



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL HOUSING ADMINISTRATION
777 ROCKWELL
CLEVELAND, OHIO 44114

REGION V
300 South Wacker Drive
Chicago, Illinois 60606

March 29, 1977

IN REPLY REFER TO:
5.10:HEH:JM:jm


Mr. Robert Fitzgerald, Director
Cuyahoga Metro Housing Authority
1441 West 25 Street
Cleveland, Ohio 44113

Dear Mr. Fitzgerald:

We have reviewed your revised Dwelling Lease adopted by Resolution 26-77 and advise that we cannot concur in item 6 as written. Federal Regulations as published in Notice HM 75-36 (IHA) require that special charges and rent be treated as separate items. By requiring that tenant payments be allocated first toward special charges, then deposits, and finally rent you are circumventing federal regulation which we cannot condone.

Although collection of special charges and deposits may be difficult, the Authority should utilize the lease provisions and courts in order to collect these payments. Under no circumstances will we permit an Authority to allocate rent payments to special charges and then attempt to evict tenants for non-payment of rent, which is a possible outcome of your lease. This item must be revised in order to comply with the revised lease for the Low-Income Housing Program.

Sincerely,


Charles P. Lucas,
Director