

units removed from the dwelling rental inventory.

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: August 30, 1994.

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

17. Regulation: 24 CFR 990.104.

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

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

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 25, 1994.

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

18. Regulation: 24 CFR 990.104.

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

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

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 19, 1994.

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

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

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

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

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 11, 1994.

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

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

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

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 14, 1994.

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

21. Regulation: 24 CFR 990.110 and 990.107.

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

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

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 14, 1994.

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

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

22. Regulation: 24 CFR 990.118(h).

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

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

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: July 26, 1994.

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

23. Regulation: 24 CFR 990.118(h).

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

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

Granted By: Joseph Shuldiner, Assistant Secretary.

Date Granted: August 19, 1994.

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

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

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

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

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

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

Date Granted: July 1, 1994.

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