

**Notification of Public Housing  
Closeout or Future Development  
HUD- 5837**

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

**OMB Approval No. 2577-0075  
(exp. 01/31/2021)**

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2577-0075. There is no personal information contained in this application. Information on activities and expenditures of grant funds is public information and is generally available for disclosure. Recipients are responsible for ensuring confidentiality when disclosure is not required. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection 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<br><i>Fill out Section B &amp; D only</i><br><input type="checkbox"/> Develop new ACC Units<br><i>Fill out Section C &amp; D only</i> |

**B. Public Housing Program Closeout Information**

|   |  |
|---|--|
| Does the PHA intend to closeout its public housing program through Consolidation/Voluntary Transfer as specified in Notice PIH 2014-24 (or subsequent guidance) or through ACC termination as specified in Notice PIH 2019-13?  | <input type="checkbox"/> Consolidation/Voluntary Transfer<br>(name of Receiving PHA if Transfer)<br><input type="checkbox"/> ACC Termination   |
| 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<br><input type="checkbox"/> Section 18 Application<br><input type="checkbox"/> Retain under 2 CFR part 200.311<br><input type="checkbox"/> Transfer to 3rd Party<br><input type="checkbox"/> Other<br><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<br><input type="checkbox"/> No   |
| Will the PHA comply with all applicable required closeout activities specified in Notice PIH 2019-13 ?  | <input type="checkbox"/> Yes <input type="checkbox"/> No   |
| If the PHA is eligible to receive Demolition and Disposition Transition Funding (DDTF) under 24 CFR 905.400(j)(4)(i), or Asset Repositioning Fee (ARF) under 24 CFR 990.190, does the PHA have any eligible uses of the such funds (i.e. close-out activities, MTW activities) after it removes all of its public housing units?<br><br><i>*Note that if the PHA is closing-out through Notice PIH 2014-24 (or subsequent guidance), HUD will automatically fund DDTF and ARF so that the funds can be provided to the new or receiving PHA</i> | <input type="checkbox"/> Yes – explain in Section D<br><input type="checkbox"/> No – the submission of this form constitutes the PHA's written rejection of DDTF in accordance with 24 CFR 905.400(j)(4)(i) and HUD will stop providing Operating Funds (including ARF) the funding cycle after the PHA removes the last of its public housing units |

**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 See Notice PIH 2011-69 (or subsequent guidance)? | <input type="checkbox"/> Yes <input type="checkbox"/> No   |
| What is the PHA's proposed development method?   | <input type="checkbox"/> Conventional<br><input type="checkbox"/> Turnkey<br><input type="checkbox"/> Acquisition With or Without Rehabilitation<br><input type="checkbox"/> Force Account Labor<br><input type="checkbox"/> Mixed-Finance<br><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.**

|  |  |
|--|--|
| I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.                            |  |
| <b>Warning:</b> 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   |  |

## HUD-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.