

**DATES:** *Effective Date:* November 22, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Gerald J. Benoit, Director, Real Estate and Housing Performance Division, Office of Public and Indian Housing, Department of Housing and Urban Development, Room 4220, 451 Seventh Street, SW, Washington, DC 20410; telephone (202) 708-0477, extension 4069 (this is not a toll-free number). Hearing or speech impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** On October 21, 1999 (64 FR 56882), HUD published a final rule that specified the method HUD will use in allocating housing assistance available to renew expiring contracts with public housing agencies (PHAs) for Section 8 tenant-based housing assistance. As required by statute, the October 21, 1999 final rule was the product of a negotiated rulemaking, following implementation, as further required by statute, of a HUD notice on this subject. The purpose of this document is to correct two typographical errors contained in the October 21, 1999 final rule. Specifically, this document corrects all references to a "CACC" to read "consolidated ACC." This document also inserts a missing hyphen in one of the references in § 982.102 to "project-based assistance."

Accordingly, in the final rule entitled "Renewal of Expiring Annual Contributions Contracts in the Tenant-Based Section 8 Program; Formula for Allocation of Housing Assistance," FR Document 99-27445, beginning at 64 FR 56882, in the issue of Thursday, October 21, 1999, the following corrections are made:

**§ 982.102 [Corrected]**

1. On page 56887, beginning in the second column, § 982.102 is corrected as follows:

a. Correct all references to "CACC" to read "consolidated ACC"; and

b. In paragraph (a), correct the reference to "project based assistance" to read "project-based assistance."

Dated: March 22, 2000.

**Harold Lucas,**

*Assistant Secretary for Public and Indian Housing.*

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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**24 CFR Parts 982 and 983**

[Docket No. FR-3482-C-08]

**RIN 2501-AB57**

**Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Housing Receiving Federal Assistance and Federally Owned Residential Property Being Sold; Correction**

**AGENCY:** Office of the Secretary—Office of Lead-Hazard Control, HUD.

**ACTION:** Correction.

**SUMMARY:** This document makes several corrections to HUD's September 15, 1999 final rule implementing sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992. Specifically, this document corrects two typographical errors contained in the September 1, 1999 final rule that regard the Section 8 Housing Choice Voucher program and the Section 8 Project-Based Certificate program.

**DATES:** *Effective date:* September 15, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Gerald J. Benoit, Director, Real Estate and Housing Performance Division, Office of Public and Indian Housing, Department of Housing and Urban Development, Room 4220, 451 Seventh Street, SW, Washington, DC 20410; telephone (202) 708-0477, extension 4069 (this is not a toll-free number). Hearing or speech impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** On September 15, 1999, HUD published a final rule (64 FR 50140) that implements sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 *et seq.*). The purpose of the rule is to ensure that Federally-owned or assisted housing does not pose lead-based paint hazards to young children. The majority of the provisions contained in the final rule will become effective on September 15, 2000 (one year following the date of publication). This document corrects two typographical errors contained in the September 15, 1999 final rule that regard the Section 8 Housing Choice Voucher program (codified at 24 CFR part 982) and the Section 8 Project-Based Certificate program (codified at 24 CFR part 983). The corrections made by this document are as follows:

1. *Correction to § 982.305 (PHA approval of assisted tenancy).* This document corrects a typographical error contained in § 982.305(b) of the September 15, 1999 final rule. The September 15, 1999 final rule amended paragraph (b)(3) of § 982.305 to reference the lead-based disclosure information required under 24 CFR 35.92(b). This reference is more appropriately set forth in paragraph (b)(1)(ii) of § 982.305. This document makes the necessary correction. As corrected by this document, 982.305(b)(1)(ii) provides that, before the beginning of the initial term of the lease for the unit, the landlord and the tenant must have executed the lease (including the HUD-prescribed tenancy addendum, and the lead-based paint disclosure information as required in 24 CFR 35.13(b)).

2. *Correction to § 983.1 (Purpose and applicability).* This document corrects a typographical error contained in § 983.1 of the September 15, 1999 final rule. Paragraph (b) of § 983.1 describes the provisions of 24 CFR part 982 that apply to the Section 8 Project-Based Certificate program. The September 15, 1999 final rule amended § 983.1(b) by adding a citation to § 982.401(j). However, the citation did not explain to readers that § 982.401(j) contains applicable lead-based paint requirements. This document adds a parenthetical after the citation to clarify this point.

Accordingly, in the final rule captioned "Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance," FR Document 99-23016, beginning at 64 FR 50140, in the issue of Wednesday, September 15, 1999, the following corrections are made:

1. On page 50229, in the third column, regulatory amendment 88 is corrected to read as follows:

88. Revise § 982.305(b)(1)(ii) to read as follows:

**§ 982.305 PHA approval of assisted tenancy.**

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

(ii) The landlord and the tenant have executed the lease (including the HUD-prescribed tenancy addendum, and the lead-based paint disclosure information as required in § 35.13(b) of this title); and

\* \* \* \* \*

2. On page 50230, in the first column, § 983.1(b)(2)(vii) is corrected to read as follows:

**§ 983.1 Purpose and applicability.**

\* \* \* \* \*

(b) \* \* \*  
(2) \* \* \*

(vii) In subpart I of this part, § 982.401(j) (lead-based paint requirements); § 982.402(a)(3), § 982.402(c) and (d) (Subsidy standards); and § 982.403 (Terminating HAP contract when unit is too small);

\* \* \* \* \*

Dated: March 22, 2000.

**Harold Lucas,**

*Assistant Secretary for Public and Indian Housing.*

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## **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

### **24 CFR Parts 982 and 983**

[Docket No. FR-4428-C-06]

RIN 2577-AB91

#### **Section 8 Tenant-Based Assistance; Statutory Merger of Section 8 Certificate and Voucher Programs; Housing Choice Voucher Program; Correction**

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Correction.

**SUMMARY:** This document makes various corrections to HUD's October 21, 1999 final rule implementing the statutory merger of the Section 8 tenant-based certificate and voucher programs into the new Housing Choice Voucher program. Additionally, this document corrects several regulatory provisions of the new Section 8 merger program that were not part of the October 21, 1999 final rule. These technical, non-substantive amendments will help to ensure that, once codified, the regulations for the Housing Choice Voucher program are free of error and consistent with other HUD program requirements.

**DATES:** *Effective date:* November 22, 1999.

**FOR FURTHER INFORMATION CONTACT:** Gerald J. Benoit, Director, Real Estate and Housing Performance Division, Office of Public and Indian Housing, Department of Housing and Urban Development, Room 4220, 451 Seventh Street, SW, Washington, DC 20410; telephone (202) 708-0477, extension 4069 (this is not a toll-free number). Hearing or speech impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

## **SUPPLEMENTARY INFORMATION**

### **I. Background**

On October 21, 1999 (64 FR 56894), HUD published a final rule implementing the Section 8 tenant-based program provisions of the Quality Housing and Work Responsibility Act of 1998 (Title V of the FY 1999 HUD Appropriations Act; Pub.L. 105-276, approved October 21, 1998) (referred to as the "Public Housing Reform Act"). Of particular significance, the October 21, 1999 final rule implemented section 545 of the Public Housing Reform Act. Section 545 provides for the complete merger of the Section 8 tenant-based certificate and voucher programs. HUD's regulations for the new Section 8 merger program (known as the "Housing Choice Voucher program") are located at 24 CFR part 982.

The October 21, 1999 final rule became effective on November 22, 1999. The final rule was preceded by HUD's publication of an interim rule on May 14, 1999 (64 FR 56894). The October 21, 1999 final rule adopted without change the provisions of the interim rule. The final rule also took into consideration of the public comments received on the interim rule, and most of the changes made at the final rule stage were in response to public comment.

### **II. This Document**

This document makes several corrections to the October 21, 1999 final rule. Additionally, this document corrects several regulatory provisions of the Housing Choice Voucher program that were not part of the October 21, 1999 final rule. These technical revisions correct typographical errors and inconsistencies with other HUD program requirements. These corrections are non-substantive, and do not modify or create any new program requirements. The corrections will help to ensure that, once codified in title 24 of the Code of Federal Regulations, the regulations for the new Section 8 merger program are free of error and consistent with other HUD program requirements.

For the convenience of readers, the following discussion of the corrections made by this document is organized in the order of the regulatory section being corrected.

1. *Definitions (§ 982.4).* This document corrects § 982.4, which sets forth the definitions applicable to the Housing Choice Voucher program. Currently, part 982 refers readers to section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) for the definitions of several terms applicable to the merger program. This document replaces the cross-

reference to section 3(b) with a cross-reference to HUD's regulations at 24 CFR part 5, subpart D. HUD established 24 CFR part 5 to set forth the definitions and other program requirements that are generally applicable to HUD's programs. The definitions provided in part 5 are substantively identical to those located in section 3(b).

#### *2. How applicants are selected:*

*General requirements (§ 982.202).* This document corrects § 982.202 to conform with § 982.207 of the October 21, 1999 final rule, since HUD approval is no longer required for the public housing agency (PHA) to adopt a residency preference. This document also corrects an erroneous regulatory citation contained in § 982.202.

3. *Waiting list: Administration of waiting list (§ 982.204).* This document corrects § 982.204 by removing paragraph (b)(5), which merely repeats the language of paragraph (b)(4).

4. *Waiting list: Different programs (§ 982.205).* This document corrects § 982.205(b)(1) to clarify the definition of "other housing assistance." This document also removes § 982.205(b)(3), which incorrectly refers to a PHA offer of assistance under "both the certificate program and the voucher program." As noted above, the new Housing Choice Voucher program merges the Section 8 tenant-based certificate and voucher programs into a single voucher program. Accordingly, PHAs no longer have two forms of Section 8 tenant-based assistance to offer families.

5. *Waiting list: Local preferences in admission to program (§ 982.207).* This document corrects § 982.207 to eliminate unnecessary redundancy. Specifically, paragraph (a)(1) of this section provides that the "system of local preferences must be consistent with the PHA plan . . . and with the consolidated plans for local governments in the jurisdiction." Preferences are already covered under HUD's PHA Plan regulations, which require consistency with the Consolidated Plan (see 24 CFR part 903). Accordingly, it is unnecessary to include the quoted provision in part 982.

This document also corrects a typographical error contained in § 982.207(b)(5) of the October 21, 1999 final rule. Specifically, this document adds a phrase to the end of paragraph (b)(5) that clarifies that single persons who are elderly, displaced, homeless, or persons with disabilities may be granted an admissions preference *over other single persons*. The phrase "over other single persons" was inadvertently omitted from the October 21, 1999 final rule. This correction will also clarify