

Language:

An Indian tribe that has data that it contends more accurately estimates the costs intended to be reflected in the AEL than the AEL assigned by HUD, and the data were collected in a manner acceptable to HUD, it may submit that data and proper documentation to HUD. HUD will revise the tribe's AEL to no higher than the national average AEL if it finds that the data submitted by the tribe more accurately estimates the costs intended to be reflected in the AEL than the AEL assigned by HUD. The procedure utilized in 1000.118 will be utilized in reviewing any request under this section.

ADVANTAGES:

Has a basic standard for HUD decision

Utilizes existing procedures

Gives HUD enough discretion to prevent flood of applications

DISADVANTAGES:

Leaves detailed procedures and evidence issues for HUD determination, as did existing section 336.