

HOPE 2--Eligibility of Property for Grant Assistance

Legal Opinion: GHM-0050

Index: 3.300, 3.600

Subject: HOPE 2--Eligibility of Property for Grant Assistance

December 1, 1992

MEMORANDUM FOR: Robert T. Richards, Special Assistant for
Resident Initiatives, HM

FROM: John J. Daly, Associate General Counsel
Insured Housing and Finance, GH

SUBJECT: HOPE 2 Eligibility for Charleston Apartments
(601646G)

This responds to your memorandum dated November 16, 1992 in which you stated that you have received a letter from Ms. Leora Hamilton, who heads the Logan (8) Block Club which purports to represent the residents at the Charleston Rehab Apartments in Charleston, Missouri, asking whether the property is eligible for a HOPE 2 grant. Ms. Hamilton has stated that the 50-unit property is owned by the local public housing authority (PHA) and is subject to a Section 8 annual Contributions Contract.

Under Section 426(3)(D) of the HOPE statute as recently amended by the Section 181 Housing and Community Development Act of 1992, "eligible property" includes property that is "owned or held by ... a State or local government or an agency or instrumentality thereof." Therefore, if the property is owned by the local PHA, it would appear to fall within the definition of "eligible property" since a PHA would qualify as an agency or instrumentality of the local government.

If you have any additional questions, please call Monica Jordan at 708-4107.