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Submitted via [PaperworkReductionActOffice@hud.gov](https://www.e-rulemaking.gov)

RE: 60-Day Notice of Proposed Information Collection: Form 50900: Elements for the Annual Moving To Work Plan and Annual Moving To Work Report; OMB Control No.: 2577-0216 (Docket No. FR-7076-N-18)

To Whom It May Concern:

The Seattle Housing Authority (SHA) has participated in the Moving to Work (MTW) demonstration program for over 25 years. During that time, we have been active collaborators with the US Department of Housing and Urban Development (HUD) in the creation of reporting requirements, evaluation measures and other means of providing both HUD and the general public useful information regarding SHA's use of MTW regulatory waivers and funding flexibility. We have appreciated HUD's willingness to collaborate with the initial 39 MTW agencies on these matters and look forward to continued partnership. As such, SHA is using the public comment period on the *Form 50900: Elements for the Annual Moving to Work Plan and Annual Moving to Work Report* to share our new and continuing ideas for improving MTW reporting requirements.

In general, SHA concurs with the comments provided by the MTW Collaborative on this matter. We especially thank HUD for the collaboration in removing the standard HUD metrics as requirements in future MTW Plans and Reports (more on this below). This letter organizes SHA's additional comments section by section.

Section II General operating information

MTW Plan Section II(A)(i) Planned new public housing units

HUD requires MTW PHAs to submit a table containing all new public housing units anticipated in the coming fiscal year in each MTW Plan, including a breakdown by unit size. The bedroom size categories provided are different in

the MTW Plan than in other reporting requirements to HUD; the Form 50900 currently combines the count of 0 and 1 bedroom units. The bedroom size categories should be updated to match the data fields in the PIH Information Center (PIC) as follows: 0 bedroom, 1 bedroom, 2 bedrooms, 3 bedrooms, 4 bedrooms, 5+ bedrooms.

MTW Plan Section II(A)(iii) Planned new project-based vouchers / MTW Report Section II(A)(i) Actual new project-based vouchers and MTW Plan Section II(A)(iv) Planned existing project-based vouchers / MTW Report Section II(A)(ii) Actual existing project-based vouchers

Currently SHA's list of existing project-based vouchers in the Annual Plan and Report is at least seven pages long. We cannot help but question the value of repeating this list each year. Now that HUD has a baseline of actual project-based projects from each MTW agency through increased PBV reporting requirements, HUD should replace the requirement to provide the list of new and actual project-based units in the 50900 with a summary table of total units.

MTW Plan Section II(A)(v) Planned other changes to MTW housing stock anticipated during the plan year

HUD has added language to the instructions of this section, specifically "changes to designated housing plans and/or accessibility features of developments or units, etc." While SHA is happy to include this information in this section of the MTW Plan/Report, we would like to emphasize that the 50900 is not the appropriate vehicle for HUD to review and/or approve designated housing plans (DHP) or related requirements and that this section should not be tied to the DHP approval process.

MTW Plan Section II(A)(vi) General description of all planned capital expenditures during the plan year / MTW Report Section II(A)(iv) General description of all actual capital expenditures during the plan year

HUD has added language to the instructions of this section as well, specifically to "[i]nclude details regarding any expenditures to make units or developments UFAS/504/ADA compliant." As with the previous section on planned changes to housing stock, the 50900 is not the mechanism through which HUD should be confirming SHA's compliance with accessibility requirements.

MTW Plan Section II(B)(i) Planned number of households served / MTW Report Section II(B)(i) Actual number of households served

The Form 50900 requires the MTW PHAs to report on households served by totaling the number of unit months and dividing that number by twelve. Calculating households served by this method is misleading and often

undercounts the number of households truly served by each PHA annually. This is particularly true for programs such as short-term rental assistance programs, rapid rehousing and those designed to end homelessness, which often intentionally serve more than one unique household per “unit” per year. We encourage HUD to update this section to reflect unit months per HUD’s definition in addition to households served per the PHA’s calculation, such as unique households served.

Section III Proposed MTW activities

Removal of MTW Plan Section III(B) Activity metrics information

See below for SHA’s comments on the proposed removal of the Standard HUD metrics.

MTW Plan Section III(D)(ii) Hardship case criteria

The instructions for this section state that “[a]ny MTW activity that...alters the rent calculation” requires a hardship policy, and that all hardship policies must define “the circumstances under which households may be exempted or provided temporary relief from the policy.” We believe that any rent reform activities which benefit the household (e.g., reduce the amount of rent owed or tenant portion of rent) should be exempted from this requirement.

In addition, this section requires that a copy of the hardship policy associated with any proposed new rent reform/term limit activity be included in an appendix. HUD also indicates that this is to be used for the express purpose of the public review/comment process and will not be used in HUD’s review of the activity itself. We do not think this is a necessary or appropriate requirement. There are existing regulations as well as local accountability standards that housing authorities follow for transparency and when engaging with residents and the community when proposing to adopt or amend policies. It is not HUD’s place to dictate the details of these processes. For these reasons, we think that this requirement is inappropriate and should also be removed.

Section IV: Approved MTW activities

Removal of MTW Plan Section IV(A)(iv) Planned changes to metrics/data collection / MTW Report Sections IV(A)(iv) Actual changes to metrics/data collection and IV(A)(vi) Challenges in achieving benchmarks and possible strategies and all other references to the Standard HUD metrics in the Form 50900

Together with the other MTW agencies and stakeholders who participated in the small working group on the standard HUD metrics, SHA extends our sincerest

gratitude to HUD for granting the opportunity to collaborate on the revisions to the Form 50900 which resulted in the removal of the standard HUD metrics as a reporting requirement. We are hopeful that this collaborative approach will continue to be utilized in the future, as is being seen in the development of new measures for evaluation and measurement of the successes of the initial 39 MTW agencies. HUD's partnership is instrumental in advancing our collective efforts towards having positive and meaningful impact on the households that we serve, and we continue to welcome conversations like those that led to these revisions.

MTW Plan Section IV(A)(v) Planned significant changes / MTW Report Section IV(A)(v) Actual significant changes

This version of the 50900 still requires PHAs to re-propose activities if “significant changes” are anticipated in the Plan year. This concept of re-proposal is antithetical to the very purpose of MTW. Attachment C of the Standard Agreement states “The purpose of the Statement of Authorizations is to delegate to the Agency the authority to pursue locally driven policies, procedures and programs...” It is not HUD’s role to approve our specific policies but to authorize use of MTW flexibilities. SHA and our MTW peers have rightfully been objecting for years to HUD’s excessively broad criteria for what constitutes a significant change. A significant change is loosely defined in the proposed 50900, in part, as a change which “fundamentally changes the nature and scope of an activity to the extent that there is the potential for a different impact on residents.” “Different impact” is not a reasonable threshold for “fundamentally changing the nature and scope of an activity” or of a “significant change.” Similarly, a PHA could even be making a change that is to residents’ benefit and this threshold would still require a re-proposal.

Additionally, HUD’s only criteria to be able to reject an MTW activity is if it is not waivable under Attachments C and D. HUD’s other standard for a “significant changes to activities” is if “an additional MTW authorization is needed.” If HUD’s only ability to reject an activity is that the scope or nature of the activity is not waivable under the Standard Agreement, then there is no reason to re-propose an activity which is already allowable. Surely there is another method for HUD to consider the addition of an MTW authorization without having to re-propose the entire activity. We once again strongly encourage HUD to remove/revise this section to be consistent with the purpose of MTW.

MTW Report Section IV(A)(ii) Description/impact/update

The instructions in the 50900 require that MTW PHAs report “the number and results of any hardship requests” in the MTW Report for any rent reform/term limit activities. This information is already provided to HUD via alternative means annually. Beyond being duplicative, the MTW Report is not an appropriate

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location to provide this type of compliance information and the requirement should be removed.

Thank you for your attention to these comments and suggestions. Please contact Lily Sweeney, Strategic Advisor for Policy and Strategic Initiatives, at lily.sweeney@seattlehousing.org should you have any questions or other follow-up matters.

Sincerely,

Andria Lazaga
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