

NINTH AMENDMENT
TO
AMENDED AND RESTATED MOVING TO WORK AGREEMENT AMENDING
ATTACHMENT A (CALCULATION OF SUBSIDIES) FOR THE
RENTAL ASSISTANCE DEMONSTRATION (RAD)
BETWEEN
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
AND
HOUSING AUTHORITY OF THE CITY OF BALTIMORE

This ninth Amendment to the Moving to Work (“MTW”) Agreement (“Agreement”) is entered into by and between the United States of America through the U.S. Department of Housing and Urban Development (“HUD”) and The Housing Authority of the City of Baltimore (“Agency”) and is effective on the date of execution by HUD. Unless otherwise defined herein, all capitalized terms used herein shall have the same meanings ascribed to them in the Agreement.

As a result of the Agency’s participation in the RAD demonstration, Attachment A is amended as follows:

1. The following is added to the **Definitions** section:

RAD Adjustment Factor: Where noted in Section 1 of this Attachment A, the Agency’s annual subsidy amount will be reduced by application of a RAD adjustment factor. An amount is calculated for each project converting to RAD by multiplying the Operating Subsidy component of the RAD contract rent calculation by the number of units converting to RAD. For each project, the product of the foregoing calculation will then be inflated using an Operating Cost Adjustment Factor (OCAF) published by HUD each year after the Operating Subsidy funding year from which the RAD rent is calculated. The resulting amount for each RAD project will then be summed. The sum will then be annualized by being multiplied by 12 to derive the RAD adjustment factor. The RAD adjustment factor will be calculated each year as part of the annual operating subsidy process.

2. The first paragraph under Section 1. “**Operating Subsidy**” is replaced as follows:

The calculation of operating subsidy for the Initial Year is based on HABC’s funding amount already calculated by HUD for its fiscal year July 1, 2004-June 30, 2005, in the amount of \$58,395,634 (\$25,182,725 of which relates to utility costs). There shall be three adjustments allowed to this baseline amount in subsequent years: (1) an inflation factor applied to the utility cost component of the subsidy (\$25,182,725 in the initial year) based on an energy index as determined by HUD each year; (2) the remainder of the annual funding amount (\$33, 212,909) shall be adjusted by an annual inflation factor pursuant to existing regulations; and (3) the amount resulting from steps one and two shall be reduced by the RAD adjustment factor each year. Funding for operating subsidy in the second and subsequent years of this agreement will

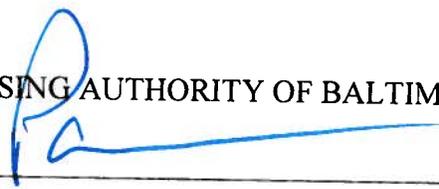
be based on initial year funding (the baseline as adjusted) and will be further adjusted annually commensurate with adjustments to annual appropriations for the Operating Subsidy Program.

3. Section 1.A. is added as follows:

In the event that all of the Agency's public housing units are converted under RAD or otherwise removed from inventory (e.g., removed via Section 18), operating subsidy will cease to be provided under this Attachment beginning with the first Calendar Year (CY) after RAD conversion of the final public housing unit.

IN WITNESS WHEREOF, the parties have caused this Amendment to Attachment A to be executed by their duly authorized representatives.

HOUSING AUTHORITY OF BALTIMORE CITY

By:  _____

Name: Paul T. Graziano
Its: Executive Director

Date: OCT 21 2015

UNITED STATES DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT

By:  _____

Name: Nani Coloretti
Its: Deputy Secretary

Date: 12/16/2015