



**U.S. Department of Housing and Urban Development  
Public and Indian Housing**

Special Attention of:  
Office Directors of Public Housing;  
Regional Directors; Public Housing  
Agencies

**Notice PIH 2007-23 (HA)**

Issued: August 1, 2007

Expires: August 31, 2008

Cross References:  
PIH-2007-14

**SUBJECT: \$100 Million Set-Aside Provision to Adjust Public Housing Agencies' Baseline Funding, Housing Choice Voucher Program CY 2007.**

**1. Purpose.** On June 18, 2007, the Department advised public housing agencies (PHAs), through the issuance of **Notice PIH 2007-14, Implementation of the Federal Fiscal Year 2007 Funding Provisions for the Housing Choice Voucher Program**, of the availability of funds from the \$100 million set-aside provided under the Revised Continuing Appropriations Resolution, 2007 (Revised CR 2007). The purpose of this notice is to advise all PHAs of the Department's decision to re-open the application period for requests for funds from the \$100 million set-aside provided under the Revised CR 2007 and to extend the period of eligibility for portability and unforeseen circumstances into CY 2007. This notice revises specifically Paragraph 9 "\$100 million Set-Aside to Adjust PHA Baseline" of PIH Notice 2007-14.

**2. \$100 million Set-Aside to Adjust PHA Baseline.** The Revised CR 2007 provides that up to \$100 million shall be available only for adjustments for PHAs that:

(1) experienced a significant increase, as determined by the Secretary, in renewal costs resulting from unforeseen circumstances or from portability under Section 8(r) of the Act for tenant-based rental assistance.

This category refers to activity that could not be predicted by, or is beyond the control of, the PHA. It does not include lease renewal funding affected by re-benchmarking (see Category (2)).

To be eligible for funding consideration under this category for unforeseen circumstances, the **unforeseen circumstances must be substantiated with sufficient evidence for a HUD analyst to justify approval and to determine a funding amount under this category. This evidence must be submitted along with Attachment A of Notice PIH 2007 14 in the manner prescribed below.**

The following are some, but not all, examples of unforeseen circumstances:

- a. PHAs whose jurisdiction and tenants had experienced a severe loss of employment/income. PHAs will be required to submit documentation to support a request for funding under this provision.

- b. PHAs that were required by a court to take actions that increased their per unit costs. PHAs will be required to submit documentation to support a request for funding under this provision.
- c. PHAs that have experienced significant increases in the cost of assistance due to an unforeseeable rise in rental costs. PHAs will be required to submit documentation to support a request for funding under this provision.
- d. PHAs directed by HUD not to lease vouchers provided as a result of a housing conversion action, and in place during the baseline period, that were later required to lease those held vouchers. PHAs will be required to submit documentation to support a request for funding under this provision.
- e. HOPE VI vouchers initially funded where the Department has been unable to renew due to restrictions in prior appropriations acts.

To be eligible for funding consideration based on portability costs, the PHA must only sign and submit the required certification on Attachment A and indicate under Category (1) that the request is based on portability costs. HUD will calculate the eligibility. **It is important to note that the Department has now expanded the eligibility for funds under this Category (1) to include portability costs going forward into calendar year 2007.**

(2) could experience a significant decrease in voucher funding that could result in the loss of voucher units due to the shift to using VMS data based on a 12-month period.

This category specifically deals with the potential reduction of PHA lease renewal funding due to HUD's method of calculation (i.e. re-benchmarking).

**HUD will calculate the eligibility under this category and a PHA does not need to submit any supporting documentation; however, the PHA must submit the required certification in Attachment A in the manner prescribed below.**

HUD will process requests first under Category (1) and, once funded, will move to adjustments pursuant to Category (2).

To be eligible for consideration for funds under Category (1) and/or (2), the PHA must complete and submit Attachment A of Notice PIH 2007-14, along with any required supporting documentation. PHA requests must be received by **close of business (5:00 p.m. EST) August 3, 2007, at the following address:**

U.S. Department of Housing and Urban Development  
 Attn: Miguel A. Fontanez Sanchez, Director,  
 Financial Management Division  
 Room 4232  
 451 7<sup>th</sup> Street, S.W.  
 Washington, DC 20410

It is recommended that requests be sent using overnight mail (USPS, UPS, Fed Ex, DHL, etc) that requires signature upon delivery. Standard delivery mail will be accepted, however, it is important to note that non-expedited mail has no guaranteed delivery time. Requests not received on time will not be processed. Faxes and electronic mail will not be accepted.

PHAs that previously applied for Category (1) funding have been notified in writing by the Department if their applications had been disapproved and may wish to re-apply. All PHAs that previously applied under Category (1) may wish to determine if the expanded eligibility under Category (1) for portability costs in 2007 applies to their agencies, and if so, should submit an additional application using Attachment A. PHAs that received a notice of disapproval must re-apply in order to be considered for funding. PHAs that previously applied under either Category but whose applications were received after the original deadline will be included in the applications for the extended deadline, without further action by the PHA. PHAs may, however, augment those original applications by submitting a new Attachment A and documentation as needed.

The Department will fully fund the HUD-approved applications from PHAs that have met the initial deadline of July 6, 2007. Funding for PHAs that submit by the re-opened application period will be pro-rated, if necessary.

**Attachment A from Notice PIH 2007-14** is being provided with this new notice. The complete text of that prior notice is available on the HUD web site.

**3. Paperwork Reduction Act.** The additional information collection requirements contained in this document are pending approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The OMB control number is 2577-0169. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

If you have any questions, please contact your Financial Analyst at the Financial Management Center.

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/s/  
Orlando J. Cabrera, Assistant Secretary  
for Public and Indian Housing

**ATTACHMENT A – Application for \$100 Million Set-Aside**

Name of PHA:  
PHA Number:  
Executive Director:

**CHECK ALL BOXES THAT APPLY**

\_\_\_\_\_ Category (1): I certify that \_\_\_\_\_ (PHA name and number) has experienced a significant increase in renewal costs resulting from unforeseen circumstances.

**The following evidence is presented to substantiate the request for funding and to determine a funding amount under Category 1 of the \$100 Million Set-Aside:**

Enter information here or attach additional information and funding calculations to this Certification. This certification must be signed by the appropriate PHA official and returned.

\_\_\_\_ Category (2): I certify that \_\_\_\_\_ (PHA name and number) would experience a significant decrease in funding that could result in the loss of vouchers, due to the provisions of the Revised CR 2007 (Public Law 110-5) “re-benchmarking”. This certification must be signed by the appropriate PHA official and returned.

Certification: I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3279, 3802)

\_\_\_\_\_  
Signature of Executive Director and Date

\_\_\_\_\_  
Contact Name and Phone Number