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**SPECIAL ATTENTION OF:**

Regional Managers; Office of Public Housing  
Directors; Program Center Coordinators;  
Public Housing Agencies; Resident  
Management Corporations

**NOTICE PIH 2019-10 (HA)**

Issued: April 30, 2019

Revised: June 4, 2019 to update vacancy  
reporting in Section 5.c. and to add RAD  
reference as new Section 5.e.

This notice remains in effect until amended,  
superseded, or rescinded

Cross-references: 24 CFR Part 972, subpart A  
PIH Notices 2016-23, 2017-22, and 2012-32

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**Subject:** Required Conversions

1. **Applicability.** The information in this notice applies to all public housing agencies (PHAs) that administer a public housing program with developments of 250 public housing units or more, including PHAs participating in the Moving to Work (MTW) demonstration.
2. **Purpose.** This notice provides guidance on the requirement that PHAs annually review their inventories to determine whether any of their public housing developments (or parts of developments) meet the criteria for required conversion from public housing. This notice also provides guidance on developing a required conversion plan in such instances.
3. **Background.** Section 537 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA) (Title V of P.L. 105-276) added a new Section 33 to the U.S. Housing Act of 1937 (42 U.S.C. 1437z-5 (1937 Act)) that governs the required conversion of certain distressed public housing units to Section 8 tenant-based assistance if it would be more expensive to modernize and operate the distressed development for its remaining useful life than to provide tenant-based assistance to all residents; or if the PHA cannot assure the long-term viability of a distressed development.
4. **PHA annual reviews.** Section 33 of the 1937 Act, as implemented by 24 CFR part 972, subpart A, requires that PHAs annually review their public housing inventory and identify units required to be converted to Section 8 tenant-based assistance, in accordance with 24 CFR 972.121 – 972.127. PHAs work with their local HUD Office of Public Housing (Field Office) to determine if they have public housing units that meet the criteria noted below in Section 5 of this notice. Field Offices may also initiate their own determination.
5. **Threshold criteria for Required Conversion.** Public housing units meeting all of the following conditions are subject to required conversion:
  - A. **The units comprise a general occupancy project.** (Part 972 uses “development” rather than the statutory term “project”, See 24 CFR 972.124.) For purposes of this notice, the regulatory reference to “development” or “portion of development” at 24 CFR 972.124 could mean a group of 250 or more units that are part of a portion of a project, one project; or more than one project,

as project is defined by section 3(b)(1)) of the 1937 Act. The term “development” does not have the same meaning as an Asset Management Project (AMP) or project designation in the IMS/PIC system (PIC development). For instance, the 250 or more units could be in one building, or the units could be in multiple buildings with fewer than 250 units provided that together the units in the multiple buildings totaled at least 250 units. While “development” as used and defined in the 1937 Act, refers to the method by which public housing is created, the regulations at Part 972 uses “development” differently.

- B. **The development is on the same or contiguous sites.** See 24 CFR 972.124(a). The phrase “same or contiguous site” means the buildings are adjacent to or touching along a boundary;
- C. **The development has a vacancy rate at or above 12 percent for each of the last three years.** See 24 CFR 972.124(b)(1). Vacancy rate is based on data in a PHA’s most recent PHAS certification as reported in IMS/PIC. Dwelling units that are in a funded, on-schedule modernization status are not included in the vacancy rate. The vacancy rate has not significantly decreased in the past three years; and
- D. **The following units must be excluded from the vacancy calculation.** (i) vacant units in an approved Section 18 demolition and/or disposition application; (ii) vacant units in which resident property has been abandoned, but only if state law requires the property to be left in the unit for some period of time, and only for the period of time stated in the law; (iii) vacant units that have sustained casualty damage, but only until the insurance claim is adjusted; (iv) units occupied by employees of the PHA; (v) units used for resident services; and (vi) units the Field Office determines are intentionally vacant and do not indicate continued distress. See 24 CFR 972.124(b)(2).
- E. **Rental Assistance Demonstration (RAD).** PHAs are not required to assess projects that have been issued a CHAP or are covered by a Portfolio or Multi-phase Award because HUD considers the RAD conversion process to fulfill the requirements of Section 33 of the Act. Accordingly, HUD waived 24 CFR part 972, subpart A for projects covered by a CHAP, a Portfolio Award, or a Multi-phase Award. See PIH Notice 2012-32/Housing Notice 2013-03 Revision 3 (or successor notice).

**6. Requirements for Developments that meet the Threshold Criteria for Required Conversion.** If a development meets the threshold criteria outlined in Section 5 of this notice, the PHA must determine whether the development is distressed housing for which the PHA cannot assure the long-term viability; or is distressed housing that is more expensive for the PHA to operate as public housing than providing tenant-based assistance to the residents. See 24 CFR 972.124(c).

- A. **Distressed Housing.** Developments meeting the threshold criteria in Section 5 of this notice are defined as distressed housing, unless HUD determines that the reasons a property meets such standards are temporary in duration and are unlikely to recur. See 24 CFR 972.124(c)(1)(i).
- B. **Cannot Assure Long-Term Viability as Public Housing.** A PHA is required to convert distressed housing unless it can assure the long-term viability of the housing as public housing through reasonable revitalization, density reduction, or achievement of a broader range of household income. A distressed development satisfies the long-term viability as public housing if, after reasonable investment, the development for at least 20 years (or at least 30 years when there has been rehabilitation equivalent to new construction): (1) can sustain structural/system soundness and full occupancy; (2) will not be excessively dense relative to other comparable rental housing in the community; (3) can achieve a broader range of family income; and (4) has no other site impairments that disqualify the site from continuation as public housing. See 24 CFR 972.124(c)(1)(ii).
- C. **More Expensive to Operate as Public Housing.** A PHA is required to convert distressed housing if the development is more expensive for the PHA to operate as public housing than to

provide tenant-based assistance if the estimated cost of continued operation and modernization of the development as public housing exceeds the cost of providing Section 8 tenant-based assistance for all families in occupancy, based on appropriate indicators of cost (e.g., percentage of total development cost required for modernization) during the remaining useful life of the project. See 24 CFR 972.124(c)(2) and Appendix to Part 972—Methodology of Comparing Cost of Public Housing with the Cost of Tenant-Based Assistance.

7. **PHA actions.** If a development meets the criteria in Sections 5 and 6 of this notice for required conversion, the PHA takes one of two actions:
  - A. **Alternative 1 – PHA Submits a Conversion Plan through the Inventory Removals Module of IMS/PIC.** See Section 8 of this notice.
  - B. **Alternative 2 – PHA Evidences Conversion Plan is not required.** If the PHA believes the distressed development does not meet the standards for required conversion in Sections 5 and 6 of this notice, the PHA evidences to its Field Office that the PHA can assure long-term viability of the development or that the development is not more expensive for the PHA to operate as public housing than providing tenant-based assistance.
    - i. The investment to be made in the development is reasonable (i.e. not exceed and usually substantially less than 90 percent of HUD’s total development cost (TDC)) for the units and the PHA must have a plan and the necessary resources (i.e., Capital Funds). See 24 CFR 972.127(a)(1).
    - ii. The PHA must complete the cost-test excel calculator of the Appendix to 24 CFR part 972 for required conversion. See 24 CFR 972.127(a)(2);
    - iii. Appropriate density is achieved. The resulting public housing development must have a density which is comparable to that which prevails in or is appropriate for assisted rental housing or for other similar types of housing in the community (typically family). See 24 CFR 972.127(b); and
    - iv. A greater income mix can be achieved. Measures generally will be resident incomes over time to include a significant mix of households with at least one full-time worker. Measures to achieve a broader range of household incomes must be realistic in view of the site’s location. See 24 CFR 972.127(c).
    - v. The PHA must demonstrate that it is not more expensive to continue to operate the units as public housing than to issue the residents HCV assistance. See 24 CFR 972.124(c)(2).
8. **Application Submission and Conversion Plan Components.** To apply for conversion under this notice, PHAs submit an application to HUD’s Special Applications Center (SAC) through IMS/PIC that complies with 24 CFR part 972, subpart A (SAC application). PHAs complete the electronic SAC application and upload completed Forms HUD-52860 (HUD-52860) and HUD-52860-D (4/2018). PHAs develop a conversion plan that removes the public housing units from their inventory in 5 years or less, unless the PHA applies for and receives approval from HUD for a longer period (HUD may allow a period of up to 10 years to remove the units from inventory in exceptional circumstances, based on cost effective and beneficial means of providing housing assistance as determined by HUD). See 24 CFR 972.103(c). The SAC application includes:
  - A. Units (by development and unit number in IMS/PIC) proposed for required conversion, as required by 24 CFR 972.130(a)(1).
  - B. PHA Plan (24 CFR 972.136). Describe the proposed conversion in the PHA Annual or Moving To Work (MTW) Plan or Significant Amendment to the PHA or MTW Annual Plan. See Form HUD-52860 and instructions. Qualified PHAs (who are not required to submit a PHA Annual

Plan to HUD) must discuss the proposed conversion at a public hearing, as required by 24 CFR 903.17.<sup>1</sup>

- C. Resident Consultation (24 CFR 972.130(a)(3)). Evidence resident consultation as required by 24 CFR 972.133(c)<sup>2</sup>. See Form HUD-52860 and instructions.
- D. Board Approval. Evidence by a copy of PHA's Board of Commissioners resolution approving the conversion plan. See Form HUD-52860 and instructions.
- E. Local Government Consultation. Evidence consultation with appropriate public officials as required by 24 CFR 972.133(b). See Form HUD-52860 and instructions.
- F. Status of Capital Funds. Evidence the obligation status of any previously approved modernization, reconstruction, or other capital funds for the development and include recommendations concerning transfer of these funds to Section 8 or alternative public housing uses as required by 24 CFR 972.130(a)(2).
- G. Future Use of Units. Describe the planned future use (including demolition, disposition, or retention) for all assets (real property) that comprise the units proposed for conversion as required by 24 CFR 972.130(a)(4). See question #2 of HUD-52860-D form.

If a PHA proposes to demolish units as part of the conversion, HUD reviews and approves such requests, as part of the SAC application and required conversion under Section 33 of the 1937 Act. Section 18 of the 1937 Act and 24 CFR part 970 do not apply to demolition of units removed through required conversion. See 24 CFR 972.112.

If a PHA proposes to dispose of the property after conversion, the PHA does not need to submit a separate SAC application via IMS/PIC but must evidence satisfaction of all applicable disposition requirements of 24 CFR part 970 and PIH Notice 2018-04. Upload a completed form HUD-52860-A to the SAC application. HUD's review of the disposition request takes into account that the units are required to be converted. See 24 CFR 972.112.

If a PHA proposes to retain the property in its own name (retention) after conversion, HUD reviews the retention request under 2 CFR 200.311. See PIH Notice 2016-20 or any replacement notice.

In accordance with 24 CFR 972.130(b)(4)(ii)(E) and Section 33(d)(2)(C) of the 1937 Act, if developments continue to operate as rental housing, the PHA (or subsequent owner) must allow

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<sup>1</sup> A qualified PHA is defined by the Housing and Economic Recovery Act (HERA) as a PHA that (1) has a combined unit total of 550 or less public housing units and HCVs; (2) is not designated under section 6(j)(2) of the 1937 Act, the Public Housing Assessment System (PHAS), as a troubled public housing agency during the prior 12 months; and (3) does not have a failing score under the Section 8 Management Assessment Program (SEMAP) during the prior 12 months.

<sup>2</sup> PHAs satisfy the requirement by holding at least one meeting with the residents of the units (including the Resident Council, if any, covering the development) where the PHA explains the requirements of required conversion as they apply to the units, provides draft copies of the conversion plan to the residents, and informs the residents they have a reasonable comment period for residents and how to submit comments. In its conversion plan, the PHA summarizes resident comments and provides its responses to significant issues raised by the commenters including a description of actions taken by the PHA as a result of the comments.

the families to choose to remain in their units using the HCV in the form of tenant-based assistance.

Based on this tenant-based provision, there is no statutory or regulatory right to provide project-based voucher (PBV) assistance to former public housing development(s) that HUD approves for required conversion. Moreover, the PHA's determination that the development(s) meet the regulatory and statutory criteria of criteria of 24 CFR part 972 and Section 33 of the 1937 Act for severely distressed housing makes long-term, PBV contracts tied to these units particularly inappropriate. Therefore, PBV assistance cannot be provided in cases of required conversions.

- H. Environmental Requirements. Conversion plans must have environmental clearance before HUD approves a conversion plan. Environmental clearance means final approval from a HUD Approving Official or the Responsible Entity of an environmental review conducted under 24 CFR part 50 or 58. See PIH Notice 2016-22. The PHA may not demolish or dispose of units or property until completion of the environmental review. See 24 CFR 972.109(b). PHAs are responsible for providing to the Responsible Entity or local Office of Public Housing (Field Office) a full description of the activities (including relocations, demolition, disposition and planned future use as described in response to section 8(G) of this notice) to comply with aggregation requirements.<sup>3</sup> Even if there are no planned physical alterations and the project is categorically excluded from NEPA, a Categorically Excluded Subject To (CEST) environmental review addressing related environmental laws and authorities in Sections 58.5 and 58.6 or 50.4 needs to be completed. It is possible the environmental review may reveal risks or circumstances that do not allow for approval of the conversion plan.
- I. Relocation Activities. Provide a relocation plan required by 24 CFR 972.130(b) (4), including information on counseling services, direct relocation assistance, relocation notice, and relocation expenses. See 24 CFR 972.130(b)(1)-(4) and Form HUD-52860. As part of the Form HUD-52860, PHAs certify provision of a written notice to families, as required by paragraph 24 CFR 972.130(b)(4). To the extent that tenants are displaced as a direct result of demolition, acquisition, or rehabilitation of real property that receives federal financial assistance through the conversion of public housing as described in this notice, the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601-4655) (URA), and its implementing regulations at 49 CFR part 24 apply. For the purposes of this paragraph, the term "project" is defined at 49 CFR 24.2(a)(22); the URA may therefore apply even if federal funds do not pay for the conversion that causes the displacement. If the conversion is subject to the URA, the PHA must also comply with the requirements in 24 CFR 972.130(b)(5).

Section 18 of the 1937 Act does not apply to demolitions approved as part of a required conversion plan. See 24 CFR 972.112. Therefore, there is no exclusion from applicability of the URA when tenants are displaced as a direct result of any demolition carried out as part of a required conversion.

Families subject to relocation will be offered "comparable housing." See 24 CFR 972.130(b)(4)(ii)(B). Generally, PHAs fulfill requirements of comparable housing by offering HCV assistance (through TPV awards, see Section 10 of this notice). To receive HCV assistance, a family must be low-income (less than 80 percent of AMI). Additionally, the PHA

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<sup>3</sup> See 24 CFR 58.32 and 24 CFR 50.21.

screens families for eligibility consistent with the requirements in 24 CFR part 982. Accordingly, PHAs must also address relocation needs for families who do not qualify for HCV assistance (e.g., over-income families). See 24 CFR 972.130(b)(4)(ii)(B) for a full description of “comparable housing.”

To plan effectively for the relocation needs of individuals with disabilities, PHAs consult HUD’s Relocation Handbook 1378.0 the relocation planning checklist at Appendix 3-1, and 24 CFR 8.28.

In accordance with 24 CFR 972.130(b)(4)(ii)(E), if developments continue to operate as rental housing, the PHA (or subsequent owner) must allow the families to choose to remain in their units using the HCV in the form of tenant-based assistance. Or, the family may choose to move from the unit with continued tenant-based assistance in accordance with HCV program requirements.

**9) HUD Processing.** HUD will not process an application found to be deficient or incomplete. (i.e., missing required supporting documentation); HUD will return the application to the PHA and inform the PHA of the deficiencies. HUD returns applications to PHAs by changing the status of the application to DRAFT status in IMS/PIC. In addition, HUD may require additional information from PHAs about its conversion plan. PHAs may not proceed with implementing a conversion plan without a written approval from HUD of the SAC application. HUD must provide a preliminary response within 90 days of the PHA submitting the conversion plan. A longer process may be required where HUD’s review of the plan raises questions that require further discussion with the PHA. See 24 CFR 972.109.

**10) Tenant-Protection Vouchers (TPVs).<sup>4</sup>** The premise of required conversions is the repositioning of public housing units to tenant-based assistance for residents in the form of tenant protection vouchers (TPVs). As a result, PHAs are provided replacement TPVs subject to the availability of funding. HUD determines a PHA’s maximum TPV award based on relevant appropriations and HUD-issued guidance, including the year’s HCV funding implementation notice. See PIH Notice 2018-09, or subsequent updates, regarding TPV eligibility and awards.

**11) Asset Repositioning Fee (ARF).** Refer to PIH Notice 2017-22 (or any replacement notice) to determine if units approved for conversion under this notice are eligible for ARF pursuant to 24 CFR 990.190(h).

**12) Demolition Disposition Transitional Funding (DDTF).** PHAs are not eligible to receive DDTF under 905.400(j) for conversions approved under this notice.

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<sup>4</sup> If the applicant PHA does not administer a Section 8 HCV program, then another PHA with a Section 8 HCV program must be identified to administer the TPVs. A Public Housing Only PHA may enter into an agreement with an HCV PHA or may contact its Field Office for assistance in identifying an appropriate PHA to administer the TPV assistance. In all instances and as stipulated by PIH Notice 2018-09, the HCV PHA must have the jurisdictional authority to administer its program in the Section 9 public housing project’s geographic location under state and local law. Additionally, the HCV PHA must have the administrative capacity to administer TPVs and be in compliance with federal civil rights laws. Public Housing Only PHAs are encouraged to identify and contact potentially interested HCV PHAs in the early stages of conversion planning, as the PHAs’ agreement to cooperate in the conversion must be established prior to HUD’s approval of the conversion plan. As stipulated by PIH Notice 2018-09, once the Field Office approves the partnership, the two PHAs must enter into a written agreement regarding the roles and responsibilities of the two PHAs, including communication with the residents. Public Housing Only PHAs should consult their Field Offices for technical assistance with these agreements.

**13) HUD Actions.** Pursuant to 24 CFR 972.139, HUD takes action to ensure distressed developments are properly identified and converted. If a PHA fails to properly identify units subject to required conversion or does not submit a SAC application for converting such units in accordance with the requirements of 24 CFR part 972, HUD may; (i) disqualify the PHA from HUD funding competitions; and (ii) direct the PHA to cease additional spending in connection with a development that meets, or is likely to meet the statutory criteria, except to the extent that failure to expend such amounts would endanger health or safety. HUD may also take any or all of the following actions: (i) identify developments that fall within the statutory criteria where the PHA has failed to do so properly; (ii) take appropriate actions to ensure the conversion of developments where the PHA has failed to adequately develop or implement a conversion plan; (iii) require the PHA to revise the conversion plan, or prohibit conversion, if HUD determines that the PHA has erroneously identified a development as being subject to the requirements of this section; (iv) authorize or direct the transfer of Capital or Operating Funds committed to or on behalf of the development (including comprehensive improvement assistance, comprehensive grant or Capital Fund amounts attributable to the development's share of funds under the formula, and major reconstruction of obsolete development funds) to tenant-based assistance or appropriate site revitalization for the PHA; or (v) any other action that HUD determines appropriate and has the authority to undertake.

**14) Other Requirements.** Existing Financial Transactions. PHAs with an approved transaction through the Capital Fund Financing Program (CFFP), Section 30 (including PHA Mortgaged Transaction (PMT)), Energy Performance Contracting (EPC), Operating Fund Financing Program (OFFP), or Repayment Agreements required by HUD must comply with additional instructions provided by HUD regarding such financing and may not take any steps to implement a conversion plan without receiving confirmation from HUD that all applicable requirements of the financing are satisfied. PHAs must certify an existing financial agreement is not at-risk because of the proposed conversion.

- A. Reporting Requirements. PHAs must work with their Field Offices and the Special Applications Center (SAC) to ensure the accuracy of data in IMS/PIC—specifically to ensure units are put into RMI status upon completion of the conversion to HCV assistance. On a case-by-case basis, HUD may require other reporting information.
- B. False Certifications and HUD Enforcement. Any person knowingly presenting a false, fictitious or fraudulent statement or claim in a HUD matter, including certifications and supporting documentation submitted conversion plans, are subject to criminal penalties, civil liability, or administrative actions which HUD may prosecute. HUD may pursue debarment/suspensions of principals and PHAs, and any enforcement actions available including, but not limited to, injunctive relief and other equitable remedies under HUD program and other Federal authorities. See 18 U.S.C. §§ 1001, 1010 and 1012; 2 CFR 180 and 2424; 31 U.S.C. §§ 3729-3731; and 31 U.S.C. §§ 3801-3812. Procedures and possible consequences of a false or otherwise invalid civil rights certification under Section 5A of the 1937 Act are incorporated in HUD regulations at 24 CFR 903.7(o) and 903.15(d)(3).
- C. Civil Rights Requirements.
  - i) PHA Certification. As part of the conversion plan and application, PHAs certify compliance with all applicable civil rights nondiscrimination and equal opportunity requirements, including, but not limited to, Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing. A PHA's certification that it will affirmatively further fair housing means: (1) for a PHA that has completed an Assessment of Fair Housing (AFH) which has been accepted by HUD, that it will take meaningful actions to further the goals identified in the AFH conducted in accordance with 24 CFR 5.150 through 5.180, and that it will take no action that is materially inconsistent with its obligation to affirmatively further fair

housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR 903.7(o)(3); or (2) for a PHA that is not yet required to and has not submitted an AFH, that it must continue complying with the requirements that existed prior to August 17, 2015, with respect to affirmatively furthering fair housing. PHAs also certify that if HUD approves the conversion plan, subsequent implementation of the approved conversion will comply with all applicable civil rights requirements, including conditions imposed in an environmental review to address environmental justice concerns.

- ii) Disclosure of Remedial Orders and Compliance Agreements. In its conversion plan and application, the PHA provides a certification that the conversion does not violate any remedial civil rights order or agreement, voluntary compliance agreement, final judgment, consent decree, settlement agreement, or other court order or agreement (per 24 CFR 972.224(b)(2)). In addition, the PHA states whether it is operating under any federal, state, or local remedial order, compliance agreement, final judgment, consent decree, settlement agreement or other court order or agreement, including but not limited to those related to a fair housing or other civil rights finding of noncompliance. If the PHA is operating under such a document, it must provide a citation to the document and attach a narrative description explaining how the proposed conversion is consistent with such document.
- iii) HUD Civil Rights Review. HUD's Office of Fair Housing and Equal Opportunity (FHEO) conducts a civil rights review of conversion plans.
- iv) Federal Labor Standards and Economic Opportunity. PHAs using Public Housing funds for a conversion must comply with all applicable federal labor standards of section 12 of the 1937 Act (42 U.S.C. 1437j) (Davis-Bacon) and requirements of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C 1701u), as amended. Such activities include but are not limited to demolition and resident relocation. Under Section 3 and HUD's implementing rule at 24 CFR 135, recipients of certain HUD public housing financial assistance must provide employment, training, and economic opportunities to the greatest extent feasible to Section 3 residents or business concerns, and to other low-and very low income persons. Section 3 obligations apply to PHAs, their contractors, and their subcontractors regardless of the amount of funds received by the PHA or the amount of the contract or subcontract. (See 24 CFR 13543(a)(3)).
- v) Accessible Resident Consultation, Meetings, and Notices. To ensure individuals with disabilities have equal opportunities to consult on the conversion plan and application, as well as ensuring that other communications and meetings are effective for individuals with disabilities, PHAs must ensure communications and materials are accessible and in compliance with Section 504 of the Rehabilitation Act of 1973 and implementing rules at 24 CFR 8.6 and Title II of the Americans with Disabilities Act of 1990 and implementing rules at 28 CFR 35 and 36. This includes ensuring written and oral communications, including resident meetings, are provided in appropriate alternative formats as needed, e.g., Braille, audio, large type, accessible electronic communications, assistive listening devices, sign language interpreters, computer-assisted real time transcription of meetings, brailed materials, large print documents, accessible web-based and email communications, and when providing materials via the Internet. In selecting locations for consultation with residents, the PHA must provide equal access for persons with disabilities, conducting sessions at locations that are physically accessible to persons with disabilities, including individuals who use wheelchairs. Individuals with disabilities must receive services in the most integrated setting appropriate to their needs, meaning the needs of qualified individuals with disabilities that enables interactions to the fullest extent possible. The PHA is guided by the goal of maximizing participation in an integrated setting so that residents with disabilities and residents without disabilities may hear and consider each other's views. Priority shall be given to on-site accessible locations (e.g., TV rooms or informal gathering places) even if to do so requires multiple sessions with smaller groups of residents.



Title VI of the Civil Rights Act of 1964 and regulations at 24 CFR 1 require PHAs to take reasonable steps to ensure meaningful access to their programs and activities for persons who have limited ability to read, speak, or understand English (i.e., individuals who have limited English proficiency or LEP persons). Written materials provided in English are to be provided in regularly encountered languages among the residents. PHAs may need to provide interpreters to communicate between different languages to ensure LEP persons have meaningful access. PHAs hold meetings in languages other than English to provide direct communication and participation.

**15) Removal of All Public Housing Units.** If a PHA is removing the last of its public housing units through the proposed conversion (all remaining units are included in the SAC application), the PHA complies with PIH Notice 2016-23 (or replacement notice) by uploading a completed Form HUD-5837 to its SAC application. Section D of the Form HUD-5837 requires the PHA to identify any potential issues related to close-out and how those issues can be addressed. In identifying issues, the PHA assesses the likely impact of the close-out on the PHA's staffing, repayment agreements, and other obligations and remaining liabilities. Field Offices may require additional information from PHAs as part of their review of the Form HUD-5837. The PHA should reach out to its Field Office for technical assistance.

**16) Technical Assistance.** Contact [SACTA@hud.gov](mailto:SACTA@hud.gov).

**17) Paperwork Reduction Act.** The information collection requirements contained in this notice are approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The OMB control numbers are: 2577-0075, 2577-0169, 2577-0226, and 2577-0276.

**18) Public Comments.** HUD welcomes public comments on this notice. Comments may be submitted to HUD via email at [SACTA@hud.gov](mailto:SACTA@hud.gov) or to HUD's Special Applications Center (SAC), 77 W. Jackson Blvd. Chicago, IL 60604. It is helpful to organize comments by specific sections of the notice to assist with the subsequent review and response. Explain your views and reasoning as clearly as possible; outline the basis for assumptions; and supporting evidence or data, wherever possible. If you disagree with an aspect, provide alternatives that implement your suggestions. Add an analysis of how your alternative(s) would better serve the public interest and specific examples to illustrate your concerns, again, as possible.

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/s/  
R. Hunter Kurtz  
Principal Deputy Assistant Secretary for  
Public and Indian Housing