

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

- *Regulation:* 24 CFR 891.165.

Project/Activity: Hill House, Cleveland, OH; Project Number: 042-HD088/OH12-Q001-002.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation for the capital advance is 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: February 13, 2003.

Reason Waived: HUD needed additional time to review and approve secondary financing documents received from the Ohio Department of Mental Health.

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 891.205.

Project/Activity: Immanuel Courtyard III, Omaha, NE; Project Number: 103-EE027/NE26-S021-001.

Nature of Requirement: Section 891.205 provides that Section 202 project owners be single-purpose corporations.

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

Date Granted: February 28, 2003.

Reason Waived: The project will be built adjacent to the sponsor's existing Section 202 project and one owner-entity would promote greater service provision, significant cost savings, and coordinated administrative maintenance.

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 891.410(c).

Project/Activity: Pioneer Square Apartments, Spokane, WA; Project Number: 171-EH002.

Nature of Requirement: Section 891.410 relates to admission of families to projects for elderly or handicapped families that received reservations under section 202 of the Housing Act of 1959 and housing assistance under section 8 of the U.S. Housing Act of 1937. Section 891.410(c) limits occupancy to very low-income elderly persons; that is, households of one or more persons at least one of whom is 62 years of age at the time of initial occupancy.

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

Date Granted: January 30, 2003.

Reason Waived: The Northwest/Alaska Multifamily Hub requested permission to waive the age requirements of the subject property. The owner/management agent of the subject project has requested permission to waive the elderly and low-income requirements to alleviate the current

occupancy and financial problems at the property. The property will be allowed to rent to the non-elderly between the ages of 55 and 62 years and allow the applicants to meet the low-income eligibility requirements. Providing for a waiver to the elderly and low-income restrictions will allow the owner additional flexibility to rent vacant units. The owner will have the flexibility to offer units to the non-elderly, low-income applicants, and therefore, will be able to achieve full occupancy, and the project will not fail. This waiver is effective for one year from date of approval.

Contact: Beverly J. Miller, Director, Office of Asset Management, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 6160, Washington, DC 20410-8000; telephone: (202) 708-3730.

- *Regulation:* 24 CFR 891.410(c).

Project/Activity: Fairfield Apartments, Huntington, WV; Project Number: 045-EE007.

Nature of Requirement: Section 891.410 relates to admission of families to projects for elderly or handicapped families that received reservations under section 202 of the Housing Act of 1959 and housing assistance under section 8 of the U.S. Housing Act of 1937. Section 891.410(c) limits occupancy to very low-income elderly persons; that is, households of one or more persons at least one of whom is 62 years of age at the time of initial occupancy.

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

Date Granted: March 13, 2003.

Reason Waived: The Charleston Multifamily Program Center requested permission to waive the age requirements of the subject property. The owner/management agent of the subject project has requested permission to waive the elderly and low-income requirements to alleviate the current occupancy and financial problems at the property. The property will be allowed to rent to the non-elderly between the ages of 55 and 62 years and allow the applicants to meet the low-income eligibility requirements. Providing for a waiver to the elderly and low-income restrictions will allow the owner additional flexibility to rent vacant units. The owner will have the flexibility to offer units to the non-elderly, low-income applicants, and therefore, will be able to achieve full occupancy and the project will not fail. This waiver is effective for one year from date of approval.

Contact: Beverly J. Miller, Director, Office of Asset Management, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 6160, Washington, DC 20410-8000; telephone: (202) 708-3730.

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

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

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

Project/Activity: AL001, Housing Authority of the Birmingham District, Birmingham, AL.

Nature of Requirement: Section 902.33(c) addresses reporting compliance dates. Unaudited financial statements are required 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 end, in accordance with the Single Audit Act and OMB Circular A-133 of the Office of Management and Budget (OMB).

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

Date Granted: February 24, 2003.

Reason Waived: PHA's auditor's license was revoked prior to audit financial submission. This created a circumstance beyond the PHA's control for getting information submitted to Real Estate Assessment Center (REAC). PHA was granted extension of June 30, 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: FL057, Palatka Housing Authority, Palatka, FL.

Nature of Requirement: Section 902.33(c) addresses reporting compliance dates.

Unaudited financial statements are required 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 end, in accordance with the Single Audit Act and OMB Circular A-133 of the Office of Management and Budget (OMB).

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

Date Granted: February 3, 2003.

Reason Waived: PHA experienced several managerial/operational problems since early 2002. Both the Executive Director and Finance Director were suspended and then terminated. In addition, the Florida State Attorney's Office and HUD's Office of Inspector General (OIG) were currently investigating the agency's financial situation. Without certification from these agencies, the PHA could not complete its 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: IL039, Kankakee County Housing Authority, Kankakee, IL.

Nature of Requirement: Section 902.33(c) addresses reporting compliance dates.

Unaudited financial statements are required 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 end, in accordance with the Single Audit Act and OMB Circular A-133 of the Office of Management and Budget (OMB).

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

Date Granted: April 2, 2003.

Reason Waived: The PHA had reporting problems for FY 2001 and an Independent