



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

OFFICE OF COMMUNITY PLANNING  
AND DEVELOPMENT

APR 05 2016

**MEMORANDUM FOR:** Multi-Family Housing Directors  
Regional Environmental Officers

**FROM:** *Danielle Schopp*  
Danielle Schopp, Director, Office of Environment and Energy, DGE

**SUBJECT:** Section 223(a)(7) Projects and Determination of “No Potential to Cause Effects” under Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800

The U.S Department of Housing and Urban Development has determined that refinancing processed under Section 223(a)(7) for properties constructed after 1975 will not alter physical conditions in a manner or to an extent that would cause effects under Section 106 of the National Historic Preservation Act [54 U.S.C. § 306108]. Administered by the Federal Housing Administration (FHA) Office of Multifamily Housing Programs, the action is a restructuring of financing to lower debt service and has no potential to cause effects on historic properties, assuming such properties were present. The program does not allow physical activities beyond maintenance which is exempt from environmental regulations at 24 CFR 50.19(b)(13). Taking into account all of the above, HUD has determined that refinancing processed under Section 223(a)(7), has “No Potential to Cause Effects”, as described in 36 CFR 800.3(a)(1).

For such 223(a)(7) transactions, neither HUD nor the applicant are required to contact the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), or other interested parties. A copy of this memorandum in the Environmental Review Record for an individual Section 223(a)(7) project will document compliance with Section 106, 36 CFR Part 800, and 24 CFR Part 50 regarding historic properties.

Please direct any questions regarding this memorandum to Nancy E. Boone, Federal Preservation Officer, at [Nancy.E.Boone@hud.gov](mailto:Nancy.E.Boone@hud.gov) or 202-402-5718.

This determination expires on December 31, 2025 unless extended and reauthorized.