

**Inventory Removal
Application****U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing****OMB Approval No. 2577-0075**
(exp. 08/31/2014)

Public reporting burden for this collection of information is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. This information is required to request permission to remove from inventory all or a portion of a public housing development (i.e. dwelling unit(s), non-dwelling property or vacant land) owned by a Public Housing Agency (PHA). The information requested in this application is based on requirements of Sections 18, 22, 32, and 33 of the United States Housing Act of 1937 as amended ("Act"), 24 CFR Parts 906, 970, and 972 (HUD Regulations), and HUD's interest in property of PHAs under Annual Contribution Contracts and Declarations of Trust. HUD will use this information to determine whether, and under what circumstances, to permit PHAs to remove from their inventories all or a portion of a public housing development, as well as to track removals for other record keeping requirements. Responses to this collection of information are statutory and regulatory to obtain a benefit. Please refer to the instructions for each section for additional guidance on how to complete this application. HUD approval of the proposed removal from inventory action in this application does not constitute HUD approval for funding of the proposed action. All capitalized terms not defined in this form have the meanings as defined in the Act and HUD Regulations. The information requested does not lend itself to confidentiality.

Section 1: General Information		
PHA Name:	Date of Application:	
PHA Address:		
No. and Street:	City and State:	Zip Code:
Phone Number:	Fax Number:	E-mail Address:
Executive Director's Name:	Executive Director's Phone Number:	Executive Director's Email:
Primary Contact's Name:	Primary Contact's Phone Number:	Primary Contact's Email:

Section 2: Long-Term Possible Financial Impact of Proposed Action
1. Operating Subsidy In FY , this PHA received \$ per unit in operating subsidy. This PHA realizes that after HUD approves this proposed action, this PHA's operating subsidy will decrease by \$ / year (number of units subject to this proposed action X subsidy per unit)
2. Capital Fund Program (CFP) In FY , this PHA received \$ per unit in CFP funds. This PHA realizes that after this proposed action takes place, CFP funds will decrease by approximately \$ /year (number of units subject to this proposed action X CFP funds/unit):

Section 3: PHA Board Resolution, Environmental Review, and Government Consultation
PHA Board Resolution 1. Board Resolution Number: 2. Date of PHA Board Resolution: <i>*Attach a copy of the PHA Board Resolution and reference it as Section 3, line 1.</i>
Environmental Review 3. Identify the Responsible Entity that is conducting the environmental review under 24 CFR 58: Or if HUD is conducting the environmental review under 24 CFR 50, check here:

Government Consultation
<p>4. This PHA covers the following jurisdictions (list all municipalities, counties, etc.):</p> <p><i>*Attach a narrative describing the PHA's consultation with all Appropriate Government Officials (AGOs) and reference it as Section 3, line 4.</i></p>
<p>5. This PHA has obtained all necessary Letters of Support from all Appropriate Government Official(s) about this proposed action and the Letter(s) of support is (are) dated (mm/dd/yy)</p> <p><i>*Attach copies of all Letters of Support from the AGOs and reference them as Section 3, line 5.</i></p>

Section 4: Description of the Existing Development				
1. Name of the Development:				
2. Development Number:				
3. Date of Full Availability:				
4. No. of Residential Building:				
5. No of Non-Residential Building:				
6. Date Constructed:				
7. Is the Development a Scattered Site: Yes No				
8. No. of Building Types: Single Family Houses Duplexes 3-Plexes 4-plexes Other (explain)				
9. No. of Types of Structures Row House Units Walk-Up Units High Rise Unit				
10. Total Acres of the Development:				
11. Existing Unit Distribution	Family Units	Elderly Units	Total Units Being Used for Non-Dwelling Purposes	Total Units in Development
0 Bedroom				
1 Bedroom				
2 Bedrooms				
3 Bedrooms				
4 or more Bedrooms				
Total *				
*Enter in Section 6, line 1b				

Section 5: Description of Proposed Action by Development, Method of Sale, Value, and Net Proceeds**1. Type of action proposed: Check One:**

Complete Demolition
Partial Demolition
Disposition Only
Demolition and Disposition
De Minimis Demolition
Required Conversion
Voluntary Conversion
Homeownership
Eminent Domain Proceeding
HOPE VI Demolition
Disposition—24 CFR 941-Subpart F Exception
Casualty Loss

2. Proposed Action by Unit Type	Units to be Demolished Only	Units to be Disposed of Only
0 Bedroom –Elderly		
0 Bedroom –Family		
1 Bedroom—Elderly		
1 Bedroom—Family		
2 Bedrooms—Elderly		
2 Bedrooms—Family		
3 Bedrooms—Family		
4 or more Bedrooms--Family		
Total *		

*Enter in Section 6, line 1a

3. Proposed Action by Building Type	Buildings to be Demolished Only	Buildings to be Disposed of Only
Residential Buildings		
Non-Residential Buildings		
Total Buildings		

4. If the proposed action involves a disposition, Total number of acres in proposed disposition:

5. If the proposed action involves a partial removal of a Development, a site map is required.

**Attach a site map and reference it as Section 5, line 5.*

6. If the proposed action involves a partial removal of a Development,

**Attach a description of the property (address, building number, unit number) to be removed along with a narrative explaining why the PHA is proposing to remove this portion of the Development and reference it as Section 5, line 6*

Method of Sale

If the PHA is proposing a disposition, answer questions No. 7-10:

7. Which of the following describe the proposed disposition:

- A. ☐ Disposition at Fair Market Value (FMV)
B. ☐ Disposition at less than Fair Market Value (e.g. donation)
C. ☐ Disposition which includes an exchange of property

If B or C is checked,

**Attach a narrative providing a justification (which evidences public benefits to the PHA and its residents commensurate with the proposed compensation) and reference it as Section 5, line 7*

Value

8. What is the value of the property subject to the proposed disposition action: \$

**Please attach required documentation verifying this value (e.g. appraisal) and reference it as Section 5, line 8.*

9. Was an appraiser used to determine the value for the property listed at Number 8 above?

Yes ☐ No ☐

If Yes, name of appraiser who conducted the appraisal: _____ Date of appraisal: _____

Net Proceeds

10. Calculation of Net Proceeds:

Estimated Sales Price	minus	Debt	minus	Cost & Fees	equals	Estimated Net Proceeds
\$ _____	-	\$ _____	-	\$ _____	=	\$ _____

**Attach an itemization of costs and fees (including relocation, moving, and counseling costs) to be paid out of gross proceeds and reference it as Section 5, line 10*

11. How does this PHA propose to use Net Proceeds:

**Attach a narrative providing details concerning the use of Net Proceeds and reference it as Section 5, line 11.*

12. If the proposed action involves a Demolition:

(a) Total estimated cost of the Demolition: \$ _____ (include professional fees, hazardous waste removal, building and site improvements, actual demolition costs, and seeding and sodding of land, but do not include relocation costs or site improvements such as landscaping, playground, retaining walls, streets, sidewalks, etc.)

(b) What source(s) of funding will the PHA use to pay for the cost of demolition?

☐ Operating Funds for FY _____ ☐ CFP for FY _____ ☐ CDBG Funds ☐ Other

**If Other, attach a narrative explaining how the PHA will fund the demolition and reference it as Section 5, line 12.*

13. General Timetable: Complete the general timetable below based on the number of days after HUD approval of this proposed action that the PHA will engage in the following actions:

(a) Begin Relocation of Residents: _____

(b) Complete Relocation of Residents: _____

(c) Execute contract for removal action (e.g. sales contract): _____

Cause occurrence of removal action (e.g. actual demolition, closing of sale): _____

Section 6: Relocation
1. Occupied Units (a) Of the (copy number from Section 5, line 2) units proposed for removal, are occupied as of the date of this Application. <i>*Attach a narrative explaining the circumstances that resulted in the units becoming vacant and the relocation of the residents of the affected Development and reference it as Section 6, line 1(a).</i> (b) Of the (copy from Section 4, line 10) total units in the Development minus (copy from 1(a) above) to be removed, units will remain after removal. (c) Of the (copy from 1(b) above) units remaining after removal, are occupied as of the date of this Application.
If any units are listed as occupied in 1(a), complete questions 2-8
2. Individuals (including children) will be affected by this removal action.
3. How will the PHA provide counseling and advisory services to the affected residents? <i>*Attach a narrative explaining how the PHA will provide counseling and advisory services and reference it as Section 6, line 3.</i>
4. What housing resources/replacement housing does the PHA expect to use for relocation of the affected residents? Other Public Housing Housing Choice Vouchers Other <i>*Attach a narrative explaining how the PHA plans to provide relocation housing and reference it as Section 6, line 4.</i>
5. Estimated Cost of Counseling and Advisory Services: \$
6. Estimated Cost of Moving Expenses: \$
7. Total Cost of Relocation Expenses: \$
8. What source(s) of funding will the PHA use to pay for Relocation Expenses? <input type="checkbox"/> Operating Funds for FY <input type="checkbox"/> CFP for FY <input type="checkbox"/> Other <i>*If Other, attach a narrative explaining how the PHA will fund Relocation Expenses and reference it as Section 6, line 8.</i>
Section 7: Resident Consultation
1. Consultation with Residents at affected Development <i>*Attach a narrative explaining the PHA's consultation with the residents of the affected Development and reference it as Section 7, line 1.</i> If proposed action is for Demolition and/or Disposition under Section 18 of the Act, complete questions 2-5
2. Resident Council (at affected Development) Provide the name of the Resident Council representing the residents of the affected Development: or if there is no Resident Council at this Development, check here . <i>*Attach a narrative explaining the PHA's consultation with the Resident Council of the affected Development and reference it as Section 7, line 2.</i>
3. Resident Council (PHA jurisdiction-wide) Provide the name of the Resident Council representing the interests of the residents residing in units under the PHA's jurisdiction: , or if there is no such Resident Council, check here . <i>*Attach a narrative explaining the PHA's consultation with Resident Council (PHA jurisdiction-wide), and reference it as Section 7, line 3.</i>
4. Resident Advisory Board (RAB) (as defined by 24 CFR 903.13) <i>*Attach a narrative explaining the PHA's consultation with RAB and reference it as Section 7, line 4.</i>
5. Did the PHA receive any written comments concerning this proposed action from the residents of the affected Development, the Resident Council at the affected Development, the Resident Council (PHA jurisdiction-wide), or the RAB? Yes No . If yes, <i>*Attach those written comments, along with any evaluation the PHA has made of those comments and reference it as Section 7, line 5.</i>

Section 8: Offer of Sale (This Section must be completed for all Section 18 Dispositions, including dispositions in connection with Voluntary or Required Conversions that are subject to Section 18 requirements)

1. Is this PHA exercising any of the exceptions to the offer of sale requirement permitted by 24 CFR 970.9(b)(3):
Yes ☐ No ☐

2. If "Yes", check the exception below:

☐ 24 CFR 970.9 (b)(3)(i): a unit of state or local government requests to acquire vacant land that is less than two acres in order to build or expand its public services (a local government wishes to use the land to build or establish a police substation);

☐ 24 CFR 970.9 (b)(3)(ii): the PHA seeks disposition outside the public housing program to privately finance or otherwise develop a facility to benefit low-income families (e.g., day care center, administrative building, mixed-finance housing, or other types of low-income housing);

☐ 24 CFR 970.9 (b)(3)(iii): the units that have been legally vacated in accordance with the HOPE VI program, the regulations at 24 CFR Part 971, or the Required Conversion regulations at 24 CFR part 972, excluding developments where the PHA has consolidated vacancies;

☐ 24 CFR 970.9 (b)(3)(iv): the units are distressed units required to be converted to tenant-based assistance under Section 33 of the Act;

☐ 24 CFR 970.9 (b)(3)(v): the proposed disposition is of non-dwelling property, including administration and community buildings, and maintenance facilities.

**Attach documentation supporting the above referenced exception and reference it as Section 8, line 2.*

3. If "No", state the names of all Established Eligible Organizations (as defined by 24 CFR 970.9(c)) for the affected Development, including the following organizations:

Resident Council at affected Development:

, or if none, check here

Resident Management Corporation (as defined by 24 CFR 964) at affected Development:

, or if none, check here

Outside Organization acting on behalf of the residents of the affected Development (as defined by 24 CFR 964):

, or if neither the Resident Council nor any outside organization has provided the PHA with any notification that the Resident Council has formed a partnership with an outside, check

**Attach a narrative explaining how the PHA determined that the above named organizations are all of the Established Eligible Organizations representing the residents at the affected Development and reference it as Section 8, line 3.*

4. The PHA sent an initial written notification of the sale of the affected Development to each Established Eligible Organization on (mm/dd/yy) via ☐ regular mail ☐ certified mail.

**Attach a copy of each signed and dated initial written notification letter provided to Established Eligible Organizations and reference them as Section 8, line 4.*

5. The PHA received a written initial expression of interest (as defined by 24 CFR 970.11(b)) from one or more of the Notified Eligible Established Organization(s) within 30 days from the date it sent the initial written notification of sale:

Yes ☐ No ☐

**If Yes, attach a copy of each initial expression of interest that the PHA received and reference as Section 8, line 5.*

6. The PHA received a proposal to purchase the affected Development from this Eligible Established Organization within 60 days of the date that it provided the organization with all necessary terms and information to prepare and submit a proposal to purchase the Development:

Yes ☐ No ☐

**If yes, attach a copy of the proposal to purchase and reference them as Section 8, line 6.*

7. The PHA ☐ Rejected or ☐ Accepted the organization's proposal to purchase the affected the Development

Section 9: Certification <i>*Attach a copy of the applicable Certification (as a scanned PDF file) for the specific inventory removal action identified in Section 5 of this Application.</i>
Section 18 Demolition/Disposition PHA Certification
Section 18 Disposition (24 CFR 941 Subpart F) PHA Certification
Section 32 Homeownership PHA Certification
Section 33 Required Conversion PHA Certification
Section 22 Voluntary Conversion PHA Certification
De Minimis Demolition PHA Certification
Eminent Domain PHA Certification

ADDENDUMS:

The following additional forms must be attached to your electronic submission of this 52860 Application for the inventory removal actions referenced below. Please attach these forms as a file, or scan the form and attach it as a PDF file

HUD-52860-B: Total Development Cost (TDC) Calculation	Attach for all Demolition actions and for all Disposition actions where the justification is obsolescence
HUD-52860-C: Homeownership	Attach for all actions involving homeownership
HUD-52860-D: Required Conversion	Attach for all actions involving the required conversion of public housing units
HUD-52860-E: Voluntary Conversion	Attach for all actions involving the voluntary conversion of public housing units
HUD-52860-F: Eminent Domain	Attach for all disposition actions involving eminent domain proceedings

PHA Certification of Compliance
Section 18 Demolition/Disposition

Acting on behalf of the Board of Commissioners of the _____ (PHA), as its Chairman, Executive Director, or other authorized PHA official, I approve the submission of this Inventory Removal Application (HUD-52860) dated _____ and known as DDA # _____, hereinafter referred to as the "Application", of which this document is a part, and make the following certifications, agreements with, and assurances to the Department of Housing and Urban Development (HUD) in connection with the submission of this Application and the implementation thereof:

- 1) All information contained in the Application (including all attachments and Addendums) is true and correct as of the date of this Application;
- 2) The proposed removal action does not violate any remedial civil rights orders or agreements, compliance agreements, final judgments, consent decrees, settlement agreements, or other court orders or agreements to which this PHA is a party;
- 3) The PHA certifies that it will carry out the proposed removal action in conformity with 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 in carrying out the proposed removal action;
- 4) If this proposed removal action involves a disposition and the PHA did not claim an exemption to the Offer of Sale requirement, this PHA sent all required initial written notifications (as described at 24 CFR 970.11) of the proposed sale of the Development to all Established Eligible Organization and the PHA certifies that either it did not receive a response from any notified organization within a 30-day time frame or each notified Established Eligible Organization waived its opportunity to purchase the Development or otherwise rejected the Offer of Sale. The PHA further certifies that it maintains documentation of all documents required by 24 CFR 970.11 on file at its primary business office;
- 5) If an appraisal was submitted at Section 5, the PHA verified that the appraiser was licensed/certified in the state in which the PHA property and received a certification from the appraiser that the appraisal was conducted using generally accepted appraisal methods and maintains this written documentation on file at its central office;
- 6) All dwelling units at the affected development are vacant and have been approved by HUD for demolition, OR, if any dwelling units at the affected development are occupied:
 - The PHA created a Relocation Plan in compliance with all applicable federal, state, and local laws (to the extent those requirements apply), including, without limitation, the Act, 24 CFR 970.21, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) and its implementing regulations at 49 CFR Part 24, and maintains a written copy of the Relocation Plan on file at the central office;
 - The PHA will notify each family residing in a unit affected by this proposed removal action at least 90 days prior to the displacement date, except in cases of imminent threat to health and safety and such notice;
 - The PHA will provide for all actual and reasonable relocation expenses of each resident displaced by this proposed removal action, including residents requiring reasonable accommodation because of disabilities;
 - The PHA will offer any necessary counseling for residents displaced by this proposed removal action;
 - The PHA will not commence the demolition or complete the disposition of any occupied building until all residents residing in the units affect by this proposed removal action are actually relocated;
 - The PHA will provide each family affected by this proposed removal action with comparable housing that meets Housing Quality Standards (HQS) and that is located in an area that is generally not less desirable than the location of the displaced person's housing. This comparable housing may include: (a) actual relocation into the private rental market with Housing Choice Voucher assistance; (b) actual relocation into housing with project-based assistance; or (c) other PHA properties;
- 7) The PHA described the proposed removal action in its PHA Annual Plan and timetable under 24 CFR Part 903 (except in the case of small or high-performing PHAs eligible for streamlined annual plan treatment), and the description in the PHA Annual Plan is identical to the removal action proposed in this Application and otherwise complies with the Act;
- 8) The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or 24 CFR Part 50;
- 9) All attachments and supporting documentation referenced in the Application have been and will continue to be available at all times in the PHA's primary business office;
- 10) The PHA will comply with all reporting and recordkeeping requirements of HUD (including the requirements set forth at 24 CFR 970.35) and shall make all required reports to the applicable HUD Field Office. The PHA acknowledges that reporting

and recordkeeping requirements are ongoing and certifies that it will comply with all applicable reporting requirements after it receives any approvals to this action from the SAC;

- 11) The PHA certifies that the proposed removal action complies with all applicable Federal statutory and regulatory requirements;
- 12) The PHA will not take any action to commence the proposed removal action, including without limitation the expenditure of HUD funds, until it receives written approval of this proposed action from HUD.
- 13) The PHA certifies that the reason(s) for this proposed removal action is as described in Exhibit A, attached to and made a part of this Certification.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Signature	Date

EXHIBIT A: Reason for Removal

PHA Certification of Compliance
Section 18 Demolition/Disposition

The PHA Certifies that its reason for applying to demolish and/or dispose of the Development and/or PHA Property (or a part thereof) is as indicated below.
Check all applicable boxes.

Demolition:

The demolition of the Development (or portion of the Development) is in the best interest of the residents and this PHA because:

Must be Checked for Full or Partial Demolition

Obsolescence—24 CFR 970.15(a)(1): The Development (or affected portion of the Development) is obsolete as to physical condition, location or other factors (as defined by 24 CFR 970.15), making it unsuitable for housing purposes and no reasonable program of modification or rehabilitation of the Development is cost-effective to return the Development (or portion of the Development proposed for demolition) to its useful life;

****Attach a narrative or documentation (e.g. architect's report, feasibility study, etc.) to justify obsolescence and attach a completed Total Development Cost (TDC) Calculation" (HUD-52860-B and reference them as Section 18 Certification)***

Must be Checked for Partial Demolition Only

Viability--24 CFR 970.15(a)(2) and 24 CFR 970.15(c): the partial demolition will help to ensure the viability of the remaining portion of the Development by reducing the density of the Development to permit better access to emergency or rescue services, or by improving marketability of the Development by reducing the density of the Development to that of the neighborhood in which the Development is located or to other developments in the PHA's inventory;

****Attach a narrative or documentation to justify how density reduction will result from the partial demolition and reference it as Section 18 Certification.***

Disposition:

The retention of the Development (or a portion thereof) and/or the PHA property is not in the best interests of the residents or the PHA because:

Change in Neighborhood—24 CFR 970.17(a): Conditions in the area surrounding the Development (density, or industrial or commercial development) adversely affect the health or safety of the residents or the feasible operation of the Development by the PHA;

Replacement Housing—24 CFR 970.17(b): The disposition allows the acquisition, development, or rehabilitation of other properties or developments that will be more efficiently or effectively operated as low-income housing developments;

Other—24 CFR 970.17(c): The PHA has otherwise determined that the disposition is appropriate for reasons that are consistent with its goals of the PHA and its PHA Plan and that are otherwise consistent with the Act;

Vacant Land and Non-dwelling Facilities (Excess)—24 CFR 970.17(d)(1) The disposition of vacant land or non-dwelling structures exceed the needs of the Development (after Date of Full Availability--DOFA)

Vacant Land and Non-dwelling Facilities (Incidental)—24 CFR 970.17(d)(2): The disposition of vacant land or non-dwelling structures is incidental to, or does not interfere with, the continued operation of the remaining portion of the Development;

****Attach a narrative or documentation to justify the PHA's specific reason for disposition checked above and reference it as Section 18 Certification.***

Instructions for completing EXHIBIT A of the PHA Certification of Compliance

Provide attachments as needed.
All attachments must reference the
Section and line number to which
they apply. Previous versions obsolete.

Section 18 Demolition/Disposition

Demolition: All applications for demolition (all or a portion of a development) must meet the obsolescence test. In addition, applications to demolish a portion of a development must also meet the Partial Demolition test. PHAs should attach a narrative and/or documentation to evidence that they have met the applicable tests.

Obsolescence: HUD will approve an application for demolition (full or partial) only if the PHA certifies that the Development (or portion of the Development) is “obsolescent” as defined by 24 CFR 970.15. HUD considers the following to be major problems indicative of obsolescence: (i) as to physical condition: structural deficiencies that cannot be corrected in a cost-effective manner (settlement of earth below the building caused by inadequate structural fills, faulty structural design, or settlement of floors), or other design or site problems (severe erosion or flooding); (ii) as to location: physical deterioration of the neighborhood; change from residential to industrial or commercial development; or environmental conditions as determined by HUD environmental review in accord with 24 CFR part 50, which jeopardize the suitability of the site or a portion of the site and its housing structures for residential use; or (iii) other factors that have seriously affected the marketability, usefulness, or management of the property. Note that the PHAs must justify obsolescence by not only certifying under this section (and including the required attachment), but also by completing and submitting the HUD-52860-B to prove to HUD that repair costs are prohibitive and rehabilitation is not reasonable.

Partial Demolition: In addition to meeting the obsolescence criteria above for the affected portion of the Development, the PHA must demonstrate that the partial demolition will help to ensure the viability of the remaining portion of the Development. A comparison to the neighborhood, or the rest of the PHA’s housing stock could be one way of showing the Development is too dense.

Disposition: Select a justification for Disposition and then attach a narrative and/or documentation to evidence the justification.

Replacement Housing: A PHA should select the “Replacement Housing” reason for disposition only if it can provide evidence to HUD that the disposition will provide for more efficient or effective low-income replacement housing. For instance, this reason could be used if a PHA owns property that has highly appreciated in value and the PHA can show that by selling the property, it could develop or acquire twice the number of units for low-income residents at a location that is as good or better for residents than the original location. Also, if a PHA selects “Replacement Housing”, pursuant to 24 CFR 970.19(f), the PHA must demonstrate to the satisfaction of HUD that the replacement units are being provided “in connection” with the disposition of property. This usually requires that the PHA receive Fair Market Value (FMV) for the disposition of the property and use all of net proceeds from that disposition to provide the replacement units, including relocation assistance to residents of occupied units that will be lost to the public housing inventory. The PHA may also use other sources of funding to provide for the replacement housing. The replacement housing does not need to be public housing units or under the ACC, but they must serve low-income families (those with incomes at 80% or less of Area Median Income (AMI)).

Other: A PHA may select the “Other” reason for disposition for any reason not specifically provided in 24 CFR 970.17 so long as it can provide evidence to HUD that the disposition is consistent with the goals of the PHA, the PHA Plan and Section 18 of the Act. A PHA should not submit an application for disposition under “Other” unless it has discussed the proposed disposition in its PHA Plan. Some of the reasons for which a PHA may select “Other” include: (1) a PHA seeks to dispose of the property in order to use all available resources to redevelop a housing development (that serves low-income residents) on the property by leveraging tax credits, bonds, or grants (e.g. Mixed Finance); (2) the PHA can demonstrate the rents and subsidy do not cover the operating expenses at the development, or there is no longer a need for housing in the area (however, if the PHA wants to compare long-term operating costs to Tenant-Based Housing Choice assistance, it must apply under the Voluntary Conversion Rule found in 24 CFR 972); (3) the PHA has an HUD-approved Moving to Work (MTW) Homeownership Plan and the disposition is pursuant to that Plan; 4) a PHA seeks to dispose of a development that is obsolete as to physical condition, location or other factors (as defined by 24 CFR 970.15), making it unsuitable for housing purposes and no reasonable program of modification or rehabilitation of the Development is cost-effective to return the development (or portion of the development proposed for demolition) to its useful life. If a PHA is seeking the disposition due to the obsolescence of the development, it should attach the “Total Development Cost (TDC) Calculation” (HUD-52860-B) as part of its evidence to prove to HUD that repair costs are prohibitive and rehabilitation is not reasonable.

PHA Certification of Compliance
Section 18 Disposition
24 CFR 941 Subpart F

Acting on behalf of the Board of Commissioners of the _____ (PHA), as its Chairman, Executive Director, or other authorized PHA official, I approve the submission of this Inventory Removal Application (HUD-52860) dated _____ and known as DDA # _____, hereinafter referred to as the "Application", of which this document is a part, and make the following certifications, agreements with, and assurances to the Department of Housing and Urban Development (HUD) in connection with the submission of this Application and the implementation thereof:

- 1) All information contained in the Application (including all attachments and Addendums) is true and correct as of the date of this Application;
- 2) The proposed disposition does not violate any remedial civil rights orders or agreements, compliance agreements, final judgments, consent decrees, settlement agreements, or other court orders or agreements to which this PHA is a party;
- 3) The PHA certifies that it will carry out the proposed disposition in conformity with 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 in carrying out the proposed removal action;
- 4) The PHA has submitted or will submit a mixed-finance proposal (term sheet) to HUD for a housing project which will developed with mixed financing pursuant to 24 CFR 941 Subpart F;
- 5) The Board of the PHA has specifically authorized the proposed disposition in a Board Resolution and maintains a copy of that Resolution on file at its primary business office;
- 6) All dwelling units at the affected development are vacant and have been approved by HUD for demolition, OR, if any dwelling units at the affected development are occupied:
 - The PHA created a Relocation Plan in compliance with all applicable federal, state, and local laws (to the extent they apply) including, without limitation, Section 18 of the Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) and its implementing regulations at 49 CFR Part 24, and maintains a written copy of the Relocation Plan on file at the central office;
 - The PHA will notify each family residing in a unit affected by this proposed disposition at least 90 days prior to the displacement date, except in cases of imminent threat to health and safety and such notice;
 - The PHA will provide for all actual and reasonable relocation expenses of each resident displaced by this proposed disposition, including residents requiring reasonable accommodation because of disabilities;
 - The PHA will provide any necessary counseling for residents displaced by this proposed disposition;
 - The PHA will not commence the demolition or complete the disposition of any occupied building until all residents residing in the units affect by this proposed disposition are actually relocated;
 - The PHA will offer each family affected by this proposed disposition with comparable housing that meets Housing Quality Standards (HQS) and that is located in an area that is generally not less desirable than the location of the displaced person's housing. This comparable housing may include: (a) actual relocation into the private rental market with Housing Choice Voucher assistance; (b) actual relocation into housing with project-based assistance; or other PHA properties;
- 7) The proposed disposition of the PHA Property was developed in consultation with the residents of the affected development by this disposition and each resident council, if any, of the building(s) proposed for disposition, and the resident advisory board of the PHA affected by this disposition and the PHA maintains this documentation on file at its primary business office;
- 8) The proposed disposition was developed in consultation with all appropriate local government officials, and the PHA maintains written evidence of this consultation on file in its central office;
- 9) If the PHA is not realizing net proceeds from the proposed disposition, but it realizes net proceeds from the disposition in the future, the PHA will contact the SAC immediately so that the SAC may request that HUD waive the PHA's requirement to repay outstanding bond debt, if any, that exists on the PHA Property proposed for disposition;

- 10) Because the proposed disposition of the PHA Property will allow for and facilitate the development of the housing project that will be developed pursuant to 24 CFR 941 Subpart F, this PHA has determined that the disposition is appropriate for the following reasons:
 - (a) The disposition is in the best interest of the residents of the PHA and the PHA;
 - (b) The disposition is consistent with the goals of the PHA and the PHA Agency Plan and is otherwise consistent with Title 1 of the United States Housing Act of 1937;
- 11) This PHA will comply with all reporting and recordkeeping requirements of HUD in connection with this inventory removal action and shall make all required reports to the HUD Regional/Field Office with jurisdiction over it. This PHA acknowledges that reporting and recordkeeping requirements are ongoing and certifies it will comply with these requirements after it receives approval to this inventory removal action from the SAC;
- 12) The PHA described the proposed removal action in its PHA Annual Plan and timetable under 24 CFR Part 903 (except in the case of small or high-performing PHAs eligible for streamlined annual plan treatment), and the description in the PHA Annual Plan is identical to the removal action proposed in this Application and otherwise complies with the Act;
- 13) The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or 24 CFR Part 50;
- 14) All attachments and supporting documentation referenced in the Application have been and will continue to be available at all times in the PHA's primary business office.
- 15) The PHA certifies that the proposed removal action complies with all applicable Federal statutory and regulatory requirements;
- 16) The PHA will not take any action to commence the proposed removal action until it receives written approval of this action from HUD. In addition, the PHA will not proceed to enter into any long-term ground lease or disposition agreement without HUD's approval of the PHA's submission of documents (i.e. proposal, evidentiary material) for a mixed-finance transaction as set forth in 24 CFR, Part 941, Subpart F. The PHA acknowledges that all of the documents related to Subpart F must be reviewed and approved by HUD prior to any formal disposition action.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Signature	Date