

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4854-N-04]

Notice of Regulatory Waiver Requests Granted for the Fourth Quarter of Calendar Year 2003

AGENCY: Office of the Secretary, HUD.

ACTION: Notice.

SUMMARY: Section 106 of the Department of Housing and Urban Development Reform Act of 1989 (the HUD Reform Act) requires HUD to publish quarterly **Federal Register** notices of all regulatory waivers that HUD has approved. Each notice covers the quarterly period since the previous **Federal Register** notice. The purpose of this notice is to comply with the requirements of section 106 of the HUD Reform Act. This notice contains a list of regulatory waivers granted by HUD during the period beginning on October 1, 2003, and ending on December 31, 2003.

FOR FURTHER INFORMATION CONTACT: For general information about this notice, contact Aaron Santa Anna, Assistant General Counsel for Regulations, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-0500, telephone (202) 708-3055 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

For information concerning a particular waiver that was granted and for which public notice is provided in this document, contact the person whose name and address follow the description of the waiver granted in the accompanying list of waivers that have been granted in the fourth quarter of calendar year 2003.

SUPPLEMENTARY INFORMATION:

Section 106 of the HUD Reform Act added a new section 7(q) to the Department of Housing and Urban Development Act (42 U.S.C. 3535(q)), which 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 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 HUD 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; and
- e. State how additional information about a particular waiver may be obtained.

Section 106 of the HUD Reform Act also contains requirements applicable to waivers of HUD handbook provisions that are not relevant to the purpose of this notice.

This notice follows procedures provided in HUD's Statement of Policy on Waiver of Regulations and Directives issued on April 22, 1991 (56 FR 16337). This notice covers waivers of regulations granted by HUD from October 1, 2003, through December 31, 2003. For ease of reference, the waivers granted by HUD are listed by HUD program office (for example: the Office of Community Planning and Development, the Office of Housing, the Office of Public and Indian Housing). Within each program office grouping, the waivers are listed sequentially by the regulatory section of title 24 of the Code of Federal Regulations (CFR) that is being waived. For example, a waiver of a provision in 24 CFR part 58 would be listed before a waiver of a provision in 24 CFR part 570.

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 that appears in 24 CFR and that is being waived. For example, a waiver of both § 58.73 and § 58.74 would appear sequentially in the listing under § 58.73.

Waivers of regulations that involve the same initial regulatory citation are in time sequence beginning with the earliest-dated regulatory waiver.

Should HUD receive additional information about waivers granted during the period covered by this report before the next report is published, the next updated report will include these earlier waivers that were granted, as well as those that occurred during January 1, 2004, through March 31, 2004.

Accordingly, information about approved waiver requests pertaining to HUD regulations is provided in the Appendix that follows this notice.

Dated: July 27, 2004.

Alphonso Jackson,
Secretary.

Appendix—Listing of Waivers of Regulatory Requirements Granted by Offices of the Department of Housing and Urban Development, October 1, 2003, through December 31, 2003

Note to Reader: More information about the granting of these waivers, including a copy of the waiver request and approval, may be obtained by contacting the person whose name is listed as the contact person directly after each regulatory waiver granted.

The regulatory waivers granted appear in the following order:

- I. Regulatory waivers granted by the Office of Community Planning and Development.
- II. Regulatory waivers granted by the Office of Housing.
- III. Regulatory waivers granted by the Office of Public and Indian Housing.

I. Regulatory Waivers Granted by the Office of Community Planning and Development

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.

- *Regulation:* 24 CFR 91.520.

Project/Activity: Request for extension of the submission deadline for the 2002 program year for the Consolidated Annual Performance and Evaluation Report (CAPER) of Cook County, Illinois.

Nature of Requirement: The regulation at 24 CFR 91.520 requires each grantee to submit a performance report to HUD within 90 days after the close of the grantee's program year.

Granted By: Roy A. Bernardi, Assistant Secretary for Community Planning and Development.

Date Granted: November 18, 2003.

Reason Waived: Cook County's program year ended on September 30, 2003, and therefore its CAPER was due December 29, 2003. The county experienced a hardship beyond its control. A fire occurred in the county building resulting in the relocation of staff to another site where they shared space with other county employees. Because of the contaminants, the staff did not have ready access to files, documents and most equipment. If an extension of the deadline for submission of the CAPER report had been denied, the county would not have been able to submit a complete and accurate expenditure report on its 2002 program. The performance report provides local residents with information on the county's accomplishments during the year, and the report data goes into

HUD's national database, which is used for various reporting purposes. While HUD desires timely reports, it is also interested in ensuring that the performance reports prepared by grantees are complete and accurate.

Contact: Nanci R. Doherty, Special Assistant to the Deputy Assistant Secretary, Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-7000, telephone (202) 708-2565.

- *Regulation:* 24 CFR 91.520.

Project/Activity: Request for extension of the submission deadline for the CAPER of the city of San Angelo, Texas.

Nature of Requirement: The regulation at 24 CFR 91.520 requires each grantee to submit a performance report to HUD within 90 days after the close of the grantee's program year. The city of San Angelo's program year ended on September 30, 2002, and therefore its CAPER was due December 29, 2003.

Granted By: Roy A. Bernardi, Assistant Secretary for Community Planning and Development.

Date Granted: November 18, 2003.

Reason Waived: The city requested an extension of its submission deadline to February 16, 2004. The resignation of a key staff member responsible for preparing the CAPER and the loss of two other staff members, only one of whom could be replaced, left the city with a staff shortage. In addition, the city spent much time providing information to HUD's Office of Inspector General (OIG) regarding a public housing authority investigation, and the city's Community Development office was asked to prepare a response to the OIG report. The city also was asked to provide information to the Department of Labor concerning a labor investigation. Finally, the city's independent auditor was conducting a compliance audit of the city's HOME and CDBG programs. The time that the city spent cooperating with and gathering information for these investigations and audits was extensive and, combined with the staff losses, resulted in the city being unable to expend the time needed to prepare its CAPER. If the request for extension deadline of submission of the CAPER report had been denied, the city would not have been able to submit a complete and accurate expenditure report on its 2002 program. While HUD desires timely reports, it is also interested in ensuring that the performance reports prepared by grantees are complete and accurate.

Contact: Nanci R. Doherty, Special Assistant to the Deputy Assistant Secretary, Community Planning and

Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-7000, telephone (202) 708-2565.

- *Regulation:* 24 CFR 91.520.

Project/Activity: Request for extension of submission deadline for the CAPER of the city of Des Plaines, Illinois.

Nature of Requirement: The regulation at 24 CFR 91.520 requires each grantee to submit a performance report to HUD within 90 days after the close of the grantee's program year. The city's program year ended September 30, 2003. Therefore, its CAPER was due December 29, 2003.

Granted By: Roy A. Bernardi, Assistant Secretary for Community Planning and Development.

Date Granted: December 17, 2003.

Reason Waived: The city's letter of December 5, 2003, requested an extension of its submission deadline to February 27, 2004. The city's Community Development Block Grant Coordinator resigned in September 2003. The position was filled on an interim basis in October, but the city required additional time to complete the CAPER because of this change. If an extension of the deadline for submission of the CAPER had been denied, the city would not have been able to submit a complete and accurate performance report on its 2002 program. While HUD desires timely reports, it is also interested in ensuring that the performance reports prepared by grantees are complete and accurate.

Contact: Nanci R. Doherty, Special Assistant to the Deputy Assistant Secretary, Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-7000, telephone (202) 708-2565.

- *Regulation:* 24 CFR 92.502(d)(2).

Project/Activity: City of Springfield, Ohio—Investment of HOME Funds.

Nature of Requirement: The regulation at 24 CFR 92.502(d)(2) prohibits the investment of additional HOME funds in a project after one year has passed from the date of project completion. The purpose of the prohibition is to ensure that projects are brought up to all applicable standards at the time the HOME-funded work is performed and that HOME funds are not used for on-going maintenance or replacement costs.

Granted By: Roy A. Bernardi, Assistant Secretary of Community Planning and Development.

Date Granted: December 12, 2003.

Reason Waived: Chronic under-occupancy and lack of improvements to the property resulted in multiple sales and eventual foreclosure of the

property. The most recent purchaser was willing to rehabilitate and maintain all the HOME-assisted units as affordable units. At HUD's request, the city extended the period of affordability by five years although the additional funding requested in combination with the original investment did not trigger the longer affordability period. The city's efforts to restore the viability of this project over several years, in light of the fact that the regulations permit the restrictions to lapse in the event of foreclosure, constituted good cause for a waiver.

Contact: Nanci R. Doherty, Special Assistant to the Deputy Assistant Secretary, Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-7000, telephone (202) 708-2565.

- *Regulation:* 24 CFR 92.503(b).

Project/Activity: State of Colorado—Repayment of HOME Funds.

Nature of Requirement: The regulation at 24 CFR 92.503(b) requires the repayment of HOME funds in the event a property does not meet the HOME affordability requirements for the period of time specified in 24 CFR 92.252 or 92.254.

Granted By: Roy A. Bernardi, Assistant Secretary for Community Planning and Development.

Date Granted: October 6, 2003.

Reasons Waived: Due to insufficient rents, the owner was forced to sell a property containing two HOME-assisted units to stabilize the financial viability of its remaining properties. In an effort to avoid repayment of the entire initial HOME investment, the state of Colorado requested the owner to substitute two one-bedroom units in another property, which was not federally subsidized, at rents significantly below the HOME maximum rent for the area. The proposed units were found to be acceptable comparable unit substitution in lieu of repayment, which also advanced HUD's efforts to preserve the availability of affordable housing in the state of Colorado.

Contact: Nanci R. Doherty, Special Assistant to the Deputy Assistant Secretary, Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-7000, telephone (202) 708-2565.

II. Regulatory Waivers Granted by the Office of Housing

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.

• *Regulation:* 24 CFR 200.40 (d)(1) and (h).

Project/Activity: The following projects requested waivers of the application fee in 24 CFR 200.40 (d)(1)

and the transfer fee defined in 24 CFR 200.40(h).

FHA No.	Project name	Project city	State
05435505	The Glens	Rock Hill	SC
04635514	Walnut Hills	Cincinnati	OH
08335351	Cumberland Manor Apartments	Cumberland	KY
01411044	Jefferson Village Apartments	Watkins Glen	NY
09135083	Lakeview Apartments	Eureka	SD
09335098	Grandview Place	Missoula	MT
04635551	Cypress Commons	Middletown	OH
05335448	Gateway Village	Hillsborough	NC
05335357	JFK Towers	Durham	NC
05335400	Lynnhaven Apartments	Durham	NC
01435061	Badger Creek Meadow Apartments	Painted Post	NY
10135348	Villa Fourteen	Ault	CO
11335069	River Park Village Apartments	Lampasas	TX
13335057	Garden Apartments	Lubbock	TX
12638021	Knights of Pythias	Vancouver	WA
07135648	Cyril Court Apartments	Chicago	IL
07435136	Autumn House Apartments	Creston	IA
05235370	Monterey Apartments	Baltimore	MD
03135241	Chestnut Street Housing	Passaic	NJ
04235383	Northgate Apartments	Toledo	OH
12235495	Valley View Apartments	Delano	CA
05435403	Clinton Manor	Clinton	SC
11435034	Union Acres Apartments	Center	TX
07335464	Woodland East Apartments III	Michigan City	IN
07135480	325 North Austin Apartments	Chicago	IL
04735103	Park Wood Apartments	Muskegon	MI
04735110	East Glen Apartments	East Lansing	MI
02335276	Dimock-Bragdon Apartments	Boston	MA
01257304	Macombs Village	Bronx	NY
01257283	Sutter Gardens	Brooklyn	NY
06235333	Crossgates Apartments	Demopolis	AL
17635020	Coho Park Apartments	Juneau	AK
06235371	Chalkville Manor Apartments	Birmingham	AL
06235304	Medical Center Terrace	Dothan	AL
06235157	Four Winds West Apartments	Birmingham	AL
06235378	Livingston Meadows	Livingston	AL
06235352	Running Brook Apartments	Tuscaloosa	AL
08235227	Maywood Apartments	Hughes	AR
08235196	White River Apartments	Diaz	AR
12335109	Bonita Vista Apartments	Sierra Vista	AZ
12235509	Adams Blvd. Apartments	Los Angeles	CA
13635647	Deer Creek Apartments	Yreka	CA
12235416	Fernwood Apartments	Lancaster	CA
12235489	Harvard Gardens	Los Angeles	CA
14335034	Sunnyview Villa	Palm Springs	CA
13635643	Valley Heights	Quincy	CA
12235480	Verner Villa	Pico Rivera	CA
10135338	Fountain Townhomes	Fountain	CO
10135341	Ratekin Towers	Grand Junction	CO
01735160	Number One Norton	New Haven	CT
01735210	Village Apartments	South Meriden	CT
01735184	Abbott Towers/Enterprise Apartments	Waterbury	CT
01735185	Waterbury NSA II	Waterbury	CT
06635166	Civic Towers Apartments	Miami	FL
06735255	Cocoa Lakes Apartments	Cocoa	FL
06335205	College Trace Apartments	Pensacola	FL
06735263	Country Oaks Apartments	Tampa	FL
06735253	Crystalwood Apartments	Lakeland	FL
06735271	Dixie Grove Apartments	Orlando	FL
06335206	Harbour Place Apartments	Pensacola	FL
06735196	Little Turtle Apartments	Leesburg	FL
06335204	Mandarine Trace Apartments	Jacksonville	FL
06335200	Pine Meadows Apartments	Gainesville	FL
06735246	Ridgedale Apartments	Avon Park	FL
06735243	Ridgewood Apartments	Winter Haven	FL
06635162	Robert Sharp Towers II	North Miami Beach	FL
06335202	Sand Dunes Apartments	Panama City Beach	FL
06735252	Summit Ridge Apartments	Brandon	FL
06335199	Westwood Homes	Pensacola	FL
06135365	Bull Creek Apartments	Columbus	GA

FHA No.	Project name	Project city	State
06135373	Heatherwood Apartments	Rome	GA
07435184	Greenway of Burlington	Burlington	IA
07435157	Oak Park Village	Cedar Rapids	IA
07435171	River Terrace Apartments	Keokuk	IA
07235081	Bissel Apartments	Venice	IL
07135465	Continental Plaza Apartments	Chicago	IL
07135487	Lafayette Terrace Apartments	Chicago	IL
07135472	North Washington Park Estates	Chicago	IL
07135460	O'Keefe Apartments	Chicago	IL
07135389	South Apartments	Chicago	IL
07135500	South Shore Apartments	Chicago	IL
07235082	Storey Manor Apartments	Cottage Hills	IL
07235064	The Downtowner	Bloomington	IL
07335450	Carriage House of Muncie	Muncie	IN
07335447	Rosewood Apartments	Gary	IN
07335448	The Crossings II Apartments	Evansville	IN
07335454	Town and Country Apartments	Elkhart	IN
10235011	Osage Trails/Westgate Homes	Parsons	KS
08335375	Bella Gardens Apartments	Middlesboro	KY
08335323	Carl D. Perkins Apartments	Pikeville	KY
08335376	College Heights Apartments	Barbourville	KY
08335314	Dupont Manual Apartments	Louisville	KY
08335343	Eastwood Apartments	Sandy Hook	KY
08335301	Happy Hollow Apartments	Middlesborough	KY
08335379	Mountain Breeze Apts (also known as (aka) Valley View)	Jenkins	KY
08335321	Osage Estates	New Castle	KY
08335274	Pride Terrace Apartments	Cumberland	KY
08335338	Vernon Manor Apartments	Clay City	KY
06435231	Auburn Place Apartments	De Ridder	LA
05935213	Benton Manor Apartments	Benton	LA
05935206	Burton Place Apartments	Monroe	LA
05935214	Fair Park Terrace	Shreveport	LA
05935198	Sparta Place Apartments	Ruston	LA
06492002	Villa D'Ames Apartments	Marrero	LA
02335257	Binnall House	Gardner	MA
02335283	Clafin House	Framingham	MA
02335244	Dawson Building	New Bedford	MA
02335271	Kenyon College Estates	Springfield	MA
05235310	Barclay Townhouses	Baltimore	MD
05235029	Bentalou Court	Baltimore	MD
05235337	Cedar Hill Apartments	North East	MD
05235330	Franklin Center	Baltimore	MD
05235397	Franklin Square Apartments	Baltimore	MD
05235050	Garrison Apartments	Baltimore	MD
05235027	Mosher Court Apartments	Baltimore	MD
05235061	Pimlico Apartments	Baltimore	MD
05235300	Washington Gardens	Hagerstown	MD
05235126	Woodlands Apartments III	Baltimore	MD
02435040	Chestnut Place	Lewiston	ME
04735184	Stuyvesant Apartments	Grand Rapids	MI
08435239	Brookfield Village	Brookfield	MO
08535299	Cabool Apartments	Cabool	MO
08535215	DeSoto Apartments I	DeSoto	MO
08535277	Flat River Apartments	Flat River	MO
08535331	Fulton Apartments	Fulton	MO
08535317	Hannibal Manor	Hannibal	MO
08535300	Kennett Apartments	Kennett	MO
08535339	Minerva Place Apartments	St. Louis	MO
08535327	Mountain View Apartments	Mountain View	MO
08535314	Portageville Apartments	Portageville	MO
08535325	Shelbina Apartments	Shelbina	MO
08435134	Springview Gardens	Joplin	MO
08535348	Union Sarah 510 Demonstration	St. Louis	MO
08435126	Wesley Senior Towers	St. Joseph	MO
08535301	West Plains Apartments	West Plains	MO
08535335	Willow Springs Apartments	Willow Springs	MO
06535275	Maureen A.S. Jones Apartments	Greenwood	MS
06535335	Rosewood Apartments	Rosedale	MS
06535317	W.J. Bishop Apartments	Greenwood	MS
09344060	Hearthstone	Anaconda	MT
05335450	Conway Village Apartments	Conway	NC
05335366	Duplin County Housing	Rose Hill	NC
05335372	Pinewood Apartments	Dunn	NC
05335420	Richmond Village Apartments	Hamlet	NC

FHA No.	Project name	Project city	State
05335429	Torhunta Apartments	Fremont	NC
02435052	Sugar River Mills Housing	Claremont	NH
03135259	Corinthian Towers	East Orange	NJ
03135189	Garrett Apartments	Englewood	NJ
03135269	St. Mary's Villa	Newark	NJ
03135167	Van Wagenen II Apartments	Jersey City	NJ
12535081	Walnut Gardens	Las Vegas	NV
01257080	Albany-Decatur Rehabilitation	Brooklyn	NY
01257144	Albert Goodman Plaza	Bronx	NY
01235472	Barkley Gardens	Liberty	NY
01335078	Brick School Terrace (aka 16th Apts.)	Syracuse	NY
01257141	Bruckner Houses	Bronx	NY
01235479	Burt Farms II	Warwick	NY
01435051	Colt Block Apartments	Niagara Falls	NY
01335090	Crestview Gardens	Rouses Point	NY
01257075	Davidson Avenue Rehab II	Bronx	NY
01335108	Genesee Towers	Utica	NY
01257152	Highbridge Concourse II	Bronx	NY
01335123	Huntington Heights (aka Watertown Apts)	Watertown	NY
01257164	Jerome Terrace Apartments	Bronx	NY
01335102	James F. Lettis Apartments	Oneonta	NY
01235410	John Crawford Senior Citizen Housing	Monticello	NY
01257211	Kingsbridge Decatur Phase 1	Bronx	NY
01335117	Lillian Y. Cooper Apartments	Utica	NY
01257168	Lincoln Residence	Brooklyn	NY
01257303	McKenna Square Houses	New York	NY
01257198	Morrisania IV	Bronx	NY
01235312	Marion Avenue Rehabilitation	Bronx	NY
01257202	New West 111th Street Phase II	New York	NY
01235484	Meadowbrook Farms (aka New Paltz)	New Paltz	NY
01335109	Ninth Street NSA II	Troy	NY
01257142	Noonan Plaza	Bronx	NY
01335076	Ogden Mills Apartments (10th Apts.)	Cohoes	NY
01257162	Pennsylvania Avenue Apartments	Brooklyn	NY
01335115	Pontiac Terrace Apartments	Oswego	NY
01335097	Woodsboro Apartments	Baldwinsville	NY
01257113	St. John's Place—Phase I	Brooklyn	NY
01257180	Union Gardens I	Brooklyn	NY
01257161	Unity Apartments	Brooklyn	NY
01257320	Hudson View III	New York	NY
01257076	1988 Davidson Avenue	Bronx	NY
01257169	Rochester Sterling Apartments	Brooklyn	NY
04335280	Barnett Plaza Apartments	Columbus	OH
04235343	Bay Meadows Apartments	Port Clinton	OH
04235342	Bucyrus Plaza	Bucyrus	OH
04635554	Camden Way II	Camden	OH
04235312	Chateau I	East Cleveland	OH
04335291	Colony Terrace II	Zanesville	OH
04235302	Nela Manor	Akron	OH
04635549	Darby Hills	Cincinnati	OH
04235396	Findlay Green Apartments	Findlay	OH
04335176	Hillside Apartments	Mount Vernon	OH
04235365	Lake Avenue Commons	Cleveland	OH
04235344	Little Bark Manor	Fremont	OH
04235345	Little Bark View	Fremont	OH
04635534	Maywood Apartments	Cincinnati	OH
04235373	Newton Woods	Akron	OH
04335282	Rivertown Apartments	Portsmouth	OH
04235397	Salem Acres (aka Salem I)	Salem	OH
04635516	Southland Village	Miamisburg	OH
04235266	Westview Apartments	Youngstown	OH
04235313	William E. Fowler, Sr. Apts, II	Akron	OH
03335144	Charles Street Apartments	Turtle Creek	PA
03435174	Finch Towers	Scranton	PA
03438026	Gray Manor Apartments	Philadelphia	PA
03335217	Heritage Park Apartments	White Oak	PA
03444115	Hugh Carcella Apartments	Reading	PA
03335135	Swissvale Towers	Pittsburgh	PA
05635100	Alturas De Penueles	Penueles	PR
05635132	Miramar Housing	Ponce	PR
05635093	Montblanc Housing	Yauco	PR
05635121	Villa Blanca Apartments	Caguas	PR
05635122	Villas De Humacao	Humacao	PR
05635094	Vistas De Jagueyes	Agua Buenas	PR

FHA No.	Project name	Project city	State
01635066	Hanora Lippitt Mills Apartments	Woonsocket	RI
05411049	Forest Villa Apartments	Manning	SC
05435139	Hickory Heights Apartments	Abbeville	SC
05435466	The Carolina	Columbia	SC
09135076	R & S Village—Scotland	Scotland	SD
09135075	R & S Village—Freeman	Freeman	SD
08635167	Bell Street Apartments	Smithville	TN
08735117	Dunlap Gardens	Dunlap	TN
08635147	Savannah Townhouses	Savannah	TN
08735125	Sneedville Gardens	Sneedville	TN
08735116	Village Apartments	Mountain City	TN
11535193	Meadow Park Village	Lockhart	TX
11535194	Nolan Terrace	Luling	TX
11535233	Poesta Creek Apartments	Beeville	TX
11535197	Sandy Oaks Apartments	Aranas Pass	TX
11535218	Smithville Garden Apartments	Smithville	TX
10535058	Dominguez Park III	Salt Lake City	UT
05135300	John Perry House	Woodstock	VA
05135345	Settlers Point Apartments	Damascus	VA
12735339	Montesano Annex Apartments	Montesano	WA
04535153	Princeton Village	Princeton	WV
10935055	Eastward Court Apartments	Casper	WY
10935050	Stagecoach Apartments	Rawlins	WY
00035341	Southern Hills Apartments	Washington	DC
01411050	Nunda Villager Apartments	Nunda	NY
03535090	Oakland Park Apts. (aka Roger Gardens)	Trenton	NJ
05194004	Pinebrook Village Apartments	Richmond	VA
10111098	Aurora East Apartments	Aurora	CO
10135413	Hanigan Terrace Apartments	Denver	CO
10135422	Fourth and Fox Apartments	Denver	CO
10135514	Windsor Court Apartments	Aurora	CO
12594004	Sierra Pointe Apartments	Las Vegas	NV
12594009	Baltimore Garden Apartments	Las Vegas	NV
12594010	Granada Apartments	Las Vegas	NV
12594011	Cleveland Garden Apartments	Las Vegas	NV
11735191	Rolling Green Apartments	Edmond	OK
04335293	Lawrence Commons	South Point	OH
12735331	Marion Court Apartments	Bremerton	WA
03435201	Lancaster Apartments	Lancaster	PA
04235368	Help-Six Chimneys, Inc.	Cleveland	OH
10144089	Island Grove Village	Greeley	CO
10535066	Windsong II	Clearfield	UT
01335114	Georgian Arms Apartments	Rome	NY
12735349	Fremont Village	Longview	WA
07135524	West End Rehab	Chicago	IL
04335294	Laurel Estates	Belpre	OH
04235346	North Towne Village	Toledo	OH
04235377	Whispering Hills	Toronto	OH
04235385	Vistula Heritage II	Toledo	OH
09144005	Heritage Estates	Brookings	SD
08435263	Village Place	Bethany	MO
06535332	Broadmoor Apartments	Byhalia	MS
05935215	Bayou Galion Apartments	Mer Rouge	LA
05135347	Willow Oaks	South Boston	VA
11435266	Heritage Square	Texas City	TX
06235336	Village Green Apartments	Red Bay	AL
12235570	Plummer Village	Northridge	CA
12235545	Robert Farrell Manor	Los Angeles	CA
12235548	Ethel Arnold Bradley	Los Angeles	CA
12235536	Glenoaks Townhomes	Los Angeles	CA
12235551	Hamlin Estates	North Hollywood	CA
07335456	Centennial Townhomes	Fort Wayne	IN
10135330	Valley Sun Village	Cortez	CO
12735209	Winthrop Apartments	Tacoma	WA
06135380	Renaissance Villa Apartments	Columbus	GA
00035283	Atlantic Gardens	Washington	DC
03435185	Cobbs Creek NSA	Philadelphia	PA
10135241	Summersong Townhouses	Aurora	CO
03335147	Verona Gardens	Verona	PA
12235565	Buckingham Apatments	Los Angeles	CA
10292501	Plaza Apartments	Coffeyville	KS
10135344	Mount Massive Manor	Leadville	CO
13335054	High Plains Apartments	Lubbock	TX
06235350	Hermitage Knoll Apartments	Florence	AL

FHA No.	Project name	Project city	State
04235395	Lawrence Saltis Plaza	Stow	OH
10935048	Village Gardens Apartments	Casper	WY
12135729	Herald Hotel	San Francisco	CA
04235376	Plaza Apartments	Canton	OH
06735267	Clearwater Apartments	Clearwater	FL
06435243	Oakwood Apartments	Leesville	LA
04235512	Chadwick Place Apartments	Elyria	OH
04744017	Kings Community Homes	Jackson	MI
08735150	Ocoee Village Apartments	Cleveland	TN
01257290	MBD III	Bronx	NY
12235530	Sierra Villa East	Lancaster	CA
08335348	Hydreco Apartments	Olive Hill	KY
10535074	Massey Plaza	Ogden	UT
17135196	Three Rivers Retirement Apartments	Richland	WA
05235333	Stonecroft Apartments	Hagerstown	MD
04335298	Lehnert Green Apartments	Galloway	OH
04335288	Carpenter Hall Apartments	Athens	OH
05935218	Park Place Manor Apartments	Shreveport	LA
01735209	Zion Park	Hartford	CT
08235231	Hicky Garden Apartments	Marianna	AR
04335290	Crossgates, Ltd.	Springfield	OH
08335357	Madison Tower	Richmond	KY
08335391	Northside Apartments	Morganfield	KY
01635071	Broadway West Broadway	Newport	RI
05335368	Scotland Manor Apartments	Laurinburg	NC
08335311	Bruce II Apartments	Ashland	KY
12235581	Douglas Park Apartments	Compton	CA
12235569	Pace Villa	Los Angeles	CA
12235506	Nikkei Village	Pacoima	CA
03335150	Hazelwood Towers/Plaza	Pittsburgh	PA
04535138	Alderson Manor	Alderson	WV
05494002	Colony Apartments	Columbia	SC
11435316	Park Place Apartments	Cleveland	TX
06335190	Timuquana Park Apartments	Jacksonville	FL
09344054	Columbus Plaza	Butte	MT
08435258	Ridgewood Hills	Harrisonville	MO
03432045	15th & Jefferson	Philadelphia	PA
05935205	Willow Village Apartments	Bernice	LA
04635552	Heritage Village Apartments	Cincinnati	OH
04735009	Little Blue Lake Cooperative	Twin Lake	MI
10535062	Jefferson Park Apartments	St. George	UT
10535061	Suncrest Park	Provo	UT
01435038	Crestline Villa	Jamestown	NY
06235373	Arrowood Apartments	Boligee	AL
04235347	Lakeshore Village	Cleveland	OH
10535067	St. Benedicts Manor II	Ogden	UT
10538008	R.L. Courts	Ogden	UT
10535057	R.L. Courts II	Ogden	UT
07335292	Capri II Apartments	Bluffton	IN
06235384	Village Square Apartments	Russellville	AL
01335106	Schenectady Forty	Schenectady	NY
05435501	Pageland Place Apartments	Pageland	SC
10135336	Corazon Square	Trinidad	CO
04335281	Park Place	Columbus	OH
01335080	Mid Warren NSA	Hudson	NY
04635531	Fair Park Apartments	Sardina	OH
08335383	Wellesley Apartments	Louisville	KY
08335353	Rolling Ridge Apartments	New Haven	KY
08335361	Greenwood Villa Apartments	Bowling Green	KY
03435186	Williamsport NSA	Williamsport	PA
04544008	Berkeley Gardens	Martinsburg	WV
03135183	King's Row Apartments	Middletown	NJ
05135344	The Meadows Apartments	Lynchburg	VA
11635109	Highland Park Apartments	Las Cruces	NM
08735112	Sunnycrest Apartments	Erwin	TN
05335216	Woodstone Apartments	Charlotte	NC
05335402	Meadow Woods Apartments	Fairmont	NC
06235318	Russel Erskine Apartments	Huntsville	AL
05935216	Northside Villa	Shreveport	LA
05294016	Kingsley Park Apartments	Baltimore	MD
05944053	Towneast Apartments	Bastrop	LA
10535076	Jefferson Circle	Salt Lake City	UT
01335083	Mansions Rehab Project	Albany	NY
10135337	Meeker Family and Elderly Housing	Meeker	CO

FHA No.	Project name	Project city	State
10135343	Creekside Gardens	Loveland	CO
08335374	Bismarck Apartments	Covington	KY
13335056	Spring Terrace Apartments	Amarillo	TX
05935212	Webster Manor Apartments	Minden	LA
01335122	Pastures Preservation (Pastures Redevelopment)	Albany	NY
12144819	Lawrence Moore Manor	Berkeley	CA
12144812	Satellite Senior Homes (Satellite Central Apts)	Oakland	CA
12144817	Otterbein Manor	Oakland	CA
02435046	Centre Ville Commons	Lewiston	ME
06412001	Catholic Presbyterian Apartments	Baton Rouge	LA
08335061	Campton Methodist Housing I	Campton	KY
11835116	West Edison Plaza Apartments	Tulsa	OK
08335277	Holly Point Apartments	Harlan	KY
04235399	Fostoria Green	Fostoria	OH
10135339	Mountan View Apartments	Gunnison	CO
12335132	Casas De Esperanza	Douglas	AZ
12335129	Pioneer Village	Douglas	AZ
02335275	St. James Commons	Springfield	MA
01335116	Champlain Family Housing	Rouses Point	NY
01335095	Faxton Scott House (aka Margaret Knamm Apts)	Utica	NY
05335451	Bay Tree Apartments	Fuquay-Varina	NC
04235400	Findlay I (Findlay Commons)	Findlay	OH
12235542	College Park Apartments	Lancaster	CA
12935078	North River Club	Oceanside	CA
06235355	Oak Trace Apartments	Tuscaloosa	AL
03435213	Breslyn Apartments	Philadelphia	PA
12335121	Myrtle Manor	Phoenix	AZ
14335076	Vista Park Chino	Chino	CA
12235501	Canoga Park	Los Angeles	CA
08535343	Murphy Blair Rehab III	St. Louis	MO
12235528	Antelope Valley Apartments	Lancaster	CA
12335135	Guadalupe Barrio Nuevo	Guadalupe	AZ
08635145	Tiptonville Meadows Apartments	Tiptonville	TN
08135185	Ripley Meadows First Addition	Ripley	TN
09435040	Patterson Place	Bismarck	ND
10335089	Kearney Plaza Townhomes	Kearney	NE
04235323	Hampton Court	Toledo	OH
07335297	Jamestown Square of Vincennes	Vincennes	IN
05935162	Richland Apartments	Rayville	LA
05935179	Trishell Apartments	Monroe	LA
13644054	Filipino Center	Stockton	CA
12235544	Summerfield Place	Bakersfield	CA
04635553	Lake Grant Apartments	Mt. Orab	OH
10535051	Landmark Apartment Village	Tooele	UT
01257285	Penn Gardens I	Brooklyn	NY
12735356	Goldsborough Creek Apartments	Shelton	WA
05435502	Duncan Village Apartments	Duncan	SC
06635161	Lincoln Fields Apartments	Miami	FL
04235391	Springhill Homes	Akron	OH
08335381	Rivertown Apartments	Louisville	KY
03435194	Freeland III Housing	Freeland	PA
08335380	Chenoweth Woods Apartments	Middletown	KY
05335346	Walnut West Apartments	Elizabeth City	NC
12511044	Reno Apartments	Reno	NV
12511046	Willow Creek Apartments	Reno	NV
12511045	Linden Apartments	Reno	NV
06735260	Harbor Court Apartments	Haines City	FL
02435058	Pierce Place/St. Laurent	Lewiston	ME
02435060	Bartlett Court	Lewiston	ME
05235307	Poppleton Place Apartments	Baltimore	MD
11835118	River Bank Plaza	Tulsa	OK
08435257	The Lancelot Apartments	Springfield	MO
07435176	Logan Park Apartments	Des Moines	IA
07435183	LeMars Estates	LeMars	IA
04235360	Shaker Place Apartments	Highland Hills	OH
06411056	Kingsway Apartments	Monroe	LA
06135370	Georgian Woods Apartments	Douglas	GA
01335119	Macartovin Apartments	Utica	NY
08635186	Sunset Village Apartments	Clarksville	TN
06635186	T.M. Alexander Apartments	Miami	FL
06235302	Crooked Creek Apartments	Opelika	AL
01735218	Country Village Apartments	Waterbury	CT
03135228	Avon Hills Apartments	Newark	NJ
03135231	Cathedral Park Apartments	Newark	NJ

FHA No.	Project name	Project city	State
01235566	Ellenville Urban Renew Hsg (aka Canal Lock Apts)	Ellenville	NY
11835106	Hornet Apartments	Vinita	OK
11835097	Twin Villa Apartments	Pryor	OK
01335113	Woodburn Court II	Binghamton	NY
00035168	Parkchester I Apartments	Washington	DC
06535352	Higgins McLaurin Arms Apartments	Clarksdale	MS
06535340	Lower Woodville Heights Apts.	Natchez	MS
06235026	Joel Court Apartments	Prichard	AL
11635107	Montgomery Manor Apartments	Albuquerque	NM
11635110	Lintero Apartments	Silver City	NM
11635104	Gatewood Village Apartments	Clovis	NM
11635101	Northgate Village Apartments	Farmington	NM
11635108	Sagebrush Place Apartments	Gallup	NM
05335387	Northwood Apartments	Burgaw	NC
07135455	Loma Linda Apartments	Silvis	IL
05335426	California Arms Apartments	Marion	NC
06235383	Jefferson Davis Apartments	Montgomery	AL
06444059	Josephine Apartments	New Orleans	LA
02335266	Douglas House	Brockton	MA
10135304	La Alma Housing	Denver	CO
07135481	Corcoran Place Apartments	Chicago	IL
05235593	Sunshine Village Apartments	Pocomoke City	MD
00035320	Southview II Apartments	Washington	DC
00035303	Ritch Homes	Washington	DC
05235359	Charles Landing South	Indian Head	MD
07235085	Dawson Manor	East St. Louis	IL
02335287	Centennial Island Apartments	Lowell	MA
13638040	Auburn Ravine Terrace	Auburn	CA
04235380	Amesbury Rosalind Estate	Cleveland	OH
08535349	Hidden Valley Estates	Wentzville	MO
08411044	John B Hughes II	Springfield	MO
11435315	Rampart Apartments	Port Arthur	TX
04644041	Twin Gables Apartments	Hamilton	OH
04335023	Heritage Court I	Bellefontaine	OH
04344033	Heritage Court II Apartments	Bellefontaine	OH
05435473	Spruce Pines Apartments	Landrum	SC
12335140	Paradise Shadows Apartments	Phoenix	AZ
05335385	Robin Ridge Apartments	Robbinsville	NC
04635568	Walnut Towers	Cincinnati	OH
07335230	Fairington Apartments of Clarksville	Clarksville	IN
04635564	Western Glen Apartments	Cincinnati	OH
01335126	Elizabeth Square Apartments	Waverly	NY
03135237	Arlington Arms Apartments	Jersey City	NJ
06135383	Moultrie Manor Apartments	Moultrie	GA
10535065	Windsong I	Clearfield	UT
08335382	Lynn Acres Apartments	Shelbyville	KY
10135334	Northeast Plaza	Sterling	CO
04235303	Rosaline Apartments	Akron	OH
09435043	The 400	Fargo	ND
08535323	Lakewood Apartments	Columbia	MO
10235164	Tumbleweed Apartments	Lyons	KS
10135332	Silver Spruce Apartments	Kremmling	CO
12135731	Dakota Meadows	Fresno	CA
03135256	Montgomery Village	Jersey City	NJ
01435058	Wedge Point Court	Rochester	NY
01257294	1451 Development	Brooklyn	NY
01257068	Sonia Rivera	Bronx	NY
06535026	St. Francis Apartments	Meridian	MS
11835102	McAlester Plaza	McAlester	OK
08335360	Berrytown Apartments	Louisville	KY
08335356	Lincoln Trail Apartments	Elizabethtown	KY
01657008	Barbara Jordan Apartments I	Providence	RI
01635078	Barbara Jordan Apartments II	Providence	RI
10935054	Shoshone Court	Cody	WY
04235384	The Plaza Apartments	Toledo	OH
03435203	Pheasant Run Apartments	Harleysville	PA
08335359	Colony House Apartments	Barlow	KY
06435239	Chateau Du Lac	Lake Charles	LA
03435188	Catasauqua Apartments	Catasauqua	PA
02335278	Millhouses of Adams	Adams	MA
02335289	Hancock Court	Quincy	MA
10244025	Dale Apartments	Coffeyville	KS
07135649	The Whitmore Apartments	Chicago	IL
05335449	Grier Park Apartments	Charlotte	NC

FHA No.	Project name	Project city	State
05335456	Westside Apartments	Charlotte	NC
12735328	Fern Hill Terrace	Tacoma	WA
07135506	Bennett Apartments	Chicago	IL
11635105	Westwood Village Apartments	Albuquerque	NM
02435059	Bates Terrace	Lewiston	ME
08335371	River Park Apartments	Louisville	KY
07335457	Bremen Village Apartments	Bremen	IN
07335409	Fall Creek Village I	Indianapolis	IN
12235587	Pleasant Hills Home	Los Angeles	CA
08135187	Lexington Village Apartments	Lexington	TN
04535139	Circle Brook Apartments	Cowen	WV
04235381	Stow Kent Gardens	Stow	OH
10135342	Highland South Apartments	Wheat Ridge	CO
08335275	Brown Proctor Apartments	Winchester	KY
08335352	Grand Central Apartments	Somerset	KY
12335131	Sunland Terrace	Phoenix	AZ
01335121	Burns Apartments	Troy	NY
05435475	Lancaster Manor Apartments	Lancaster	SC
05335457	Crestview Apartments	Durham	NC
05335455	Liberty Village Apartments	Liberty	NC
01257299	Beck Street Rehab	Bronx	NY
05135334	Lee Highway Manor Elderly Apartments (Stratford)	Roanoke	VA
01257186	Bedford Stuyvesant NSA I	Brooklyn	NY
10535072	Glenbrook Apartments	Richfield	UT
01235531	Ebony Gardens	Mount Vernon	NY
04735183	Weston Apartments	Grand Rapids	MI
12635190	King Bell Apartments	Milwaukee	OR
01635074	Villa Excelsior	Providence	RI
05935165	Parkview Apartments	Monroe	LA
05935161	Wyche Apartments	Tallulah	LA
06735258	Georgia Arms Apartments	Sanford	FL
12335128	Fillmore I	Phoenix	AZ
12335142	Morningside Villa Apartments	Phoenix	AZ
07335444	Laurel Woods Apartments	South Bend	IN
01435048	Crown Oak Estates	Penfield	NY
03435209	Dorado Village	Philadelphia	PA
02332046	St. Alfio's Villa	Lawrence	MA
06135318	Wild Pines Apartments	Albany	GA
11435350	Bay Terrace Apartments	Baytown	TX
10935053	Rainbow Vista Apartments	Laramie	WY
06135379	Rucker Terrace Apartments	Atlanta	GA
03435167	Freeland Elderly Housing	Freeland	PA
12735323	Olympia Village Apartments	Olympia	WA
01435062	East Court V	Rochester	NY
06235389	Roosevelt Manor	Birmingham	AL
04435497	Himelhoch Apartments	Detroit	MI
06535361	Hawkins Apartments	Okolona	MS
08744032	Townview Towers I	Knoxville	TN
03335146	Coraopolis Gardens	Coraopolis	PA
07135492	Evergreen Terrace II (aka Buff Plaza)	Joliet	IL
06735272	Hudson Estates	Hudson	FL
08335386	Lee Manor Apartments	Owensboro	KY
01257213	Sebco IV	Bronx	NY
01257295	Aldus I (aka Faile Street)	Bronx	NY
07435185	Adams Court	Jefferson	IA
05635065	La Torrecilla Development	Barranquitas	PR
12235533	Wasco Park Apartments	Wasco	CA
11535176	Harrison Manor Apartments	Harlingen	TX
13344039	Childress Manor	Childress	TX
05335404	Gatewood Manor Apartments	Greensboro	NC
05135366	Berkley West Apartments	Newport News	VA
08335339	Town House Apartments	Livermore	KY
03432046	Susquehanna Townhouses	Philadelphia	PA
03135233	Aspen Hamilton Apartments	Paterson	NJ
01257289	Hunts Point I Rehab Project	Bronx	NY
01235579	Richmond Gardens	Staten Island	NY
01257300	Pulaski Manor	Brooklyn	NY
01257241	Bedford Stuyvesant NSA II	Brooklyn	NY
01335118	Village Point Apartments	New Hartford	NY
06135325	Dempsey Apartments	Macon	GA
10935043	Bicentennial Apartment Village II	Rock Springs	WY
10135362	Castle Creek Commons East	Castle Rock	CO
04235401	Douglas Square Apartments	Toledo	OH
12235534	South Real Gardens	Bakersfield	CA

FHA No.	Project name	Project city	State
06535247	Crestview Apartments	Pearl	MS
06535291	Driftwood Apartments	Drew	MS
06535222	Highland View Apartments	Jackson	MS
08535312	Maplewood Loop Apartments	Maplewood	MO
05435476	Woods Edge Apartments	Columbia	SC
04335284	Melford Village	Spencerville	OH
17144802	Lilac Plaza	Spokane	WA
05344119	Oak Hill Apartments	Wadesboro	NC
01257298	Alexander Coprew Apartments	Bronx	NY
01235582	Andpress Plaza	North Amityville	NY
01435053	Seneca Apartments	Geneva	NY
01435060	Lakeside Village Apartments	Canandaigua	NY
06435241	Livingston Manor Apartments	Denham Springs	LA
01735164	Kensington Square I	New Haven	CT
13335050	Win Lin Village Apartments	Amarillo	TX
02336610	Dorchester Bay/Granite #9	Dorchester	MA
01257192	Southern Boulevard IV	Bronx	NY
08335324	Virginia Apartments	Louisville	KY
05435499	Winnfield West Apartments	Winnsboro	SC
05435489	Prescott Manor	Columbia	SC
01232237	Southport Mews Apartments	Port Chester	NY
01235581	Overlook Apartments	Middletown	NY
06235215	Hobson City Apartments	Anniston	AL
10535073	Springhollow Apartments	Logan	UT
05435482	Northbridge Court	Moncks Corner	SC
04735109	Bedford Manor Apartments	Battle Creek	MI
14335092	Smith-Beretania Apartments	Honolulu	HI
06235307	St. Charles Villas	Birmingham	AL
00035309	Southview Apartments I (aka Southview West)	Washington	DC
00036636	Atlantic Terrace Apartments	Washington	DC
08435256	Granada Villa	Belton	MO
04735114	River Apartments	Battle Creek	MI
05944061	Pine Haven Apartments	Marshall	TX
10235180	Brookridge Plaza Apartments	Derby	KS
06135335	Rockland Apartments	Macon	GA
05435507	Redwood Village Apartments	Gaffney	SC
13335055	Sierra Vista Apartments	El Paso	TX
03335119	Grayson Court	Pittsburgh	PA
09135050	South Park Apartments	Belle Fourche	SD
06335203	The Oaks Apartments	St. Augustine	FL
12744116	Chehalis Avenue Apartments	Chehalis	WA
07135482	Bryn Mawr Apartments	Chicago	IL
01257175	Sunset Park NSA Group I	Brooklyn	NY
06535353	Bennie S. Gooden Estates	Clarksdale	MS
05135356	Nansemond Square Apartments	Suffolk	VA
10235139	Mulberry Court Apartments	Abilene	KS
01235527	Highland Falls Housing	Highland Falls	NY
10935036	Bicentennial Apartments Village I	Rock Springs	WY
04235386	Morning Star Towers	Cleveland	OH
08535350	Douglass Manor Apartments	Webster Groves	MO
06135387	Bridge Creek Apartments	Fitzgerald	GA
04535121	Forrest Bluff Apartments	Huntington	WV
05335424	South Village Apartments	Mount Airy	NC
05335452	Carriage House Apartments	Enfield	NC
06635178	New Horizons Apartments	Miami	FL
10935056	Chief Washakie	Evanston	WY

Nature of Requirement: Section 200.40 establishes the fees to be applied to mark-to-market transactions that involve properties with mortgages issued by the Federal Housing Administration (FHA). The intent of this provision is to provide an extra incentive to encourage owner cooperation with the process in a timely manner.

Granted By: John C. Weicher, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: October 10, 2003.

Reason Waived: The projects listed above were FHA-insured, and incentives were necessary to encourage cooperation.

Contact: Norman Dailey, Office of Multifamily Housing Assistance Restructuring, Department of Housing

and Urban Development, Portals Building, Suite 400, 1280 Maryland Avenue, SW., Washington, DC 20410—8000; telephone (202) 708–3856, extension 3786.

- *Regulation:* 24 CFR 401.600

Project/Activity: The following projects requested waiver of the 12-month limit, established at 24 CFR 401.600, for above-market rents:

FHA No.	Project name	City	State
04235385	Vistula Heritage II	Toledo	OH
06235373	Arrowood Apartments	Boligee	AL
06135365	Bull Creek Apartments	Columbus	GA
03335144	Charles Street Apartments	Turtle Creek	PA
04235400	Findlay I (Findlay Commons)	Findlay	OH
06235161	Four Winds East Apartments	Birmingham	AL
05135300	John Perry House	Woodstock	VA
03535090	Oakland Park Apts	Trenton	NJ
07135460	O'Keefe Apartments	Chicago	IL
05235307	Poppleton Place Apartments	Baltimore	MD
10535063	St. Benedicts Manor	Ogden	UT
08435263	Village Place	Bethany	MO

Nature of Requirement: Section 401.600 requires that projects be marked down to market rents within 12 months after their first expiration date following January 1, 1998. The intent of this provision is to ensure timely processing of requests for restructuring and that the properties will not default on their FHA-insured mortgages during the restructuring process.

Granted By: John C. Weicher, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: November 4, 2003.

Reason Waived: Either the projects listed above were not assigned to the participating administrative entities (PAEs) in a timely manner, or their restructuring analysis was unavoidably delayed due to no fault of the owner.

Contact: Norman Dailey, Office of Multifamily Housing Assistance

Restructuring, Department of Housing and Urban Development, Portals Building, Suite 400, 1280 Maryland Avenue, SW., Washington, DC 20410–8000; telephone (202) 708–3856.

- *Regulation:* 24 CFR 401.600.

Project/Activity: The following projects requested waiver of the 12-month limit, established at 24 CFR 401.600, for above-market rents:

FHA No.	Project name	City	State
01257144	Albert Goodman Plaza	Bronx	NY
02435040	Chestnut Place	Lewiston	ME
03435185	Cobbs Creek NSA	Philadelphia	PA
01257075	Davidson Avenue Rehab II	Bronx	NY
04235336	Eastland Woods	Akron	OH
11744115	Hillcrest Green Apartments	Oklahoma City	OK
01335102	James F. Lettis Apartments	Oneonta	NY
01257164	Jerome Terrace Apartments	Bronx	NY
01235410	John Crawford Senior Citizen Housing	Monticello	NY
11835102	McAlester Plaza	McAlester	OK
06535334	Moorhead Manor Apartments	Moorhead	MS
01257162	Pennsylvania Avenue Apartments	Brooklyn	NY
04235331	Shaker Boulevard Gardens	Cleveland	OH
01255173	Siloam House	Brooklyn	NY
08635177	Southwood Townhouses	Memphis	TN
07135524	West End Rehab	Chicago	IL

Nature of Requirement: Section 401.600 requires that projects be marked down to market rents within 12 months after their first expiration date following January 1, 1998. The intent of this provision is to ensure timely processing of requests for restructuring, and that the properties will not default on their FHA-insured mortgages during the restructuring process.

Granted By: John C. Weicher, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: November 4, 2003.

Reason Waived: Either the projects listed above were not assigned to the PAEs in a timely manner, or their restructuring analysis was unavoidably delayed due to no fault of the owner.

Contact: Norman Dailey, Office of Multifamily Housing Assistance

Restructuring, Department of Housing and Urban Development, Portals Building, Suite 400, 1280 Maryland Avenue, SW., Washington, DC 20410–8000; telephone (202) 708–3856.

- *Regulation:* 24 CFR 401.600.

Project/Activity: The following projects requested waiver of the 12-month limit, established at 24 CFR 401.600, for above-market rents:

FHA No.	Project name	City	State
1257080	Albany-Decatur Rehabilitation	Columbus	NY
5335451	Bay Tree Apartments	New Bedford	NC
1257186	Bedford Stuyvesant NSA I	New Haven	NY
2335244	Dawson Building	South Point	MA
1257252	Featherbed Lane Restoration	Toledo	NY
1735164	Kensington Sq. I	Casper	CT
4335293	Lawrence Commons	Fuquay-Varina	OH
1235449	Pinecrest Manor	Brooklyn	NY
6135380	Renaissance Villa Apartments	Brooklyn	GA

FHA No.	Project name	City	State
1257068	Sonia Rivera	Bronx	NY
4235384	The Plaza	Mount Kisco	OH
10935048	Village Gardens	Bronx	WY
6235336	Village Green Apartments	Red Bay	AL

Nature of Requirement: Section 401.600 requires that projects be marked down to market rents within 12 months after their first expiration date following January 1, 1998. The intent of this provision is to ensure timely processing of requests for restructuring and that the properties will not default on their FHA-insured mortgages during the restructuring process.

Granted By: John C. Weicher, Assistant Secretary for Housing—Federal Housing Commissioner.
Date Granted: December 1, 2003.
Reason Waived: Either the projects listed above were not assigned to the PAEs in a timely manner, or their restructuring analysis was unavoidably delayed due to no fault of the owner.
Contact: Norman Dailey, Office of Multifamily Housing Assistance

Restructuring, Department of Housing and Urban Development, Portals Building, Suite 400, 1280 Maryland Avenue, SW., Washington, DC 20410–8000; telephone (202) 708–3856.

- *Regulation:* 24 CFR 401.600.

Project/Activity: The following projects requested waiver of the 12-month limit, established at 24 CFR 401.600, for above-market rents:

FHA No.	Project name	City	State
1257144	Albert Goodman Plaza	Benton	NY
1335105	Brandeggee Gardens	Hagerstown	NY
1257141	Bruckner Houses	Roxbury	NY
7335448	Crossings II	Greenfield	IN
8235225	Eastview Terrace Apartments	Utica	AR
1335108	Genesee Towers	Utica	NY
4235357	Greenview Gardens	Evansville	OH
1257164	Jerome Terrace Apartments	Toledo	NY
8335267	Lakeland Wesley Village I	Little Rock	KY
11535193	Meadow Park Village	Lockhart	TX
12735339	Montesano Harbor Annex	Houston	WA
11435346	Royal Palms Apartments	Bronx	TX
2335172	Schoolhouse 77	Bronx	MA
5235300	Washington Gardens	Bronx	MD
2335239	Weldon, The	Montesano	MA

Nature of Requirement: Section 401.600 requires that projects be marked down to market rents within 12 months after their first expiration date following January 1, 1998. The intent of this provision is to ensure timely processing of requests for restructuring and that the properties will not default on their FHA-insured mortgages during the restructuring process.

Granted By: John C. Weicher, Assistant Secretary for Housing—Federal Housing Commissioner.
Date Granted: December 1, 2003.
Reason Waived: Either the projects listed above were not assigned to the PAEs in a timely manner, or their restructuring analysis was unavoidably delayed due to no fault of the owner.
Contact: Norman Dailey, Office of Multifamily Housing Assistance

Restructuring, Department of Housing and Urban Development, Portals Building, Suite 400, 1280 Maryland Avenue, SW., Washington, DC 20410–8000; telephone (202) 708–3856.

- *Regulation:* 24 CFR 401.600.

Project/Activity: The following projects requested waiver of the 12-month limit, established at 24 CFR 401.600, for above-market rents:

FHA No.	Project name	City	State
1257299	Beck Street Rehab	Bronx	NY
1435043	Cedargrove Heights Apartments	Buffalo	NY
5435502	Duncan Village Apartments	Duncan	SC
9335098	Grandview Place	Missoula	MT
7444052	Green Valley Manor	Creston	IA
8335301	Happy Hollow Apartments	Middlesborough	KY
6235367	Janmar Apartments	Birmingham	AL
1335080	Mid Warren NSA	Hudson	NY
5435501	Pageland Place Apartments	Pageland	SC
1257291	Paul Robeson Houses	New York	NY
4235360	Shaker Place Apartments	Highland Hills	OH
5435473	Spruce Pines Apartments	Landrum	SC
4335013	Sunset Hills Apartments	Springfield	OH
11735195	Terrace Apts	Oklahoma City	OK
4235377	Whispering Hills	Toronto	OH

Nature of Requirement: Section 401.600 requires that projects be marked down to market rents within 12 months after their first expiration date following January 1, 1998. The intent of this provision is to ensure timely processing of requests for restructuring and that the properties will not default on their FHA-insured mortgages during the restructuring process.

Granted By: John C. Weicher, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: December 22, 2003.

Reason Waived: The projects listed above were either not assigned to the PAEs in a timely manner or their restructuring analysis was unavoidably delayed due to no fault of the owner.

Contact: Norman Dailey, Office of Multifamily Housing Assistance

Restructuring, Department of Housing and Urban Development, Portals Building, Suite 400, 1280 Maryland Avenue, SW., Washington, DC 20410–8000, telephone (202) 708–3856.

- *Regulation:* 24 CFR 401.600.

Project/Activity: The following projects requested waiver of the 12-month limit, established at 24 CFR 401.600, for above-market rents:

FHA No.	Project name	City	State
7135458	Armitage Commons	Chicago	IL
4235343	Bay Meadows Apartments	Port Clinton	OH
5235042	Beaufort Crest	Baltimore	MD
7235081	Bissel Apartments	Venice	IL
1444047	Braco-I	Buffalo	NY
6135365	Bull Creek Apartments	Columbus	GA
11435056	Church Village Apartments	Dickinson	TX
4535094	Clarksburg Towers	Clarksburg	WV
1257060	Concourse Plaza	Bronx	NY
1257205	Dean North Apartments	Brooklyn	NY
1257153	East 21st Street Apartments	Brooklyn	NY
7135428	Evergreen Terrace I	Joliet	IL
7335407	Gary NSA I & II	Gary	IN
1335117	Lillian Y. Cooper Apartments	Utica	NY
1235312	Marion Avenue Rehabilitation	Bronx	NY
1257142	Noonan Plaza	Bronx	NY
11335005	Prince Hall Gardens II	Fort Worth	TX
2435052	Sugar River Mills Housing	Claremont	NH
6535245	Sunflower Lane Apartments	Clarksdale	MS
1257159	Sutter Houses	Brooklyn	NY
4535100	Williamson Towers	Williamson	WV

Nature of Requirement: Section 401.600 requires that projects be marked down to market rents within 12 months after their first expiration date following January 1, 1998. The intent of this provision is to ensure timely processing of requests for restructuring and that the properties will not default on their FHA-insured mortgages during the restructuring process.

Granted By: John C. Weicher, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: December 22, 2003.

Reason Waived: Either the projects listed above were not assigned to the PAEs in a timely manner or their restructuring analysis was unavoidably delayed due to no fault of the owner.

Contact: Norman Dailey, Office of Multifamily Housing Assistance Restructuring, Department of Housing and Urban Development, Portals Building, Suite 400, 1280 Maryland Avenue, SW., Washington, DC 20410–8000, telephone (202) 708–3856.

- *Regulation:* 24 CFR 883.606.

Project/Activity: The 400 Apartments, Bismarck, ND; Project Number: 094–35043.

Nature of Requirement: Section 883.606(b) establishes the procedures by which a state agency is entitled to a reasonable fee, determined by HUD, for

administering a contract on newly constructed or substantially rehabilitated units, provided there is no override on the permanent loan granted by the agency to the owner for a project containing assisted units.

Granted By: John C. Weicher, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: November 4, 2003.

Reason Waived: The North Dakota Housing Finance Agency (Issuer) used override revenue to provide very low-income housing assistance in accordance with its refunding agreement under the McKinney-Vento Act. This revenue is pledged to the bondholders of the Series 1993 Multifamily Mortgage Revenue Refunding bonds as a source of additional security for timely payment of bond principal and interest until the bonds are paid in full. It was determined to be in the public interest and consistent with the Secretary's objectives to waive the appropriate regulation in order to enable the Issuer to continue to pledge fee revenues to its bonds and to rely on these revenues to support its publicly chartered affordable housing operations. The Issuer was therefore permitted to continue to collect override and contract administration fees in connection with

its outstanding Series 1993, which were issued with HUD's approval.

Contact: Beverly J. Miller, Director, Office of Multifamily Asset Management, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–7000, telephone (202) 708–3730.

- *Regulation:* 24 CFR 883.606.

Project/Activity: Forty-six Section 8 Assisted Projects, Manchester, NH; Project Number: .

Nature of Requirement: Section 883.606(b) establishes the procedures by which a state agency is entitled to a reasonable fee, determined by HUD, for administering a contract on newly constructed or substantially rehabilitated units, provided there is no override on the permanent loan granted by the agency to the owner for a project containing assisted units.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 4, 2003.

Reason Waived: The New Hampshire Housing Finance Authority (NHHFA) relied on HUD's approval of proposed bond financing terms submitted by NHHFA in 1991, which terms included permission to collect both override and contract administration fees. Subsequently, Series 1991 Multifamily

Housing Refunding Bonds (the Bonds) were issued pursuant to HUD's financing adjustment factor (FAF) procedures and Section 1012 of the McKinney-Vento Act, which authorizes equal sharing between HUD and housing finance agencies of debt service savings and housing subsidy provided by the housing assistance payments (HAP) contract. It was determined to be in the public interest and consistent with the Secretary's objectives to waive the appropriate regulations in order to enable the Issuer to continue to pledge fee revenues to its bonds and to rely on these revenues to support its publicly chartered affordable housing operations. The Issuer was permitted to continue to collect override and contract administration fees in connection with its outstanding Series 1991 bonds, which were issued with HUD's approval.

Contact: Beverly J. Miller, Director, Office of Multifamily Asset Management, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-7000, telephone (202) 708-3730.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: Terra Quest, Ashtabula, OH; Project Number: 042-HD084/OH12-Q991-005.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 3, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: Hemet Ability First, Hemet CA, Project Number: 122-HD130/CA16-Q001-001.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 28, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: MLH Nebraska Housing, Lincoln, NE; Project Number: 103-HD029/NE26-Q021-002.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: Golden Thread Housing, Osceola, IA; Project Number: 074-EE040/IA05-S021-001.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 26, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: The Sanderling, Chesapeake, VA; Project Number: 051-HD074/VA36-Q981-005.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: New Dimensions Apartments, Woodland, CA; Project Number: 136-HD012/CA30-Q001-002.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: Psalms 23 Project, Ellenwood, GA; Project Number: 061-EE090/GA06-S991-006.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 12, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: Lakewood Apartments, South Hill, VA; Project Number: 051-EE062/VA36-S981-002.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 12, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: Dina Titus Estates, Las Vegas, NV; Project Number: 125-HD069/NV25-Q011-001.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 15, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d).

Project/Activity: Legion Woods, New Haven, CT; Project Number: 017-HD028/CT26-Q001-004.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 31, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Skyline Apartments, Napa, CA; Project Number: 121-HD074/CA39-Q001-003.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 20, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. Additional time was needed to prepare the legal documents for the land transaction and to reach initial closing. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Caribe Towers, Philadelphia, PA; Project Number: 034-EE108/PA26-S001-008.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 29, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding from other sources. The project was delayed due to the complexity of the condominium structure. The project is economically designed and comparable to other similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Minnehaha County Supportive Housing Incorporated, Sioux Falls, SD; Project Number: 091-EE005/SD99-S011-001.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 4, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. Additional time was needed to process the firm commitment application. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Sturgis Consumer Home, Edison, NJ; Project Number: 031-HD116/NJ39-Q001-007.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 10, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project experienced delays due to the loss of the original site and the time involved to locate a new site and obtain approval. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Shepherd's Farm Senior Housing, West Deptford, NJ; Project Number: 035-EE045/NJ39-S011-002.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional

funding from other sources. The project was delayed due to the construction of a sewer line to which the project will be connected and the sponsor's attempt to secure secondary financing. The project is economically designed and comparable in cost to similar projects developed in the jurisdiction.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Nanaikeola Senior Apartments, Waianae, Oahu, HI; Project Number: 140-EE019/HI10-S991-001.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project experienced delays while the sponsor's development team reviewed options to reduce increased development costs caused by skyrocketing construction costs and secure secondary financing. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Professional Service Centers for the Handicapped (PSCH)-Cypress Housing, Queens, NY; Project Number: 012-HD088/NY36-Q981-009.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 20, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project encountered delays due to local and environmental issues, and additional time was needed to prepare for initial closing. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Honoka'a Knolls Senior Apartments, Honoka'a, HI; Project Number: 140-EE020/HI10-S991-002.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project was delayed due to difficulties finding a qualified contractor to construct the project with the funds available. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Ka'u Group Home, Na'alehu, HI; Project Number: 140-HD024/HI10-Q001-002.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. The project was delayed due to difficulties finding a qualified contractor to construct the project with the funds available. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Accessible Space, Inc. (ASI) Fargo, Fargo, ND; Project Number: 094-HD009/ND99-Q011-001.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. Additional time was required to obtain a conditional use permit from the city of Fargo. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: New Dimensions Apartment, Woodland, CA; Project Number: 136-HD012/CA30-Q001-002.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. Additional time was needed to process the firm commitment application. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: The Promise Project, Ellenwood, GA; Project Number: 061-EE098/GA06-S001-006.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 4, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. Additional time was needed to process the firm commitment application. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: National Church Residences (NCR) of Harborcreek, Harborcreek, PA; Project Number: 033-EE105/PA28-S001-003.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 10, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. Additional time was needed to issue the firm commitment application.

The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Cabrini Senior Housing, New York, NY; Project Number: 012-EE307/NY36-S011-001.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 12, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. Additional time was needed to obtain local approvals. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Wood County Village II, Bowling Green, OH; Project Number: 042-HD102/OH12-Q011-012.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 12, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. Additional time was required to process the firm commitment application. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant

Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.100(d) and 24 CFR 891.165.

Project/Activity: Terra Quest, Ashtabula Township, OH; Project Number: 042-HD084/OH12-Q991-005.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of approved capital advance funds prior to initial closing. Section 891.165 provides that the duration of the fund reservation of the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 19, 2003.

Reason Waived: The sponsor exhausted all efforts to obtain additional funding. Additional time was required because of local opposition. The project is economically designed and comparable in cost to similar projects developed in the area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: National Church Residences (NCR) of Harborcreek PA; Harborcreek, PA, Project Number: 033-EE105/PA28-S001-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 2, 2003.

Reason Waived: The sponsor experienced architectural delays in redesigning the building and in securing final approval from the local planning commission.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Legion Woods Apartments, New Haven, CT; Project Number: 017-HD028/CT26-Q001-004.

Nature of Requirement: Section 891.165 provides that the duration of

the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 9, 2003.

Reason Waived: The sponsor experienced delays in obtaining a qualified general contractor and in responding to neighborhood opposition to the project.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Myrtle Davis Senior Complex, Milwaukee, WI; Project Number: 075-EE095/WI39-S001-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 20, 2003.

Reason Waived: Additional time was needed for the sponsor to obtain a building permit from the city of Milwaukee.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Louisville Volunteers of America Elderly Housing, Louisville, KY; Project Number: 083-EE082/KY36-S011-008.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 21, 2003.

Reason Waived: The project was delayed while the owner sought zoning approval.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: The Presbyterian Home at Stafford, Stafford Township, NJ; Project Number: 035-EE037/NJ39-S991-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 21, 2003.

Reason Waived: Stafford Township was unable to execute the deed in time for initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: St. Francis Cabrini Gardens, Coram, NY; Project Number: 012-EE288/NY36-S001-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 21, 2003.

Reason Waived: The project was delayed due to a lengthy rezoning process.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Clark County Supportive Housing, Las Vegas, NV; Project Number: 125-HD069/NV25-Q011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 28, 2003.

Reason Waived: Additional time was needed to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant

Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: The Pavilion at Immaculate Conception, Bronx, NY; Project Number: 012-EE247/NY36-S981-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 29, 2003.

Reason Waived: Additional time was needed for the general contractor to provide a performance payment bond in accordance with HUD regulations.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Northwood Elderly Housing, Northwood, NH; Project Number: 024-EE064/NH36-S011-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 30, 2003.

Reason Waived: The project was delayed due to an unexpected moratorium imposed by the Northwood Village Water District because of petroleum contaminants discovered in the aquifer.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: The Center on Halsted, Chicago, IL; Project Number: 071-HD122/IL06-Q011-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 31, 2003.

Reason Waived: Additional time was needed for the sponsor to secure secondary financing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Phelps Senior Housing, Phelps, KY; Project Number: 083-EE078/KY36-S011-004.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 31, 2003.

Reason Waived: The sponsor experienced delays due to a change of contractors, and additional time was needed to complete the application process for additional funds.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Ottawa River Estates, Toledo, OH; Project Number: 042-HD072/OH12-Q971-004.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: October 31, 2003.

Reason Waived: The project was delayed while waiting for a federal court judgment concerning the sale of the land designated for the project and to secure secondary financing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Riley House, Hyde Park, MA; Project Number: 023-EE111/MA06-S991-005.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 3, 2003.

Reason Waived: Additional time was needed to prepare for initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Luther Ridge, Middletown, CT; Project Number: 017-EE053/CT26-S991-004.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 3, 2003.

Reason Waived: Additional time was needed to combine HUD-assisted units with units financed by the Connecticut Housing Finance Authority (CHFA) and to allow CHFA to complete the financing arrangements for its units.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Lancaster Landing, Lancaster, SC; Project Number: 054-HD097/SC16-Q011-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 4, 2003.

Reason Waived: Additional time was needed to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Windham Willows, Windham, NY; Project Number: 014-EE210/NY06-S011-009.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 4, 2003.

Reason Waived: Additional time was needed for the owner to secure additional funding.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Sterling Oaks, Mt. Sterling, KY; Project Number: 083-HD064/KY36-Q001-005.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 6, 2003.

Reason Waived: The project was delayed because of litigation concerning zoning.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: David Coleman Homes, Marion, SC; Project Number: 054-HD095/SC16-Q011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 6, 2003.

Reason Waived: Additional time was needed to submit the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing

and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Penn Hills Group Home, Penn Hills, PA; Project Number: 033-HD070/PA28-Q011-008.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 6, 2003.

Reason Waived: Additional time was needed to assure that all easement and maintenance agreements were approved.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: GIBB-Springfield Village, Springfield, FL; Project Number: 063-HD018/FL29-Q011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 6, 2003.

Reason Waived: Additional time was needed to collect outstanding items that were to be part of the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Eastmont Court, Oakland, CA; Project Number: 121-HD075/CA39-Q011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 6, 2003.

Reason Waived: Additional time was needed to review the secondary financing documents.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Jewish Community Housing d/b/a Isenstadt Legacy House, Lyndhurst, OH; Project Number: 042-HD092/OH12-Q011-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 6, 2003.

Reason Waived: Additional time was needed for the sponsor to locate an alternate site.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Hemlock Nob Estates, Tannersville, NY; Project Number: 014-EE209/NY06-S011-008.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 6, 2003.

Reason Waived: Additional time was needed to review and approve the new site, process the firm commitment application, and secure additional funding.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Halsey Terrace, Portland, OR; Project Number: 126-HD032/OR16-Q011-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to

24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 6, 2003.

Reason Waived: Additional time was needed to review the firm commitment application and for the Internal Revenue Service to grant tax-exempt status to the owner's corporation.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Winchester Senior Housing, Elko, NV; Project Number: 125-EE118/NV25-S011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 7, 2003.

Reason Waived: Additional time was needed to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Bayview Apartments, Miami FL; Project Number: 066-EE085/FL29-S011-009.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 7, 2003.

Reason Waived: Additional time was needed to submit the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Casa Dorada, Ponce, PR; Project Number: 056-EE044/RQ46-S011-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 7, 2003.

Reason Waived: Additional time was needed to secure endorsements from government agencies because the project is located in an historic area.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Villa Regina, West Palm Beach, FL; Project Number: 066-EE086/FL29-S011-010.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 10, 2003.

Reason Waived: Additional time was needed to submit the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: River View Gardens, Queens, NY; Project Number: 012-EE195/NY36-S961-013.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 10, 2003.

Reason Waived: Additional time was needed to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: East Bay Mental Health Center, East Providence, RI; Project Number: 016-HD033/RI43-Q001-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 13, 2003.

Reason Waived: Additional time was needed to select a new site.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: National Church Residences of Kansas City, Kansas City, MO; Project Number: 084-EE051/MO16-S011-005.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: Additional time was needed for the owner to secure proper zoning.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Unity Gardens Senior Apartments, Windham, ME; Project Number: 024-EE053/ME36-S0011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: Additional time was needed to secure a site and coordinate the processing requirements of HUD and the U.S. Department of Agriculture.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant

Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: New Courtland 811, Philadelphia, PA; Project Number: 034-HD068/PA26-Q011-005.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: Additional time was needed to secure zoning approval and submit the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Victory Gardens, New Haven, CT; Project Number: 017-EE066/CT26-S011-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: Additional time was needed to review the revised plans and specifications.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: New Courtland 202, Philadelphia, PA; Project Number: 034-EE119/PA26-S011-009.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: Additional time was needed to secure zoning approval and

submit the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Westmoreland Apartments, Huntington, WV; Project Number: 045-EE017/WV15-S011-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: Additional time was needed to finalize the initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Gulfport Manor, Gulfport, MS; Project Number: 065-EE031/MS26-S001-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 14, 2003.

Reason Waived: Additional time was needed for the owner to review the plans and for HUD to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Family Services of Western Pennsylvania II, Apollo, PA; Project Number: 033-HD064/PA28-Q011-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 17, 2003.

Reason Waived: Additional time was needed to select a general contractor and process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Community Options Van Houten, Butler, NJ; Project Number: 031-HD107/NJ39-Q001-013.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 18, 2003.

Reason Waived: Additional time was needed to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Oriente House, Vista, CA; Project Number: 129-HD021/CA33-Q011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 20, 2003.

Reason Waived: Additional time was needed to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Family Services of Western Pennsylvania I, Sarver, PA; Project Number: 033-HD063/PA28-Q011-001.

Nature of Requirement: Section 891.165 provides that the duration of

the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 20, 2003.

Reason Waived: Additional time was needed to select a general contractor and process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Lutheran Homes #12, Oak Harbor, OH; Project Number: 042-EE130/OH12-S011-004.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 20, 2003.

Reason Waived: Additional time was needed to employ a new consultant.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Philip Murray House II, Philadelphia, PA; Project Number: 034-EE102/PA26-S001-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 20, 2003.

Reason Waived: Additional time was needed to select a general contractor and process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Allesandro Apartments, Los Angeles, CA; Project Number: 122-HD141/CA16-Q011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 20, 2003.

Reason Waived: Additional time was needed to review the closing documents.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Casimir House, Gardena, CA; Project Number: 122-HD142/CA16-Q011-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: November 21, 2003.

Reason Waived: Additional time was needed to prepare for initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Harvard Square, Irvine, CA; Project Number: 143-HD011/CA43-Q001-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: Additional time was needed to prepare for initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Burbank Accessible Apartments, Burbank, CA; Project Number: 122-HD133/CA16-Q011-004.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: Additional time was needed for the lengthy process involved in receiving city approval of project design, for completion of construction documents, and for the sponsor to secure additional funding.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Creekside Gardens, Paso Robles, CA; Project Number: 122-EE162/CA16-S991-013.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: Additional time was needed to prepare for initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: 703 Cedar Street Senior Housing, Garberville, CA; Project Number: 121-EE147/CA39-S011-007.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: Additional time was needed to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant

Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Belmeno Manor, Long Beach, CA; Project Number: 122-HD146/CA16-Q011-006.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: Additional time was needed to review the initial closing documents.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Union Seniors, Los Angeles, CA; Project Number: 122-EE133/CA16-S981-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: Additional time was needed to complete site approval and to review and process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

• *Regulation:* 24 CFR 891.165.

Project/Activity: Vermont Seniors, Los Angeles, CA; Project Number: 122-EE148/CA16-S981-017.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 1, 2003.

Reason Waived: Additional time was needed to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Port City Housing, Mobile, AL; Project Number: 062-HD050/AL09-Q011-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 2, 2003.

Reason Waived: Additional time was needed for plans and specifications to be reviewed and approved as required by the city of Mobile.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: McDowell County Housing Action Network, War, WV; Project Number: 045-EE015/WV15-S011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 3, 2003.

Reason Waived: Additional time was needed to submit the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Senior Residence at Kapolei, Kapolei, HI; Project Number: 140-EE024/HI10-S011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 3, 2003.

Reason Waived: Additional time was needed for the sponsor to secure additional financing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Whalley Housing II, New Haven, CT; Project Number: 017-HD031/CT26-Q011-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 3, 2003.

Reason Waived: Additional time was needed to redesign the project and process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Nonantum Village Place, Newton, MA; Project Number: 023-EE126/MA06-S001-011.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 3, 2003.

Reason Waived: Additional time was needed to complete the closing documents.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: BCARC Homes IV, Inc., Palm Bay, FL; Project Number: 067-HD086/FL29-Q011-006.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital

advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 3, 2003.

Reason Waived: Additional time was needed to re-bid for a new general contractor, obtain a revised cost analysis, and prepare additional exhibits.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Fayette Hills Unity, Oak Hill, WV; Project Number: 045-HD033/WV15-Q011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 3, 2003.

Reason Waived: Additional time was needed to seek secondary financing and prepare for initial closing.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Peaks Island Volunteers of America Elderly Housing, Peaks Island, ME; Project Number: 024-EE058/ME36-S011-001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 3, 2003.

Reason Waived: Additional time was needed to redesign the project and process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000, telephone (202) 708-3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Psalm 23 Project, Ellenwood, GA; Project Number: 061–EE090/GA06–S991–006.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 3, 2003.

Reason Waived: Additional time was needed to complete the processing of the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Parque Platino, Lares, PR; Project Number: 056–EE043/RQ46–S011–001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 8, 2003.

Reason Waived: Additional time was needed because of the difficulties encountered in obtaining approval to join the two lots that would comprise the property on which the project would be located.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Berry Wood, Deerfield Township, OH; Project Number: 046–EE058/OH10–S011–002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 10, 2003.

Reason Waived: Additional time was needed to finalize site control and prepare the initial closing documents.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Kenwood Apartments, Adams, WI; Project Number: 075–HD068/WI39–Q011–001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 11, 2003.

Reason Waived: Additional time was needed to review the initial closing documents.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Neumann Senior Housing, Philadelphia, PA; Project Number: 034–EE118/PA26–S011–008.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 15, 2003.

Reason Waived: Additional time was needed to clean up the asbestos on the site and review new drawings and specifications for commercial/retail space usage.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: Hayworth Housing, Los Angeles, CA; Project Number: 122–HD118/CA16–Q991–002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 23, 2003.

Reason Waived: Additional time was needed to process the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

- *Regulation:* 24 CFR 891.165.

Project/Activity: NCR North Fairmont, Cincinnati, OH; Project Number: 046–EE056/OH10–S001–004.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance be 18 months from the date of issuance, with limited exceptions up to 24 months as approved by HUD on a case-by-case basis.

Granted By: John C. Weicher, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 31, 2003.

Reason Waived: Additional time was needed to finalize the firm commitment application.

Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone (202) 708–3000.

III. Regulatory Waivers Granted by the Office of Public and Indian Housing

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Huntsville Housing Authority, AL047 Huntsville, AL.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A–133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 6, 2003.

Reason Waived: The housing authority requested an extension of time to file a technical review/database adjustment (TR/DBA). The housing authority's Board of Commissioners exercised a 60-day termination clause in its Executive Director's employment contract and terminated the Director's employment with the housing authority.

The housing authority staff believed that the request for a TR/DBA had been formally submitted by the Executive Director before the Director's departure. It was subsequently discovered that the request had not been submitted. An extension of time was therefore granted.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Jesup Housing Authority, GA066, Jesup, GA.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 6, 2003.

Reason Waived: The housing authority did not perform a financial audit for the fiscal year ending September 30, 2002, because the auditor cancelled the audit. The cancellation was attributed to an investigation of the housing authority's former Executive Director by HUD's Office of the Inspector General (OIG). HUD's OIG had the financial data needed for the audit to be submitted. Additional time was needed to complete the audit.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Kansas City Housing Authority (KS001) Kansas City, KS.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: The housing authority requested an extension of time to submit its unaudited financial data. The housing authority's Executive Director had misfiled the notification letter stating that the unaudited submission had been rejected and that the authority had until June 26, 2002, to resubmit corrected unaudited financial data. Consequently, it was not until September 2003 that the housing authority realized it had received a late penalty fee for failing to resubmit a corrected unaudited submission and must resubmit its unaudited financial data.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: City of Anthony Housing Authority, (KS018); Anthony, KS.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 8, 2003.

Reason Waived: The housing authority requested an extension of time to file its financial data. The housing authority advised that it did not complete the 2002 audited financial resubmission, due on January 23, 2003, because the auditor had retired due to illness. Consequently, the housing authority procured the services of another auditor, who is currently performing the 2003 audit, to complete the housing authority's 2002 audited financial statements.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Wamego Housing Authority, KS042, Wamego, KS.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular

A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 17, 2003.

Reason Waived: The housing authority requested a 60-day extension to submit its audited financial submission because of an investigation by HUD and other agencies. As a result of the investigation, the housing authority's auditors could not complete the audit by the due date.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Charles County Government Department of Comm. Svcs., MD024, Port Tobacco, MD.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2003.

Reason Waived: According to the waiver request, dated September 10, 2003, the housing authority's records, including backups of electronic files, were destroyed in a fire on May 12, 2003, which was documented by newspaper articles.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Tupelo Housing Authority, MS077, Tupelo, MS.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public

housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: The housing authority requested an extension of time to submit its audited financial data. Several factors were cited, including delays caused by audit contract cancellations and an OIG investigation of possible misappropriation of funds by the previous housing authority administration.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: City of Shelby Housing Authority, NC034, Shelby, NC.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 19, 2003.

Reason Waived: The housing authority did not fully understand the filing requirements for the financial audited information, because this was its first time filing an audited submission. Therefore, the housing authority failed to complete the submission process by the due date and additional time as needed.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: City of Albemarle Department of Public Housing, NC075, Albemarle, NC.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public

housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: The housing authority was unaware that it had to submit audited financial statements, separate from those of the City of Albemarle. This was the first year in which the audited financial submission was due for the housing authority. The housing authority submitted unaudited financial submissions on a timely basis for fiscal years ending 2000, 2001, 2002, and 2003.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Plattsburgh Housing Authority, NY018, Plattsburgh, NY.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: The housing authority did not submit its audited financial statements, because its newly hired accountant was not familiar with the final step in the submission process. The housing authority thought that the audited report had been successfully transmitted in a timely fashion, but later learned that it had not been submitted.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Housing Authority of the City of Sweetwater, TX061, Sweetwater, TX.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements

are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: On April 1, 2003, the housing authority procured auditors for the fiscal year ended March 31, 2003, which was long before the audit due date of December 31, 2003. However, in October 2003, the auditors informed the housing authority that they would be unable to perform the audit. The housing authority needed to procure a new auditor and additional time for the audit to be performed.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Floydada Housing Authority, TX189, Floydada, TX.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 4, 2003.

Reason Waived: Eleven days prior to the audited submission due date, the Executive Director was asked to resign by the housing authority's Board of Directors because of alleged contract violations among other factors. Because this matter may potentially have affected the housing authority's financial position and operating results for Fiscal Year (FY) 2002, the interim Executive Director and the auditors requested additional time to investigate the matter and to report the housing authority's financial posture for the fiscal year ending December 31, 2002.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

- *Regulation:* 24 CFR 902.33(c).

Project/Activity: Kemp Housing Authority, TX387, Kemp, TX.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 4, 2003.

Reason Waived: The housing authority requested an indefinite extension of time to submit its audited financial statements for the fiscal year ended December 31, 2002. The housing authority requested an extension of time because of an on-going OIG investigation in which the Texas State Office of Public Housing obtained the housing authority's financial records on March 26, 2003, and turned them over to the OIG on June 27, 2003.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 708-4932.

• *Regulation:* 24 CFR 902.33(c).

Project/Activity: Kennewick Housing Authority, WA012, Hudson, NY.

Nature of Requirement: The regulation establishes certain reporting compliance dates. In accordance with the Single Audit Act and OMB Circular A-133, unaudited financial statements are required to be submitted two months after the fiscal year end of a public housing agency (PHA), and audited financial statements are required no later than 9 months after the PHA's fiscal year ends.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 17, 2003.

Reason Waived: The housing authority requested an extension of time. A new finance officer, who had began employment with the housing authority only a short time before the submission due date, was new to the housing industry and was not familiar with HUD processes. Therefore, the office did not complete the final step in the submission process.

Contact: Judy Wojciechowski, Director, Office of Troubled Agency Recovery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street,

SW., Washington, DC 20410-5000, telephone (202) 708-4932.

• *Regulation:* 24 CFR

941.606(n)(1)(ii)(B).

Project/Activity: Garden Homes Estates-Phase I HOPE VI Project, GA06URD0021100/Savannah, GA.

Nature of Requirement: The regulation requires that if the partner or owner entity (or any other entity with an identity of interest with such party) wants to serve as a general contractor for a project or development, the partner or owner entity may award itself the construction contract only if it can demonstrate to HUD's satisfaction that its bid is the lowest submitted in response to a public request for bids.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: October 31, 2003.

Reason Waived: The waiver of the public bidding requirement was approved in order for Integral Building Group, LLC, whose members are affiliates of Integral Properties, LLC, the project's developer, to complete Phase 1 of the Garden Homes project. The Savannah Housing Authority (SHA) submitted an independent third party cost estimate for the work to be performed by Integral Building Group on Phase 1, which totaled \$15,407,230. SHA also submitted the construction contract with Crosland Contracting for the work, which totaled \$15,049,197, which satisfied HUD's condition that the construction contract be less than or equal to the independent cost estimate.

Contact: Milan Ozdinec, Deputy Assistant Secretary, Office of Public Housing Investments, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 401-8812.

• *Regulation:* 24 CFR

941.606(n)(1)(ii)(B).

Project/Activity: South Albany Village Mixed-Finance Project, GA06P023021/Albany, GA.

Nature of Requirement: The regulation requires that if the partner or owner entity (or any other entity with an identity of interest with such parties) wants to serve as a general contractor for a project or development, the partner or owner entity may award itself the construction contract only if it can demonstrate to HUD's satisfaction that its bid is the lowest submitted in response to a public request for bids.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 2, 2003.

Reason Waived: The waiver of the public bidding requirement was approved in order for Integral Building Group, LLC, to complete this project.

The Albany Housing Authority (AHA) submitted an independent third party cost estimate for the work, which totaled \$9,134,641. AHA also submitted the construction contract with Integral Building Group for the work in the amount of \$9,092,059, which satisfied HUD's condition that the construction contract be less than or equal to the independent cost estimate.

Contact: Milan Ozdinec, Deputy Assistant Secretary, Office of Public Housing Investments, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 401-8812.

• *Regulation:* 24 CFR

941.606(n)(1)(ii)(B).

Project/Activity: Jazz on the Boulevard (formerly Drexel Homes) Mixed Finance Project IL06-P002-211/Chicago, IL.

Nature of Requirement: The regulation requires that if the partner or owner entity (or any other entity with an identity of interest with such parties) wants to serve as a general contractor for a project or development, the partner or owner may award itself the construction contract only if it can demonstrate to HUD's satisfaction that its bid is the lowest submitted in response to a public request for bids.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 3, 2003.

Reason Waived: The waiver of the public bidding requirement cases was approved in order for Thrush Construction, Inc., to serve as General Contractor of the Jazz on the Boulevard project. The Chicago Housing Authority (CHA) submitted an independent third party cost estimate for the work, which totaled \$21,850,000. CHA also submitted the construction contract with Thrush Construction for the work in the amount of, which totaled \$20,987,265, which satisfied HUD's condition that the construction contract be less than or equal to the independent cost estimate.

Contact: Milan Ozdinec, Deputy Assistant Secretary, Office of Public Housing Investments, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 401-8812.

• *Regulation:* 24 CFR

941.606(n)(1)(ii).

Project/Activity: Pershing Court, Phase 1A (formerly Stateway Gardens) Mixed Finance Project No. IL06-P002-223/Chicago, IL.

Nature of Requirement: The regulation requires that if the partner and/or owner entity (or any other entity with an identity of interest with such parties) wants to serve as a general

contractor for a project or development, the partner or owner entity may award itself the construction contract only if it can demonstrate to HUD's satisfaction that its bid is the lowest submitted in response to a public request for bids.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 17, 2003.

Reason Waived: The waiver of the public bidding requirement was approved in order for Walsh Construction Company to serve as General Contractor for Phase 1A of the Pershing Court project. The Chicago Housing Authority (CHA) submitted an independent third party cost estimate from Tishman Construction Corporation for the work, which totaled \$11,647,000. The construction price of \$11,013,524 offered by Walsh Construction is approximately five percent less than the total cost estimate prepared by Tishman. This satisfies HUD condition that the construction contract be less than or equal to the independent cost estimate.

Contact: Milan Ozdinec, Deputy Assistant Secretary, Office of Public Housing Investments, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 401-8812.

- *Regulation:* 24 CFR 941.606(n)(1)(ii).

Project/Activity: Dallas, Texas, FY1998 Roseland Homes HOPE VI Grant, Phase IX, Hall Street Corridor.

Nature of Requirement: The regulation requires that a public housing authority use an open and competitive process to select a partner or owner entity to develop a mixed-finance project containing public housing units.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 11, 2003.

Reason Waived: Dallas Housing Authority (DHA) presented compelling arguments that the development effort would be greatly enhanced by involvement of the selected non-profit partner. DHA demonstrated that the award of a contract through competitive means would be infeasible, because the item is available only from a single source. DHA would be unable to procure any other developer with similar experience and commitment to the Roseland community or who would be able to offer site control of the land parcels providing essential links within the community.

Contact: Milan Ozdinec, Deputy Assistant Secretary, Office of Public Housing Investments, Department of Housing and Urban Development, 451

Seventh Street, SW., Washington, DC 20410-5000, telephone (202) 401-8812.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: Boston Housing Authority (BHA), Boston, MA.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary For Public And Indian Housing.

Date Granted: December 22, 2003.

Reason Waived: The BHA requested a waiver of the selection preference regulation in order to select homeless persons who have a serious and persistent mental illness that is severe enough to interfere with one or more activities of daily living to occupy units that will receive project-based voucher assistance for occupancy of a project at 34 Algonquin Street. The waiver was granted because the BHA demonstrated that separate housing and services provided at 34 Algonquin Street would enable the target population to have the same opportunity as others to enjoy the benefits of secure affordable housing. Without units designated for members of the target population, they would not be able to maintain their position on BHA's tenant-based or project-based waiting list, because they do not have a fixed address, do not understand materials sent to them, and are frequently hospitalized. The target population also would not be successful in the housing search process, even if a voucher were issued, due to the stigma inappropriately associated with mental illness and the need for supportive services.

Contact: Gerald Benoit, Director, Housing Vouchers Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: Huntsville Housing Authority (HHA), Huntsville, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 22, 2003.

Reason Waived: HHA requested a waiver of the selection preference regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Castlewood Apartments. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified Allocation Plans administered by the Alabama Housing Finance Authority (AHFA) required that a project receiving a tax credit allocation would designate no fewer than 10 percent of the units for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from a Memorandum of Understanding (MOU) between AHFA and the Department of Mental Health/Mental Retardation (DMH/MR) in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, equivalent to six of the 37 existing units in the project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: Eufaula Housing Authority (EHA), Eufaula, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2003.

Reason Waived: EHA requested a waiver of the selection preference regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Covington Way and Carrington Place. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, or two of the 10 units of new construction in each project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

• *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: BHA, Boston, MA.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability, such as HIV/AIDS.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 11, 2003.

Reason Waived: BHA requested a waiver of the selection preference regulation in order to select families eligible for Housing Opportunities for Persons with AIDS (HOPWA) families to occupy units at Seton Manor. Since by law only persons with HIV/AIDS may occupy units developed with HOPWA

funds, a public housing agency may only authorize occupancy of such units by persons with HIV/AIDS, even if the units also receive project-based voucher assistance. Therefore, in selecting families to refer to the owner for occupancy of these units, BHA would have had to pass over persons on its waiting list until it reached a person with HIV/AIDS interested in moving into one of the units at Seton Manor.

Contact: Gerald Benoit, Director, Housing Vouchers Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

• *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: HHA, Huntsville, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2003.

Reason Waived: HHA requested a waiver of the selection preference regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units designated for project-based voucher assistance at Sunrise Garden Apartments. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15

percent (rounded up) of the units, or two of the eight units of new construction in the project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

• *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: Selma Housing Authority (SHA), Selma, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2003.

Reason Waived: SHA requested a waiver of the selection preference regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Hilltop Subdivision. In 2001 and 2002 the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, or two of the 14 units of new construction in the project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office

of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: SHA, Selma, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2003.

Reason Waived: SHA requested a waiver of the selection preference regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Magnolia Garden Homes. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, or eight of the 48 units of new construction in the project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: HHA, Huntsville, AL.

Nature of Requirement: The regulation at 24 CFR 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2003.

Reason Waived: HHA requested a waiver of the selection preference regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Garden Park Apartments. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, or nine of the 59 units of new construction in the project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: Troy Housing Authority (THA), Troy, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not

adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: THA requested a waiver of the selection preference regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Autumn Ridge. In 2001 and 2002 the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, or seven of the 42 units of new construction in each project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: Northport Housing Authority (NHA), Northport, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: NHA requested a waiver of the selection preference

regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Grand View Apartments. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, or eleven of the 72 units of new construction in each project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: Ozark Housing Authority (OHA), Ozark, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: OHA requested a waiver of the selection preference regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at the Ozark Project. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified

Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, or two of the ten units of new construction in the project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: Housing Authority of Birmingham District (HABD), Birmingham, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 10, 2003.

Reason Waived: HABD requested a waiver of the selection preference regulation in order to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Metropolitan Gardens. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for

15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent, or 29 units.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* 24 CFR 982.207(b)(3).

Project/Activity: Jefferson County Housing Authority (JCHA), Birmingham, AL.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public And Indian Housing.

Date Granted: November 6, 2003.

Reason Waived: JCHA requested a waiver of the selection preference regulation in order to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Carson Landing. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit

entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, or eleven of the 72 units of new construction at this project.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* 24 CFR 982.207(b)(3). *Project/Activity:* Gadsden Housing Authority (GHA), Gadsden, AL. *Nature of Requirement:* Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Granted By: Michael Liu, Assistant Secretary for Public And Indian Housing.

Date Granted: November 6, 2003.

Reason Waived: GHA requested a waiver of the selection preference regulation to select persons with mental illness or mental retardation, as verified by a health care professional, to occupy units that will receive project-based voucher assistance at Johnson Apartments and Englewood Apartments. In 2001 and 2002, the Low Income Housing Tax Credit State Qualified Allocation Plans administered by AHFA required that a project receiving a tax credit allocation would have no less than 10 percent of the units designated for individuals with mental illness or mental retardation (with additional points for 15 percent or more). This requirement stemmed from an MOU between AHFA and DMH/MR in which the agencies agreed to require this designation in any project that received an allocation of tax credits from AHFA in 2001 and 2002. The MOU was a result of the settlement by the state of Alabama of a lawsuit entitled *Wyatt v. Sawyer* in which the state agreed to eliminate approximately 600 long-term care beds from DMH/MR facilities for the treatment of mental illness or mental retardation. DMH/MR's remedy to replace those beds was

the preference requirement for such individuals in projects receiving tax credit allocations from AHFA. The waiver was limited to no more than 15 percent (rounded up) of the units, or nine of the 56 units of new construction in Johnson Apartments and four of the 24 units of new construction in Englewood Apartments.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* 24 CFR 982.207(b)(3) and Section II, subpart E, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance (PBA) Program; Initial Guidance.

Project/Activity: BHA, Boston, MA.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability.

Section II, subpart E, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance (PBA) Program; Initial Guidance, requires that all new project based assistance agreements or HAP contracts be for units in census tracts with poverty rates of less than 20 percent. The law requires that a contract for project-based assistance only be approved by a PHA if it is consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 22, 2003.

Reason Waived: BHA requested a waiver of the selection preference requirements in 24 CFR 982.207(b)(3) in order to select homeless persons who have a serious and persistent mental illness that is severe enough to interfere with one or more activities of daily living to occupy units that will receive project-based voucher assistance at 131 Ziegler Street. BHA demonstrated that separate housing and services provided at 131 Ziegler Street would enable the target population to have the same opportunity as others to enjoy the benefits of secure affordable housing. Without units designated for members of the target population, they would not

be able to maintain their position on the BHA's tenant-based or project-based waiting list because they did not have a fixed address, did not understand materials sent to them, and were frequently hospitalized. The target population also would not be successful in the housing search process, even if a voucher were issued, due to the stigma inappropriately associated with mental illness and the need for supportive services.

Approval of the exception to deconcentration was granted, since the project is located in a HUD-designated Empowerment Zone, the purpose of which is to open new businesses, and create jobs, housing, and new educational and healthcare opportunities for thousands of Americans.

Contact: Gerald Benoit, Director, Housing Vouchers Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* 24 CFR 982.207(b)(3) and Section II, subpart E, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance (PBA) Program; Initial Guidance.

Project/Activity: St. Paul Public Housing Agency (SPPHA), St. Paul, MN.

Nature of Requirement: Section 982.207(b)(3), which governs tenant selection under the project-based voucher program, states that a housing agency may adopt a preference for admission of families that include a person with disabilities, but may not adopt a preference for persons with a specific disability. Section II, subpart E, of the initial guidance requires that in order to meet the Department's goal of deconcentration and expanding housing and economic opportunities, the projects must be in census tracts with poverty rates of less than 20 percent.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: SPPHA requested a waiver of the selection preference regulation in order to select families eligible for Housing Opportunities for Persons with AIDS (HOPWA) to occupy units that will receive PBA at Martin Luther King Court, as well as an exception to the initial guidance, since the project is located in census tracts with poverty rates of 20.66 percent, 20.72 percent, and 22.75 percent.

Approval to waive selection preference requirements was granted since eight units in this project were developed with HOPWA funds and none will receive rental or operating subsidy under the HOPWA program. Since by law only persons with HIV/AIDS may occupy units developed with HOPWA funds, a public housing agency may only authorize occupancy of such units by persons with HIV/AIDS, even if the units also receive PBA.

Approval of the exception for deconcentration was granted since the first two duplexes are in the St. Paul Enterprise Community and the last duplex is less than one block from its southern border and should derive the same benefits. The purpose of establishing enterprise communities is to open new businesses and create jobs, housing, and new educational and healthcare opportunities for thousands of Americans. These goals are consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 982.505(d).

Project/Activity: Fall River Housing Authority (FRHA), Fall River, MA.

Nature of Requirement: Section 982.505(d) allows a PHA to approve a higher payment standard within the basic range for a family that includes a person with a disability as a reasonable accommodation in accordance with 24 CFR part 8.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: FRHA requested a special exception payment standard that exceeds 120 percent of the fair market rent as a reasonable accommodation for a disabled housing choice voucher program participant. The waiver was granted to allow two disabled housing choice voucher participants to lease in place because they had established relationships with neighbors and friends who had been supportive. Building management had also been supportive by building a handicap ramp, establishing automatic door openers with personalized controllers, and installing low pile carpeting to make movement of their wheelchairs less burdensome in their apartments. If they had been required to move, it would

have been extremely disruptive, not only to their personal and support connections, but also to their physical and mental well-being.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 982.505(d)

Project/Activity: Housing Authority of Washington County (HAWC), Washington County, OR.

Nature of Requirement: Section 982.505(d) allows a PHA to approve a higher payment standard within the basic range for a family that includes a person with a disability as a reasonable accommodation in accordance with 24 CFR part 8.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 8, 2003.

Reason Waived: HAWC requested a special exception payment standard that exceeds 120 percent of the fair market rent as a reasonable accommodation for a disabled housing choice voucher program participant. The waiver was granted to allow a disabled housing choice voucher participant to lease the proposed unit because her doctors believed that the proposed apartment unit would best accommodate her disabilities, based on environmental surroundings, familiarity, security, and its larger size. The participant was struggling to maintain her personal independence while caring for herself, and her doctors believed that the apartment unit would allow her to preserve and improve her quality of life.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 982.505(d)

Project/Activity: King County Housing Authority (KCHA), Seattle, WA.

Nature of Requirement: Section 982.505(d) allows a PHA to approve a higher payment standard within the basic range for a family that includes a person with a disability as a reasonable accommodation in accordance with 24 CFR part 8.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 10, 2003.

Reason Waived: CHA requested an exception payment standard that exceeds 120 percent of the fair market rent as a reasonable accommodation for a housing choice voucher participant for a manufactured home space rental. The participant suffers from a mental condition that causes severe depression and paranoia. The waiver was granted to allow the housing choice voucher participant to remain at her current location, to maintain a stable lifestyle, and live independently.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 982.505(d).

Project/Activity: Howard County Housing Commission (HCHC), Columbia, MD.

Nature of Requirement: Section 982.505(d) allows a PHA to approve a higher payment standard within the basic range for a family that includes a person with a disability as a reasonable accommodation in accordance with 24 CFR part 8.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2003.

Reason Waived: HCHC requested an exception payment standard that exceeds 120 percent of the fair market rent as a reasonable accommodation for a housing choice voucher participant with a disability who relies on a wheelchair. The Housing Choice Voucher program participant was the head of the household and was a person with a disability who relies on a wheelchair. The unit in question was wheelchair accessible. According to the Commission only three percent of the units in this area were accessible. In addition, the Commission had been advised by the participant's doctor that relocation from his current unit would be detrimental to his health and possibly cause life-threatening deterioration.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 983.3(a)(2).

Project/Activity: El Dorado County Housing Authority (EDHA), Placerville, CA.

Nature of Requirement: Section 983.3(a)(2) requires that the units to be project-based not be under a tenant-based or project based housing assistance payments (HAP) contract or otherwise committed, e.g., vouchers issued to families searching for housing or units under a HAP contract.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 19, 2003.

Reason Waived: EDHA requested a waiver of requirements regarding the availability of vouchers for project-based assistance, so that it could enter into an agreement for a HAP contract for White Rock Village. At the time EDCHA had a turnover rate of approximately eight vouchers per month. There were 42 vouchers that had project-based assistance attached at White Rock Village. EDCHA's intention was to stop issuing turnover vouchers in the six months immediately preceding the date anticipated for HAP contract execution to ensure that vouchers would be available for this project and that over-leasing will not occur.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

• *Regulation:* 24 CFR 983.51(a), (b), and (c) and Section II, subpart E, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance Program; Initial Guidance.

Project/Activity: Housing Authority of the City of Tampa (HACT), Tampa, FL.

Nature of Requirement: Section 983.51 requires competitive selection of owner proposals in accordance with a housing authority's HUD-approved advertisement and unit selection policy. Section II, subpart E, of the initial guidance requires that, in order to meet the Department's goal of deconcentration and expanding housing and economic opportunities, the projects be in census tracts with poverty rates of less than 20 percent.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: October 20, 2003.

Reason Waived: HACT requested a waiver of the competitive selection of owner proposals and an exception to the initial guidance to permit it to attach project-based assistance to the Oaks at

Riverview located in a census tract with a poverty rate of 34 percent. Approval to waive competitive selection was granted, since the owner/developer, a team of three firms (Mid City Urban, Henson Development company and Russell New Urban Development), was competitively selected by the HACT to develop its HOPE VI units. Approval of the exception for deconcentration was granted, since the project will be a 250-unit new construction development that is part of a HOPE VI revitalization plan to replace 360 demolished public housing units of Riverview Terrace and Tom Dyer Homes. Of the 250 units at the Oaks at Riverview, 45 will receive project-based assistance and 205 units will be public housing. In addition to the units at Oaks at Riverview, the revitalization plan for the site consists of 96 homeownership units, of which 36 will be marketed to families participating in the housing choice voucher homeownership program and 60 will be market rate.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

• *Regulation:* 24 CFR 983.51(a), (b), (c), and (d).

Project/Activity: Lynn Public Housing Agency (LPHA), Lynn, MA.

Nature of Requirement: Section 983.51 requires competitive selection of owner proposals in accordance with a housing authority's HUD-approved advertisement and unit selection policy.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 18, 2003.

Reason Waived: LPHA requested a waiver of competitive selection of owner proposals to permit it to attach project-based assistance to Lynn YMCA Project. Approval to waive competitive selection was granted, since the Lynn YMCA Project was competitively awarded \$700,000 in McKinney-Vento Supportive Housing Program funds for the construction of the project, as well as \$200,000 in federally apportioned local HOME funds.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

• *Regulation:* 24 CFR 983.51(a), (b), (c), and (d).

Project/Activity: LPHA, Lynn, MA.

Nature of Requirement: Section 983.51 requires competitive selection of owner proposals in accordance with a housing authority's HUD-approved advertisement and unit selection policy.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 18, 2003.

Reason Waived: LPHA requested a waiver of competitive selection of owner proposals to permit it to attach project-based assistance to St. Jean Baptiste Project.

Approval to waive competitive selection was granted, since St. Jean Baptiste Project was competitively awarded low-income housing tax credits through the state of Massachusetts' competitive process. The project also received \$550,000 in state HOME funds. Since the project was also awarded funding under two previous federal competitions, the waiver was granted.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

• *Regulation:* 24 CFR 983.51(a), (b), (c), and (d).

Project/Activity: Minneapolis Public Housing Agency (MPHA), Minneapolis, MN.

Nature of Requirement: Section 983.51 requires competitive selection of owner proposals in accordance with a housing authority's HUD-approved advertisement and unit selection policy.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: December 22, 2003.

Reason Waived: MPHA requested a waiver of competitive selection of owner proposals to permit it to attach project-based assistance to Loring Towers. Approval to waive competitive selection was granted, since Loring Towers was competitively awarded low-income housing tax credits to obtain tax-exempt bonds and Preservation Affordable Rental Investment Funds (a "soft debt" without interest to be repaid at the end of the 30-year compliance period) by the Minnesota Housing Finance Agency.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing,

Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410–5000, telephone (202) 708–0477.

- *Regulation:* 24 CFR 990.107(f) and 990.109.

Project/Activity: Harrisburg, PA, Housing Authority.

Nature of Requirement: Under 24 CFR 990.107 and 990.109, the Operating Fund Formula energy conservation incentive, which relates to energy performance contracting, applies to only PHA-paid utilities.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: October 31, 2003.

Reason Waived: The Harrisburg Housing Authority has resident-paid utilities. The housing authority requested permission to benefit from energy performance contracting for developments that have resident-paid utilities. The housing authority estimated that it could increase energy savings substantially, if it were able to undertake energy performance contracting for its resident-paid utilities. In September 1996, the Oakland Housing Authority was granted a waiver to permit the authority to benefit from energy performance contracting for developments with resident-paid utilities. The waiver was granted on the basis that the authority had presented a sound and reasonable methodology for doing so. In 2003, the Harrisburg Housing Authority requested a waiver based on the same approved methodology. The waiver permits the housing authority to exclude from its calculation of rental income the increased rental income due to the difference between updated baseline utility allowances (before implementation of the energy conservation measures) and revised allowances (after implementation of the measures) for the project(s) involved for the duration of the contract period, which cannot exceed 12 years.

Contact: Chris Kubacki, Director, Public Housing Financial Management Division, Office of Public and Indian Housing Real Estate Assessment Center, 1280 Maryland Ave., SW., Suite 800, Washington, DC 20024–2135, telephone (202) 708–4932.

- *Regulation:* 24 CFR 990.107(f) and 990.109.

Project/Activity: Columbiana, OH, Metropolitan Housing Authority.

Nature of Requirement: Under 24 CFR 990, the Operating Fund Formula energy conservation incentive, which relates to energy performance contracting, currently applies to only PHA-paid utilities. The Columbiana

Housing Authority has resident-paid utilities.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: The Columbiana Housing Authority has resident-paid utilities. The housing authority requested permission to benefit from energy performance contracting for developments that have resident-paid utilities. The housing authority requested a waiver based on the same methodology approved for the Oakland Housing Authority in September 1996. The waiver permits the housing authority to exclude from its calculation of rental income the increased rental income due to the difference between updated baseline utility allowances (before implementation of the energy conservation measures) and revised allowances (after implementation of the measures) for the project(s) involved for the duration of the contract period, which cannot exceed 12 years.

Contact: Chris Kubacki, Director, Public Housing Financial Management Division, Office of Public and Indian Housing Real Estate Assessment Center, 1280 Maryland Ave., SW., Suite 800, Washington, DC 20024–2135, telephone (202) 708–4932.

- *Regulation:* 24 CFR 1000.336(b).

Project/Activity: Kickapoo Traditional Tribe of Texas, Eagle Pass, Texas.

Nature of Requirement: Section 1000.336 establishes a provision that a tribe, a tribally designated housing entity (TDHE), or HUD may request a waiver of the June 15 deadline to challenge data used to compute the formula allocation under the Indian Housing Block Grant (IHBG) program established by the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 10, 2003.

Reason Waived: The Kickapoo Traditional Tribe requested permission to submit a census challenge after the June 15 deadline. The request regarded data used in computing their FY2003 IHBG formula allocation. In accordance with § 1000.336(b), tribes had to submit census challenges to HUD by June 15, 2003, for consideration for the FY2004 funding cycle. The decision to use Census 2000 data for six of the seven needs variables was made immediately prior to September 2003, and the tribe did not receive this information until after September 5, 2003. Therefore, it was not able to review its data in order

to comply with this requirement before the June 15 deadline.

Contact: Deborah Lalancette, Director, Grants Management, Denver Program Office of Native American Programs (ONAP), Department of Housing and Urban Development, 1999 Broadway, Suite 3390, Denver, CO 80202–5733, telephone (303) 675–1625.

- *Regulation:* 24 CFR 1000.336(b).

Project/Activity: Calista Region of Alaska, Anchorage, Alaska, for the tribes that have designated the Association of Village Council Presidents Regional Housing Authority (AVCP). These tribes are Akiak Native Community, Alakanuk Traditional Council, Algaaciq Tribal Government, Bill Moore's Slough Elder's Council, Calista Regional Corporation, Chefnak Traditional Council, Chuathbaluk Traditional Council, Chuloonawick Tribe, Crooked Creek Traditional Council, Eek Traditional Council, Georgetown Tribal Council, Hamilton Tribal Council, Hooper Bay, Kasigluk Traditional Council, Kipnuk Traditional Council, Kongiganak Traditional Council, Kotlik Traditional Council, Marshall Traditional Council, Napaskiak Tribal Council, Native Village of Kwigillingok, Native Village of Mekoryuk, Native Village of Napakiak, Native Village of Paimiut, Native Village of Upper Kalskag, Native Village of Tununak, Newtok Traditional Council, Nightmute Traditional Council, Nunam Iqua Tribal Council, Nunakaayak Traditional Council, Nunapitchuk IRA Council, Ohagamiut Traditional Council, Oscarville Tribal Council, Pitka's Point Traditional Council, Red Devil Tribal Council, Scammon Bay Traditional Council, Stony River Traditional Council, Traditional Village of Platinum, Tuntutuliak Traditional Council, Umkumiut Traditional Council, Village of Lower Kalskag, and Yupiit of Andreasfski.

Nature of Requirement: Section 1000.336 establishes a provision that a tribe, a TDHE, or HUD may request a waiver of the June 15 deadline to challenge data used to compute the formula allocation under the IHBG program established by NAHASDA.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 13, 2003.

Reason Waived: The request regarded data used in computing their FY2003 IHBG formula allocation. In accordance with § 1000.336(b), tribes must submit census challenges to HUD by June 15, 2003, for consideration for the FY2004 funding cycle. The decision to use Census 2000 data for six of the seven needs variables was made immediately

prior to September 2003, and the tribes did not receive this information until after September 5, 2003. Therefore, they were not able to review their data in order to comply with this requirement before the June 15 deadline.

Contact: Deborah Lalancette, Director, Grants Management, Denver Program ONAP, Department of Housing and Urban Development, 1999 Broadway, Suite 3390, Denver, CO 80202-5733, telephone (303) 675-1625.

- *Regulation:* 24 CFR 1000.336(b).

Project/Activity: Round Valley Indian Housing Authority (RVIHA) Tribes, Covelo, California. The Round Valley Tribes include Little Lake, Pomo, Pit River, Concow, Wailacki, Nomlacki and Yuki.

Nature of Requirement: Section 1000.336 establishes a provision that a tribe, a TDHE, or HUD may request a waiver of the June 15 deadline to challenge data used to compute the formula allocation under the IHBG program established by NAHASDA.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: The request regarded data used in computing their FY2003 IHBG formula allocation. In accordance with § 1000.336(b), tribes must submit census challenges to HUD by June 15, 2003, for consideration for the FY2004 funding cycle. The decision to use Census 2000 data for six of the seven needs variables was made immediately prior to September 2003, and the tribes did not receive this information until after September 5, 2003. Therefore, they were not able to review their data in order to comply with this requirement before the June 15 deadline.

Contact: Deborah Lalancette, Director, Grants Management, Denver Program ONAP, Department of Housing and Urban Development, 1999 Broadway, Suite 3390, Denver, CO 80202-5733, telephone (303) 675-1625.

- *Regulation:* 24 CFR 1000.336(b).

Project/Activity: Northern Circle Indian Housing Authority, located in Ukiah, California, on behalf of its member tribes. These tribes include Tyme Maidu Tribe of Berry Creek Rancheria, Guidiville Indian Rancheria, Hopland Band of Pomo Indians, Manchester Point Arena Band of Pomo Indians, Mooretown Rancheria, Redwood Valley Little River Band of Pomo Indians, Sherwood Valley Band of Pomo Indians, and Kashia Band of Pomo Indians of the Stewarts Point Rancheria.

Nature of Requirement: Section 1000.336 establishes a provision that a tribe, a TDHE, or HUD may request a

waiver of the June 15 deadline to challenge data used to compute the formula allocation under the IHBG program established by NAHASDA.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: The request regarded data used in computing their FY2003 IHBG formula allocation. In accordance with § 1000.336(b), tribes must submit census challenges to HUD by June 15, 2003, for consideration for the FY2004 funding cycle. The decision to use Census 2000 data for six of the seven needs variables was made immediately prior to September 2003, and the tribes did not receive this information until after September 5, 2003. Therefore, they were not able to review their data in order to comply with this requirement before the June 15 deadline.

Contact: Deborah Lalancette, Director, Grants Management, Denver Program ONAP, Department of Housing and Urban Development, 1999 Broadway, Suite 3390, Denver, CO 80202-5733, telephone (303) 675-1625.

- *Regulation:* Section II, subpart E, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance (PBA) Program; Initial Guidance.

Project/Activity: BHA, Boston, MA.

Nature of Requirement: Section II, subpart E, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance Program; Initial Guidance requires that all new project based assistance agreements or HAP contracts be for units in census tracts with poverty rates of less than 20 percent. The law requires that a contract for project-based assistance only be approved by a PHA if it is consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: October 9, 2003.

Reason Waived: BHA requested an exception to the initial guidance to permit it to attach project-based assistance to 5 units located at 2055 Columbus Avenue. Approval of the exception for deconcentration was granted for 2055 Columbus Avenue, since the project is located in a HUD-designated Empowerment Zone, the purpose of which is to open new businesses and create jobs, housing, and new educational and healthcare opportunities.

Contact: Gerald Benoit, Director, Housing Vouchers Management and Operations Division, Office of Public

Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* Section II, subpart E, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance Program; Initial Guidance.

Project/Activity: BHA, Boston, MA.

Nature of Requirement: Section II, subpart E, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance Program; Initial Guidance requires that all new project based assistance agreements or HAP contracts be for units in census tracts with poverty rates of less than 20 percent. The law requires that a contract for project-based assistance only be approved by a PHA if it is consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: October 9, 2003.

Reason Waived: BHA requested an exception to the initial guidance to permit it to attach project-based assistance to 11 units located at 3033 and 3089 Washington Street. Approval of the exception for deconcentration was granted for 3033 and 3089 Washington Street, since the project is located in a HUD-designated Empowerment Zone, the purpose of which is to open new businesses and create jobs, housing, and new educational and healthcare opportunities for thousands of Americans.

Contact: Gerald Benoit, Director, Housing Vouchers Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

- *Regulation:* 24 CFR Section II, subpart F, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance Program; Initial Guidance.

Project/Activity: Housing Authority of the City of Frederick (HACF), Frederick, MD.

Nature of Requirement: Section II, subpart F, of the initial guidance requires no more than 25 percent of the dwelling units in any building be assisted under a HAP contract for project-based assistance, except for dwelling units that are specifically made available for elderly families,

disabled families, or families receiving supportive services. Until regulations are promulgated regarding the category of families receiving supportive services, HUD is authorizing implementation of this aspect of the law on a case-by-case basis.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 4, 2003.

Reason Waived: HACF requested an exception to Section II, subpart F, of the initial guidance to attach project-based assistance to 100 percent of the units at North Market Manor. The approval of the exception to subpart F was based on the economic self-sufficiency nature of the services the families residing at the development would receive. The services included educational classes, health seminars, job skills training, after-school programs, financial workshops, and homeownership training.

Contact: Gerald Benoit, Director, Real Estate and Housing Performance Division, Office of Public and Assisted Housing Delivery, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

• *Regulation:* Section II, subpart E, of the January 16, 2001, **Federal Register** notice, Revisions to PHA Project-Based Assistance (PBA) Program; Initial Guidance.

Project/Activity: New York City Housing Authority (NYCHA), New York, NY.

Nature of Requirement: Section II, subpart E, of the initial guidance requires that, in order to meet the Department's goal of deconcentration and expanding housing and economic opportunities, the projects must be in census tracts with poverty rates of less than 20 percent.

Granted By: Michael Liu, Assistant Secretary for Public and Indian Housing.

Date Granted: November 26, 2003.

Reason Waived: NYCHA requested an exception to the initial guidance for three projects, 500 West 56th Street, 1615 St. John's Place, and 527 Bushwick Avenue.

Approval of the exception for deconcentration was granted for 500 West 56th Street, since the census tract in which the project is located is one of 20 census tracts that comprise Manhattan Community District 4 (CD4). Commercial activities in this district include the 2.1 million square foot AOL-Time Warner center and a 540,000 square foot film and television production facility, Studio City. Specific commercial activity in the census tract includes the Cyber Center and the Image Group Studios. The commercial activity in CD4 will provide significant economic opportunities for its residents and the creation of more than 9,000 housing units, of which the majority will be market-rate housing.

Approval of the exception for deconcentration was granted for 1615 St. John's Place, since the project is located in a census tract that had a reduction of more than 13 percent in its

poverty rate since 1990. The project is located in the East New York Empire Zone and, although the census tract in which this project is located is entirely residential, residents can avail themselves of the Empire Zone's services. Empire zones were designed to encourage local business development with government tax and other incentives. To expand their economic opportunities, 1,128 zone residents have participated in a self-sufficiency training program through the city's Department of Employment and Department of Parks and Recreation.

Approval of the exception for deconcentration was granted for 527 Bushwick Avenue, since the project is located in a census tract that had a reduction of more than 13 percent in its poverty rate since 1990. The project is located in the North Brooklyn/Brooklyn Navy Yard Empire Zone 53. The project will include a 15,000 square foot community facility that will be home to the Ridgewood Bushwick Homecare Council, Inc., a nonprofit group that will serve 2,500 area senior residents and employ and train over 1,500 people.

Contact: Gerald Benoit, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000, telephone (202) 708-0477.

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