HOUSING PROJECT-BASED RENTAL ASSISTANCE 2007 Summary Statement and Initiatives (Dollars in Thousands)

PROJECT-BASED RENTAL ASSISTANCE	Enacted/ Request	Carryover	Supplemental/ Rescission	Total <u>Resources</u>	Obligations	Outlays
2005 Appropriation	\$5,341,000		-\$42,728	\$5,298,272	\$4,687,891	\$2,158,084
2006 Appropriation/Request	5,088,300	\$610,381	-50,883	5,647,798	5,647,798	4,886,000
2007 Request	5,675,700	<u></u>	<u></u>	5,675,700	5,675,700	5,324,234
Program Improvements/Offsets	+587,400	-610,381	+50,883	+27,902	+27,902	+438,234

Summary Statement

HUD is requesting a total of \$5.676 billion for the Project-Based Rental Assistance account. This 2007 request represents an overall increase of \$638.3 million from the 2006 enacted level of \$5.037 billion. It includes \$5.526 billion for the renewal of expiring project-based Section 8 contracts, \$145.5 million for Contract Administrators; and, \$3.9 million for the Working Capital Fund. This request assumes that recaptures will be available to supplement program funding in fiscal year 2007 as may be necessary.

The net increase of \$638.3 million in budget authority from the fiscal year 2006 enacted level is due to three factors. First, the fiscal year 2007 request for contract renewal funding of \$5.526 billion is \$635.9 million more than the fiscal year 2006 enacted appropriation. Second, the \$145.5 million requested for Contract Administrators is a \$0.2 million decrease from the fiscal year 2006 enacted level.

HOUSING PROJECT-BASED RENTAL ASSISTANCE Summary of Resources by Program (Dollars in Thousands)

Budget Activity	2005 Budget Authority	2004 Carryover Into 2005	2005 Total <u>Resources</u>	2005 Obligations	2006 Budget Authority/ <u>Request</u>	2005 Carryover Into 2006	2006 Total <u>Resources</u>	2007 Request
Contract Renewals	\$5,195,203		\$5,195,203	\$4,610,559	\$4,890,303	\$584,644	\$5,474,947	\$5,526,240
Contract Administrators	101,085		101,085	75,348	145,728	25,737	171,465	145,500
Working Capital Fund	1,984		1,984	1,984	1,386		1,386	3,960
Section 8 Amendments	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
Total	5,298,272		5,298,272	4,687,891	5,037,417	610,381	5,647,798	5,675,700

FTE	2005 Actual	2006 Estimate	2007 Estimate
Headquarters	51	55	53
Field	416	380	338
Total	467	435	391

Contract Renewals	Amount
2005 Appropriation	\$5,195,203
2006 Appropriation/Request	4,890,303
2007 Request	5,526,240
Program Improvements/Offsets	+635,937

Proposed Actions

HUD proposes \$5.526 billion for project-based Section 8 contract renewals in 2007. Of this total, \$5.281 billion is for the renewal of project-based Section 8 contracts administered by the Office of Housing, \$196.6 million is for Moderate Rehabilitation contracts administered by the Office of Public and Indian Housing, and \$48.2 million is for Moderate Rehabilitation SRO contracts administered by the Office of Community Planning and Development. This budget assumes that recaptures will be available to supplement appropriated funds as may be necessary.

The overall performance and investment in this program is reflected in the very high percent of units meeting HUD's physical quality standards and the efforts to maintain the maximum number of high quality affordable housing opportunities for the targeted population.

It is anticipated that under the Department's Mark-to-Market (M2M) initiative approximately 2,695 projects and 223,754 units will have completed restructuring and/or Section 8 rent reduction by the end of fiscal year 2007. In many cases, this involves writing off a portion of the multifamily project's mortgage debt so that its charges (and HUD's subsidy) can be brought into line with comparable rents for other projects in the same geographic area.

In contrast, there are many multifamily projects whose rents are far below area market rents for comparable multifamily projects. This is resulting in owners' opting-out of the programs, causing a loss of affordable rental units available to low-income families. The Department has taken two steps in rectifying this situation. First, funding is included in the Tenant-Based Rental Assistance program to provide vouchers for tenants living in projects whose owners decide to leave the program and to support assistance to families when HUD terminates contracts due to poor physical condition. Secondly, the Department will continue its efforts to retain low-income projects though its Mark-Up-To-Market initiative, which allows the project owner to adjust rental charges up to the level of comparable multifamily projects in the area.

Contract Administrators	Amount
2005 Appropriation	\$101,085
2006 Appropriation/Request	145,728
2007 Request	145,500
Program Improvements/Offsets	-228

Proposed Actions

In fiscal year 2007, the Department proposes funding Contract Administrators with \$145.5 million in new budget authority. Previous budgets have assumed that a portion of these costs would be funded from recaptures. This budget assumes that recaptures will be available to supplement appropriated funds as may be necessary.

Many of the duties previously performed by HUD staff are now being performed by Contract Administrators. These include conducting annual physical inspections, reviewing project financial statements, conducting management and occupancy reviews, reviewing management agents, reviewing insurance draws and releases from replacement reserves, reviewing owner verification of tenant income and eligibility, and pre-validating monthly subsidy payments.

The implementation of the Project-Based Contract Administrator (PBCA) initiative for Project-Based Section 8 contracts is already transforming and improving HUD's ability to properly administer and monitor HUD's Project-Based Section 8 rental assistance program to: (1) reduce payment errors; (2) improve the physical condition of units; and (3) meet the objectives of the President's Management Agenda (PMA).

Activity in the program has been increasing as more contracts are transferred to Contract Administrators for oversight activities. There are presently 55 PHAs under contract to manage approximately 13,633 contracts with 892,000 units. An additional 3,700 contracts with 275,000 units are anticipated to be added to the PBCA inventory in 2007.

The extent to which the entire anticipated program activity can be accomplished will be determined by the total availability of resources derived by new budget authority and recaptures from prior years actually realized in 2007.

Working Capital Fund	Amount
2005 Appropriation	\$1,984
2006 Appropriation/Request	1,386
2007 Request	3,960
Program Improvements/Offsets	+2,574

Proposed Actions

The Department proposes \$3.96 million for the Working Capital Fund transfer in fiscal year 2007. This funds development of, and modifications to, technology systems that serve or are related to the programs or activities under this account. For instance, these funds will allow HUD to continue to develop improved funds control systems and address key Administration goals--such as the elimination of improper payments. With these improvements, HUD will be able to increase the efficiency and effectiveness of future program appropriations.

Section 8 Amendments	Amount
2005 Appropriation	
2006 Appropriation/Request	
2007 Request	<u></u>
Program Improvements/Offsets	

Proposed Actions

The need for Section 8 amendment funds results from insufficient funds provided for long-term project-based contracts funded primarily in the 1970's and 1980's. During those years, the Department provided contracts that were for terms of up to 40 years. Estimating funding needs over such a long period of time proved to be problematic, and, as a result, many of these Section 8 contracts were inadequately funded. The current practice of renewing expiring contracts for a 1-year term helps to ensure that the problem of inadequately funded contracts is not repeated. However, older long-term contracts that have not reached their termination dates and have not entered the 1-year renewal cycle must be provided amendment funds for the projects to remain financially viable and thus maintain the inventory of affordable rental housing. In fiscal year 2007, HUD is once again assuming that Section 8 Amendment needs will be met from recaptures.

HOUSING PROJECT-BASED RENTAL ASSISTANCE Performance Measurement Table

Program Name: PROJECT-BASED RENTAL ASSISTANCE

Program Mission: Project-Based Rental Assistance is the Federal government's primary program to assist families in meeting their housing needs through publicly subsidized multifamily housing units.

Performance Indicators	Data Sources	Performance	Performance Plan		
		2005 Plan	2005 Actual	2006 Plan	2007 Plan
The average satisfaction of tenants living in multifamily housing properties with their overall living conditions increases by 1 percentage point.	PIH/REAC	Conduct new RASS Survey	Survey not conducted	91%	91%
The share of assisted and insured privately owned multifamily properties that meet HUD established physical standards are maintained at no less than 95 percent.	PIH/REAC	No less than 95%	96%	Maintained at no less than 95%	Maintained at no less than 95%
The share of assisted and insured privately owned multifamily properties that meet HUD's financial management compliance is maintained at no less than 95 percent.	PIH/REAC	Maintained at no less than 95%	98%	Maintained at no less than 95%	Maintained at no less than 95%
Reduce the average number of observed exigent deficiencies per property for substandard Multifamily Housing properties by 10 percent.	PIH/REAC	Does not exceed 1.40	1.40	Does not exceed 1.40	Reduce by 10%
The share of multifamily units that have functioning smoke detectors and are in buildings with functioning smoke detectors will be 92.8 percent or greater.	PIH/REAC	Increase to 92.5%	94.0%	93.2%	93.9%
The incidence of program errors and improper payments in HUD's rental housing assistance programs will be reduced.	PD&R	50% reduction in payment error rates from baseline	67% reduction in overpayment error rates from baseline	Improper payments no more than 5% of total payments	Improper payments no more than 3% of total payments

Explanations of Indicators

The average satisfaction of tenants living in multifamily housing properties with their overall living conditions increases by 1 percentage point.

Helping American families find safe, decent housing in a suitable living environment has been a central part of HUD's statutory mission for decades. The Department recognizes that homeownership may not be practical for all families, especially those with limited or unstable income. Even with its new and expanded homeownership initiatives, the Administration recognizes that many families will have incomes insufficient to support a mortgage in the areas where they live. The Department is committed to improving the quality of HUD-assisted housing and ensuring that all subsidized families live in units that meet basic quality standards.

Aside from physical improvements, progress toward achieving improvement in the assisted housing stock will be assessed by focusing on the reliability of financial record keeping, the quality and responsiveness of management, and the results experienced by the customers—the residents. The recipients of HUD housing assistance form one of the largest groups of direct customers of HUD. Resident surveys are utilized to assess and track over time resident satisfaction and the Department's success in providing quality service to America's families.

A survey of assisted multifamily renters was not conducted during fiscal year 2005. The enacted resident satisfaction goal for fiscal year 2005 is 90 percent. This target is increased to 91 percent for fiscal years 2006 and 2007.

The share of assisted and insured privately owned multifamily properties that meet HUD established physical standards are maintained at no less than 95 percent.

Improving the performance of housing intermediaries in meeting HUD's physical standards for public and multifamily housing is a high priority for this administration and was, therefore, included in the President's Management Agenda. Housing agencies are required to inspect and maintain HUD involved housing to ensure compliance with HUD-established standards, or with local codes if they are more stringent. Furthermore, private owners of HUD involved multifamily housing have a contractual obligation to meet physical standards. In fiscal year 2005, 28,061 of 29,254 properties in the multifamily housing portfolio (96 percent) were found to be in acceptable physical condition upon inspection, exceeding the 95 percent goal. The Department will seek to maintain the percentage of multifamily housing units that meet established physical standards at no less than 95 percent for fiscal years 2006 and 2007.

The Department has several current tools and is developing others to improve the physical quality of public and assisted housing. HUD plans to:

- Continue to monitor privately assisted multifamily housing through Section 8 contract administrators who perform management and occupancy reviews, and through physical inspections on 100 percent of their portfolios.
- Use the Mark-to-Market program to ensure that management of HUD-assisted, privately owned housing meets its operating obligations, resulting in ongoing maintenance of proper physical standards at these properties.
- Use data from the Real Estate Assessment Center (REAC) on the financial soundness of providers of assisted multifamily housing, physical quality of stock, and satisfaction of the residents. Multifamily Housing may refer property owners to the Departmental Enforcement Center (DEC) for enforcement action or sanctions. In each case referred, the DEC develops facts and analyzes litigation/sanction potential and recommends options to the Office of Housing. The Office of Housing determines how to proceed in each case. For some noncompliant multifamily property owners, the DEC makes civil referrals to the Department of Justice or criminal referrals to HUD's Inspector General.
- HUD instituted a system of referrals to the DEC for multifamily properties with REAC scores between 30 and 60. For those properties, HUD will require repairs to be completed within days. If property conditions do not meet HUD requirements, HUD will force compliance or take appropriate enforcement action.

The share of assisted and insured privately owned multifamily properties of properties that meet HUD's financial management compliance is maintained at no less than 95 percent.

REAC is evaluating the financial management of both public housing agencies and privately owned multifamily properties based on generally accepted accounting principles. REAC performs Quality Assurance Reviews (QARs) of the audited financial statements of multifamily property owners submitted by Independent Public Accountants. The QARs provide assurance that the audited statements are accurate and reliable and that audits are conducted in accordance with government and professional standards. Multifamily project managers in the field offices are responsible for resolving all compliance issues or findings identified by REAC. In addition, owners not submitting their audited financial statements in a timely manner are referred to the Departmental Enforcement Center.

For the reporting period in 2005, 98 percent of multifamily properties met HUD's financial management compliance standards. The fiscal year 2007 goal is to maintain high compliance and successful resolutions so that at least 95 percent of the properties submitting audited financial statement either have no compliance issues or audit findings or have such issues or findings closed (resolved) by September 30, 2007.

Reduce the average number of observed exigent deficiencies per property for substandard Multifamily Housing properties by 10 percent.

REAC conducts physical inspections that identify exigent health and safety or fire safety deficiencies on HUD involved properties. Exigent health and safety hazards include but are not limited to: (1) air quality, gas leaks; (2) electrical hazards, exposed wires/open panels; (3) water leaks on or near electrical equipment; (4) emergency/fire exits/blocked/unusable fire escapes; (5) blocked egress/ladders; and (6) carbon monoxide hazards. Fire safety hazards include: (1) window security bars preventing egress; and (2) fire extinguishers expired. This indicator measures the reductions in EHS/FS nationwide as HUD applies its physical inspection protocol, Uniform Property Condition Standards (UPCS), to substandard properties. The use of physical inspections by REAC has led to a reduction in exigent health and safety hazards. However, with an aging portfolio and high occupancy rates, such conditions are likely to continue. The Office of Multifamily Housing's project managers in the field require owners to certify the correction of such deficiencies within 72 hours. This indicator is based on identification of such conditions when inspected.

During fiscal year 2005, the average number of exigent deficiencies observed on new inspections of multifamily properties was 1.4 percent. The Department's fiscal year 2007 goal is to continue inspections of HUD involved properties and reduce the number of observed exigent deficiencies by 10 percent.

The share of units that have functioning smoke detectors and are in buildings with functioning smoke detectors will be 92.8 percent or greater for public and multifamily housing.

Protecting HUD assisted low-income renters from fire hazards is a crucial part of HUD's goal to improve the quality of public and assisted housing. REAC's physical inspections of public and assisted housing include checks of fire safety features including the presence of operational smoke detectors in housing units, common areas and utility areas of buildings. Inspections are conducted independently and are representative of the entire HUD stock.

The Department has been successful in meeting its goal to increase the share of units with functional smoke detection systems in assisted multifamily housing. As of the end of fiscal year 2005, 94 percent of assisted multifamily units had functioning smoke detectors and were in buildings with functioning smoke detection systems. Through the use of management tools that track the housing quality of assisted housing, such as REAC inspections, the Department will continue to work with its partners toward meeting this objective. The fiscal year 2007 goal is to continue to improve results.

The high incidence of program errors and improper payments in HUD's rental housing assistance programs will be reduced.

The rental housing assistance programs (public housing, Tenant-Based Rental Assistance, and Project-Based Rental Assistance) constitute HUD's largest appropriated activity, with over \$26 billion in annual expenditures. Based on studies of fiscal year 2000 program activity, HUD estimated that 60 percent of all subsidized rent calculations were done in error, and that there were approximately \$3.2 billion in gross erroneous payments and \$2 billion in net annual subsidy overpayments attributed to the combination of program administration errors and tenant underreporting of income upon which the subsidy is based. Under the President's Management Agenda, HUD established a goal for a 50 percent reduction in both the frequency of subsidy component and processing errors, and the corresponding portion of the \$2 billion in estimated net annual subsidy overpayments, by 2005. HUD surpassed the 2005 target with a 62 percent reduction in gross improper payments from 2000 levels.

HUD's success in achieving its reduction goals can be attributed to the Rental Housing Integrity Improvement Project (RHIIP). HUD initiated the RHIIP in the spring of 2001 to address this improper payment issue and the associated high program risks and material internal control weaknesses identified by the GAO and HUD Inspector General. An initial focus of the RHIIP effort was to reach out and communicate the nature and significance of the improper payment problem to HUD's program partners, housing industry groups, and tenant advocacy groups, and to solicit their support in developing and implementing corrective actions to reduce improper payments. The RHIIP efforts focused on providing better program guidance and training to program administrators, tenant beneficiaries, and followed up with more monitoring that proper procedures were being followed by HUD staff. HUD worked with PHAs to encourage more efficient and effective verification of income by cross-checking with State wage data. A number of PHAs used this verification tool but it was cumbersome to establish and had some data limitation. HUD received new statutory authority from Congress for limited access, with privacy safeguards, to HHS' National Directory of New Hires. PHA are now able to use this data base to verify tenant incomes with appropriate releases by tenants. As a further safeguard against abuse, the verification is only possible after a person has received HUD rental assistance. HUD is evaluating the effectiveness of this new tool including the privacy safeguards. If it found effective after evaluation, it may be extended to project based verifications. Other contributing factors to this reduction included increased monitoring by Performance-Based Contract Administrators (PBCAs) in the Section 8 Project-Based Assistance Program; early impacts of the Rental Integrity Monitoring (RIM) efforts in the public housing and Housing Choice Voucher programs; promotion and initiation of improved computer matching efforts for tenant income verification; and improvements to the process for measuring the impacts of undisclosed tenant income sources.

With enactment of the Improper Payments Information Act of 2002 (IPIA), and issuance of OMB's implementation guidance for the IPIA, HUD is now required to annually set goals and report on its progress in reducing gross improper payment levels as a percentage of total program payments. In fiscal year 2006, HUD plans to limit improper payments to no more than 5 percent of total payments. In fiscal year 2007, HUD plans to limit improper payments to no more than 3 percent of total payments. To achieve these results, HUD will continue to build on earlier efforts to better assure proper payments and continue to strengthen HUD's capacity for proper oversight of the rental housing assistance programs.

HOUSING PROJECT-BASED RENTAL ASSISTANCE Justification of Proposed Changes in Appropriations Language

The 2007 President's Budget includes proposed changes in the appropriations language listed and explained below. New language is italicized and language proposed for deletion is bracketed.

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, [\$5,088,300,000] <u>\$5,675,700,000</u> to remain available until expended. *Provided*, That the amounts made available under this heading are provided as follows:

- (1) [\$4,923,700,000] <u>\$5,526,240,000</u> for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.
- (2) [\$147,200,000] <u>\$145,500,000</u> for performance-based contract administrators for section 8 project-based assistance: Provided, That the Secretary may also use such amounts for performance-based contract administrators for: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended (12 U.S.C. 1701q-1); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act; project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667).
- (3) [\$1,400,000] <u>\$3,960,000</u> shall be transferred to the Working Capital Fund [: Provided further, That amounts recaptured under this heading, the heading "Annual Contributions for assisted housing", or the heading "Housing Certificate Fund", for projectbased section 8 activities may be used for renewals of or amendments to section 8 project-based subsidy contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated].
- (4) amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund" may be used for renewals of or amendments to section 8 project-based contracts <u>or for performance-based</u> contract administrators, notwithstanding the purposes for which such amounts were appropriated.

Explanation of Changes

Eliminates duplicative language in paragraphs (3) and (4) allowing for the use of recaptured funds for contract renewals, Section 8 amendments, and performance-based contract administrators and establishes the revised language in paragraph (4).

HOUSING PROJECT-BASED RENTAL ASSISTANCE Crosswalk of 2005 Availability (Dollars in Thousands)

Budget Activity	2005 Enacted	Supplemental/ Rescission	Approved Reprogrammings	Transfers	Carryover	Total 2005 <u>Resources</u>
Contract Renewals	\$5,237,100	-\$41,897				\$5,195,203
Contract Administrators	101,900	-815				101,085
Working Capital Fund	2,000	-16				1,984
Section 8 Amendments	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
Total	5,341,000	-42,728				5,298,272

HOUSING PROJECT-BASED RENTAL ASSISTANCE Crosswalk of 2006 Changes (Dollars in Thousands)

Budget Activity	2006 President's Budget <u>Request</u>	Congressional Appropriations Action on 2006 <u>Request</u>	2006 Supplemental/ <u>Rescission</u>	Reprogrammings	Carryover	Total 2006 <u>Resources</u>
Contract Renewals	\$4,923,100	\$4,939,700	-\$49,397		\$584,644	\$5,474,947
Contract Administrators	147,200	147,200	-1,472		25,737	171,465
Working Capital Fund	1,800	1,400	-14			1,386
Section 8 Amendments	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
Total	5,072,100	5,088,300	-50,883		610,381	5,647,798

Project-Based Rental Assistance

Program Activity

	Units	Per Unit Cost	Budget Authority
FY 2005: (Actual Obligations)			
Contract Administrators	NA	NA	\$75,347,739
Working Capital Fund	NA	NA	1,984,000
Contract Renewals			
CPD - Moderate Rehabilitation SRO	6,535	NA	19,737,975
PIH - Moderate Rehabilitation	32,634	NA	190,812,178
Housing	<u>923,732</u>	<u>NA</u>	4,400,009,044
Subtotal, Contract Renewals	962,901		4,610,559,197
Total, FY 2005 Project-Based Rental Assistance	962,901	NA	4,687,890,936
NA = Not Available.			

	<u>Units</u>	Per <u>Unit Cost</u>	Budget <u>Authority</u>
FY 2006:			
Contract Administrators	NA	NA	\$145,728,000
Working Capital Fund	NA	NA	1,386,000
Contract Renewals			
CPD - Moderate Rehabilitation SRO	8,220	\$5,019	35,829,690
PIH - Moderate Rehabilitation	37,542	7,038	203,127,412
Housing	<u>939,795</u>	NA	4,651,345,898
Subtotal, Contract Renewals	985,557		4,890,303,000
Total, FY 2006 Project-Based Rental Assistance	985,557	NA	5,037,417,000

NOTE: Amounts are net of the 1 percent fiscal year 2006 across-the-board recission. NA = Not Available.

		Per	Budget
	<u>Units</u>	<u>Unit Cost</u>	Authority
FY 2007:			
Contract Administrators	NA	NA	\$145,500,000
Working Capital Fund	NA	NA	3,960,000
Contract Renewals			
CPD - Moderate Rehabilitation SRO	9,397	\$5,124	48,150,228
PIH - Moderate Rehabilitation	28,285	6,950	196,593,309
Housing	<u>967,109</u>	NA	5,281,496,463
Subtotal, Contract Renewals	1,004,791		5,526,240,000
Total, FY 2007 Project-Based Rental Assistance	1,004,791	NA	5,675,700,000
NA = Not Available.			