

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. FR-4098-N-01]

Notice of Regulatory Waiver Requests Granted

AGENCY: Office of the Secretary, HUD.

ACTION: Public Notice of the Granting of Regulatory Waivers. *Request:* January 1, 1996 through March 31, 1996.

SUMMARY: Under the Department of Housing and Urban Development Reform Act of 1989 (Reform Act), the Department (HUD) is required to make public all approval actions taken on waivers of regulations. This notice is the twenty-first in a series, being published on a quarterly basis, providing notification of waivers granted during the preceding reporting period. The purpose of this notice is to comply with the requirements of Section 106 of the Reform Act.

FOR FURTHER INFORMATION CONTACT: For general information about this Notice, contact Camille E. Acevedo, Assistant General Counsel for Regulations, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410; telephone 202-708-3055; TTY: (202) 708-3259. (These are not toll-free numbers.) For information concerning a particular waiver action, about which public notice is provided in this document, contact the person whose name and address is set out, for the particular item, in the accompanying list of waiver-grant actions.

SUPPLEMENTARY INFORMATION: As part of the Housing and Urban Development Reform Act of 1989, the Congress adopted, at HUD's request, legislation to limit and control the granting of regulatory waivers by the Department. Section 106 of the Act (Section 7(q)(3)) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(q)(3), provides that:

1. Any waiver of a regulation must be in writing and must specify the grounds for approving the waiver;
2. Authority to approve a waiver of a regulation may be delegated by the Secretary only to an individual of Assistant Secretary rank or equivalent rank, and the person to whom authority to waive is delegated must also have authority to *issue* the particular regulation to be waived;
3. Not less than quarterly, the Secretary must notify the public of all waivers of regulations that the Department has approved, by

publishing a notice in the Federal Register. These notices (each covering the period since the most recent previous notification) shall:

- a. Identify the project, activity, or undertaking involved;
- b. Describe the nature of the provision waived, and the designation of the provision;
- c. Indicate the name and title of the person who granted the waiver request;
- d. Describe briefly the grounds for approval of the request;
- e. State how additional information about a particular waiver grant action may be obtained.

Section 106 also contains requirements applicable to waivers of HUD handbook provisions that are not relevant to the purposes of today's document.

Today's document follows publication of HUD's Statement of Policy on Waiver of Regulations and Directives issued by HUD (56 FR 16337, April 22, 1991). This is the twenty-first notice of its kind to be published under Section 106. It updates HUD's waiver-grant activity from January 1, 1996 through March 31, 1996.

For ease of reference, waiver requests granted by departmental officials authorized to grant waivers are listed in a sequence keyed to the section number of the HUD regulation involved in the waiver action. For example, a waiver-grant action involving exercise of authority under 24 CFR 24.200 (involving the waiver of a provision in part 24) would come early in the sequence, while waivers in the Section 8 and Section 202 programs (24 CFR Chapter VIII) would be among the last matters listed. Where more than one regulatory provision is involved in the grant of a particular waiver request, the action is listed under the section number of the first regulatory requirement in title 24 that is being waived as part of the waiver-grant action. (For example, a waiver of both § 811.105(b) and § 811.107(a) would appear sequentially in the listing under § 811.105(b).) Waiver-grant actions involving the same initial regulatory citation are in time sequence beginning with the earliest-dated waiver grant action.

Should the Department receive additional reports of waiver actions taken during the period covered by this report before the next report is published, the next updated report will include these earlier actions, as well as those that occur between April 1, 1996 through June 30, 1996.

Accordingly, information about approved waiver requests pertaining to regulations of the Department is

provided in the Appendix that follows this notice.

Dated: August 1, 1996.

Henry G. Cisneros,
Secretary.

Appendix—Listing of Waivers of Regulatory Requirements Granted by Officers of the Department of Housing and Urban Development January 1, 1996 Through March 31, 1996

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Mr. James B. Mitchell, Director, Financial Services Division, U.S. Department of Housing and Urban Development, 470 L'Enfant Plaza East, Suite 3119, Washington, D.C. 20024, Phone: (202) 755-7450 x125; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1-800-877-8391.

Regulation: 24 CFR 811.106(d) and 811.107(d) of 1977 Regulations.

Project/Activity: New Orleans HDC refunding of bonds which financed an uninsured Section 8 assisted project: Tivoli Place, Project No. LA48-0021-005.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-FHA Commissioner.

Date Granted: March 27, 1996.

Reasons Waived: The part 811 regulations cited above prohibited refundings and required that excess reserve balances be used for project purposes. The Project Owner has requested HUD permission to release excess reserve balances from the 1979 Trust Indenture to retire a portion of partnership debt and fund project repairs. Issuance of Refunding Bonds under Section 103 of the Tax Code will not reduce project debt service nor generate Section 8 savings. The Project Owner will execute a HUD Use Agreement to maintain low-income project occupancy for 10 years after expiration of Section 8 subsidies.

Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), and 811.115(b).

Project/Activity: The Greenville, North Carolina Housing Authority refunding of bonds which financed a Section 8 assisted project, Greentree Village Apartments, FHA No. 053-35428.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing

revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 26, 1996.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR Section 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on February 1, 1996. Refunding bonds have been priced to an average yield of 5.80%. The tax-exempt refunding bond issue of \$1,395,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10% at the call date in 1996 with tax-exempt bonds at a substantially lower interest rate. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, funding \$45,000 for project repairs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.115(b).

Project/Activity: The Hugo, Oklahoma Housing Authority refunding of bonds which financed a Section 8 assisted project, the Southwind Acres Apartments, FHA No. 118-35098.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 6, 1996.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. This refunding proposal was approved by HUD on February 16, 1996. Refunding bonds have been

priced to an average yield of 6.05%. The tax-exempt refunding bond issue of \$1,640,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 8.6% at the call date in 1996 with tax-exempt bonds at a substantially lower interest rate. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 8.55% to 4.45%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues, (helping reduce the budget deficit), providing \$96,474 for project repairs, and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), and 811.115(b).

Project/Activity: The New Lexington (Ohio) HDC refunding of bonds which financed a Section 8 assisted project, Lincoln Park Apartments, FHA No. 043-35181.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 14, 1996.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR Section 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on February 7, 1996. Refunding bonds have been priced to an average yield of 5.85%. The tax-exempt refunding bond issue of \$1,130,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 11% at the call date in 1996 with tax-exempt bonds at a substantially lower interest rate. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, thus

reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, funding \$50,000 for project repairs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Sections 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), and 811.115(b).

Project/Activity: The Comanche County, Oklahoma Home Finance Authority refunding of bonds which financed a Section 8 assisted project, the Ambassador Apartments, FHA No. 117-35153.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 27, 1996.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR Section 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on January 31, 1996. Refunding bonds have been priced to an average yield of 6.12%. The tax-exempt refunding bond issue of \$1,660,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10.1% at the call date in 1996 with tax-exempt bonds at a substantially lower interest rate. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, funding \$75,000 for project repairs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Debbie Ann Wills, Field Management Officer, U.S. Department of Housing & Urban Development, Office of Community Planning and Development, 451 7th Street, S.W., Room 7152, Washington, D.C. 20410-7000, Telephone: (202) 708-2565; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1-800-877-8391.

Regulation: 24 CFR 92.2.

Project/Activity: The City of Chicago, Illinois requested, on behalf of the GSW Residential Corporation, a waiver of part 24 CFR 92.2 that requires a community housing development organization (CHDO) to have a tax exempt ruling from the IRS. The waiver would allow an organization, with a pending IRS non-profit status determination, to qualify for HOME funds as a CHDO.

Nature of Requirement: The HOME regulations at 24 CFR 92.2 require a community housing development organization (CHDO) to have a tax exempt ruling from the IRS.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development.

Date Granted: February 8, 1996.

Reasons Waived: The waiver allows the city to meet its requirement to reserve at least 15 percent of its funds to CHDOs and thus not lose that amount in program funding.

Regulation: 24 CFR 92.252(a)(2)(i)(B).

Project/Activity: Lexington-Fayette Urban County, a HOME participating jurisdiction, requested a waiver of the HOME Program regulation at 24 CFR 92.252(a)(2)(i)(B) to permit Section 8 rents to be charged instead of HOME rents for a HOME-assisted rental project. The project is used as the housing resource for a self-sufficiency program for single parents who are participating in an educational program. The county provides Section 8 assistance to each eligible participant who moves into Virginia Place. Based on the design of their self-sufficiency program and the use of Virginia Place for this purpose solely, the county asserted that the Section 8 assistance is equivalent to project-based assistance, and therefore, Section 8 rents should be permitted.

Nature of Requirement: The regulation at 24 CFR 92.252(a)(2)(i)(B) describes one of the options for establishing rents for 20 percent of the HOME-assisted units in a rental project. Low HOME rents may be set at 30 percent of the family's monthly adjusted income, unless the project also receives Federal or State project-based assistance. In those cases, maximum rents (i.e. tenant contribution plus project-based rental subsidy) is the rent

allowable under the Federal or State project-based rental subsidy program.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development.

Date Granted: January 23, 1996.

Reasons Waived: The application of 24 CFR 92.252(a)(2)(i)(B) of the HOME regulations would create an undue hardship for this rental project and the self-sufficiency tenants it serves.

Regulation: 24 CFR 92.258.

Project/Activity: The City of Arlington, Texas requested a waiver of 24 CFR 92.258 of the HOME regulations to waive the 30 year affordability period for low-income homebuyers receiving HOME assistance.

Nature of Requirement: 24 CFR 92.258 provides for a limitation on the use of HOME funds with FHA mortgage insurance for a period of time equal to the term of the HUD insured mortgage.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development.

Date Granted: January 25, 1996.

Reasons Waived: The application of Section 92.258 of the HOME regulations to the City's program would create an undue hardship for the City of Arlington and its potential homeowners, and adversely affect the purposes of the Act.

Regulation: 24 CFR 511.76(h).

Project/Activity: The City of Texarkana, Texas requested a waiver of program closeout requirements of the Rental Rehabilitation program.

Nature of Requirement: The regulations at 24 CFR 511.76(h) cite when proceeds received from Rental Rehabilitation loans become program income.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development

Date Granted: March 25, 1996.

Reasons Waived: The City of Texarkana, a State of Texas Rental Rehabilitation grantee, had not yet met the requirements for program closeout. The waiver allowed the City to use its program income to provide affordable rental housing to low income residents.

Regulation: 24 CFR 570.489(e)(1)(vii).

Project/Activity: The State of South Carolina requested a waiver of the State CDBG regulations at 24 CFR 570.489(e)(1)(vii).

Nature of Requirement: The State requested a waiver of the regulations that set the standards for program income.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development.

Date Granted: January 26, 1996.

Reasons Waived: The State was granted the waiver in order to continue

its participation in HUD's Loan Securitization demonstration project. The waiver will permit the State to calculate the amount of program income generated through the sale as the net proceeds after the costs of arranging the transaction have been deducted.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Port Arthur, Texas requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The Housing Authority of the Choctaw Nation of Oklahoma requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The Texas Department of Housing and Community Affairs requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request

for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Santa Ana Neighborhood Housing Services, Inc., of Santa Ana California requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Comprehensive Community Action, Inc. of Massachusetts requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Comprehensive Community Action, Inc., of Massachusetts requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Indianapolis, Indiana requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1)

Project/Activity: The City of New York, New York requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Grand Prairie, Texas requested a waiver to

extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development

Date Granted: January 25, 1996

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Baltimore Housing Partnership of Baltimore, Maryland requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: People's Housing Group of Maryland requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Boston's Public Facilities Department requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Chicanos Por La Causa of California requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Austin, Texas requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject

properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The West Maryland Interfaith Housing Development Corporation requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The Texas Department of Housing and Community Affairs and Habitat of Humanity, Inc., requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Operation Impact of St. Louis, Missouri, Inc., requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Tampa Bay Community Development Corporation of Tampa, Florida requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1)

Project/Activity: The City of Dallas, Texas requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 16, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Community Building Group Inc., Baltimore, Maryland requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the

HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 16, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of College Station, Texas requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 23, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The Rural Housing Improvement, Inc., of Winchendon, Massachusetts requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: March 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Mr. Dom Nessi, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, 451 Seventh Street,

S.W., Room B-133, Washington, D.C. 20410 (202) 755-0032; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1-800-877-8391.

Regulation: 24 CFR 950.325.

Project/Activity: Establishment of ceiling rents for Sault Ste. Marie Tribe of Chippewa Indians Housing Authority.

Nature of the Requirement: Waiver of the regulation cited above is required to allow establishment of ceiling rents for their Low Rent Program.

Granted By: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: March 15, 1996.

Reason Waived: This waiver was requested and granted to allow the Sault Ste. Marie Tribe of Chippewa Indians Housing Authority to establish ceiling rents for their low rent program in accordance with PIH Notice 89-21 and 95-68, which provides for the establishment of ceiling rents in a low rent Indian housing program and the use of actual debt service.

Regulation: 24 CFR 950.325.

Project/Activity: Establishment of ceiling rents for Northern Circle Indian Housing Authority.

Nature of the Requirement: Waiver of the regulation cited above is required to allow establishment of ceiling rents for their Low Rent Program.

Granted By: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: March 15, 1996.

Reason Waived: This waiver was requested and granted to allow the Northern Circle Indian Housing Authority to establish ceiling rents for their low rent program in accordance with PIH Notice 89-21 and 95-68, which provides for the establishment of ceiling rents in a low rent Indian housing program and the use of actual debt service.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Mirian Saez, Director, Office of Rental Assistance, Department of Housing Urban Development, 451 Seventh Street, S.W., Room 4226, Washington, D.C. 20410, (202) 708-2841; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1-800-877-8391.

Regulation: 24 CFR 982.303(b).

Project/Activity: Executive Office of Communities and Development (MA), Section 8 Certificate Program.

Nature of Requirement: The regulation provides for a maximum term of 120 days during which a certificate holder may seek housing to be leased under the program.

Granted By: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: February 1, 1996.

Reason Waived: Approval of the waiver, which provides for an extended term of the certificate, prevented hardship to the certificate-holder whose multiple chemical sensitivities severely limit his ability to find a suitable rental unit.

Regulation: 24 CFR 982.303(b).

Project/Activity: Executive Office of Communities & Development (MA), Section 8 Certificate Program.

Nature of Requirement: The regulation provides for a maximum term of 120 days during which a certificate-holder may seek housing to be leased under the program.

Granted By: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: February 6, 1996.

Reason Waived: Approval of the waiver, which provided for an extension of the certificate term, prevented hardship to the family consisting of a single parent and a disabled child. The family was forced to move from the unit where it had received assistance after the owner refused to correct housing quality standards deficiencies. The family lives in a rural area where services are not universally available. The family's search for a unit was made difficult by the need to live where special services for the disabled son will continue to be available.

Regulation: 24 CFR 982.303(b).

Project/Activity: North Andover (MA) Housing Authority, Section 8 Certificate Program.

Nature of Requirement: The regulation provides for a maximum term of 120 days during which a certificate-holder may seek housing to be leased under the program.

Granted by: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: February 12, 1996.

Reason Waived: Approval of the waiver, which provided an extension of the certificate term, prevented hardship to the family which was about to become homeless. The poor health of the household head combined with the harsh winter weather made it difficult for the family to find a suitable unit. The family must locate a unit that will not aggravate the health conditions of its head and will allow him/her to remain close to essential medical support services.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Joan

DeWitt, Director, Finance and Budget Division, Office of Public and Assisted Housing Operations, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, S.W., Room 4210, Washington, D.C. 20410, (202) 708-1872; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1-800-877-8391.

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

Project/Activity: Housing and Redevelopment Authority of the City of Blue Earth, MN.

Nature of Requirement: The regulation requires a Low Occupancy PHA without an approved Comprehensive Occupancy Plan to use a projected occupancy percentage of 97%.

Granted by: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: March 13, 1996.

Reason Waived: The HA was allowed to use its actual occupancy percentage of 83% for its fiscal year ending September 30, 1996, to prevent undue hardship while it continues to meet the vacancy reduction and modernization goals of a 5-year implementation plan.

Regulation: 24 CFR 990.118(a)(2)(ii).

Project/Activity: Plainfield Housing Authority, NJ. A request was made to permit PFS reprocessing using 93% occupancy factor due to extenuating factors. Its subsidy had been calculated using the standard 97% figure.

Nature of Requirement: The regulation limits conditions under

which a Comprehensive Occupancy Plan can be submitted.

Granted by: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: March 29, 1996.

Reason Waived: The HA was unable to submit a timely and proper COP in conjunction with its December 31, 1995, Low Rent Public Housing Budget, due to the sudden departure of their accountant. Based on the extenuating circumstances, the HA was allowed to use 93% as its actual occupancy percentage to prevent undue hardship while it continues its efforts to reduce vacancies.

[FR Doc. 96-20168 Filed 8-9-96; 8:45 am]

BILLING CODE 4210-32-P