

Public Accountant (IPA) conflict of interest problem for FY 2002. These issues hindered the PHA's ability to submit its audit reports to REAC in a timely manner.

*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:* TX036, Housing Authority of the City of Borger, Borger, TX.

*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 7, 2003.

*Reason Waived:* PHA stated that HUD's OIG had its financial books from July 23, 2002, through November 20, 2002, which affected its ability to submit the audit report to REAC in a timely manner.

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

*Project/Activity:* San Francisco Housing Authority (SFHA), San Francisco, CA. The SFHA requested a waiver of a selection preference regulation in order to select Housing Opportunities for Persons with AIDS (HOPWA)-eligible families to occupy 61 of the units receiving project-based voucher assistance at the 68-unit Derek Silva project.

*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:* February 19, 2003.

*Reason Waived:* 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 that also receive project-based voucher assistance by persons with HIV/AIDS. Therefore, in selecting families to refer to the owner for occupancy of these units, the SFHA will have to pass over persons on its waiting list until it reaches a person with HIV/AIDS who is interested in moving into one of these units at the Derek Silva 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:* Anaheim Housing Authority (AHA), Anaheim, CA. The AHA requested a waiver of a selection preference regulation in order to select Housing Opportunities for Persons with HIV/AIDS (HOPWA) eligible families to occupy 22 units receiving project-based voucher assistance at the 23-unit Casa Alegre project.

*Nature of Requirement:* Section 982.207(b)(3) 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:* February 26, 2003.

*Reason Waived:* 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 that also receive project-based voucher assistance by persons with HIV/AIDS. Therefore, in selecting families to refer to the owner for occupancy of these units, the SFHA will have to pass over persons on its waiting list until it reaches a person with HIV/AIDS who is interested in moving into one of these units at the Casa Alegre Silva project.

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

*Project/Activity:* San Francisco Housing Authority (SFHA), San Francisco, CA. The SFHA requested a waiver of a selection preference regulation in order to select Housing Opportunities for Persons with HIV/AIDS (HOPWA) eligible families to occupy 8 of the 18 units receiving project-based voucher assistance at the Dudley Hotel.

*Nature of Requirement:* Section 982.207(b)(3) 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:* March 26, 2003.

*Reason Waived:* 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 that also receive project-based voucher assistance by persons with HIV/AIDS. Therefore, in selecting families to refer to the owner for occupancy of these units, the SFHA will have to pass over persons on its waiting list until it reaches a person with HIV/AIDS who is interested in moving into one of these units at the Dudley Hotel.

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Urban Development, 451 Seventh Street, SW., Room 4210, Washington, DC 20410-5000; telephone: (202) 708-0477.

- *Regulation:* 24 CFR 982.505(d).

*Project/Activity:* Brookline Housing Authority (BHA), Brookline, MA. The BHA 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 participant suffers from bi-polar disorder that makes her unable to manage her personal finances, solve daily problems, and render reasonable judgment decisions regarding her personal safety.

*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:* January 21, 2003.

*Reason Waived:* Approval of the waiver was granted to allow a disabled housing choice voucher participant to rent a unit with on-site supervision and assistance with living activities, without which she would not be able to live independently.

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- *Regulation:* 24 CFR 982.505(d).

*Project/Activity:* Housing Authority of the City of Los Angeles (HACLA), Los Angeles, CA. The HACLA requested a special exception payment standard that exceeds 120 percent of the fair market rent as a reasonable accommodation for a housing choice voucher program participant with a disabled family member. The family member suffers from brain damage and has a developmental disability.

*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:* February 4, 2003.

*Reason Waived:* Approval of the waiver was granted to allow a housing choice voucher participant to rent a unit close to the medical care facilities that are required frequently by the disabled family member.

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- *Regulation:* 24 CFR 983.51

*Project/Activity:* San Francisco Housing Authority (SFHA), San Francisco, CA. The SFHA requested a waiver of competitive selection of owner proposals.