

Is Your Public Housing Historic?



National Historic Preservation Act of 1966

The Congress finds and declares that... the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.

Section 106 of the National Historic Preservation Act of 1966

The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, shall take into account the effect of the undertaking on any historic property.

June, 2019

Is Your Public Housing Historic?

If it was built more than 50 years ago, it may be. What makes a building “historic”? And what are the implications if a property is considered historic? This primer answers those questions and explains how a federal historic preservation requirement, known as Section 106 review, applies to public housing. Federally-assisted actions are considered federal undertakings and are subject to environmental review, which includes Section 106 review. HUD regulations exempt some public housing activities such as administrative and maintenance activities, and tenant-based rental assistance, but other public housing activities require Section 106 review. Guidance on page 14 addresses exemptions and ways to expedite reviews.

A property is considered historic if it is listed on or eligible for listing on the National Register of Historic Places (National Register). The National Register is the nation’s list of significant properties worthy of preservation because they represent the history of the American people over hundreds and even thousands of years. Over 20 public housing developments are listed on the National Register, and others are eligible because they meet the Register criteria. Properties that are owned and operated by PHAs that were not purpose built as conventional public housing are often referred to as scattered sites. Scattered site buildings that a PHA has acquired or received as donations may also be eligible as individual buildings or parts of historic districts. The National Park Service sets criteria for the National Register and officially lists nominated properties. Contrary to popular belief, National Register designation itself does not impose restrictions on privately-funded actions. It is federal funding, permit or license that triggers Section 106 review. For PHAs the federal funding is most commonly a formula or competitive grant from HUD.

How does a property qualify for the National Register of Historic Places?

Generally, a property must be at least 50 years old to qualify for the National Register, although there are exceptions. Not all older properties qualify. If they have been extensively altered, they may not be eligible. Buildings can be listed individually, or as a group in an historic district. Conventional public housing developments with multiple buildings constructed at the same time are typically listed on the National Register as historic districts. Archeological sites from prehistoric and historic periods can also be eligible for the National Register. And properties of all types can be eligible at a national, state, or local level of significance.

Finally, to qualify for the National Register, a property must possess significance under one or more of the following National Register criteria.

- A. Historic Significance**
- B. Association with Important Persons**
- C. Architectural Significance**
- D. Archeological Potential**



*Neighborhood Gardens, St. Louis (1935)
Listed on the National Register of Historic Places in 1986.*

A. Historic significance and contribution to the broad patterns of American history.

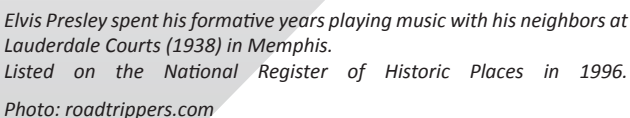
Federal support for public housing is a significant part of American history that has affected millions of lives. The federal government began supporting public housing in the 1930's as a jobs creation program. It evolved over time to serve different purposes and segments of the population. Early public housing was segregated by race and family status. In the War years, emphasis shifted to production of housing for homefront war industry workers. The 1950's and 60's saw slum clearance and highrise construction as the model.

A summary of the waves of public housing production is found in the second part of this primer. If a public housing property is a good example of one of the historic periods of public housing development and still looks generally like it did then, it may be eligible for the National Register under Criterion A.

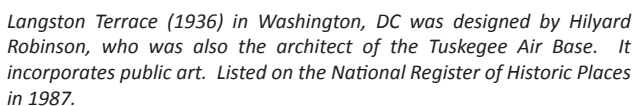
Other types of properties – rowhouses, old schools, factories, hotels, retail or office buildings - that have been acquired by a Public Housing Agency (PHA) and adaptively reused for public housing may be eligible based on the historic significance of their previous use.

B. Association with important historic persons

Many well-known people grew up in traditional public housing and were shaped by the experience. Strong association with the productive lives and achievements of prominent residents – entertainers, politicians, athletes, scholars, community activists, etc. – may qualify a property for the National Register under Criterion B, usually combined with significance under A and/or C. Likewise, the individual home of a prominent person could be eligible under Criterion B.



Some public housing developments are eligible for the National Register because they are excellent examples of their era of construction with period architectural details, special materials, public art, and characteristic site layouts. Design by a famous architect can also make a property eligible under Criterion C. But a property does not have to be a high style landmark to be eligible for the National Register. A typical type of public housing property that retains its historic appearance can also be eligible for the National Register on architectural merit.



Neighborhoods of older homes, historic Main Streets, and downtown city centers that contain a concentration of historic buildings can qualify under criterion C as historic districts. Scattered site historic public housing properties in such areas could be considered as contributing structures to an historic district. Newer or greatly altered buildings within a historic district are considered non-contributing and are not treated as eligible for the National Register.



Restoration of these rowhouses in East Baltimore for affordable housing won the ACHP/HUD Secretary's Award for Excellence in Historic Preservation in 2017.

Photo: Advisory Council on Historic Preservation



John Jay Housing, Springfield, Illinois (1942)

These buildings were changed from their original appearance (above), with extensive later alterations (below) of roof line, cladding, windows and doorways. Despite its age, the property is not eligible for the National Register of Historic Places due to alteration.

D. Archeological information

This criterion may apply to the grounds of a public housing property, if it's likely that there are significant archeological resources

underground. Some public housing developments were constructed on land that was previously used for something else. Buried remnants of those prior uses may be significant in telling the story of historic or prehistoric times. Determining eligibility under Criterion D usually requires consultation with descendent communities, like Indian tribes, and/or research and field work by an archeologist.

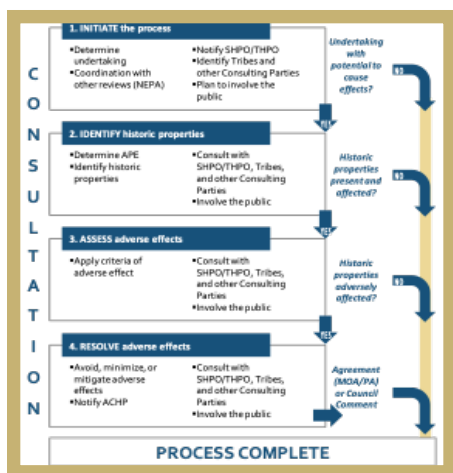
Section 106 Review

Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to carefully consider the impacts of their projects on historic properties and avoid adverse effects where possible. Adverse effects are sometimes unavoidable and Section 106 does not require preservation. The process tries to balance preservation and other public purposes such as affordable housing.

For PHA projects that require Section 106 review, the local Responsible Entity (RE) manages the process. (Occasionally, HUD conducts the review directly.) It is a collaborative process that involves consultation with an applicant, like a PHA, and the [State Historic Preservation Officer \(SHPO\)](#). The role of the PHA is to provide the RE with information about the proposed project and support in identifying historic properties and evaluating project effects. The RE makes the final decision regarding the outcome and seeks agreement from the SHPO. In complicated or controversial projects, there may be additional interested parties involved in the consultation.

Responsible Entity (RE):

The local or state government office that has assumed the role of the federal agency in the environmental review process and is responsible for conducting Section 106 review of HUD projects in its jurisdiction.



[Click](#) to enlarge this flowchart of the Section 106 process.

Courtesy: Advisory Council on Historic Preservation

Section 106 Process

1. Prepare for the review
2. Identify historic properties
3. Evaluate effects of the project
4. Resolve any adverse effects

1. Prepare for the review

The PHA prepares a description of the project they want to undertake. The project description is typically done in conjunction with anticipated activities in the PHA 5 year capital action plan. The description includes information on the physical features and condition of existing buildings and grounds at the site, dates of construction and major alterations, notable architectural features (exterior and interior), proposed project activities, maps of the location and layout of the site, and digital photos of the building exterior, notable interior features, and the overall streetscape. It's important to list specific activities and not just general categories of activities, e.g. "window replacement, new kitchen cabinets, and new HVAC system", instead of "rehab" or "energy upgrades."

Besides the PHA, the RE invites additional consulting parties to participate in the review process as appropriate. It relies on the PHA to help identify contact information for potential consulting parties, like public housing resident advisory boards, local preservation organizations, neighborhood groups and members of the public who may want to participate in the review because of their interest in the property and/or their concern for the project's impacts. Small scale interior rehabilitation projects are unlikely to involve additional consulting parties. If a project may have an effect on a historic property or archeological resource, it is likely that other parties will be interested in being part of the Section 106 review process.

Consultation with Tribes and Native Hawaiian Organizations (NHOs)

When needed ([see checklist](#)), the RE or HUD will identify Indian tribes or NHOs that may have an ancestral cultural interest in a project area and invite them to consult in the Section 106 process. [HUD's Tribal Directory Assessment Tool \(TDAT\)](#) identifies tribal contacts and areas of tribal interest. PHAs should NOT contact tribes or NHOs.

2. Identify historic properties

This step starts with Identification of the Area of Potential Effect (APE), the extent of the project's physical and indirect impacts. The boundary of the property and the boundary of the APE should be marked on the project map. The PHA can then start to identify historic properties in the APE. For typical interior rehabilitation projects, the APE is the building itself. For minor exterior rehabilitation, the APE may coincide with the property boundary. Where major rehabilitation, new construction, or changes in use may result in indirect effects like changes in character or visual effects, the APE may extend beyond the boundaries of the project into adjacent neighborhoods. In that case, historic properties in those adjacent areas need to be identified too.



Map of major redevelopment project with property boundary in purple and APE in green

Historic properties are ones that are listed on or eligible for the National Register of Historic Places. [State Historic Preservation Offices](#) often have extensive files on historic properties. The PHA can check online databases for the [National Register](#) and state and local historic inventories and provide any listings that are found to the RE. If the buildings in the APE are not already included on the National Register, and the buildings are over 45 years old (allowing a 5-year buffer for the 50-year guideline), it will be necessary to evaluate them using the National Register criteria. A professional historic preservation expert can assist with that task. REs in larger cities often have experts on staff. If not, the PHA can hire an expert. (SHPOs usually have lists of preservation consultants.)

If there are no historic properties in the APE, the review concludes at this step. The RE makes a finding of No Historic Properties Affected and submits it with supporting documentation to the SHPO for concurrence and to any participating consulting parties for comment. (If the SHPO does not concur due to lack of documentation or disagreement with the determination, the consultation process continues.)

3. Evaluate effects

If historic properties are present, the next step is to evaluate the direct and indirect impacts of the project on those properties. The PHA can submit a preliminary recommendation to the RE, but the RE must make the final determination of

whether a project will adversely affect historic properties and seek agreement from the SHPO. Most proposed projects have positive effects, but some may negatively affect the character of historic properties. Examples of direct adverse effects include full or partial demolition, damage, alteration or removal of significant historic features, and disturbance of underground archeological resources. Indirect effects can include visual impacts of a new construction project on surrounding historic properties.

The **Secretary of the Interior's Standards for Rehabilitation** are the federal standards for work on historic buildings and treatment of historic architectural features. The Standards recommend repair of historic features if feasible, or matching in-kind replacement if repair is not feasible. Features typically of concern in traditional public housing include historic windows and doors, siding, original landscape features, and decorative railings on porches or stairs. Extensive guidance on how to comply with the Standards and thereby avoid adverse effects can be found [here](#). Specific topics like lead paint and accessibility are addressed [here](#).



Decorative iron balconies were preserved at Iberville (1941) in New Orleans. Listed on the National Register of Historic Places in 2015.

If a project will not have any adverse effects on historic properties in the APE, the review concludes at this step. The RE makes a finding of No Adverse Effect and submits it with supporting documentation to the SHPO for concurrence and to any participating consulting parties for comment.

(If the SHPO does not concur due to lack of documentation or disagreement with the determination, the consultation process continues.)

4. Resolve adverse effects

If a proposed project may have an adverse effect, the RE notifies the federal [Advisory Council on Historic Preservation \(ACHP\)](#) and continues consultation with the PHA, SHPO, and other consulting parties to answer a series of questions. Could the project be modified to avoid adverse effects? If not, could the adverse effects be minimized? If not, what mitigation might compensate for the damage or loss of an historic property? Typical examples of mitigation include historic studies, education programs, photo documentation, oral history projects, exhibits and historic markers. The PHA (or development partner) pays for mitigation.

A good faith effort to investigate alternatives is expected under Section 106. The SHPO has often dealt with similar issues in other projects and can help suggest possible ways to resolve adverse effects. When consensus is reached, it is outlined in a Memorandum of Agreement (MOA) that is signed by the RE, SHPO, ACHP (if participating) and PHA. The PHA must then carry out the stipulations in the MOA.

The review concludes with a finding of Adverse Effect and a fully executed MOA.



Demolition of an historic property is a clear adverse effect.

Timeframes for Section 106 review

How long does a Section 106 review take? It depends on the complexity of the project and the finding of effect. The RE must submit one of three possible Findings of Effect to the SHPO with documentation that supports the finding and seek SHPO concurrence. The Section 106 review is complete when the SHPO responds with their concurrence, or, if needed, an MOA is signed by all the signatories.

After all the required documentation is in hand and the RE submits a Finding of Effect to the SHPO and other consulting parties, the following timeframes generally apply for completion of Section 106:

No Historic Properties Affected

--- up to 30 days

No Adverse Effect

--- up to 30 days

Adverse Effect

--- 60 - 180 days or longer, depending on the length of time needed for consultation to resolve adverse effects and execute an MOA

Section 106 Documentation

Every project must have an environmental review record that documents the outcome of the review. For Section 106, the documentation should include:

- Project description
- Location map with APE indicated
- Digital photographs
- Identification of historic properties
- Finding of Effect with justification
- Letter to SHPO
- Reply from SHPO with concurrence
- or MOA if applicable

HUD's Environmental Review Online System (HEROS) is a web-based, publicly available system that stores information about the environmental review of HUD projects and REs use it to document Public Housing projects. It replaces the old “statutory checklist” form.

It is the responsibility of the PHA to prevent any project activity from occurring until the Section 106 review has been properly completed.

Exemptions and Limited Review

Many routine administrative and minor maintenance public housing activities are exempt from Section 106 review by HUD regulation. Tenant-based rental assistance is also exempt. Other projects may require only limited or streamlined Section 106 review.

Exempt and Categorically Excluded activities

See lists at [**24 CFR 58.34**](#) and [**24 CFR 58.35\(b\)**](#).

Projects limited to “Maintenance”

Some projects consist solely of activities that qualify as “Maintenance” under [**HUD Notice CPD-16-02**](#) and [**HUD Notice PIH-2016-22**](#). The Notices have detailed lists of activities that qualify as Maintenance for purposes of environmental review. Examples include roof repair, painting, replacement of appliances, and replacement of a broken toilet, medicine cabinet or water heater. For comparison, Notice CPD-16-02 lists activities that go beyond maintenance and are considered rehabilitation which is not exempt. It is important to check the Notices to determine which category applies to the proposed project because the definition of Maintenance in the Notices may differ from other PIH definitions of maintenance.

Five-year consolidated reviews

HUD encourages PHAs to consolidate environmental reviews with an expansive project description that includes all activities anticipated over a five-year period. The RE can then conduct one Section 106 review of the entire scope of activities. Unless additional activities are contemplated, the review is good for 5 years. [HUD Notice PIH-2016-22](#) provides guidance on this approach.

Programmatic Agreements that streamline Section 106 review

Some states and municipalities have Programmatic Agreements (PAs) with SHPO and the federal Advisory Council on Historic Preservation (ACHP) that exempt from review activities that are unlikely to harm historic properties. The following types of rehabilitation activities are typically exempted in a PA: work on buildings less than 45 years old; routine upgrades of bathrooms and kitchens; replacement of HVAC systems; and repaving of parking lots. PAs are listed by state on the [HUD Exchange](#). PAs usually cover multiple HUD programs. In places that have a PA that applies to Public Housing, the RE determines if all the activities in a project are exempt, and if so, the RE concludes the review without further consultation.

If a locality does not yet have a PA, the RE can develop one. It involves consultation with SHPO and other consulting parties and usually takes six months or more to negotiate and execute. A PA that exempts recently constructed public housing and routine activities without adverse effects can be very useful in streamlining Section 106.

Additional Resources

[A Citizen's Guide to Section 106 Review](#)

Advisory Council on Historic Preservation

[Historic Preservation Section of HUD Exchange](#)

Extensive information on Section 106 review

[36 CFR 800](#), Section 106 regulations

[WISER: Historic Preservation](#), HUD webinar on historic preservation and Section 106

[Policy Statement on Affordable Housing and Historic Preservation](#), Advisory Council on Historic Preservation

[Guidance on Archeological Investigations in HUD Projects](#)

[Using the Historic Tax Credit for Affordable Housing](#), May be applicable in RAD transactions

[National Public Housing Museum](#), Chicago

[HUD Environmental Contacts](#)

Summary of the Waves of Production in Public Housing

The history of public housing began long before the creation of HUD. A detailed history of public housing through 1949 can be found [here](#). HUD is currently working on a second volume that will cover the years 1950 to 1980. Both documents provide guidance on how to determine if a given public housing development is eligible for the National Register of Historic Places. Waves of production in public housing were tied to federal housing initiatives and legislation. Below is a summary of the eras of public housing construction. PHAs can retain a historic preservation expert to evaluate the eligibility of their properties that are more than 45 years old. This summary and the history documents noted above can provide a historic context for evaluating the historic significance of specific properties.

PUBLIC WORKS ADMINISTRATION (PWA) 1933-1936

The first federal effort in public housing was administered by the PWA between 1933 and 1936. The effort was set up to address the converging problems of unemployment and insufficient housing during the Great Depression. Franklin D. Roosevelt's administration set up the National Industrial Recovery Act in 1933 which included the PWA. The PWA was part of the set of programs that became known as the New Deal. This era represented more cost flexibility and sound construction and design than later public housing policy eras that applied more cost and design restrictions. Housing advocates during this time period were inspired by a European planning movement known as the Garden City, and brought some of these planning concepts of a self-contained community to the public housing designs. The PWA era public housing was connected to other Works Progress Administration programs that incorporated art, playgrounds and community facilities with the housing built.



Cherokee Terrace (1937) was constructed by the PWA in Enid, Oklahoma. Listed on the National Register of Historic Places in 2013. Photo: Rosin Preservation

The housing built in this first experiment in public housing was not built for the neediest households. This program had job creation for construction work as the policy priority. This PWA era housing was targeted at what researchers termed the “submerged middle class”. This was a tenant population of families knocked out of middle-class stability by the job losses of the Great Depression.

UNITED STATES HOUSING AUTHORITY (USHA) 1937-1940

The first United States Housing Act was passed in 1937 and created the decentralized structure of PHAs that remains in place. In 1935 the 6th Circuit Court in *U.S. v. Certain lands in Louisville, Kentucky* struck down the federal use of eminent domain in an earlier PWA era public housing development. Instead of reopening this eminent domain battle the 1937 Act left the land assembly and site selection of public housing to local jurisdictions. The United States Housing Authority (USHA) was created within the Department of the Interior to administer the program funding and the local jurisdictions and PHAs were responsible for the site selection, acquisition, construction and operation of the public housing after 1937. It was an opt in program with States and localities deciding to participate in the program and create PHAs.



Poster for Woodhill Homes (1940), Cleveland Library of Congress

This era represented rigid cost controls. Maximum costs of \$4,000 per unit, \$1,250 per room and \$1.50 per square foot were established and included land and site costs. Production speed and maximum economy were the priority. This was “no frills” housing established to maximize housing production and cost efficiency. An example was removing doors from closets and replacing with curtain rods which was estimated to save \$40 per unit. In addition to efficiency the cost controls on both land and building were put in place to appease the private real estate industry concerned that public housing produced would compete with private rentals.

The cost controls and standard designs made the public housing of this era distinct from private market housing. USHA documents from the time even referred to the housing built as “low cost” rather than “low rent” public housing. The murals, artwork and community amenities that were included in the PWA era public housing were no longer included, the emphasis was to build public housing as quickly and cheaply as possible.

WORLD WAR II AND DEFENSE INDUSTRY HOUSING 1941- 1948

In 1940, USHA was not extended and Congress enacted a prohibition on “non-essential” construction as national priorities shifted from public housing to defense housing.

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USHA projects still under construction in defense industry areas were converted to house war workers and their families. In 1940 what became known as the “Lanham Act” was passed to assist defense industry areas facing rapid migration and population increases of war workers. Efficiency and economy were the priority and the vast majority of the defense housing produced were temporary structures, such as trailers and plywood dormitories.



San Francisco, 1943 Library of Congress

Over 90% of the Lanham Act housing were temporary structures and demolished in the years after the end of World War II. After the war the land and temporary defense housing were often transferred to the local PHA or redevelopment authority. The PHAs would eventually rebuild on the Lanham Act sites often utilizing the same foundations of the temporary war dwellings, which caused the barracks style site planning to remain. Permanent defense housing was a small portion of the Lanham Act housing, though examples of permanent defense housing remain in use as public housing.

SLUM CLEARANCE, URBAN RENEWAL & 1949 HOUSING ACT

The federal public housing program was again restarted and reauthorized with the 1949 Housing Act. The 1949 Act as well as the 1954 amendment were directly linked to urban redevelopment and the demolition and site clearance of what were considered obsolete neighborhoods and slums. Title I of the Act established federal financing for slum clearance.

The policies funded local governments to use eminent domain to acquire private homes that were deemed sub-standard. The homes were razed and replaced with new public housing as well as private commercial and residential development. The reauthorization with an emphasis on slum clearance and urban redevelopment was part of a collection of policies that would become known as urban renewal. The Act also would influence new priorities in tenant selection by calling for the new public housing to become replacement housing for households that lost homes when whole neighborhoods were demolished during urban renewal. During this time period principles of Modernism had swept through and influenced architects and urban planners. A format of building called “tower in the park” promoted by architect Le Corbusier, was a popular method and format used for public housing during urban renewal. These repeating high-rises and large-scale buildings were meant to differentiate from the low scale older neighborhoods demolished through urban renewal.



Wilson Park Housing, Philadelphia, 1954

Photo: Philadelphia Housing Authority

Cost controls and regulated designs limited the design implementation of the public housing built during urban renewal. The park portion of “tower in the park” was often either removed or limited in the construction. These were minimum amenity designs with lobbies and most common areas removed. During the same time period the Federal Housing Administration was underwriting suburban homeownership at

rates that far outpaced urban public housing construction. The displacement of families and destruction of existing neighborhoods helped build a grassroots movement against this large scale urban renewal. Published in 1961, Jane Jacob's book "The Death and Life of Great American Cities" provided a clear and popular argument against the urban renewal policies of the 1950's that destroyed the existing fabric of neighborhoods and created unnatural city areas. Improved housing opportunities were the goal, though the legacy of the program has been the demolition and displacement left in its wake.

GREAT SOCIETY, BROOKE AMENDMENT & VOUCHERS

HUD was created in 1965 as a cabinet level agency in the group of domestic programs known as the Great Society. The Great Society was a set of new domestic spending programs with the aim of eliminating poverty and racial injustice. During this period homeowners and businesses were leaving urban areas to expanding and prospering suburbs. HUD was established as part of a response to address affordable housing shortages and help cities rebuild. By the 1960's, less than a decade after construction, some of the large high-rise public housing built during urban renewal were facing significant convergence of operational challenges. At this point there was no federal assistance for operations and management of public housing, while occupancy and tenant rents were dropping as expensive maintenance of building systems such as elevators increased costs. Until bonds were eventually retired for all PHAs in 1986 the PHAs were required to pay bond debt service that financed the construction first before any other costs. These converging issues left PHAs in a challenging situation requiring the difficult to impossible choices of raise rents or decrease maintenance or both. As rents were increased at the same time as services and maintenance cut tenant rent strikes ensued. The stark and monolithic designs were attributed blame for the failure of the public housing.

Architect Oscar Newman a frequent critic of the high-rise public housing developments built during urban renewal developed and popularized a concept he called “defensible space”. Newman advocated for “defensible space” site plans and designs that allow “eyes on the street” where residents can actively engage in the safety and security of the public housing properties. Congress even took the step of prohibiting high-rise elevator buildings for family public housing in 1968. New York City Housing Authority which accounts for over 15% of the nation’s public housing units and in 1968 already included a large portion of family high-rise properties was given an exemption from the prohibition. Elsewhere in the country existing high-rise properties built for families were converted to elderly public housing after the prohibition.

In 1969, Congress passed the “Brooke Amendment” which set the percentage of income a public housing resident could be expected to pay for rent. The first figure was 25% of income and this was later raised to 30% of income, a standard which remains throughout affordable rental housing. Until this time the federal contribution to public housing was only for the production of the housing through bond financing. From 1933 until 1969 there was no federal contribution for the operation and management of the public housing which were expected to be covered by tenant rent contributions. By creating rent structures based on income the already existing needs for operations and management funding of PHAs became more urgent. The formula grant allocations that continue to fund operations and capital improvements to public housing were created in conjunction with the income-based rent structures.

The 1972 televised demolition of the 33 eleven story high-rises of the Pruitt Igoe public housing in St. Louis, Missouri came to symbolize already negative national perceptions of public housing. In 1973, President Richard Nixon created a national moratorium on the construction of new public housing.



Demolition of Pruitt-Igoe, 1972

Photo: State Historical Society of Missouri

The production of public housing is a supply side solution to the challenge of affordable housing. By the early 1970's HUD was beginning to experiment with demand side solutions to affordable housing in the form of vouchers that were tenant based and could be used to rent housing in the private market. Tenant based housing vouchers commonly known as Section 8 vouchers are now the nation's dominant affordable housing program and are more than double the number of units of conventional public housing.

DISTRESSED HOUSING, HOPE VI AND CHOICE NEIGHBORHOODS

During the 1970's and 1980's Congress created new programs to leverage private investment in affordable rental housing. These programs would provide bonds, favorable interest rates or other subsidies to private owners to create and rehabilitate affordable rental units in private and nonprofit owned properties. The tax reform act of 1986 introduced the Low Income Housing Tax Credit which has become a significant program in the investment in and production of affordable rental housing. With the rise of housing vouchers and the creation of other private ownership incentive programs, there was limited production of new conventional public housing in the 1980's.

Congress established a commission in 1989 to investigate distressed public housing, which was housing considered obsolete and unlivable. The authorizing legislation defined severely distressed as: 500 units or more, elevator buildings, vacancy rates of more than 15% and predominantly serving families with children. The commission prepared a report in 1992 and included a rating score of distress and identified specific properties and recommended solutions. The report and focus on distressed public housing helped lead HUD to create the HOPE VI competitive grant program. HOPE VI provided grants for revitalization of distressed public housing, which usually included demolition and redevelopment. The focus on distressed housing used terms including obsolete and useful life of buildings. In PHA demolition applications a building is considered obsolete if no reasonable program of modifications is cost-effective to return the public housing project or portion to its useful life, as safe, clean and healthy housing.

HOPE VI began in 1992, was more formally created in 1999 and continued as a demonstration program until 2010. The redeveloped public housing buildings funded by HOPE VI were usually at a lower scale (duplex, rowhouse) to the higher scale (high-rise, mid-rise apartments) public housing replaced. While there was not a defining architectural style to HOPE VI redevelopments it did emerge out of a reaction to the modernism and brutalist architecture of urban renewal. The “defensible space” concept site planning and HOPE VI were connected to and grew up along with New Urbanism and the shared principles of low scale, high density, pedestrian friendly and transit accessible communities.

Choice Neighborhoods program created in 2010 built upon the HOPE VI demonstration and has broadened the emphasis beyond housing to make more connections with jobs, transportation, health and broader neighborhood revitalization.

RENTAL ASSISTANCE DEMONSTRATION

Since introduction in 2012 the Rental Assistance Demonstration (RAD) program has become a central part of HUD's rental housing preservation strategy. By preservation it is meant that the units are safeguarded for continued use as long-term affordable rental housing. RAD converts conventional public housing to a housing assistance payment platform, usually through a project-based voucher (PBV) or Project Based Rental Assistance (PBRA) payment. By switching programs and converting to a PBV or PBRA platform the properties can be placed on a more solid financial footing. The public housing that converts receives housing assistance payments instead of formula operating and capital grants, and by converting is able to access traditional real estate finance including Low Income Housing Tax Credits and Historic Tax Credits. Unlike HOPE VI and Choice Neighborhoods programs RAD conversions rarely involve demolition of the public housing. More often RAD conversions include rehabilitation or even conversion without any building alteration work proposed.

