

Archived: Wednesday, May 1, 2024 9:30:16 AM

From:

To: [N Barrett](#)

Subject: RE: MTW Collaborative Comments - 88 FR 86923, MTW 50900 Form

Importance: Normal

Sensitivity: None

Thank you for your comments and general support for removing the standard metrics and providing narrative options to MTW PHAs. We will continue to work with the MTW Collaborative in determining alternative outcome measures that can be meaningful while minimizing burden. Please see the responses below to some specific comments, and please look out for the 30 day PRA Notice in the coming weeks which will have some additional updates, some based on public comments we have received:

- **Comment:** Item 6 HUD proposes adding the following language: "...including any applicable fair housing plan for the MTW PHA's jurisdiction and a description of the manner in which the MTW PHA Plan is consistent with the applicable Consolidated Plan. 24 CFR §§ 91.2, 91.225, 91.325, and 91.425." We request that HUD supply guidance to the state and local officials on the requirements for applicable fair housing plans, so that these entities can appropriately provide the requested certification and thereby reduce potential exposure to PHAs.

Item 7 We request that the following sentence be deleted: "The MTW PHA certifies that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing." If HUD is unwilling to delete that sentence in its entirety, we would then request it be revised to the following: "The MTW PHA will not knowingly take any action that the MTW PHA has determined to be materially inconsistent with its obligation to affirmatively further fair housing." The certification language as currently written unnecessarily exposes agencies to False Claims Act violations, especially given that Affirmative Further Fair Housing ("AFFH") actions vary by community and reasonable individuals could disagree as to whether a particular action is considered "materially inconsistent" with AFFH.

- **Response:** Thank you for your comment. This issue has been flagged to various HUD offices and is still under review internally. This will likely not be resolved prior to the publication of the upcoming 30 day PRA Notice. We will inform you when we have updates to provide and it will be before any final publication.

From: N Barrett <NBarrett@mtwcollaborative.org>

Sent: Tuesday, February 13, 2024 9:47 PM

To: Paperwork Reduction Act Office <PaperworkReductionActOffice@hud.gov>

Subject: <External Message> MTW Collaborative Comments - 88 FR 86923, MTW 50900 Form

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Ms. Pollard,

Attached please find the MTW Collaborative's comments on the *60-Day Notice of Proposed Information Collection: Form 50900: Elements for the Annual Moving To Work Plan and Annual Moving To Work Report*.

Thank you in advance for your consideration.

-Nicole

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Please note: I am currently working away from the office.