

The contents of this document, except when based on statutory or regulatory authority or law, does not have the force and effect of law and is not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

This checklist summarizes the application requirements for the demolition and/or disposition of public housing in accordance with Section 32 of the 1937 Act, 24 CFR part 970 and 24 CFR part 906.

The provisions of section 18 of the 1937 Act (42 U.S.C. 1437p) do not apply to disposition of public housing dwelling units under a homeownership program approved by HUD under this part, or to the sale of a unit to a PRE to operate as public housing and sell to a low-income family within 5 years, under the requirements of 24 CFR part 906.19. See 24 CFR 906.35 for inapplicability of section 18 of the U.S. Housing Act of 1937 for Section 32.

The basic Homeownership submission requires:

- Completion of IMS/PIC application screens (e.g., selecting buildings/units)
- HUD-52860, HUD-52860-C addendum, and required attachments as signed PDFs uploaded
- Supporting documentation pursuant to 24 CFR part 970 and 24 CFR part 906, as summarized in this checklist.

**General Information.**

1. Date of application
2. PHA name & code
3. PHA contact
4. Local HUD Field Office (FO) of Public Housing and Expeditor

**Property Description.**

1. Units/buildings (PIC numbers)
2. Acreage
3. Description of land (e.g., survey, copy of the legal description, site map if for a portion of property on contiguous sites)
4. Recorded Declaration of Trust (DOT) or Declaration of Restrictive Covenant (DORC)
5. Personal Property (e.g., equipment, supplies, computer centers, furniture, and vehicles) that exclusively or primarily supports the project (do not include central office personal property). There is no specific field on the form HUD-52860 about personal property but attach a list.



6. Description of UFAS-accessible unit distribution (at development and proposed for removal under S18)

NOTE: PHAs report UFAS-accessible units for their entire Public Housing Portfolios in MicroStrategy. PHAs must ensure this information is current and complete. Incomplete UFAS-accessible data may delay FHEO review.

**Method of Sale.**

**Repair or rehabilitation.**

If applicable, a plan for any repair or rehabilitation needed to meet the requirements of 24 CFR part 906.7.

**Purchaser eligibility and selection.**

**Sale and Financing.**

**Consultation with residents and purchasers.**

1. Resident and Purchaser Consultation. PHA develops Homeownership application in consultation with residents and purchasers or otherwise affected. Provide date(s) and narrative of consultation process. Attach supporting documents (e.g., agenda, meeting notices; sign-in sheets; minutes, print-out of written or email consultation) and description of resident input obtained require by the PHA plan under 24 CFR part 903.
2. Resident Advisory Board (RAB). Provide date and narrative of consultation. If the PHA is one whose Homeownership Plan does not require information regarding homeownership under § 903.11(b)(1) of this title, the PHA must consult with the RAB or Boards regarding the homeownership plan, and provide the information required in 24 CFR part 906.39.

Attach copies of all written comments from residents or resident groups/organizations during the consultation.

**Counseling.**

**Sale via Purchase and Resale Entity (PRE).**

The PHA must demonstrate in its homeownership program that the PRE has the necessary legal capacity and administrative capability to carry out its responsibilities under the program. The PHA's homeownership program also must contain a written agreement (not required to be submitted as part of the homeownership plan) that specifies the respective rights and obligations of the PHA and the PRE. See 24 CFR part 906.19 for requirements applicable to a PRE. PRE supporting documentation includes:

1. Organizational documents of the PRE;
2. Regulatory and operating agreement between the PHA and PRE regarding the provision of operating subsidy and the operation of the public housing units in accordance with all applicable public housing requirements;
3. Management agreement and plan;



- 4. Financing documents, if any;
- 5. A description of the use of operating subsidy during the PRE's period of ownership, in the form of an operating pro forma;
- 6. A mixed-finance ACC amendment governing these units;
- 7. A deed restriction or covenant running with the land that will assure to HUD's satisfaction that the PRE will operate the units in accordance with public housing laws and regulations, including [§ 906.19](#).
- 8. A bond for repairs or proof of insurance to cover any damage to the property during the period of PRE ownership and operation; and,
- 9. Such other materials as may be required by HUD.

**Homeownership Plan.**

All homeownership plans should include narrative and supporting documentation detailing specific requirements. These requirements can be found in 24 CFR Part 906.39. HUD will use four (4) key criteria to evaluate Section 32 homeownership plans as explained on the Homeownership Term Sheet:

- 1. Feasibility
- 2. Legality
- 3. Documentation
- 4. PHA track record in implementing homeownership programs

**PHA Plan.**

Non-high-performing PHAs must state their intent to submit a homeownership plan to HUD in the Annual Plan. HUD will not review any homeownership plan not addressed in the PHA Agency Plan. (High-performing PHAs are exempt from this rule.)

**Non-purchasing residents.**

If applicable, a plan for non-purchasing residents, in accordance with § 906.23;

**Records, accounts, and reports.** A description of the recordkeeping, accounting, and reporting procedures to be used, including those required by [§ 906.33](#);

**Budget.**

A budget estimate, showing any rehabilitation or repair cost, any financing assistance, and the costs of implementing the program, and the sources of the funds that will be used

**Deed restrictions.**

A deed restriction or covenant running with the land that will assure to HUD's satisfaction that the requirements of [§§ 906.27](#) and [906.15\(b\)](#) are met.

**Local Government Consultation.**

- 1. Name local jurisdiction(s)
- 2. Mayor's (or highest elected official) letter supporting the de minimis demo
- 3. Narrative description of consultation with dates, meetings, issues raised

**Environmental Review (ER).**

<p>Completed under 24 CFR Part 50 or 58 identifying the demolition or disposition and any known future use. May include HUD-7015.16 to verify completion. Pursuant of 24 CFR part 906.41, ER is required when acquiring non-public housing for homeownership programs.</p>
<p><input type="checkbox"/> <b>Board Resolution.</b> Signed and dated AFTER the resident and local government consultation</p>
<p><input type="checkbox"/> <b>Legal Opinion.</b></p>
<p><input type="checkbox"/> <b>Section 8(y).</b></p>
<p><input type="checkbox"/> <b>Sale Proceeds.</b></p> <ol style="list-style-type: none"> <li>1. Estimated amount of gross and net proceeds.</li> <li>2. Use of net proceed. Attach brief narrative, budget, or other supporting documentation). If unknown, indicate. Once known, Request SAC approval of proposed use.</li> </ol> <p>See 24 CFR part 906.27 for limitation applicable to net proceeds on the sale of a property acquired through a homeownership program. See 24 CFR part 906.31 for requirements applicable to net proceeds resulting from sale for a homeownership program.</p>
<p><input type="checkbox"/> <b>Timetable</b></p> <ol style="list-style-type: none"> <li>1. Begin and end relocations</li> <li>2. Execute contract</li> <li>3. Remove property from PIC</li> </ol>
<p><input type="checkbox"/> <b>Physical Assessment.</b> An assessment of the physical condition of the properties, based on the standards specified in <a href="#">§ 906.7</a></p>
<p><input type="checkbox"/> <b>Feasibility.</b> A statement demonstrating the practical feasibility of the program, based on analysis of data on such elements as purchase prices, costs of repair or rehabilitation, accessibility costs, if applicable, homeownership costs, family incomes, availability of financing, and the extent to which there are eligible residents who are expected to be interested in purchase (See <a href="#">§ 906.45(a)</a>);</p>
<p><input type="checkbox"/> <b>PHA performance in homeownership.</b></p>
<p><input type="checkbox"/> <b>HUD-52860 and HUD-52860-C</b> Submitted as PDFs (including signed certifications)</p>
<p><input type="checkbox"/> <b>HUD-5837 (required only if repositioning action will remove all remaining units from the PHA's ACC inventory/PIC count)</b> Submitted as PDF (including signed certifications)</p>
<p><input type="checkbox"/> <b>Other PHA Considerations (no submissions required)</b></p>



1. Energy Performance Contract (EPC), Capital Fund Financing Program (CFFP), Repayment Agreement(s). If any obligation impacts the units, resolution is required before SAC approval.
2. Community Supportive Services (CSS) program. If property has an existing Resident Opportunities and Self Sufficiency (ROSS), Family Self Sufficiency (FSS), or Jobs Plus (JP) grant, review conversion impact to grant/families. For FSS or ROSS, contact PIH Field Office with questions. For JP, contact your Grant Manager with questions.