

# Oregon Housing and Community Services Department

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## Public Housing Capital Fund

Funding from ARRA

### For More Information

U.S. Department of Housing and

Urban Development –

Portland Field Office

Phone: (971) 222-2600

Email: [OR\\_Webmanager@hud.gov](mailto:OR_Webmanager@hud.gov)

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### Program Overview

The Public Housing Capital Fund is managed by the U.S. Department of Housing and Urban Development (HUD). Oregon Housing and Community Services Department is not associated with this program.

The Public Housing Capital Fund provides funds for the capital and management activities of Public Housing Agencies as authorized under Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act"), including modernization and development of public housing. The funds cannot be used for operations or rental assistance.

### ARRA Funding

Nationally, ARRA provides \$4 billion for the Public Housing Capital Fund. The Fund will provide public housing agencies with resources for capital repairs and improvements to federally-subsidized public housing.

The funds are structured as follows:

- \$3 billion to be distributed by formula to public housing agencies;
- \$1 billion to be competitively awarded for priority investments, including projects that leverage private-sector financing for renovations and energy conservation retrofits.

The formula funds provide \$14.4 million to housing authorities throughout Oregon.

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725 Summer St NE Suite B, Salem, Oregon 97301-1266 | [www.oregon.gov/ohcs](http://www.oregon.gov/ohcs)

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### ARRA Public Housing Capital Fund Formula distributions for Oregon:

Housing Authority of Clackamas County	\$1,516,897
Housing Authority of Portland	\$6,267,739
Housing Authority of Douglas County	\$349,245
Housing Authority of Lincoln County	\$269,994
Housing Authority & Comm Svcs of Lane Co	\$1,610,332
Housing Authority of the County of Umatilla	\$231,843
Housing And Urban Renewal Agency of Polk County	\$778,062
North Bend Housing Authority	\$241,620
Housing Authority of the City of Salem	\$984,210
Marion County Housing Authority	\$108,932
Housing Authority of Jackson County	\$272,820
Housing Authority of Yamhill County	\$158,502
Klamath Housing Authority	\$151,368
Coos-Curry Housing Authority	\$122,099
Housing Authority of Washington County	\$813,066
Housing Authority of Malheur County	\$101,869
Northeast Oregon Housing Authority	\$279,261
<u>Central Oregon Regional Housing Authority</u>	<u>\$107,880</u>
	\$14,365,739

For contact information for Housing Authorities in Oregon, see: [www.orphousingauthorities.org](http://www.orphousingauthorities.org)

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### Eligibility for Competitive Awards

Public Housing Agencies that own or operate Low Income Public Housing and are eligible to receive capital funding under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act").

Funds shall be awarded by competition for priority investments, including investments that leverage private sector funding or financing for renovations and energy conservation.

Funds shall be obligated through competitive funding by September 30, 2009.

Public housing authorities shall give priority to capital projects that can award contracts based on bids within 120 days from the date the funds are made available to the public housing authorities.

Public housing agencies shall prioritize capital projects that are already underway or included in the 5-year capital fund plans required by the Act (42 U.S.C. 1437c-1(a)). Funds provided under this heading shall serve to supplement and not supplant expenditures from other Federal, State, or local sources or funds independently generated by the grantees. Notwithstanding section 9(j), public housing agencies shall obligate 100 percent of the funds within 1 year of the date on which funds become available to the agency for obligation, shall expend at least 60 percent of funds within 2 years of the date on which funds become available to the agency for obligation, and shall expend 100 percent of the funds within 3 years of such date.

Milestones in the award process include the publication of the competitive Notice of Funding Availability (NOFA), the approval by HUD of applications, the signing by the public housing authority of a Capital Fund Program Amendment to the Consolidated Annual Contributions Contract (ACC) for selected applicants, the execution by of the ACC by the HUD Field Office, and the spreading of funds awarded in HUD's Line of Credit Control System (LOCCS).

### Other Requirements/Criteria – Formula Funding

- The HUD Secretary shall obligate competitive funding by September 30, 2009;
- Public housing authorities shall give priority to capital projects that can award contracts based on bids within 120 days from the date the funds are made available to the public housing authorities;

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- Public housing agencies shall give priority consideration to the rehabilitation of vacant rental units;
- Public housing agencies shall prioritize capital projects that are already underway or included in the 5year capital fund plans required by the Act (42 U.S.C. 18 1437c-1(a));
- Notwithstanding any other provision of law, (1) funding provided under this heading may not be used for operating or rental assistance activities, and (2) any restriction of funding to replacement housing uses shall be inapplicable;
- Notwithstanding any other provision of law, the HUD Secretary shall institute measures to ensure that funds provided under this heading shall serve to supplement and not supplant expenditures from other Federal, State, or local sources or funds independently generated by the grantee;
- Provided further, That notwithstanding section 9(j), public housing agencies shall obligate 100 percent of the funds within 1 year of the date on which funds become available to the agency for obligation, shall expend at least 60 percent of funds within 2 years of the date on which funds become available to the agency for obligation, and shall expend 100 percent of the funds within 3 years of such date;
- If a public housing agency fails to comply with the 1-year obligation requirement, the HUD Secretary shall recapture all remaining unobligated funds awarded to the public housing agency and reallocate such funds to agencies that are in compliance with those requirements;
- If a public housing agency fails to comply with either the 2-year or the 3 year expenditure requirement, the HUD Secretary shall recapture the balance of the funds awarded to the public housing agency and reallocate such funds to agencies that are in compliance with those requirements;
- In administering funds appropriated or otherwise made available under this heading, the HUD Secretary may waive or specify alternative requirements for any provision of any statute or regulation in connection with the obligation by the HUD Secretary or the use of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding that such a waiver is necessary to expedite or facilitate the use of such funds;

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- In addition to waivers authorized under the previous proviso, the HUD Secretary may direct that requirements relating to the procurement of goods and services arising under state and local laws and regulations shall not apply to amounts made available under this heading;
- Of the funds made available under this heading, up to .5 percent shall be available for staffing, training, technical assistance, technology, monitoring, travel, enforcement, research and evaluation activities;
- Funds set aside in the previous proviso shall remain available until September 30, 2012;
- Any funds made available under this heading used by the HUD Secretary for personnel expenses related to administering funding under this heading shall be transferred to "Personnel Compensation and Benefits, Office of Public and Indian Housing" and shall retain the terms and conditions of this account, including reprogramming provisions, except that the period of availability set forth in the previous provision shall govern such transferred funds;
- Any funds made available under this heading used by the HUD Secretary for training or other administrative expenses shall be transferred to "Administration, Operations, and Management", for non-personnel expenses of the Department of Housing and Urban Development;
- Any funds made available under this heading used by the HUD Secretary for technology shall be transferred to "Working Capital Fund".

### Implementation Process/Steps

More detailed information related to Capital Fund Formula or Competition Recovery Act information is available on the Office of Capital Improvements Recovery Act Information website: <http://www.hud.gov/offices/pih/programs/ph/capfund/ocir.cfm>

OHCS is the state housing finance agency, providing financial and program support to create and preserve opportunities for quality, affordable housing for lower income Oregonians. The agency also administers federal and state antipoverty, homeless and energy assistance community service programs.

