

Notification of Public Housing Closeout or Future Development

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. XXXX-XXXX
(exp. XX/XX/XXXX)

Public reporting burden for this collection of information is estimated to average 1 hour 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 designed to supplement the HUD-52860 or RAD Application (both through the IMS/PIC application submission) for all inventory removal actions that will result in the removal of all ACC units from a Public Housing Authority's (PHA) inventory. HUD will use this information to provide targeted technical assistance, to identify potential issues, and to assess risk areas. Please refer to the instructions for guidance on completing this form. The information requested does not lend itself to confidentiality.

A. General PHA Information

PHA Identification Number and Name:	
PHA Fiscal Year End:	
Expected date of removal of last ACC unit:	
Does the PHA intend to closeout its public housing program or develop new ACC units in the future?	<input type="checkbox"/> Closeout public housing program <i>Fill out Section B & D only</i> <input type="checkbox"/> Develop new ACC Units <i>Fill out Section C & D only</i>

B. Public Housing Program Closeout Information

Will the PHA have any Non-dwelling Public Housing Real Property after it removes its last public housing unit? If yes, which removal action does the PHA intend to pursue to dispose of the remaining Public Housing Real Property?	<input type="checkbox"/> Yes <input type="checkbox"/> Section 18 Application <input type="checkbox"/> Retain under 2 CFR part 200.311 <input type="checkbox"/> Transfer to 3rd Party <input type="checkbox"/> Other <input type="checkbox"/> No
Does the PHA have (or reasonably anticipate) any outstanding public housing litigation, claims, compliance reviews, monitoring reviews, PHA or MTW Plan reviews, audits, and/or fair housing or other civil rights complaints to resolve?	<input type="checkbox"/> Yes – explain in Section D <input type="checkbox"/> No
Will the PHA comply with all required closeout activities, including submission of board resolution, legal opinion, and quarterly financial reports as specified in PIH 2016-23 (or subsequent guidance)?	<input type="checkbox"/> Yes <input type="checkbox"/> No

C. Future Development Information

How many new ACC units does the PHA intend to develop?	
Does the PHA have sufficient Faircloth limit authority to develop new ACC units?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What is the PHA's proposed development method?	<input type="checkbox"/> Conventional <input type="checkbox"/> Turnkey <input type="checkbox"/> Acquisition With or Without Rehabilitation <input type="checkbox"/> Force Account Labor <input type="checkbox"/> Mixed-Finance <input type="checkbox"/> Other Methods
Does the PHA have a site(s) selected?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Anticipated date of development proposal submission:	

D. Identify any potential issues related to closeout or future development activities.

5837 Instructions:

All PHAs who plan to remove the last of its public housing units from their public housing inventory must choose to either closeout from the public housing program or notify HUD of their intention to develop new public housing units. This form indicates the PHA's choice and provides HUD information regarding the PHA's future plans, in order to provide appropriate oversight and technical assistance. This form should be submitted to HUD as an attachment to the Inventory Removal Application (HUD-52860) or RAD Application and may request some information that already exists in the PIH Inventory Management System (IMS/PIC).

A. General PHA Information

Purpose: To provide HUD with information regarding the PHA and its intended unit removal method to facilitate effective communication.

Instructions: Complete the following questions regarding the PHA, the removal action, and the PHA's plan to closeout from the public housing program or develop new public housing units.

B. Public Housing Program Closeout Information

Purpose: To provide HUD with information regarding the PHA's outstanding assets, debts, and obligations that will require resolution prior to termination of the Public Housing ACC.

Instructions: PHAs should determine if they own any real property that remains subject to Public Housing requirements and the ACC. Note that Public Housing Real Property includes any real property that was acquired, maintained, or operated with 1937 Act funds. PHAs must identify legal issues and obligations that could be affected by removal – for further review by HUD. A removal action may not be used to relieve a PHA of legal liabilities arising from noncompliance with federal statutory or regulatory activities. Fair housing and civil rights matters may include charges, cause determinations, lawsuits, letters of findings, outstanding voluntary compliance agreements or consent decrees, and remedial orders or agreements with unfulfilled requirements. HUD will determine if actions to resolve the items listed above are sufficient to resolve the matter.

C. Future Development Information

Purpose: To provide HUD with information regarding the PHA's plans to develop new ACC units and to continue operating a Public Housing program.

Instructions: Complete the following questions regarding the development of new ACC units. PHAs must determine if they are eligible to develop any new public housing ACC units based on the Quality Housing and Work Responsibility Act of 1998 (QHWRA) imposition of a statutory limit on new construction of Public Housing units (Faircloth limit) in Section 9(g)(3)(A) of the 1937 Act. Please note that any units converted through RAD will reduce a PHA's Faircloth Limit. The information included should reflect the PHA's proposed plans; however, the information has no effect on the content of the PHA's development proposal submission to HUD.

D. Identify any potential issues related to closeout or future development activities.

Purpose: To alert HUD to any known issues or potential issues related to closeout or future development activities, in order to facilitate appropriate technical assistance.

Instructions: Provide a brief narrative that describes any known issues or potential issues related to closeout activities. For example, a PHA may wish to note that they are aware of existing long-term use restrictions on a prior Section 18 demolition/disposition approval and anticipate the need for an amendment to the approval or a revised use restriction. If the PHA is not aware of any issues or potential issues, the PHA may leave this section blank.