

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

## Office of Assistant Secretary for Public and Indian Housing

[Docket No. N-95-3882; FR-3867-N-01]

### Notice of Funding Availability for FY 1995; Invitation for Applications: Public Housing Development

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

**ACTION:** Notice of Funding Availability (NOFA) for Fiscal Year (FY) 1995 for public housing development; invitation for applications.

**SUMMARY:** This NOFA announces the availability of FY 1995 funding, and invites eligible public housing agencies (PHAs) to submit applications for public housing development. Applications are limited to the following Categories:

(1) Replacements for demolition/disposition subject to section 18 of the United States Housing Act of 1937 (USHA);

(2) Replacements for homeownership transfers under the HOPE I Program, and homeownership sales under section 5(h) of the USHA;

(3) Headquarters Reserve: Unforeseen housing needs resulting from natural and other disasters; housing needs resulting from emergencies, as certified by the Secretary, other than such disasters; housing needs resulting from the settlement of litigation; and housing in support of desegregation efforts; and

(4) "Other" applications.

All successful applicants for categories (3) and (4) above will be required to participate in the Family Self-Sufficiency (FSS) program, unless granted an exception. This NOFA also provides instructions regarding the preparation and processing of applications. The Department is also encouraging applicants to form "partnerships" consisting of cooperative arrangements with community-based entities to provide housing, and is encouraging PHAs to engage in "mixed income" development (wherein public housing units are integrated within market-rate developments). This is being done by providing additional points for such efforts with respect to "other" applications (see sections III.E.5 and IV.E. of this NOFA).

This NOFA is not applicable to the Indian housing program.

**DATES:** Applications are due at the HUD Field Office on or before 3 p.m., local time, on July 31, 1995. See Section III of this NOFA for further information on application submission. If an

application is mailed to the Field Office, the PHA must clearly write "PUBLIC HOUSING DEVELOPMENT APPLICATION" on the outside of the envelope and obtain a return receipt indicating the date and time of delivery. Hand delivered applications shall be date/time stamped and initialed by the employee receiving the application upon delivery.

The application deadline is firm as to date and hour. In the interest of fairness to all applicants, HUD will not consider any application that is received after the deadline. PHAs should take this into account and submit applications as early as possible to avoid risk brought about by unanticipated delays or delivery-related problems. In particular, PHAs intending to mail applications must provide sufficient time to permit delivery on or before the deadline date. Acceptance by a Post Office or private mailer does not constitute delivery. Facsimile (Fax), COD, and postage due applications will not be accepted.

#### FOR FURTHER INFORMATION CONTACT:

Kevin Emanuel Marchman, Deputy Assistant Secretary, Office of Distressed and Troubled Housing Recovery, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4138, Washington, DC 20410. Telephone (202) 401-8812 (Voice) or (202) 708-4594 (TDD). (These are not toll-free numbers.)

#### SUPPLEMENTARY INFORMATION:

##### Paperwork Reduction Act Statement

The information collection requirements contained in this NOFA have been approved by the OMB under the Paperwork Reduction Act of 1980 and have been assigned OMB control numbers 2577-0033 and 3577-0036.

#### I. Introduction

##### A. Authority

Sections 5 and 23 of the United States Housing Act of 1937 (USHA) (42 U.S.C. 1437c and 1437u); and sec. 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Public housing development regulations are published at 24 CFR part 941; demolition/disposition regulations are published at 24 CFR part 970; section 5(h) regulations are published at 24 CFR part 906.

The regulations for the public housing FSS program are codified at 24 CFR part 962.

The Notice of Program Guidelines for the HOPE-1 program was published on January 14, 1992 (57 FR 1522) and codified as 24 CFR Subtitle A, Appendix A. The Catalog of Federal

Domestic Assistance Program number is 14.850.

##### B. Fund Availability

The Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriation Act of 1995 [Pub.L. 103-327, approved September 28, 1994] (1995 Appropriations Act) makes available \$598 million of budget authority for Public Housing Development under section 5(a)(2) of the USHA. Some of the appropriated funds for annual contributions are to be derived from the recapture of prior year obligations or funds carried over from last year. Other adjustments within the Annual Contributions Account in 1995, including the addition of carryover funds, abate somewhat the impact of these factors. After these adjustments the amount available is \$600,278,866. Of that amount, \$74,126,542 already has been obligated to meet litigation needs, including replacement housing related to litigation. The Department expects to reserve or has reserved an approximately additional \$145 million to meet litigation needs, including replacement housing related to litigation, or to redress mistakes in prior year awards. This would leave approximately \$381 million available for commitments under this NOFA. The Department reserves the right to reserve additional funds prior to awards made under this NOFA for replacement housing proposals which clearly are essential to ending the isolation of large family public housing communities.

The Senate and the House of Representatives have passed legislation which would rescind part or all of the funding made available for public housing development by the 1995 Appropriations Act. The President vetoed this legislation on June 7, 1995. In the event rescissions become law, the Department will publish prompt notice of the impact on this NOFA.

Subject to any changes resulting from enactment of rescission legislation, the Department will make available at least \$100 million for "other" applications. Up to .67 percent of the appropriated amount (up to \$4,006,600) has been set aside for technical assistance and inspections. The Department expects all of the remaining funds to be needed and used for replacement housing (categories 1 and 2 above). Additional funds may be made available for "other" applications if the Department determines that funds remain after replacement housing and Headquarters Reserve needs are met. For additional details see the next sections below.