

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**Office of the Assistant Secretary for Community Planning and Development**

[Docket No. N-95-3860; FR 3848-N-02]

Notice of Fiscal Year 1995 Consolidated Formula Allocations for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons With AIDS (HOPWA) Programs; Notice of Correction of Technical Errors

AGENCY: Office of the Assistant Secretary for Community Planning and Development (HUD).

ACTION: Notice of Technical Correction to Notice of Fiscal Year 1995 consolidated formula allocations for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs.

SUMMARY: On January 25, 1995 (60 FR 5010), HUD published a Notice of Fiscal Year 1995 consolidated formula allocations for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs. The purpose of this notice is to correct three nonsubstantive errors that appeared in the January 25, 1995 notice.

FOR FURTHER INFORMATION CONTACT: Appendix E to the January 25, 1995 notice, contains the name, address, and telephone number of each local HUD Field Office Community Planning and Development (CPD) Division Director. Hearing- or speech-impaired individuals may call HUD's TDD number (202) 708-9300 [This is not a toll-free number] or 1-800-877-8339 [This is a toll free number].

SUPPLEMENTARY INFORMATION: Prior to Fiscal Year 1995, HUD announced CDBG, HOME, ESG, and HOPWA formula allocations separately. On January 25, 1995 (60 FR 5010), HUD published a Notice of Fiscal Year 1995 consolidated formula allocations for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs. The announcement of consolidated formula allocations on January 25, 1995, reflects the Department's commitment

to the Consolidated Plan concept which was developed in joint partnership with state and local governments to address local problems more comprehensively.

In the January 25, 1995, there were three nonsubstantive (typographical/editorial) errors that are corrected by this notice for clarity purposes.

Accordingly, FR Doc. 95-1792, a Notice of Fiscal Year 1995 Consolidated Formula Allocations for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) Programs, published in the **Federal Register** on January 25, 1995 (60 FR 5010), is corrected as follows:

1. On page 5010, second column, in the first paragraph under the heading "CONSOLIDATED PLAN SUBMISSION REQUIREMENTS," the notice referred to the date of publication of the Consolidated Submission for Community Planning and Development Programs final rule as December 30, 1994. The date of publication of this final rule was January 5, 1995 (60 FR 1878).

2. On page 5010, second column, in the third paragraph under the heading "CONSOLIDATED PLAN SUBMISSION REQUIREMENTS," the notice provides that a jurisdiction must have a Consolidated Plan that is approved by HUD as a prerequisite to receiving funds directly from HUD with respect to each of these formula programs unless a *waiver* request has been submitted and approved by the local HUD Field Office. Consistent with the Consolidated Plan final rule, the phrase "a waiver" is corrected by substituting the phrase "an exception." (See § 91.20 of the January 5, 1995 final rule; 60 FR 1898.)

3. On page 5010, third column, in the second line of the third paragraph, under the heading "Community Development Block Grant (CDBG)," the word "that" should be removed.

Dated: February 1, 1995.

Camille E. Acevedo,

Assistant General Counsel for Regulations.

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Office of the Assistant Secretary for Housing-Federal Housing Commissioner

[Docket No. N-95-3878; FR-3861-N-01]

Mortgagee Review Board Administrative Actions

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: In compliance with Section 202(c) of the National Housing Act, notice is hereby given of the cause and description of administrative actions taken by HUD's Mortgagee Review Board against HUD-approved mortgagees.

FOR FURTHER INFORMATION CONTACT: William Heyman, Director, Office of Lender Activities and Land Sales Registration, 451 Seventh Street, S.W., Washington, D.C. 20410, telephone (202) 708-1515. The Telecommunication Device for the Deaf (TDD) number is (202) 708-4594. (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: Section 202(c)(5) of the National Housing Act (added by Section 142 of the Department of Housing and Urban Development Reform Act of 1989 (Pub.L. 101-235), approved December 15, 1989) requires that HUD "publish in the **Federal Register** a description of and the cause for administrative action against a HUD-approved mortgagee" by the Department's Mortgagee Review Board. In compliance with the requirements of Section 202(c)(5), notice is hereby given of administrative actions that have been taken by the Mortgagee Review Board from July 1, 1994 through December 31, 1994.

1. Barton Funding Company, Inc.; Long Beach, CA

Action: Withdrawal of HUD-FHA mortgagee approval and proposed civil money penalty in the amount of \$100,000.

Cause: A HUD monitoring review that disclosed violations of HUD-FHA requirements that included: failure to remit to HUD-FHA over 100 One-Time Mortgage Insurance Premiums (OTMIPs) collected from mortgagors and totalling over \$223,000; failure to timely submit 129 loans for HUD-FHA mortgage insurance endorsement; failure to maintain an adequate Quality Control Plan; failure to comply with HUD-FHA reporting requirements under the Home Mortgage Disclosure Act (HMDA); and failure to maintain copies of HUD-1 Settlement Statements.