

housing to permit it to provide HOME funds to rehabilitate and expand a transitional housing project.

**Nature of Requirement:** Section 92.2 states that newly constructed SRO units funded with HOME dollars must contain either food preparation or sanitary facilities, while rehabilitated SRO units require neither food preparation nor sanitary facilities to be located in the unit.

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

**Date Granted:** January 15, 2003.

**Reason Waived:** The Department determined that there was good cause to grant the waiver due to the physical limitations associated with the development of the project and the intent of Bright Hope House to provide additional handicapped accessible residential units. The project involves a three-story addition to the building as well as rehabilitation of the 8,200 square foot existing building. This addition will expand the building by 25 percent and create 10 new handicapped-accessible units and a three-story elevator. Sanitation and food preparation will remain communal.

**Contact:** Cornelia Robertson-Terry, Office of Community Planning and Development, Room 7152, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-7000; telephone: (202) 708-2565.

• **Regulations:** 24 CFR 92.101(e).

**Project/Activity:** Waukesha, Wisconsin County Consortium requested a waiver to extend its program qualifications period from three to five years.

**Nature of Requirement:** Section 92.101(e) states that a consortium's qualification as a unit of general local government continues for a period of three consecutive years. The rule further states that if a member urban county's three year Community Development Block Grant (CDBG) qualification cycle is not the same as the consortium, the consortium may elect a shorter qualification period than three years to synchronize with the urban county's qualification period.

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

**Date Granted:** January 17, 2003.

**Reason Waived:** The Department determined that there was good cause for granting the waiver. The waiver will allow Waukesha County to align its CDBG and HOME programs to better coordinate them.

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• **Regulations:** 24 CFR 92.212(b).

**Project/Activity:** The city of Seattle, Washington, requested a waiver of the restrictions on pre-award costs to permit the city to incur HOME administration and planning costs prior to the submission of the city's Consolidated Plan.

**Nature of Requirement:** Section 92.212(b) states that the submission and approval of a Consolidated Plan is a requirement for receiving a HOME allocation. Paragraph (b)

of that section further states that eligible costs for the planning and administration of the HOME program may be incurred as of the beginning of a participating jurisdiction's program year, or the date the consolidated plan describing the HOME allocation to which the costs will be charged is received by HUD, whichever is later.

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

**Date Granted:** February 5, 2003.

**Reason Waived:** The Department determined that there was good cause to grant the waiver. Faced with a \$60 million deficit, the new mayoral administration of the city of Seattle conducted an extensive review of the city's budget that resulted in extensive changes to the way in which funds are allocated within city programs and departments. The budget crisis and uncertainty in budget decisions delayed the completion of the city's Consolidated Plan and submission to HUD. The delay in submitting the Consolidated Plan precludes the city's ability to incur HOME administrative and planning costs and threatens to impede the management of ongoing HOME-eligible activities. The city proposed a reasonable timeframe for submitting the Consolidated Plan to HUD. The waiver will permit the city to incur HOME-eligible planning and administrative expenses effective January 1, 2003, provided the city submits its FY 2003 Consolidated Plan by the established February 18, 2003, date.

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• **Regulations:** 24 CFR 92.214(a)(7) & 92.502(d).

**Project/Activity:** The Idaho Housing and Finance Association (IHFA), Caldwell, Idaho, requested a waiver of the restrictions on providing additional HOME assistance to a project more than one year after the completion of that project. This waiver will benefit the Marble Front complex in Caldwell, Idaho.

**Nature of Requirement:** The regulation states that providing additional HOME assistance to a project during the period of affordability is prohibited, except that additional HOME funds may be committed up to one year after project completion as long as the HOME funds committed to the project do not exceed the maximum per unit subsidy.

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

**Date Granted:** March 27, 2003.

**Reason Waived:** The Department determined that there was good cause to grant the waiver. The waiver will allow IHFA to invest additional HOME funds, not to exceed the maximum per unit subsidy, in the Marble Front property. This will bring the property into compliance with HOME property standards and tenant income requirements, and meet the Uniform Federal Accessibility Standards as they apply to

Section 504 of the Rehabilitation Act of 1973 (Section 504). The waiver will also ensure the affordability of the project. HUD required IHFA to review and revise its current Section 504 monitoring procedures to ensure that all future projects meet these fair housing and accessibility requirements.

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• **Regulations:** 24 CFR 570.208(a)(3).

**Project/Activity:** The city of Decatur, Illinois, requested a waiver of the regulation which generally requires that all single unit housing structures on property acquired with CDBG funds must be occupied by low- and moderate-income households. The city requested this waiver to allow it to convey property it acquired, in part, with CDBG funds to the Decatur Housing Authority (DHA) to be included as part of the revitalization of the Near North area as a mixed-income community.

**Nature of Requirement:** Section 570.208(a)(3) requires that all single unit housing structures on property acquired with CDBG funds must be occupied by low- and moderate-income households.

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

**Date Granted:** March 27, 2003.

**Reason Waived:** The methodology used to determine compliance with section 570.208(a)(3) is not required by statute. Therefore, HUD may consider a waiver to permit the use of another methodology to meet the housing national objective. Based on the information provided, the city has demonstrated good cause for this waiver. Although CDBG funds represent 14 percent of the total cost, the city stated that 35 percent of the single-family units would be for low- and moderate-income households. This will allow the DHA to further the revitalization of the Near North area as a mixed-income community with 35 percent of the single family housing units and at least 51 percent of the rental units be occupied by low- and moderate-income households upon completion of the project. The city must notify HUD if any changes occur in either the financing, number of units in the project, and/or those occupied by low- and moderate-income household, since any changes could nullify this waiver. Finally, the regulation at § 570.208(a)(3) requires that rental housing occupied by low- and moderate-income households must be at affordable rents.

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• **Regulations:** 24 CFR 574.330(a).

**Project/Activity:** The Los Angeles Housing Authority requested a waiver of the 21 week limit on short-term rent, mortgage, and utility assistance for 2,159 individuals reaching their time limitation, so that they may be able to continue to receive such assistance.

**Nature of Requirement:** Section 574.330(a)(1) states that rent, mortgage, and