

may initiate any interventions deemed necessary to maintain decent, safe, and sanitary dwellings for residents. Such intervention may include:

- (1) Providing technical assistance for existing PHA management staff;
- (2) Selecting or participating in the selection of an AME to provide technical assistance or other services up to and including contract management of all or any part of the public housing developments administered by a PHA;
- (3) Assuming possession and operational responsibility for all or any part of the public housing administered by a PHA;
- (4) Entering into agreements, arrangements, and/or contracts for or on behalf of a PHA, or acting as the PHA, and expending or authorizing the expenditure of PHA funds, irrespective of the source of such funds, to remedy the events or conditions constituting the substantial default;
- (5) The provision of intervention and assistance necessary to remedy emergency conditions;
- (6) After the solicitation of competitive proposals, select an administrative receiver to manage and operate all or part of the PHA's housing; and
- (7) Petition for the appointment of a receiver to any District Court of the United States or any court of the State in which real property of the PHA is located.

(c) The receiver is to conduct the affairs of the PHA in a manner consistent with statutory, regulatory, and contractual obligations of the PHA and in accordance with such additional terms and conditions that the court may provide.

(d) The appointment of a receiver pursuant to this section may be terminated upon the petition to the court by the PHA, the receiver, or HUD, and upon a finding by the court that the circumstances or conditions that constituted substantial default by the PHA no longer exist and that the operations of the PHA will be conducted in accordance with applicable statutes and regulations, and contractual covenants and conditions to which the PHA and its public housing programs are subject.

(e) HUD may take the actions described in this part sequentially or simultaneously in any combination.

§902.85 Resident petitions for remedial action.

The total number of residents that petition HUD to take remedial action pursuant to sections 6(j)(3)(A)(i) through (iv) of the 1937 Act must equal at least 20 percent of the residents, or the petition must be from an organization or organizations of residents whose membership must equal at least 20 percent of the PHA's residents.

APPENDIX A TO PART 902—AREAS AND ITEMS TO BE INSPECTED

AREA: Site

Items:

- Fencing and Retaining Walls
- Grounds
- Lighting
- Mail Boxes/Project Signs
- Market Appeal
- Parking Lots/Driveways
- Play Areas and Equipment
- Refuse Disposal
- Roads
- Storm Drainage
- Walkways

AREA: Building Exterior

Items:

- Doors
- Fire Escapes
- Foundations
- Lighting
- Roofs
- Walls
- Windows

AREA: Building Systems

Items:

- Domestic Water
- Electrical System
- Elevators
- Emergency Power
- Fire Protection
- HVAC
- Sanitary System

AREA: Dwelling Unit

Items:

- Bathroom
- Cell-for-Aid
- Ceiling
- Doors
- Electrical System
- Floors

Office of the Assistant Secretary, HUD

§ 903.1

Hot Water Heater
HVAC System
Kitchen
Lighting
Outlets/Switches
Patio/Porch/Balcony
Smoke Detector
Stairs
Walls
Windows

AREA: Common Areas

Items:

Basement/Garage/Carport
Closets/Utility/Mechanical
Community Room
Day Care
Halls/Corridors/Stairs
Kitchen
Laundry Room
Lobby
Office
Other Community Spaces
Patio/Porch/Balcony
Pools and Related Structures
Restroom
Storage
Trash Collection Areas

AREA: Health and Safety

Items:

Air Quality
Electrical Hazards
Elevator
Emergency/Fire Exits
Fire Escapes
Flammable Materials
Garbage and Debris
Ground Fault Interrupters
Handrails
Hazards
Hot Water Heater
Infestation
Lead Paint
Pools and Related Structures
Smoke Detectors

PART 903—PUBLIC HOUSING AGENCY PLANS

Sec.

- 903.1 What are the public housing agency plans?
- 903.3 When must a PHA submit the plans to HUD?
- 903.5 What information must a PHA provide in the 5-Year Plan?
- 903.7 What information must a PHA provide in the Annual Plan?
- 903.9 Must a troubled PHA include additional information in its Annual Plan?
- 903.11 Are certain PHAs eligible to submit a streamlined Annual Plan?

- 903.13 What is a Resident Advisory Board and what is its role in development of the Annual Plan?
- 903.15 What is the relationship of the public housing agency plans to the Consolidated Plan?
- 903.17 Must the PHA make public the contents of the plans?
- 903.19 When is the 5-Year Plan or Annual Plan ready for submission to HUD?
- 903.21 May the PHA amend or modify a plan?
- 903.23 What is the process by which HUD reviews, approves, or disapproves an Annual Plan?
- 903.25 How does HUD ensure PHA compliance with its plans?

AUTHORITY: 42 U.S.C. 1437c; 42 U.S.C. 3535(d).

SOURCE: 64 FR 8181, Feb. 18, 1999, unless otherwise noted.

§903.1 What are the public housing agency plans?

(a) There are two public housing agency plans. They are:

(1) The 5-year plan (the 5-Year Plan) that a public housing agency (PHA) must submit to HUD once every 5 PHA fiscal years; and

(2) The annual plan (Annual Plan) that the PHA must submit to HUD for each fiscal year for which the PHA receives:

(i) Section 8 tenant-based assistance (section 8(o) of the U.S. Housing Act of 1937, 42 U.S.C. 1437f(o)) (tenant-based assistance); or

(ii) Public housing operating subsidy or capital fund (section 9 of the U.S. Housing Act of 1937 (42 U.S.C. 1437g) (public housing)).

(b) The purpose of the plans is to provide a framework for local accountability and an easily identifiable source by which public housing residents, participants in the tenant-based assistance program, and other members of the public may locate basic PHA policies, rules and requirements concerning its operations, programs and services.

(c) HUD may prescribe the format of submission (including electronic format submission) of the plans. PHAs will receive appropriate notice of any prescribed format.

(d) The requirements of this part only apply to a PHA that receives the type of assistance described in paragraph (a) of this section.