may provide in the Plan that it will admit a near elderly family to a project (or portion of a project:) designated for occupancy by only elderly families.

IX. Duration of Plan: All designations are in effect for five years from the date of HUD's notification of approval of the Plan. A PHA may amend its Plan before the expiration of the five-year period by submitting a revised Plan to HUD. For revised

³ If a PHA wishes to offer relocation to members of the non-designated group, the PHA must offer relocation to all members of that group who are tenants of the designated project. The PHA should follow its lease provisions and consult the Public Housing Occupancy Guidebook.

Plans, the requirements stated in paragraph XI below apply regarding HUD's review and notification.

X. Renewal of Plan: Renewal of Plans beyond the five years will be granted in two-year increments.

A. Where the statutory requirements of the original plan are being met and there are no unanticipated adverse impacts on the housing resources for the groups not being served due to the designation, the PHA should submit a certification attesting to this and address the following:

1. Request the extension in writing, identifying the affected project(s) by name and number,
2. Specify the number of units and percentage(s) of the project being designated,
3. Specify the total number of units in the affected project(s).
4. Identify the population served in the designated units.

B. Where HUD has no information to challenge in a substantial manner the PHA's certification, the renewal will be granted. Where HUD has information available to challenge in a substantial manner the PHA's certification, HUD will review such information before a renewal is granted.

C. Where the statutory requirements are not being met by the designation, or if circumstances have changed, the PHA's request must also include any information needed to update the Plan for the renewal. (See the appendix for additional guidance).

D. If a PHA wishes to revise its Plan rather than just request renewal, it must follow the requirements described in Section VIII.

E. Where no renewal request is submitted, the designated project or portion of a project will convert to a mixed population development on the date of the expiration of the original approved plan.

XI. HUD Review of Plan: In accordance with Section 7, HUD must conduct a limited review of each designation plan to ensure that the plan is complete and complies with the requirements of Section 7.

A. The criteria used in determining if a plan complies are:

1. The Plan is complete in significant matters required under the subsection; and
2. There is no evidence available to HUD that challenges, in a substantial manner, any information provided in the plan.

B. Notification of HUD Decision.

1. Time Frame. Within 60 days of receipt of a plan or of a renewal request, HUD is required to notify a PHA whether its plan complies with statutory requirements. If HUD does not notify the PHA within 60 days, the plan is considered to be in compliance and HUD shall be considered to have notified the agency of such compliance.
2. Content of Notification. Where a Plan or renewal request does not comply, HUD is required to specify in its notification:
 - a. the reasons for the noncompliance, and
 - b. any modifications necessary for the plan to meet the requirements

WHERE TO SUBMIT REQUESTS FOR PLANS AND RENEWALS

HUD has delegated authority for approval of plan renewals to the local Public Housing HUD Director/ Public Housing Program Center Coordinator. A PHA must send a designated housing renewal request to its local Public Housing office for review and approval or disapproval. A listing of PH Field Offices and Public Housing Directors can be found at http://www.hud.gov/offices/pih/about/field_office.cfm.

HUD has not changed the delegated authority for approval of new plans. However, a PHA must send a new designated housing plan to HUD in Washington, D.C., for review and approval or disapproval. If applicable, a PHA should send the new plan electronically to HUD and send an original plus two copies to the following address:

HUD
Office of Public and Indian Housing
Public Housing Management and Occupancy Division
Room 4222
451 7th Street, S.W.,
Washington, D.C., 20410

The telephone number is (202) 708-0744 (this is not a toll-free number).

Requests for Plan approvals or renewals should also be sent to State or local government entities that administer the CHAS/Consolidated Plan, with a request that any comments (regarding the PHA's Plan to designate housing or any Plan renewal) be sent to HUD's Headquarter's address in the case of new plans or to the applicable local Public Housing Office address in the case of renewals.

/s/
Michael Liu, Assistant Secretary for
Public and Indian Housing

APPENDIX TO NOTICE PIH 2006-01 (HA)

SUGGESTIONS FOR PREPARING AN APPROVABLE PLAN

This appendix provides guidance to assist housing authorities in developing an approvable plan. It addresses some of the common questions received from PHAs developing plans. The appendix is intended to be helpful and is not intended to impose additional requirements.

Plan Content:

- The project (or portion of a project) to be designated;
- The types of tenants for which the project is to be designated;
- Any supportive services to be provided to tenants of the designated project (or portion);
- How the design and related facilities (as such term is defined in Section 202 (d)(8) of the Housing Act of 1959) of the project accommodate the special environmental needs of the intended occupants;
- Any plans to secure additional resources or housing assistance to provide assistance to families that may have been housed if occupancy in the project were not restricted pursuant to this section.

Balancing the needs of the Community: The statute focuses on the total housing needs of the low-income population of a community, and not one group in particular. Successful Plans strike a balance between the needs of, and resources available to, designated and non-designated populations. In many communities, there may be unmet housing needs of both elderly families and persons with disabilities. For these communities, a PHA's demonstration that it will make reasonable efforts to provide housing choice voucher assistance or other appropriate resources to the non-designated group is sufficient basis for designation.

Fair Housing: When determining which buildings to designate, PHAs should consider whether the designation will increase minority concentrations. Also, if the PHA is subject to a Title VI or Section 504 voluntary Compliance Agreement or court order, the PHA should explain how the designated housing plan or the proposed renewal is consistent with that order or VCA.

Sources of Information on the Housing Needs of the Low-Income Population: PHAs may wish to rely on a range of data sources to assess and describe the housing needs of, and resources that would have been and can be made available to their low-income populations (as required by Section 7(d) of the statute). Data sources include:

- Ongoing analysis of waiting lists, such as the ratio of disabled families admitted compared to elderly families admitted before the designation;
- Unit assignment data;
- Unit turn-over data;
- Vacancy data;

- Voluntary transfer data;
- Near-elderly families data;
- Housing Needs Survey;
- A PHA jurisdiction's Consolidated Plan (includes census data);
- Local advocacy groups; and
- Public and private agencies familiar with the needs of the designated and non-designated populations.

Additional Housing Resources: The Plan should describe any plans to secure additional housing resources that will be available to families in the non-designated group (as required by Section 7(d)(e) of the statute). These resources may include the following:

-Existing housing owned or controlled by the PHA or by private firms or non-profit organizations that are available and affordable in the appropriate unit sizes. (In addition, a PHA preference given to the non-designated group for the remaining public housing units is a housing resource.)

-New housing resources created by the PHA.

-New housing resources created by a PHA adopting a Section 8 local preference for the non-designated group or by applying for Certificates/Vouchers under a NOFA "Rental Assistance for Persons with Disabilities, in Support of Designated Housing Allocation Plans."

-New housing resources created by private firms or non-profit organization that will be available and affordable in the appropriate unit sizes.

PHAs should specify in their Plans the reasonable efforts they will make to replace the housing resources that will be newly unavailable to the non-designated group. The specific nature of the demonstration of reasonable efforts will vary across PHAs, depending on circumstances.

In some cases, PHAs can provide the non-designated group with housing opportunities during the 5-year period of the plan at a level comparable to those that the non-designated group would have had if there were no designation. However, other cases may exist in which PHAs will not be able to make available to the non-designated groups a comparable level of housing resources; documentation of the unavailability of a comparable level of housing resources would demonstrate that these PHAs have made reasonable efforts.

Estimate Vacancies: PHAs should estimate vacancies in the project to be designated during the Plan period, based on past experience and any other relevant information. PHAs also should use waiting list, admissions, and housing choice voucher program use data to estimate how many families from the designated and non-designated groups would have filled the vacancies, absent designation.

Accessible Housing: In describing how the plan meets the needs of both the designated and non-designated group, the plan should address housing options for persons who need accessible housing. Many communities do not have sufficient affordable accessible housing in the private market, and usually, most, if not all, of the accessible one-bedroom housing in the public housing stock is located in “mixed” buildings. One possible solution to this problem is to exclude accessible units from designation so that they are available to persons of any age who need them.¹

Priority For Occupancy: In determining priority for admission to public housing projects (or portions of projects) that are designated, the PHA may make units in such projects (or portions) available only to the types of families for whom the project (or portion) is designated.

HUD’s Review Plans: A determination of non-compliance because of “challenging” evidence may result from information that comes from outside sources. This could include information from the Consolidated Plan or the CHAS or from outside groups or individuals. PHAs should bear in mind that any comments submitted to HUD by advocates, residents, and members of the community will be considered during the HUD review. HUD is fully committed to its responsibility to assist PHAs that submit non-complying plans. HUD will work with these PHAs to ensure that the PHA staff understands the modifications needed for compliance with the requirements.

¹ Generally, under Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, the PHA must pay for modifications of public housing units that are needed to accommodate the disabilities of public housing tenants.

Those individuals with disabilities who need modifications and who can no longer live in public housing because of designation may have difficulty using Section 8 certificates/vouchers if they cannot obtain assistance in paying for those modifications. In those instances, PHAs should provide whatever resources are needed to pay for modifications that are necessary to make an equivalent number of units available. One solution PHAs have developed to fulfill their responsibility to provide additional housing is to locate sources for funding, such as Community Development Block Grant (CDBG) funds that they can use to assist these tenants.

APPENDIX III: HQ PIH NEW PLAN CHECKLIST

***A limited review of the Plan will be conducted to ensure that the Plan is complete and complies with the requirements of Section 7 of the U.S. Housing Act of 1937 and Notice PIH 2007-01 (HA). Please be advised that answering No to questions will not disqualify the Plan from being approved. Please provide comments related to your responses**

PHA Name and Number	Yes	No	Comments
I. Justification for Designation			
Does the PHA establish that the designation is necessary to achieve the housing goals for its jurisdiction under the Consolidated Plan?			
Does the Plan meet the housing needs of the low-income population of its jurisdiction within the PHA's funding constraints?			
Does the Plan include information from the consolidated plan or other reliable sources to support the proposed designation?			
II. Project Description			
Does the Plan include the name of the project(s) and the number of units to be designated at each project (indicate percentage of units proposed for designation, total number of units in each building, and bedroom sizes)?			
Does the Plan describe the types of tenants for which the project is to be designated?			
Does the Plan describe any supportive services to be provided to tenants of the designated project (or portion thereof)?			
Does the Plan describe how the design and related facilities of the project accommodate the special environmental needs of the occupants (e.g. call cords, elevators or security system)?			
II (A). Collect and analyze the following data in answering part II above (Project Descriptions)			
Does the Plan include information on the location, number and bedroom size of UFAS-compliant accessible units? <i>(UFAS-compliant accessible units meet the requirements of the Uniform Federal Accessibility Standards, See 24 CFR 8.32. UFAS can be found at http://www.access-board.gov/ufas.html. Note that units that only comply with the design and construction requirements of the Fair Housing Act, 24 CFR 100.205</i>			

PHA Name and Number	Yes	No	Comments
<p><i>do not qualify as UFAS-compliant units, nor do units that are partially accessible):</i></p> <p>In all PHA projects?</p>			
<p>In elderly/disabled projects (mixed population developments)?</p>			
<p>In family projects?</p>			
<p>In projects to be designated as elderly only?</p>			
<p>In projects already designated as elderly/disabled (if applicable)?</p>			
<p>Total number and bedroom size of UFAS-compliant accessible units that will no longer be available to non-elderly disabled persons?</p>			
<p>III. Need/Demand for Housing</p> <p>Collect and analyze the following data for the PHA's elderly and non-elderly disabled families:</p> <p># and % of elderly and non-elderly disabled on public housing waiting list?</p>			
<p># and % of elderly and non-elderly disabled on HCV waiting list?</p>			
<p># and % of elderly and non-elderly disabled on other waiting list (e.g. HOPE VI)?</p>			
<p>Total # of applicants on the public housing waiting list?</p>			
<p>Total # of applicants on the HCV waiting list?</p>			
<p># of elderly applicants on the waiting list who have requested units with accessible features (indicate bedroom size requested)?</p>			
<p># of non-elderly disabled applicants on the waiting list who have requested units with accessible features (indicate bedroom size requested)?</p>			

PHA Name and Number	Yes	No	Comments
Information in PHA's Annual Plan?			
Information in City's Consolidated Plan?			
IV. Occupancy Data			
Does Plan include information on the number of elderly and non-elderly disabled families who live in the project(s) to be designated?			
Does Plan include information on the number of elderly and non-elderly disabled families who live in PHA's other remaining projects (by bedroom size and type of project)?			
Does Plan include information on the number of elderly and non-elderly disabled families who currently receive HCV assistance?			
Does the Plan include information on PHA's public housing inventory that is currently occupied? Explain the status of any vacant units (if applicable).			
V. Does PHA operate site-based or agency-wide waiting list?			
VI. Does PHA give preference to non-elderly disabled applicants on the public housing and/or HCV waiting list?			
VII. Alternative Resources			
Does the Plan include a description of any plans to provide additional resources or housing assistance to families that may have been housed if occupancy in the project were not restricted?			
VII (A). Collect and analyze the following information in answering the question above (Alternative Resources/Supply of Housing):			
Total public housing units (indicate unit sizes, location, building name and code)?			

PHA Name and Number	Yes	No	Comments
Total # and % of public housing units to be designated?			
Percent of total units of the size to be designated?			
Other non-HOPE VI public housing units of comparable size not designated?			
HOPE VI units of comparable size?			
# of Housing Choice Vouchers currently available?			
Is the HCV waiting list open?			
Does the PHA have any vouchers that are specifically designated for persons with disabilities in the voucher inventory?			
Are there any federal or state subsidized rental units actually available in the community to low-income persons in the non-designated groups, at a comparable rent to the designated public housing units and of a comparable size to those being designated (include waiting list information, current vacancy rate and occupancy data)?			
Existing preferences proposed for comparable units/vouchers for non-designated group? Indicate number of units affected?			
VIII. Are there comparable services, amenities, and community facilities between designated and non-designated properties? If yes, provide a brief description.			
IX. No Eviction or Lease Termination Due to Designation Does the Plan include information stating that no lawful tenants of public housing dwelling units will be evicted or have their leases terminated because of the designation?			
X. Voluntary Relocation Because of the Designation Does the PHA intend to provide reasonable notice of the designation and an explanation of available relocation benefits for the agency and the tenant/family?			
Does the Plan indicate that the PHA will provide access to			

PHA Name and Number	Yes	No	Comments
comparable housing including appropriate services and design features at a rental rate paid by the tenant that is comparable to the unit from which the tenant/family has vacated?			
Does the Plan include information regarding the PHA's intention to make payments of actual reasonable moving expenses to the tenant/family?			
XI. Court Orders, Lawsuits, Investigations, VCAs and Section 504 Actions Does the PHA have any outstanding court orders, VCAs or Section 504 Letters of Findings (LOF)? If yes, do they conflict with the Plan?			
Does the Field Office have information about any lawsuits, pending investigation or tenancy litigation that may impact the proposed designation? If yes, please explain.			
XII. Overall Assessment Does this Plan adequately address the low-income housing needs of the elderly and/or disabled population in the PHA's jurisdiction by utilizing available local, state and federal resources? If yes, please explain.			

Recommendation: Please check below:

Approval_____

Disapproval_____

HUD Reviewer:

Print Name

Signature

Date

Supervisory Approval:

Print Name

Signature

Date

APPENDIX IV: FO PIH NEW PLAN CHECKLIST

***A limited review of the Plan will be conducted to ensure that the Plan is complete and complies with the requirements of Section 7 of the U.S. Housing Act of 1937 and Notice PIH 2007-01 (HA). Please be advised that answering No to questions will not disqualify the Plan from being approved. Please provide comments related to your responses.**

PHA Name and Number	Yes	No	Comments
<p>I. Justification for Designation</p> <p>Does the PHA establish that the designation is necessary to achieve the housing goals for its jurisdiction under the Consolidated Plan?</p>			
<p>Does the Plan meet the housing needs of the low-income population of its jurisdiction within the PHA’s funding constraints?</p>			
<p>Does the Plan include information from the consolidated plan or other reliable sources to support the proposed designation?</p>			
<p>II. Project Description</p> <p>Does the Plan include the name of the project(s) and the number of units to be designated at each project (indicate percentage of units proposed for designation, total number of units in each building, and bedroom sizes)?</p>			
<p>Does the Plan describe the types of tenants for which the project is to be designated?</p>			
<p>Does the Plan describe any supportive services to be provided to tenants of the designated project (or portion thereof)?</p>			
<p>Does the Plan describe how the design and related facilities of the project accommodate the special environmental needs of the occupants (e.g. call cords, elevators or security system)?</p>			
<p>II (A). Collect and analyze the following data in answering part II above (Project Descriptions)</p> <p>Does the Plan include information on the location, number and bedroom size of UFAS-compliant accessible units? <i>(UFAS-compliant accessible units meet the requirements of the Uniform Federal Accessibility Standards, See 24 CFR 8.32. UFAS can be found at</i></p>			

PHA Name and Number	Yes	No	Comments
<p><i>http://www.access-board.gov/ufas.html. Note that units that only comply with the design and construction requirements of the Fair Housing Act, 24 CFR 100.205 do not qualify as UFAS-compliant units, nor do units that are partially accessible):</i></p> <p>In all PHA projects?</p>			
In elderly/disabled projects (mixed population developments)?			
In family projects?			
In projects to be designated as elderly only?			
In projects already designated as elderly/disabled (if applicable)?			
Total number and bedroom size of UFAS-compliant accessible units that will no longer be available to non-elderly disabled persons?			
<p>III. Need/Demand for Housing</p> <p>Collect and analyze the following data for the PHA's elderly and non-elderly disabled families:</p> <p># and % of elderly and non-elderly disabled on public housing waiting list?</p>			
# and % of elderly and non-elderly disabled on HCV waiting list?			
# and % of elderly and non-elderly disabled on other waiting list (e.g. HOPE VI)?			
Total # of applicants on the public housing waiting list?			
Total # of applicants on the HCV waiting list?			
# of elderly applicants on the waiting list who have requested units with accessible features (indicate bedroom size requested)?			
# of non-elderly disabled applicants on the waiting list who have requested units with accessible features (indicate			

PHA Name and Number	Yes	No	Comments
bedroom size requested)?			
Information in PHA's Annual Plan?			
Information in City's Consolidated Plan?			
IV. Occupancy Data Does Plan include information on the number of elderly and non-elderly disabled families who live in the project(s) to be designated?			
Does Plan include information on the number of elderly and non-elderly disabled families who live in PHA's other remaining projects (by bedroom size and type of project)?			
Does Plan include information on the number of elderly and non-elderly disabled families who currently receive HCV assistance?			
Does the Plan include information on PHA's public housing inventory that is currently occupied? Explain the status of any vacant units (if applicable).			
V. Does PHA operate site-based or agency-wide waiting list?			
VI. Does PHA give preference to non-elderly disabled applicants on the public housing and/or HCV waiting list?			
VII. Alternative Resources Does the Plan include a description of any plans to provide additional resources or housing assistance to families that may have been housed if occupancy in the project were not restricted?			
VII (A). Collect and analyze the following information in answering the question above (Alternative Resources/Supply of Housing): Total public housing units (indicate unit sizes, location,			

PHA Name and Number	Yes	No	Comments
building name and code)?			
Total # and % of public housing units to be designated?			
Percent of total units of the size to be designated?			
Other non-HOPE VI public housing units of comparable size not designated?			
HOPE VI units of comparable size?			
# of Housing Choice Vouchers currently available?			
Is the HCV waiting list open?			
Does the PHA have any vouchers that are specifically designated for persons with disabilities in the voucher inventory?			
Are there any federal or state subsidized rental units actually available in the community to low-income persons in the non-designated groups, at a comparable rent to the designated public housing units and of a comparable size to those being designated (include waiting list information, current vacancy rate and occupancy data)?			
Existing preferences proposed for comparable units/vouchers for non-designated group? Indicate number of units affected?			
VIII. Are there comparable services, amenities, and community facilities between designated and non-designated properties? If yes, provide a brief description.			
IX. No Eviction or Lease Termination Due to Designation Does the Plan include information stating that no lawful tenants of public housing dwelling units will be evicted or have their leases terminated because of the designation?			
X. Voluntary Relocation Because of the Designation Does the PHA intend to provide reasonable notice of the designation and an explanation of available relocation benefits			

PHA Name and Number	Yes	No	Comments
for the agency and the tenant/family?			
Does the Plan indicate that the PHA will provide access to comparable housing including appropriate services and design features at a rental rate paid by the tenant that is comparable to the unit from which the tenant/family has vacated?			
Does the Plan include information regarding the PHA's intention to make payments of actual reasonable moving expenses to the tenant/family?			
XI. Court Orders, Lawsuits, Investigations, VCAs and Section 504 Actions Does the PHA have any outstanding court orders, VCAs or Section 504 Letters of Findings (LOF)? If yes, do they conflict with the Plan?			
Does the Field Office have information about any lawsuits, pending investigation or tenancy litigation that may impact the proposed designation? If yes, please explain.			
XII. Overall Assessment Does this Plan adequately address the low-income housing needs of the elderly and/or disabled population in the PHA's jurisdiction by utilizing available local, state and federal resources? If yes, please explain.			

Recommendation: Please check below:

Approval _____

Disapproval _____

HUD Reviewer:

Print Name

Signature

Date

Supervisory Approval:

Print Name

Signature

Date

APPENDIX V: CHECKLIST FOR PHA PLAN RENEWALS

***A limited review of the Plan will be conducted to ensure that the Plan is complete and complies with the requirements of Section 7 of the U.S. Housing Act of 1937 and Notice PIH 2007-01 (HA). Please be advised that answering No to questions will not disqualify the Plan from being approved. Please provide comments related to your responses.**

PHA Name and Number	Yes	No	Comments
Is the Plan consistent with the original approval?			
Is the Plan consistent with the current Annual Plan and the jurisdictions Consolidated Plan?			
Has the PHA submitted waiting list data to determine if the need for designation still exists?			
Has the PHA submitted a written request identifying the affected projects by name and number?			
Has the PHA specified the number of units and percentages of the projects being designated?			
Has the PHA specified the total number of units in the affected projects?			
Has the PHA identified the population to be served in the designated units?			
Has the PHA certified and attested to no unanticipated adverse impacts on the housing resources available to non-designated groups?			

APPENDIX VI: HQ PIH AMENDMENT PLAN CHECKLIST

***A limited review of the amendment request will be conducted to ensure that the request is complete and complies with the requirements of Section 7 of the U.S. Housing Act of 1937 and Notice PIH 2007-01 (HA). Please be advised that answering No to questions will not disqualify the request from being approved. Please provide comments related to your responses.**

PHA Name and Number	Yes	No	Comments
Has the PHA submitted a written request identifying the type of amendment it wants to make?			
What is the proposed Amendment?			
Is the amendment consistent with the original approval? If not, please describe why?			
Is the amendment consistent with the current PHA Annual Plan, and the jurisdiction's Consolidated Plan?			
Has the PHA submitted waiting list data to determine if the need for designation still exists?			
Does the amendment represent a technical or a de minimis change in the number of, or type of units/tenants affected by the original Plan (a change in the number of units designated may not exceed ten percent)?			

If amendment is for a change in the number of units, what percentage of the original Plan does it represent?			
Has the PHA certified and attested to no unanticipated adverse impacts on the housing resources available to non-designated groups, as a result of the amendment?			
Are there any protests by advocacy groups or other interested parties regarding the amendment? If yes, please explain.			

Recommendation: Please check below:

Approval _____

Disapproval _____

HUD Reviewer:

Print Name

Signature **Date**

Supervisory Approval:

Print Name

Signature **Date**

APPENDIX VII: FO PIH AMENDMENT PLAN CHECKLIST

***A limited review of the amendment request will be conducted to ensure that the request is complete and complies with the requirements of Section 7 of the U.S. Housing Act of 1937 and Notice PIH 2007-01 (HA). Please be advised that answering No to questions will not disqualify the request from being approved. Please provide comments related to your responses.**

PHA Name and Number	Yes	No	Comments
Has the PHA submitted a written request identifying the type of amendment it wants to make?			
What is the proposed Amendment?			
Is the amendment consistent with the original approval? If not, please describe why?			
Is the amendment consistent with the current PHA Annual Plan, and the jurisdiction's Consolidated Plan?			
Has the PHA submitted waiting list data to determine if the need for designation still exists?			
Does the amendment represent a technical or a de minimis change in the number of, or type of units/tenants affected by the original Plan (a change in the number of units designated may not exceed ten percent)?			

APPENDIX VIII: SAMPLE APPROVAL LETTER FOR NEW PLANS

Date

Name
 Executive Director
 Housing Authority Name
 Address
 City, State ZIP Code

Dear Mr./Ms. Name:

This letter is in response to the (insert Housing Authority's name) proposed Designated Housing Plan (Plan) that was received in HUD's Office of Public and Indian Housing (PIH) on (insert date). The Plan proposes to designate as (insert designated population), # of units, representing (insert % of PHA's total housing stock) of (insert PHA) total public housing inventory at the following development(s) as noted below:

Development Name	Development Number	Bedroom Type Proposed for Designation				Total Units Proposed for Designation	Total Public Housing Units
		0-BR	1-BR	2-BR	3-BR		
Total							
Total PH units in inventory.							

The Plan was reviewed in accordance with the requirements of Section 7 of the United States Housing Act of 1937, as amended, and Notice PIH 2007-01 (HA). The Department reviewed information provided by the (insert FO name) State Office of Public Housing.

Based on the information available to us, the Plan is approved. The Plan will be in effect for 5 years from the date of this letter. Prior to the expiration of the 5-year period, the (insert PHA Name) may apply to extend the designation for additional 2-year increments.

Thank you for your interest in the Department's programs. If you have questions, please contact Nicole Faison, Director of the Office of Public Housing Programs at (202) 708-0744.

The Department wishes the (insert PHA name) success in implementing its Designated Housing Plan.

Sincerely,

Deputy Assistant Secretary

for Public Housing and Voucher Programs

APPENDIX IX: SAMPLE DISAPPROVAL LETTER FOR NEW PLANS

Date

Name
 Executive Director
 Housing Authority
 Address
 City, State ZIP Code

Dear Mr./Ms. Name:

This letter is to inform you that the (insert Housing Authority name)'s Designated Housing Plan (Plan) received in HUD's Office of Public and Indian Housing (PIH) on (insert date) will not be approved as submitted, based on the information available to HUD.

The Plan was reviewed in accordance to the requirements set forth in Section 7 of the United States Housing Act, as emended, and Notice PIH 2007-01 (HA). The Plan proposes to designate units for (insert designated population[s]), representing (percentage of units) percent of (insert PHA) total public housing inventory at the following development(s):

Development Name	Development Number	Bedroom Type Proposed for Designation				Total Units Proposed for Designation	Total Public Housing Units
		0-BR	1-BR	2-BR	3-BR		
Total							
Total PH units in inventory.							

The reasons for disapproval are as follows: (List reasons)

Upon receipt of a new Plan that includes the information referenced above, HUD will review the Plan, and notify you of its decision regarding approval or disapproval within 60 days of the submission.

Thank you for your interest in the Department's programs. If you have questions, please contact Nicole Faison, Director of the Office of Public Housing Programs at (202) 708-0744.

Sincerely,

Deputy Assistant Secretary
for Public Housing and Voucher Programs

APPENDIX X: SUMMARY COVER SHEET FOR NEW PLANS*

(INSERT NAME OF HOUSING AUTHORITY)
DESIGNATED HOUSING PLAN

REVIEWER: Insert name of reviewer, office and contact information.

BACKGROUND:

The (insert Housing Authority’s Name) proposed Designated Housing Plan (Plan) proposal was received in HUD’s Office of Public and Indian Housing (PIH) on (insert date). (Insert any additional relevant data regarding the PHA’s Plan such as amendments to the Plan, number of Housing Choice Vouchers, etc.). The Plan proposes to designate a total of (insert number of units) as (insert type of designation) representing (insert percentage of units designated) percent of (insert PHA) total public housing inventory (insert total number of units in PHA’s inventory), at the development(s) noted below:

Development Name	Development Number	Bedroom Type Proposed for Designation				Total Units Proposed for Designation	Total Public Housing Units
		0-BR	1-BR	2-BR	3-BR		
Total							
Total PH units in inventory.							

RECOMMENDATION: (Approval/Disapproval)

FHEO COMMENTS: Received on (insert date)

(Approval/Disapproval)

FIELD OFFICE COMMENTS: Received on (insert date)

(Approval/Disapproval)

NOTE:

The 60 day review period ends on (insert date). The letter must be signed and faxed to (insert HA’s name) by (insert date), (insert PHA and FO fax #).

*Complete this summary sheet for every Plan under review.

APPENDIX XI: SAMPLE APPROVAL LETTER FOR RENEWALS

Date

Name
 Executive Director
 Housing Authority Name
 Address
 City, State ZIP Code

Dear Mr./Ms. Name:

This letter is in response to the (insert Housing Authority name)'s request to renew its Designated Housing Plan (Plan) approved on (insert date of original approval), with a subsequent 2-year extension on (insert date). The (insert name of FO receiving Plan) received a request to further extend the Plan on (insert date). The original Plan designated units at the following development(s) for (insert designated population and include number of elderly units and non-elderly disabled units) families as noted below:

Development Name	Development Number	Bedroom Type Proposed for Designation				Total Units Proposed for Designation	Total Public Housing Units
		0-BR	1-BR	2-BR	3-BR		
Total							
Total PH units in inventory.							

The Plan was reviewed in accordance with the requirements of Section 7 of the United States Housing Act, as amended, and Notice PIH 2007-01 (HA).

Based on the information available to us, the renewal Plan is approved. The Plan will be in effect for 2 years from the day following the expiration of the current Plan (insert date). Prior to the expiration of the 2-year period, the (insert PHA name) may submit written requests for additional 2-year extensions.

If you have any questions, please feel free to contact (insert HUD point of contact) at (insert phone number).

The Department wishes the (insert PHA name) continued success in implementing its Designated Housing Plan.

Sincerely,

Public Housing Director/Program Center
Coordinator

(FO Name)

APPENDIX XII: SAMPLE DISAPPROVAL LETTER FOR RENEWALS

Date

Name
 Executive Director
 Housing Authority Name
 Address
 City, State ZIP Code

Dear Mr./Ms. Name:

This letter is in response to the (insert PHA name)'s request to renew its Designated Housing Plan (Plan) originally approved on (insert date of original approval), with subsequent 2-year extension on (insert date). The (insert name of FO) received a request to further extend the Plan on (insert date). The original Plan designated units at the following development(s) for (insert designated population and include number of elderly units and non-elderly disabled units) families as noted below:

Development Name	Development Number	Bedroom Type Proposed for Designation				Total Units Proposed for Designation	Total Public Housing Units
		0-BR	1-BR	2-BR	3-BR		
Total							
Total PH units in inventory.							

The Plan was reviewed in accordance with the requirements of Section 7 of the United States Housing Act of 1937, as amended, and Notice PIH 2007-01 (HA). The Department also reviewed supplemental information submitted by the (insert name of PHA) on (insert date).

Based on the information available to us, the Department is unable to approve the (insert name of PHA)'s request as submitted. Specifically, (describe applicable reason(s) for the disapproval).

If the (insert name of PHA) is interested in submitting a new Plan that meets the needs of the elderly and non-elderly disabled families, please contact Nicole Faison, Director of the Office of Public Housing Programs at (202) 708-0744.

Sincerely,

Public Housing Director/Program Center
Coordinator
(FO Name)

APPENDIX XIII: SUMMARY COVER SHEET FOR RENEWAL PLANS*

(INSERT NAME OF HOUSING AUTHORITY)
DESIGNATED HOUSING PLAN

REVIEWER: Insert name of reviewer, office and contact information.

BACKGROUND:

The (insert Housing Authority’s Name) request to renew its Designated Housing Plan (Plan) was received by the (insert receiving FO name) on (insert date). The Plan was originally approved on (insert date). (Insert any additional relevant data regarding the PHA’s Plan such as amendments to the Plan, number of Housing Choice Vouchers, etc.). The original Plan designated # units (insert % of PHA’s total inventory), for (insert designated population and include number of elderly and non-elderly disabled units.) families at the development(s) noted below:

Development Name	Development Number	Bedroom Type Proposed for Designation				Total Units Proposed for Designation	Total Public Housing Units
		0-BR	1-BR	2-BR	3-BR		
Total							
Total PH units in inventory.							

RECOMMENDATION: (Approval/Disapproval)

FHEO COMMENTS: Received on (insert date)

Approval/Disapproval

FIELD OFFICE COMMENTS: Received on (insert date)

Approval/Disapproval

NOTE: The 60 day review period ends on (insert date). The letter must be signed and faxed to (insert HA’s name) by (insert date).

*Complete this summary sheet for every Plan under review.

APPENDIX XIV: SAMPLE APPROVAL LETTER FOR AMENDMENT PLANS

Name
Executive Director
Housing Authority Name
Address
City, State ZIP Code

Dear Mr./Ms. Name:

This letter is in response to the (insert Housing Authority name)'s proposed amendment to its previously HUD approved and active (insert type of designation and # of units) Designated Housing Plan (Plan). The amendment request was received in HUD's Office of Public and Indian Housing (PIH) on (insert date). The amended Plan proposes to designate (insert # of units) additional public housing units located at the (insert project name), resulting in the designation of (insert total # of units) or (insert percentage) of the (insert PHA's name)'s total public housing inventory of (insert total # of public housing units). Details of the amended Plan are noted below:

Development Name	Development Number	Bedroom Type Proposed for Designation				Total Units Proposed for Designation	Total Public Housing Units
		0-BR	1-BR	2-BR	3-BR		
Total							
Total PH units in inventory.							

The amended Plan was reviewed in accordance with the requirements of Section 7 of the United States Housing Act of 1937, as amended, and Notice PIH 2007-01 (HA). The Department reviewed information provided by the HUD (insert Public Housing FO name).

Based on the information available to us, the amended Plan is approved. The (insert type of designation) Designated Housing Plan will be in effect for 5 years from (insert date), which was the date of the original Plan approval. Prior to the expiration of the 5-year period, the (insert PHA name) may apply to extend the designation for additional 2-year increments.

Thank you for your interest in the Department's programs. If you have any questions, please contact Nicole Faison, Director of the Office of Public Housing Programs at (202) 708-0744.

The Department wishes the (insert PHA name) continued success in implementing its Designated Housing Plan.

Sincerely,

Deputy Assistant Secretary
for Public Housing and Voucher Programs

**APPENDIX XV: SUMMARY COVER SHEET FOR AMENDMENT
PLANS***

**(INSERT PHA NAME)
DESIGNATED HOUSING PLAN
SUMMARY REVIEW SHEET**

REVIEWER: Name, PIH.

BACKGROUND:

The (insert PHA name)'s proposal to amend its previously HUD approved and active (insert type of designation and number of units) Plan. The request was received by HUD PIH on (insert date). The (insert PHA name) has certified that the amendment it is requesting represents a de minimis change (insert number of units/type of change) in the Plan that was approved on (insert date of original approval), as (insert type of designation). The amended Plan contains information indicating that it will not result in unanticipated adverse impacts on the housing resources available to the non-designated group. Additionally, HUD has no information of protests by any group(s) or interested parties regarding the amendment. The amended Plan proposes to designate (insert # of additional public housing units) located at the (insert project name), and resulting in the designation of (insert total number of units) or (insert percentage of the PHA's total public housing inventory). Details of the amended Plan are noted below:

BUILDING/UNITS TO BE DESIGNATED:

Development Name	Development Number	Bedroom Type Proposed for Designation				Total Units Proposed for Designation	Total Public Housing Units
		0-BR	1-BR	2-BR	3-BR		
Total							
Total PH units in inventory.							

RECOMMENDATION: Approval/Disapproval

FHEO COMMENTS: Received on (insert date)

Approval/Disapproval

FIELD OFFICE COMMENTS: Received on (insert date)

Approval/Disapproval

NOTE: The 60 day review period ends on (**insert date**). The letter must be signed and faxed to the (insert PHA name) by (insert date).

APPENDIX XVI: SAMPLE APPROVED NEW PLAN ANALYSIS

XYZ HOUSING AUTHORITY (XYZHA), (Insert State Abbreviation) – REVIEW ANALYSIS

***A limited review of the Plan will be conducted to ensure that the Plan is complete and complies with the requirements of Section 7 of the U.S. Housing Act of 1937 and Notice PIH 2007-01 (HA). Please be advised that answering No to questions will not disqualify the Plan from being approved. Please provide a brief explanation to items checked No.**

XYZHA (XX005)	Yes	No	Comments
<p>I. Justification for Designation</p> <p>Does the PHA establish that the designation is necessary to achieve the housing goals for its jurisdiction under the Consolidated Plan?</p>	X		<p>The Plan states that current population trend indicators and local surveys identifying a shortage of affordable housing for the elderly show that the proposed designation is necessary to achieve the housing needs of the low-income population of the jurisdiction. It cites data from the Consolidated Plan (CP) indicating that elderly households make up 52.9% of extremely low-income families, 45% of elderly renter households experiencing severe cost burden, and 27.2% paying more than 30% of their incomes for housing. Additionally, the Plan contains data from the state’s census which defines 49.8% of households in XYZ City as low to moderate income and, those individuals 65 years and above is the largest single group of householders in the city.</p>
<p>Does the Plan meet the housing needs of the low-income population of its jurisdiction within the PHA’s funding constraints?</p>	X		<p>Information contained in the Plan such as excerpts from the CP and the state’s census data show that the proposed designation meets the housing needs of the low-income elderly population in XYZ City.</p>
<p>Does the Plan include information from the consolidated plan or other reliable sources to support the proposed designation?</p>	X		<p>The Plan cites data from both the CP and the state’s census.</p>
<p>II. Project Description</p> <p>Does the Plan include the name of the project(s) and the number of units to be designated at each project?</p>	X		<p>The Plan proposes to designate 30 units in the Riverview Court apartments.</p>

XYZHA (XX005)	Yes	No	Comments
Does the Plan describe the types of tenants for which the project is to be designated?	X		The proposed designation will be elderly-only.
Does the Plan describe any supportive services to be provided to tenants of the designated project (or portion thereof)?	X		Additional information provided by the XYZHA on 8/2, states that the XYZHA's Resident Services Office which is located in the same project, will provide transportation to local shopping centers, pharmacy, scheduled home visits, on-site maintenance shop that can handle resident emergencies, re-certification and rent payment. Additionally, the XYZHA states that the City's public transportation makes a stop in front of the project, and a grocery store is located within ½ mile.
Does the Plan describe how the design and related facilities of the project accommodate the special environmental needs of the occupants?	X		The Plan states that the proposed units have been designed in such a way that the units are on single floors, with call-for-aid alert systems; bathrooms have been modified for use by the mobility impaired; parking spaces are located at each building for easy access. The units are in close proximity to public transportation and other community facilities like grocery, pharmacy, resident services/rental offices and maintenance department. Additionally, the walkways are fully accessible, and each downstairs apartment has a patio and screened porch upstairs.
<p>II (A). Collect and analyze the following data in answering part II above (Project Descriptions)</p> <p>Does the Plan include information on the location, number and bedroom size of UFAS-compliant accessible units? <i>(UFAS-compliant accessible units meet requirements of the Uniform Federal Accessibility Standards, See 24 CFR 8.32. UFAS can be found at http://www.access-board.gov/ufas.html. Note that units that only comply with the design and construction requirements of the Fair Housing Act, 24CFR 100.205 do not qualify as UFAS-compliant units, nor do units that are partially accessible):</i></p> <p><u>In all PHA projects?</u></p>	X		40

XYZHA (XX005)	Yes	No	Comments
<u>In elderly/disabled projects?</u>	X		1
<u>In family projects?</u>	X		39
<u>In projects to be designated as elderly/disabled-only?</u>	X		11
<u>In projects already designated as elderly/disabled (if applicable)?</u>		X	Not applicable.
<u>Total number and bedroom size of UFAS-compliant accessible units that will no longer be available to non-elderly disabled persons?</u>	X		11 one-bedroom units.
III. Need/Demand for Housing Collect and analyze the following data for the PHA's elderly and non-elderly disabled families: <u># and % on public housing waiting list?</u>	X		The Plan indicates that 43(41.3%) of the 104 applicants on the waiting list are elderly, and 33(32%) are non-elderly disabled.
<u># and % on HCV waiting list?</u>	X		Of the 455 applicants on the waiting list, 8(2%) are elderly, while 10(2.2%) are non-elderly disabled.
<u># and % on other waiting list (e.g. HOPE VI)?</u>		X	The Plan states that the XYZHA has no HOPE VI units in its inventory.
<u>Total # of applicants on the public housing waiting list?</u>	X		104.

XYZHA (XX005)	Yes	No	Comments
<u>Total # of applicants on the HCV waiting list?</u>	X		455.
<u># of elderly applicants on the waiting list who have requested units with accessible features (indicate bedroom size requested)?</u>	X		A total of 20 applicants have requested one-bedroom units with accessible features.
<u># of non-elderly disabled applicants on the waiting list who have requested units with accessible features (indicate bedroom size requested)?</u>	X		Approximately 6 and 4 applicants have expressed interest in one and two-bedroom units with accessible features, respectively.
<u>Information in PHA's Annual Plan?</u>	X		Information provided by the FO on 8/2, show that the need for elderly housing and the proposed designation is mentioned in the XYZHA's Annual Plan.
<u>Information in City's Consolidated Plan?</u>	X		Information contained in the CP as cited under justification above, support the proposed designation.
IV. Occupancy Data. Does Plan include information on the number of elderly and non-elderly disabled families who live in the project(s) to be designated?	X		The Plan states that 19 elderly and 14 non-elderly disabled families currently reside in the project, but explains that no one is currently living in any of the 30 units to be designated. The units are vacant due to on-going modernization work.
Does Plan include information on the number of elderly and non-elderly disabled families who live in PHA's other remaining projects (by bedroom size and type of project)?	X		The XYZHA states that 206 elderly and 107 non-elderly disabled persons live in the other projects that are not included in the Plan.
Does Plan include information on the number of elderly and non-elderly disabled families who currently receive HCV assistance?	X		58 elderly and 6 non-elderly disabled. The XYZHA stated that it is only a coincidence that the elderly appears to have received more vouchers compared to the non-elderly disabled. It explains that the waiting list is currently closed because it has no more vouchers to issue, but has been open to all groups in the past, with vouchers issued only by date/time of application.

XYZHA (XX005)	Yes	No	Comments
Does the Plan include information on PHA's public housing inventory that is currently occupied? Explain the status of any vacant units (if applicable)?	X		Information provided by the XYZHA on 8/2, indicates that 763 of its 936 units are presently occupied and 173 vacancies. Additionally, it states that 56 of the vacant units are undergoing modernization, 65 of them are without air-conditioning and so, not very marketable. Chivermont Court (this is not the project to be designated), has 34 units that became vacant due to negative press and local government desire to demolish the complex as part of downtown revitalization. Finally, the XYZHA states that 18 of the vacant units are in maintenance.
V. Does PHA operate site-based or agency-wide waiting list?	X		Agency-wide. Comments submitted by the FO show that the XYZHA has applied for site-based waiting list for the proposed designation only.
VI. Does PHA give preference to non-elderly disabled applicants on the public housing and/or HCV waiting list?		X	The Plan states that the XYZHA does not plan to give preference to non-elderly disabled applicants on the public and/or HCV waiting list.
VII. Alternative Resources Does the Plan include a description of any plans to provide additional resources or housing assistance to families that may have been housed if occupancy in the project were not restricted?	X		The XYZHA states that it plans to use approximately \$1.2 million in bond and capital funds to renovate 76 units at the F. Douglas Apartments, into 2 bedroom and wheel chair accessible units.
VII (A). Collect and analyze the following information in answering the question above (Alternative Resources/Supply of Housing): <u>Total public housing units (indicate sizes)?</u>	X		936 units. The Plan indicates that there are 206 one-bedrooms, 320 two-bedrooms, 180 three-bedrooms, 120 four-bedrooms, and 80 five-bedrooms.

XYZHA (XX005)	Yes	No	Comments
<u>Total # and % of public housing units to be designated?</u>	X		30(3.2%)
<u>Percent of total units of the size to be designated?</u>	X		14.6%
<u>Other non-HOPE VI public housing units of comparable size not designated?</u>	X		176
<u>HOPE VI units of comparable size?</u>		X	The Plan states that the XYZHA has no HOPE VI units.
<u>Housing Choice Vouchers? Is the waiting list open? Are there any vouchers specifically designated for persons with disabilities in the voucher inventory?</u>	X		The Plan states that the agency has an annual allocation of 772 vouchers. While the waiting list is open, no vouchers are specifically set aside for non-elderly disabled persons.
<u>Federally or state subsidized rental units actually available in the community to low-income persons in the non-designated groups, at a comparable rent to the designated public housing units and of comparable size to those being designated?</u>		X	The Plan states that there are no such resources in XYZ City.
<u>Existing preferences proposed for comparable units/vouchers for non-designated group? Indicate number of units affected?</u>		X	Information contained in the Plan indicates that the agency believes that it has sufficient resources available to serve the non-elderly disabled, and so does not see the need for a preference.
VIII. Are there comparable services, amenities, and community facilities between designated and non-designated properties?	X		The Plan states that local public transportation, grocery and pharmacy are accessible from all of its projects. In addition, it states that a rental office is located at each project, making it easier for residents to pay rent and report maintenance problems/concerns.

XYZHA (XX005)	Yes	No	Comments
<p>IX. No Eviction or Lease Termination Due to Designation</p> <p>Does the Plan include information stating that no lawful tenants of public housing dwelling units will be evicted or have their leases terminated because of the designation?</p>			Not applicable. The project is currently vacant.
<p>X. Voluntary Relocation Because of the Designation</p> <p>Does the PHA intend to provide reasonable notice of the designation and an explanation of available relocation benefits for the agency and the tenant/family?</p>			Not applicable. See explanation above.
<p>Does the Plan indicate that the PHA will provide access to comparable housing including appropriate services and design features at a rental rate paid by the tenant that is comparable to the unit from which the tenant/family has vacated?</p>			Not applicable.
<p>Does the Plan include information regarding the PHA's intention to make payments of actual reasonable moving expenses to the tenant/family?</p>			Not applicable.
<p>XI. Court Orders, Lawsuits, Investigation, VCAs and Section 504</p> <p>Does the PHA have any outstanding court orders, VCAs or Section 504 Letters of Findings (LOF)? If yes, do they conflict with the Plan?</p>	X		Information contained in the Plan and corroborated by the FO, show that none of these concerns are applicable to the XYZHA.

XYZHA (XX005)	Yes	No	Comments
Does the Field office have information about any lawsuits, pending investigation or tenancy litigation that may impact the proposed designation? If yes, please explain.		X	Comments submitted by the FO, does not contain information regarding any of these concerns.
XIII. Overall Assessment Does this Plan adequately address the low-income housing needs of the elderly and/or disabled population in the PHA's jurisdiction by utilizing available local, state and federal resources? If yes, please explain.	X		Information contained in the Plan and corroborated by comments from the FO, show that the proposed designation addresses the low-income housing needs of the elderly in XYZ City as identified in the Consolidated and the XYZHA's Annual Plans. I recommend that it be approved.

Recommendation: *Approval*

HUD Reviewer:

_____/s/

Print Name

Signature

Date

Supervisory Approval:

_____/s/

Print Name

Signature

Date

APPENDIX XVII: SAMPLE DISAPPROVED NEW PLAN ANALYSIS

XYZ HOUSING AUTHORITY (XYZHA), (Insert State Abbreviation) – REVIEW ANALYSIS

***A limited review of the Plan will be conducted to ensure that the Plan is complete and complies with the requirements of Section 7 of the U.S. Housing Act of 1937 and Notice PIH 2007-01 (HA). Please be advised that answering No to questions will not disqualify the Plan from being approved. Please provide a brief explanation to items checked No.**

XYZHA (XX005)	Yes	No	Comments
<p>I. Justification for Designation</p> <p>Does the PHA establish that the designation is necessary to achieve the housing goals for its jurisdiction under the Consolidated Plan?</p>		X	<p>Although information contained in the Plan states that the proposed designation is necessary to meet the housing goals of the jurisdiction, the XYZHA also states that it is not an entitlement community, and so, does not have a Consolidated Plan (CP). Additionally, the Plan states that information included the CP of the agency’s neighboring city puts the number of frail and elderly families at 40,245. The XYZHA uses this data to make the case that there is a need for elderly housing that justifies its Plan. However, the Plan does not provide any information regarding the population of the group not included in the proposed designation for comparison.</p>
<p>Does the Plan meet the housing needs of the low-income population of its jurisdiction within the PHA’s funding constraints?</p>		X	<p>After reviewing the XYZHA’s waiting list data as well as information provided by the Field Office on 6/8, it does not appear that the Plan meets the housing needs of low-income persons in the jurisdiction. For example, the XYZHA has not offered sufficient information regarding other resources such as privately-owned, federal/state subsidized rental properties that are needed to mitigate the impact of the proposed designation on the non-designated group</p>
<p>Does the Plan include information from the consolidated plan or other reliable sources to support the proposed designation?</p>		X	<p>As stated under justification above, the Plan contains information from a neighboring city’s CP pertaining to the number of frail/elderly persons, but fails to indicate the number of non-elderly disabled families that could have provided the basis for analytical comparison.</p>

XYZHA (XX005)	Yes	No	Comments
II. Project Description Does the Plan include the name of the project(s) and the number of units to be designated at each project?	X		The Plan shows that the proposed designation will include Hunters Lane (45 units), and W.P. Douglas (55 units) developments.
Does the Plan describe the types of tenants for which the project is to be designated?	X		The Plan states that the proposed designation will be for elderly and near-elderly families. On 5/15, HUD sent electronic message to the XYZHA advising it to submit a brief statement indicating that designation will only be for elderly persons of 62 years or older. The XYZHA was also informed that the statute allows PHAs to admit eligible near elderly persons into the designated project if and only if it determines that there is an insufficient number of qualified elderly persons to fill vacancies at the designated project. This information was not received by the due date of 6/24.
Does the Plan describe any supportive services to be provided to tenants of the designated project (or portion thereof)?		X	The XYZHA states that a project manager will be assigned to the designated project to coordinate supportive services. It states that services will be available through the city's Community Coalition and Partnership. Again, several attempts to get the XYZHA to provide a description of the types of services that will be offered were not responded to.
Does the Plan describe how the design and related facilities of the project accommodate the special environmental needs of the occupants?	X		The Plan indicates that the projects offer handicapped parking, keyless entry into units, and intercoms. According to the Plan, the projects will undergo substantial rehabilitation over the next two years that will include a new fire safety system with alarms, strobe lights, and elevator upgrades.
II (A). Collect and analyze the following data in answering part II above (Project Descriptions) Does the Plan include information on the location, number and bedroom size of UFAS-compliant accessible units? <i>(UFAS-compliant accessible units meet requirements of the Uniform Federal Accessibility Standards, See 24 CFR 8.32. UFAS can be found at <a 431="" 468="" 711="" 841"="" href="http://www.access-</i> </td> <td data-bbox="></i>	X	At the present time, the XYZHA has no UFAS-complaint units. Information from the PH FO Director indicates that the 3% hearing and visual impaired requirement will be met when a new fire safety service is completed. According to the FO, accessibility needs will be addressed when the building is rehabilitated.	

XYZHA (XX005)	Yes	No	Comments
<i>board.gov/ufas.html. Note that units that only comply with the design and construction requirements of the Fair Housing Act, 24CFR 100.205 do not qualify as UFAS-compliant units, nor do units that are partially accessible):</i>			
<u>In all PHA projects?</u>			
<u>In elderly/disabled projects?</u>		X	The Plan states that there are no accessible units in the elderly/disabled projects.
<u>In family projects?</u>		X	No accessible units exist in the family projects as well.
<u>In projects to be designated as elderly/disabled-only?</u>		X	According to the Plan, there are no accessible units in the projects to be designated
<u>In projects already designated as elderly/disabled (if applicable)?</u>		X	According to information contained in the Plan, the XYZHA has no prior designation.
<u>Total number and bedroom size of UFAS-compliant accessible units that will no longer be available to non-elderly disabled persons?</u>		X	Not applicable. There are no UFAS-compliant units.
III. Need/Demand for Housing Collect and analyze the following data for the PHA's elderly and non-elderly disabled families: <u># and % on public housing waiting list?</u>	X		The Plan shows that 29 (8.5%) of the 342 applicants on the list are elderly, while 86 (25%) are non-elderly disabled.
<u># and % on HCV waiting list?</u>	X		The Plan indicates that 205 applicants are on the list. 9 (4.4%) are non-elderly disabled, and 5 (2.4%) are elderly.
<u># and % on other waiting list (e.g. HOPE VI)?</u>		X	The Plan states that the XYZHA has no HOPE VI list.

XYZHA (XX005)	Yes	No	Comments
Total # of applicants on the public housing waiting list?	X		342.
Total # of applicants on the HCV waiting list?	X		205.
# of elderly applicants on the waiting list who have requested units with accessible features (indicate bedroom size requested)?	X		The Plan shows that 5 applicants on the list have requested one-bedroom units with accessible features.
# of non-elderly disabled applicants on the waiting list who have requested units with accessible features (indicate bedroom size requested)?	X		The agency's waiting list data indicates that 23 applicants have requested one-bedroom units with accessible features.
<u>Information in PHA's Annual Plan?</u>	X		The XYZHA states that the proposed designation is contained in its current Annual Plan.
<u>Information in City's Consolidated Plan?</u>		X	As indicated above, the XYZHA states that it has no CP.
IV. Occupancy Data. Does Plan include information on the number of elderly and non-elderly disabled families who live in the project(s) to be designated?	X		The Plan states that 45 elderly and 55 non-elderly disabled persons currently live in the project.
Does Plan include information on the number of elderly and non-elderly disabled families who live in PHA's other remaining projects (by bedroom size and type of project)?	X		The Plan states that 11 elderly and 58 non-elderly disabled families live in other projects within the agency, in mostly one and two bedroom units.
Does Plan include information on the number of elderly and non-elderly disabled families who currently receive HCV assistance?	X		The Plan indicates that 43 elderly and 50 non-elderly disabled persons currently receive HCV assistance.

XYZHA (XX005)	Yes	No	Comments
Does the Plan include information on PHA's public housing inventory that is currently occupied? Explain the status of any vacant units (if applicable)?	X		According to the FO, the projects included in the Plan are the only habitable developments the agency has at this time, because all family units have been made uninhabitable due to hurricane damage. On 6/5, the XYZHA provided supplemental information stating that all of the affected families have been relocated into temporary shelter until their units can be rehabilitated.
V. Does PHA operate site-based or agency-wide waiting list?	X		The Plan states that the agency operated site-based waiting list system prior to the loss of its family units.
VI. Does PHA give preference to non-elderly disabled applicants on the public housing and/or HCV waiting list?	X		Additional information provided by the XYZHA states that all non-elderly disabled applicants on the public housing waiting list will be moved over to the HCV list, and given priority based on date and time of original application.
VII. Alternative Resources Does the Plan include a description of any plans to provide additional resources or housing assistance to families that may have been housed if occupancy in the project were not restricted?	X		The Plan states that the agency will apply for additional vouchers to serve the non-elderly disabled persons. This is in addition to offering them priority on the HCV waiting list. The Plan also contains information about ABCHA, UGCHA and QRCHA which are located in the neighboring counties. It states that these agencies offer a combined total of 1,769 public housing units and approximately 5000 HCVs that could serve as mitigating resources.
VII(A). Collect and analyze the following information in answering the question above (Alternative Resources/Supply of Housing): <u>Total public housing units (indicate sizes)?</u>	X		The Plan states that the XYZHA has a total of 465 units (140 one-bedrooms; 100 two-bedrooms; 105 three-bedrooms; 80 four-bedrooms; and 40 five-bedrooms)- It is of significance to mention that 365 family units were damaged by the recent hurricane.

XYZHA (XX005)	Yes	No	Comments
<u>Total # and % of public housing units to be designated?</u>	X		100 (11.6%). As a result of the hurricane, these 100 units are also the only habitable public housing units the agency has at this particular time.
<u>Percent of total units of the size to be designated?</u>	X		71.4%
<u>Other non-HOPE VI public housing units of comparable size not designated?</u>		X	As described above, the XYZHA has no other habitable public housing units left.
<u>HOPE VI units of comparable size?</u>		X	There are no HOPE VI units.
<u>Housing Choice Vouchers? Is the waiting list open? Are there any vouchers specifically designated for persons with disabilities in the voucher inventory?</u>	X		The Plan indicates that the agency has 368 vouchers. Although the waiting list is currently open, there are no vouchers specifically reserved for use by non-elderly disabled persons.
<u>Federally or state subsidized rental units actually available in the community to low-income persons in the non-designated groups, at a comparable rent to the designated public housing units and of comparable size to those being designated?</u>	X		The Plan states that there are 7 federal and state subsidized rental properties with 483 units (100 one-bedroom, 150 two-bedrooms, 150 three-bedrooms, and 83 four-bedrooms) in the city. However, only one of these projects has an open waiting list at this time.
<u>Existing preferences proposed for comparable units/vouchers for non-designated group? Indicate number of units affected?</u>	X		Additional information provided by the XYZHA states that all non-elderly disabled applicants on the public housing waiting list will be moved over to the HCV list, and given priority based on date and time of original application.
VIII. Are there comparable services, amenities, and community facilities between designated and non-designated properties?		X	Not applicable.
IX. No Eviction or Lease Termination Due to Designation	X		The XYZHA states that it will comply with applicable laws.

XYZHA (XX005)	Yes	No	Comments
Does the Plan include information stating that no lawful tenants of public housing dwelling units will be evicted or have their leases terminated because of the designation?			
X. Voluntary Relocation Because of the Designation Does the PHA intend to provide reasonable notice of the designation and an explanation of available relocation benefits for the agency and the tenant/family?	X		The agency indicates that it will act in accordance with the law.
Does the Plan indicate that the PHA will provide access to comparable housing including appropriate services and design features at a rental rate paid by the tenant that is comparable to the unit from which the tenant/family has vacated?	X		The agency states that it plans to do so through the use of vouchers and utilizing public housing resources available at neighboring agencies.
Does the Plan include information regarding the PHA's intention to make payments of actual reasonable moving expenses to the tenant/family?	X		The XYZHA states that it will comply with applicable laws.
XI. Court Orders, Lawsuits, Investigation, VCAs and Section 504 Does the PHA have any outstanding court orders, VCAs or Section 504 Letters of Findings (LOF)? If yes, do they conflict with the Plan?		X	No information is available to HUD at this time regarding any of these issues.

XYZHA (XX005)	Yes	No	Comments
Does the Field office have information about any lawsuits, pending investigation or tenancy litigation that may impact the proposed designation? If yes, please explain.		X	Comments submitted by the FO does not contain this type of information.
XII. Overall Assessment Does this Plan adequately address the low-income housing needs of the elderly and/or disabled population in the PHA's jurisdiction by utilizing available local, state and federal resources? If yes, please explain.		X	The above analysis does not contain sufficient information to justify designation of units for elderly families only. The waiting list information suggests that there is a much greater demand for public housing units from persons with disabilities than there is for elderly housing, and thus, it fails to make the case that it is intended to address the low-income housing needs of the city. The units proposed for designation will be rehabilitated to have features which are as appropriate for persons with disabilities as they are for elderly families. With the recent hurricane damage which decimated a large portion of the agency's public housing inventory, it is not clear how the proposed designation will help to alleviate the pain and uncertainty of many suffering families and will increase hardship for persons with disabilities. It is my recommendation that the Plan be disapproved.

Recommendation: *Disapproval*

HUD Reviewer:

_____/s/_____
Print Name

Signature

Date

Supervisory Approval:

Print Name

Signature

Date