

HUD Responses to the Comments received during the 30-day Comment Period.

Comment Received:

The commenter didn't agree with the use of the term "Legacy" when referring to the current 39 MTW PHAs. The commenter proposed the descriptors "Signature" or "Original" instead.

HUD Response:

HUD has reviewed this comment and understands the perspective presented. The form has been updated to refer to the MTW PHAs, designated as of December 15, 2015 as the "Initial MTW Agencies."

Comment Received:

Several commentors acknowledged and expressed their gratitude to HUD for the decision to not move forward with the Performance Metrics at this time, but instead to agree to continue to collaborate with the interested parties to find new solutions for capturing the important result of the MTW Demonstration.

With the reinstatement of the Standard Metrics, the commentors still note that they want to be able to choose the metrics that they believe apply and only those metrics that are based on the impact of the activity as they designed it thus minimizing the administrative burden for the PHA and maintain value in the aggregate.

HUD Response:

HUD acknowledges the comments and is committed to working with the agency to establish the metrics that "best fit" a specific activity and acknowledges that a PHA does not have to report on all HUD-determined applicable metrics as was required in previous iterations of the Form 50900.

Comment Received:

The commenter suggests that the MTW PHA should not be required to re-propose an activity if it changes, expect for situations where a new MTW authorization is needed.

HUD Response:

While HUD appreciates the commenters suggestion, HUD also notes that it is important for the program participants to know and understand when a PHA is proposing to change a previously approved activity and to have the ability to give their input prior to implementation.

Comment Received:

The commenter stated that they are uncomfortable with the language in the Certification of Compliance that they are required to sign, specifically with the "HUD approved" language regarding HQS, or the language around affirmatively furthering Fair Housing. The commenters feel that this is potentially putting them at jeopardy, or in a potentially conflicting situation, especially if their community hasn't established an affordable housing plan that addresses the impediments to Fair Housing.

HUD Response:

While HUD understands the potential challenge that a local jurisdiction may face, HUD also acknowledges that participation in the MTW Demonstration provides avenues for local PHAs to address the challenges in the community to ensure that subsidized units do meet the standards of HQS and that they are addressing potential impediments to Fair Housing, even if their community has not conducted, completed or submitted a housing plan to address these concerns.

Comment Received:

The commenter finds the Project Based Voucher (PBV) reporting problematic, laborious, and duplicative, especially at the project level and thus unnecessary.

HUD Response:

HUD acknowledges that while reporting this information may be challenging, it is important for the reader to understand the focus and results of the HCV program at the local level and how the PHA is addressing the challenges such as a lack of affordable housing and using MTW to help in solving the local issues. When HUD updates the PBV reporting requirements for all PHAs, this form will be updated to eliminate duplication of reporting.

Comment Received:

Several commenters stated that including the Hardship (Policy or Policies) in the MTW Plan is challenging and that since it is provided elsewhere, this should not be required.

HUD Response:

While HUD may recognize the challenge to providing this information in the MTW Plan, it is also important that the local PHA be transparent to its local community, participants, and residents and not require additional searching of the PHA website or other documents to understand their program and MTW activities.

Comment Received:

Commenters stated that the proposed Burden Hours as outlined in the PRA are not sufficient to complete the required documents, the MTW Annual and MTW Annual Report.

HUD Response:

HUD is committed to continuing to work with the PHAs in order to better understand the demands and requirements to complete these important submissions to HUD.

Comment Received:

Several commenters stated that HUD should allow the 39 MTW PHA(s) to report on their unspent funds cumulatively on Section V: Planned Application of Unspent Operating Fund and HCV Funding rather than requiring the 39 MTW PHA(s) to report on their unspent funds by Section 8 and Section 9 funding source. Additionally, several commenters reiterated the need for HUD to provide accurate reconciliations of HUD-held funds in the HCV program, including a breakout of the amount of unspent funds that are for HAP and those that for Special Purpose Vouchers (SPV).

HUD Response:

The Department considered the suggestion to allow MTW PHAs to report on unspent Section 8 and Section 9 funds cumulatively rather than by source type. The current table (Planned Application of PHA Unspent Operating Fund and HCV Funding) will be retained. 2 CFR Part 200 requires recipients of Federal funds to maintain financial management systems sufficient to permit the preparation of reports to allow the tracing of funds to a level of expenditures adequate to establish that these funds are used in accordance with Federal requirements. HUD has provided additional clarification in the instructions in this section to allow MTW PHAs to report on unspent funds that will be used by HUD to promote transparency on the use of those funds by MTW PHAs in their community.

The HCV cash management reconciliation include HCV and SPV funds in the HUD-held reserves. HUD expects MTW PHAs to track the amount of these funds that are HCV funds and SPV funds in their accounting systems.