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IN REPLY REFER TO:

ADMINISTRATIVE MEMORANDUM

Administration No. 1
April 15, 2010

TO: All Branches and Support Offices

FROM: Denise M. Wise 
Executive Director

SUBJECT: **Hawaii Public Housing Authority's Standards of Conduct**

I. GENERAL

The purpose of this Administrative Memorandum is to establish policies and procedures for the Hawaii Public Housing Authority (HPHA) on the standards of conduct for employees and the Board of Directors.

This administrative memorandum is intended to supplement existing laws, rules and regulations governing confidential information. If there exists a conflict between these policies and a law, rules, or regulation, the law, rule, or regulation shall prevail.

The Standards of Conduct is a statement of our commitment to ethical behavior and business practice. Every employee and member of the Board of Directors of HPHA is expected to adhere to the highest standards of ethical behavior whenever he or she acts on behalf of HPHA, whether in dealings with other employees, tenants, vendors, government agencies or the general public. Honesty and integrity are the foundation of public trust. In all matters relating to HPHA, employees and Board members are to conduct themselves in a manner that places the duty of public service first, above their own personal interests.

II. POLICY

All HPHA employees and Board members are required to participate in training on ethics and conflicts of interest. The HPHA shall be responsible to coordinate such training on a regular basis.

HPHA employees and Board members should avoid conflicts between their duties to HPHA and their own personal interests. Where the potential for conflict exists, HPHA employees and Board members shall identify such situation(s), disclose the potential conflict to the appropriate person(s), and take whatever steps may be warranted by the situation, up to and including recusing themselves from decision-making or action pertaining to the situation. Disclosures of conflict of interests or potential conflict of interests must be submitted in writing to the HPHA Board of Directors. The Board of Directors will be required to act on any disclosures received, with written justification being required for any waivers.

All federal laws shall be applicable to all employees regardless of their program's funding source. The most stringent law will be applicable. Non-compliance with this policy may result in disciplinary action, which may include termination of employment or suspension/removal from the HPHA Board of Directors by the Governor, as may be provided by law or agreement.

The Standards of Conduct applies to all employees and HPHA contracts, written or oral, and not just those funded with U.S. Department of Housing and Urban Development (HUD) funds.

The Standards of Conduct also applies to any financial benefit received directly or indirectly by the affected employee/official or his/her immediate family.

The Executive Director shall be:

- Responsible recommend policies, establish procedures, and administer programs in congruence with the HPHA's standards of conduct;
- Authorized to amend, revise, or replace operating procedures as may be necessary from time to time; and
- Responsible to establish a system to disseminate policies and procedures to HPHA staff in a timely and efficient manner.

All HPHA issued contracts shall include applicable provisions of the standards of conduct.

III. PROCEDURES

The Executive Director may issue administrative memoranda for the following:

- To establish operating procedures to implement Board adopted policy;
- To clarify procedures to ensure the uniform application of law, rule, or regulation; or
- To establish permanent, temporary or emergency procedures.

A. Responsible Parties

Branch Chiefs, Section Supervisors, and Support Officers (hereinafter referred to as "Supervisors") are responsible for the dissemination of this administrative memorandum to all affected staff. Supervisors shall be responsible to review all administrative memoranda to ensure compliance and uniformity with the requirements detailed below.

The Compliance Officer, or designated staff, shall be responsible for ensuring compliance with the security policies and procedures described herein, including apprising the Office of the Executive Director of any violations, and conducting or overseeing investigations of suspected violations.

All employees are responsible for reporting suspected violation of the standards of conduct and real or perceived conflicts of interest to the Compliance Office.

B. Applicable Laws

All HPHA employees are responsible for understanding the laws, rules, and regulations concerning ethics, conflicts of interest, disclosure requirements, and the HPHA's standards of conduct.

The following is a general overview of the State and federal laws applicable in determining whether a conflict of interest exists. The provisions are not exhaustive and may change due to subsequent legislative enactment. Refer to the laws and provisions presently applicable.

I. STATE LAW

Chapter 84, Hawaii Revised Statutes (HRS) provides direction of State law concerning ethics and conflict of interests.

Under Chapter 84, HRS, "employee" means any nominated, appointed, or elected officer or employee of the State, including members of boards, commissions, and committees, and employees under contract to the State or of the constitutional convention, but excluding legislators, delegates to the constitutional convention, justices and judges.

- A. In accordance with the Hawaii Revised Statutes (HRS) §84-11.5 (a) Every employee shall file a gifts disclosure statement with the State Ethics Commission on June 30 of each year if all the following conditions are met:
 - 1. The employee, or spouse or dependent child of an employee, received directly or indirectly from one source any gift or gifts valued singly or in the aggregate in excess of \$200, whether the gift is in the form of money, services, goods, or in any other form;
 - 2. The source of the gift or gifts have interests that may be affected by official action or lack of action by the employee; and
 - 3. The gift is not exempted by HRS §84-11.5 (d).

- B. In accordance with HRS §84-12, No employee shall disclose information which by law or practice is not available to the public and which the employee acquires in the course of the employee's official duties, or use the information for the employee's personal gain or for the benefit of anyone.

- C. In accordance with HRS §84-13, No employee shall use or attempt to use the employee's official position to secure or grant unwarranted privileges, exemptions, advantages, contracts, or treatment, for oneself or others; including but not limited to the following:
 - 1. Seeking other employment or contract for services for oneself by the use or attempted use of the employee's office or position.
 - 2. Accepting, receiving, or soliciting compensation or other consideration for the performance of the employee's official duties or responsibilities except as provided by law.

3. Using state time, equipment or other facilities for private business purposes.
 4. Soliciting, selling, or otherwise engaging in a substantial financial transaction with a subordinate or a person of business whom the employee inspects or supervises in the employee's official capacity.
- D. In accordance with HRS §84-14 (a) No employee shall take any official action directly affecting:
1. A business or other undertaking in which the employee has a substantial financial interest; or
 2. A private undertaking in which the employee is engaged as legal counsel, advisor, consultant, representative, or other agency capacity.
 3. No employee shall acquire financial interests in any business or other undertaking which the employee has reason to believe may be directly involved in official action to be taken by the employee.
 4. No employee shall assist any person or business or act in a representative capacity before any state or county agency for a contingent compensation in any transaction involving the State.
 5. No employee shall assist any person or business or act in a representative capacity for a fee or other compensation to secure passage of a bill or to obtain a contract, claim, or other transaction or proposal in which he has participated or will participate as an employee, nor shall the employee assist any person or business or act in a representative capacity for a fee or other compensation on such bill, contract, claim, or other transaction or proposal before the legislature or agency of which they are an employee.
 6. No employee shall assist any person or business or act in a representative capacity before a state or county agency for a fee or other consideration on any bill, contract, claim, or other transaction or proposal involving official action by the agency if he has official authority over that state or county agency unless the employee has complied with the disclosure requirements of HRS §84-17.
- E. In accordance with HRS §84-15 (a) A state agency shall not enter into any contract to procure or dispose of goods or services, or for construction, with an employee, or a business in which an employee has a controlling interest, involving services or property of a value in excess of \$10,000 unless:
1. The contract is awarded by competitive sealed bidding pursuant to HRS §103D-302;
 2. The contract is awarded by complete sealed proposal pursuant to HRS §103D-303; or
 3. The agency posts a notice of its intent to award the contract and files a copy of the notice with the state ethics commission at least ten days before the contract is awarded.

4. A state agency shall not enter into a contract with any person or business which is represented or assisted personally in the matter by a person who has been an employee of the agency within the preceding two years and who participated while in state office or employment in the matter with which the contract is directly concerned.

II. FEDERAL LAW

As recipients of federal monies, HPHA must also comply with all federal laws, rules and regulations as applicable to ethics and conflicts of interest.

A. **Part A – Public Housing**

Section 19(A) of the 1995 Public Housing Annual Contributions Contracts (ACC) – Contracts and Arrangements with Individuals

- (A)(1) In addition to any other applicable conflict of interest requirements, neither the Housing Authority (HA) nor any of its contractors or their subcontractors may enter into any contract, subcontract, or arrangement in connection with a project under this ACC in which any of the following classes of people has an interest, direct or indirect, during his or her tenure or for one year thereafter:
- (i) Any present or former member or officer of the governing body of the HA, or any member of the officer's immediate family. There shall be excepted from this prohibition any present or former tenant commission who does not serve on the governing body of a resident corporation, and who otherwise does not occupy a policymaking position with the resident corporation, the HA or a business entity.
 - (ii) Any employee of the HA who formulates policy or who influences decisions with respect to the project(s), or any member of the employee's immediate family, or the employee's partner.
 - (iii) Any public official, member of the local governing body, or State or local legislator, or any member of such individual's family, who exercises functions or responsibilities with respect to the project(s) of HA.
- (2) Any member of these classes of persons must disclose the member's interest or prospective interest to the HA and HUD.
 - (3) The requirements of this subsection (A)(1) maybe waived by HUD for good cause, if permitted under State and local law. No person for whom a waiver is required may exercise responsibilities or functions with respect to the contract to which the waiver pertains.
 - (4) The provisions of this subsection (A) shall not apply to the General Depository Agreement entered into with an institution regulated by

a Federal agency, or to utility service for which the rates are fixed or controlled by a State or local agency.

- (5) Nothing in this section shall prohibit a tenant of the HA from serving on the governing body of the HA.

B. Section 19(B) of the Public Housing ACC – Nepotism Restrictions

(B)(1) The HA may not hire an employee in connection with a project under this ACC if the prospective employee is an immediate family member of any person belonging to one of the following classes:

- (i) Any present or former member or officer of the governing body of the HA. There shall be excepted from this prohibition any former tenant commissioner who does not serve on the governing body of a resident corporation, and who otherwise does not occupy a policymaking position with the HA.
 - (ii) Any employee of the HA who formulates policy or who influences decisions with respect to the project(s).
 - (iii) Any public official, member of the local governing body, or State or local legislator, who exercises functions or responsibilities with respect to the project(s) or the HA.
- (2) The prohibitions referred to in subsection (B)(1) shall remain in effect throughout the class member's tenure and for one year thereafter.
- (3) The class member shall disclose to the HA and HUD the member's familial relationship to the prospective employee.
- (4) The requirements of this subsection (B) may be waived by the HA Board of Commissioners for good cause, provided that such waiver is permitted by State and local law.
- (C) This subsection is not applicable to HPHA.
- (D) For purposes of this section, the term "immediate family member: means the spouse, mother, father, brother, sister, or child of a covered class member (whether related as a full blood relative, or as a "half" or "step" relative, e.g. a half-brother or stepchild)."

A PHA's Board considering the issuance of a waiver of this section pursuant to section 19(b)(4) should ensure that its determination of "good cause" is well documented.

C. Section 20 of the Public Housing ACC – Interest if a Member or Delegate to Congress

"No member of or delegate to the Congress of the United States of America or related commission shall be admitted to any share or part of this ACC or to any benefits which may arise from it. (As used in this section, the term "resident commissioner" refers to an individual appointed to oversee a territory or possession of the United States of America, e.g. Guam.)"

Examples of Conflicts under Sections 19 and 20 of the ACC:

- 1) Contracts – including hiring or employment contracts – entered into between a housing authority and a family member of a housing authority official – for example, where a member of the Board of Commissioners is the parent of an individual who is being considered for employment as the housing authority’s director of facilities.
- 2) Contracts between a housing authority and a former housing authority board member or official whose tenure ended less than one year ago.
- 3) Contracts between a housing authority and a member of a local governing body or other public official.
- 4) PHA employees seeking election to local governmental boards and offices, such as a city council or board of selectmen, if such boards and offices exercise authority over housing authority operations. Employees may seek election but if elected, may have to resign.
- 5) A PHA employee engaged in simultaneous service on the Board of Commissioners of his or her PHA. The individual may have to take a leave from his or her board position to serve temporarily as a PHA official.
- 6) Any conflict of interest situation prohibited by State or local law, including but not limited to the conflict of interest prohibitions set forth in State PHA enabling legislation.

The above list is intended to be illustrative of some situations that would give rise to conflict of interest issues. Each situation must be evaluated in light of the particular facts and local law.

D. Additional Public Housing Regulations

Another HUD regulation, 24 C.F.R. § 964.145, sets forth conflict of interest requirements applicable to resident council officers. Also, the regulations pertaining to the Mixed Finance Development of Public Housing units, found generally at 24 C.F.R. § 941.600, provide that the PHA must certify, in its mixed-finance proposal that it will “use an open and competitive process to select the partner and/or the owner entity and shall ensure that there is no conflict of interest involved in the PHA’s selection of the partner and/or owner entity used to develop and operate the proposed public housing units.” See §941.606(n)(1)(ii).

Additional requirements are set forth at § 941.606(n)(1)(ii)(A) and (B). Also note the necessity to adhere to conflict of interest requirements in selection of legal counsel.

E. Section §85.36 (“The Common Rule”) – Ethics in Procurement

Inasmuch as the responsibilities of a housing authority involve the expenditure of monies in procurement activities funded wholly or in part through HUD, 24 C.F.R. § 85.36 also applies. This regulation, frequently referred to as “the Common

Rule,” establishes a uniform scheme for ensuring the propriety of procurement activities of grantees and sub grantees that receive grants from federal agencies.¹ PHA’s should also note that the Common Rule applies to expenditures of grant funds for the purposes of obtaining legal counsel.

Moreover, PHAs are required to include as a part of their construction contracts Form HUD-5370 (“General Conditions of the Contract for Construction – Public Housing Programs”), which contains provisions intended to implement the anti-kickback requirements of the Common Rule.

In particular, the Common Rule, at 24 C.F.R. § 85.36, provides in pertinent part as follows:

(b) *Procurement standards.*

- (1) Grantees and sub grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this section.
- (2) Grantees and subgrantees will maintain a contract administration system which ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- (3) Grantees and subgrantees will maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer or agent of the grantee or subgrantee shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:
 - (i) The employee, officer or agent,
 - (ii) Any member of his immediate family,
 - (iii) His or her partner, or
 - (iv) An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The grantee’s or subgrantee’s officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements. Grantee and subgrantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by State or local law or regulations, such standards or conduct will provide for penalties, sanctions, or other disciplinary actions

¹ Because Section 8 housing assignments payments are not grants, they are not subject to 24 C.F.R. Part 85.

for violations of such standards by the grantee's and subgrantee's officers, employees, or agents, or by contractors or their agents. The awarding agency may in regulation provide additional prohibitions relative to real, apparent, or potential conflicts of interest."

Also, 24 C.F.R. § 85.36(i) requires that certain contracts of grantees and subgrantees include, among other requirements, a provision that expressly mandates:

- (4) Compliance with Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 C.F.R. Part 3). (All contracts and subgrants for construction or repair.)"

F. PART B Section 8 Tenant Based Assistance Regulation – Housing Choice Voucher Program

HUD's Section 8 regulation at 24 C.F.R. § 982.161 is a conflict of interest provision applicable to Public Housing Authorities [PHAs] that administer Section 8 Tenant-Based Assistance. This provision and its subsections fall within 24 C.F.R. part 982, whose heading is "Section 8 Tenant Based Assistance: Housing Choice Voucher Program".

Captioned "Conflict of Interest," 24 C.F.R. § 982.161 provides:

- (a) Neither the PHA nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with the tenant-based programs in which any of the following classes of persons has any interest, direct or indirect, during tenure or for one year thereafter:
 - (1) Any present or former member or officer of the PHA (except a participant commissioner);
 - (2) Any employee of the PHA, or any contractor, subcontractor or agent of the PHA, who formulates policy or who influences decisions with respect to the programs;
 - (3) Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs; or
 - (4) Any member of the Congress of the United States.
- (b) Any member of the classes described in paragraph (a) of this section must disclose their interest or prospective interest to the PHA and HUD.
- (c) The conflict of interest prohibition under this section may be waived by the HUD field office for good cause."

The PHA should not execute the Housing Assistance Payment (HAP) contract until the HUD Field Office makes a decision on the waiver request.

G. Section 8 HAP Contract Housing Choice Voucher Program

The Section 8 HAP contract for the Housing Choice Voucher Program, between the PHA and the owner of a unit occupied by an assisted family details the types of interest that are prohibited under the contract.

Section 13 of the HAP contract refers to those classes of persons mentioned in § 982.161

- (a) as “covered individuals” and further provides:
- (b) A covered individual may not have any direct or indirect interest in the HAP contract or in any benefits or payments under the contract (including the interest of an immediate family member of such covered individual) while such person is a covered individual or during one year thereafter.
- (c) ‘Immediate family member; means the spouse, parent (including a stepparent), child (including a stepchild), grandparent, grandchild, sister or brother (including a stepsister or stepbrother) of any covered individual.
- (d) The owner certifies and is responsible for assuring that no person or entity has or will have a prohibited interest, at execution of the HAP contract, or at any time during the HAP contract term.
- (e) If a prohibited interest occurs, the owner shall promptly and fully disclose such interest to the PHA and HUD.
- (f) The conflict of interest prohibition under this section may be waived by the HUD field office for good cause.
- (g) No member of or delegate to the Congress of the United States or resident commissioner shall be admitted to any share or part of the HAP contract or to any benefits which may arise from it.”

H. Section 8 HAP Contract – Moderate Rehabilitation Program

There are two different versions of Moderate Rehabilitation HAP Contracts. However, the conflict of interest provision reads the same:

“No present or former member or officer of the PHA (except tenant-commissioners), no employee of the PHA who formulates policy or influences decisions with respect to the Section 8 Program, and no public official or member of a governing body or State or local legislator who exercises functions or responsibilities with respect to the Section 8 Program, shall have any direct or indirect interest, during his or her tenure or for one year thereafter, in this Contract or in any proceeds or benefits arising from the Contract or in any proceeds or benefits arising from the Contract. This provision may be waived by HUD for good cause.”

There is also a provision entitled “INTEREST OF MEMBER OR DELEGATE TO CONGRESS” “No member of or delegate to the Congress of the United States of America or resident commissioner shall be admitted to any share or part of this Contract or to any benefits arising from the Contract.”

I. Section 8 – Moderate Rehabilitation Program – ACC

The conflict of interest provision in the ACC for the Moderate Rehabilitation program is found in Part II, Terms and Conditions of the ACC section 2.18 “Interests of Members, Officers, or Employees of OHA, Members of Local Governing Body, or other Public Officials.

- (a) Neither the PHA nor any of its contractors or their subcontractors shall enter into any contract, subcontract, or arrangement, in connection with any Project in which any of the following classes of persons has an interest, direct or indirect, during tenure or for one year thereafter:
 - (1) any member or officer of the PHA except those members or officers who have an interest in the Section program by reason of their tenancy in a Section 8 unit, or
 - (2) any employee of the PHA who formulates policy or who influences decisions with respect to the Section 8 Program or
 - (3) any public official, member of a governing body, or State legislator who exercises functions or responsibilities with respect to the Section 8 program”
- (b) Any members of the classes described in paragraph (a) must disclose their interest or prospective interest to the PHA and HUD and may, with appropriate justification, if consistent with State law, apply through the PHA to HUD for a waiver.
- (c) No person to whom a waiver is granted shall be permitted (in the capacity as member of class described in paragraph (a) to exercise responsibilities or functions with respect to an Agreement or Contract executed, or to be executed, on his or her behalf, or with respect to an Agreement or a Contract to which this person is a party.
- (d) Notwithstanding the provisions of paragraphs (a) through (c), a PHA responsible for the administration of the Contract may, with prior HUD approval and pursuant to a contract between the PHA and the Owner of existing housing or moderately rehabilitated units exercise management and maintenance responsibilities with respect to the units covered by Contracts.
- (e) The PHA and contractors and subcontractors shall insert in all contracts, subcontracts, and arrangements entered into in connection with any Existing Housing or Moderate Rehabilitation Project or any property included or planned to be included in any Project, and shall require its contractors to insert in each of its subcontracts, the provisions of paragraphs (a) through (e).
- (f) The provisions of paragraphs (a) through (e) of this section shall not be applicable to the Depository Agreement, or utility services the rates for which are fixed or controlled by a governmental agency.”

The provision “INTEREST OF MEMBER OR DELEGATE TO CONGRESS” as stated in the Moderate Rehabilitation HAP contract also appears in this ACC.

J. Section 8 – Project Based Assistance Contracts

For Project-Based Assistance², there are many different HAP contracts, and HAP conflict of interest provisions (with various section numbers). Also, PHA conflict of interest provisions are embedded in various ACC forms (e.g. the Housing Finance Agency ACC for a project of New Construction/Substantial Rehabilitation). Contract Administrators of the Project-Based Section 8 Program, there is a special form of ACC with a significantly different conflict of interest clause.

When faced with a conflict of interest issue for Project-Based Assistance contracts, be sure to check the particular HAP contract and the ACC to ensure a complete review of any applicable conflict of interest provisions.

K. PART C Hatch Act provisions applicable to State employees:

The Hatch Act may also apply, in many instances (see, e.g., 5 U.S.C. §§ 1501 – 1508), to the political activities of certain state and local employees. The activities in which such employees may or may not engage are detailed in the Hatch Act.

The Office of Special Counsel operates a website that provides guidance concerning Hatch Act issues at www.onc.gov. PHA employees with questions about the Hatch Act's application to their activities are strongly urged to contact the Hatch Act section of the Federal Office of Special Counsel to seek a written opinion. They may do so by calling 1-800-85-HATCH and ask to speak to a Hatch Act Counselor or by sending an e-mail to hatchact@osc.gov. Such an opinion should be sought prior to engaging in the questionnaire activities, of course, and it is essential that PHA staff understand that only the Office of Special Counsel, not local HUD staff, is authorized to render an authoritative opinion on the Hatch Act.

² Not to be confused with Project-Based vouchers, for which the standard voucher provision applies.

ACKNOWLEDGEMENT

My signature below acknowledges that I have received, read and understand the HPHA's Standards of Conduct.

I agree that it is my responsibility to be familiar with and know how to apply these Standards, as well as existing laws to my particular job responsibilities and that failure to do so may result in disciplinary action, which may include termination of my employment or suspension/removal from the HPHA Board of Directors by the Governor, as may be provided by law or agreement.

If I do not understand the appropriate and legal course of action to take during my employment, I will review the Standards of Conduct, talk with my supervisor or in the case of a Board member, talk to the Board Chairperson.

Name (Please Print)

Signature

Date

Branch/Section/Unit/Office

SAMPLE FORM FOR REQUESTING A PUBLIC HOUSING ACC WAIVER OR
SECTION 8 EXCEPTION FOR A CONFLICT OF INTEREST PROHIBITION

NAME OF HOUSING AUTHORITY _____

DATE OF YOUR REQUEST _____

NAME/TITLE OF PERSON REQEUSTING REVIEW _____

WHAT SPECIFIC CONFLICT OF INTEREST PROVISION IS THE SUBJECT OF THIS
REQUEST?

PROVIDE A TITLE, POSITON OR OTHER DESCRIPTION OF THE INDIVIDUAL
INVOLVED IN THE CONTRACT OR ARRANGEMENT THAT GIVES RISE TO THE
CONFLICT OF INTEREST

DESCRIBE THE NATURE OF THE CONFLICT OF INTERST IN DETAIL

DATE AND MANNER OF DISCLOSURE OF THE INTEREST TO THE PHA

WHOM MAY HUD CONTACT FOR MORE INFORMATION?

DESCRIBE IN DETAIL THE REASON THAT "GOOD CAUSE" IS PRESENT FOR HUD TO GRANT A WAIVER/EXCEPTION. ATTACH DOCUMENTATION THAT EVIDENCES "GOOD CAUSE".

ATTACH SUPPORTING DOCUMENTATION, AS WELL AS AN ANALYSIS OR OTHER EVIDENCE THAT THE CONTRACT OR ARRANGEMENT DESCRIBED IN YOUR REQUEST IS IN COMPLIANCE WITH STATE LAW. THIS SHOULD BE SUPPORTED BY A LOCAL ATTORNEY'S OPINION AS TO STATE LAW COMPLIANCE.

HUD PROGRAM STAFF RECOMMENDATION:

(Signature)

(Date)

(Name and Title)

HUD LEGAL REVIEW COMMENTS:

(Signature)

(Date)

(Name and Title)