

RESOLUTION NO. _____

**ADOPTION OF A THIRD AMENDMENT TO THE AMENDED AND RESTATED
MOVING TO WORK (MTW) AGREEMENT**

Item No. **5A**

WHEREAS, the Louisville Metro Housing Authority (LMHA), as the Housing Authority of Louisville, executed a Moving to Work (MTW) Agreement on August 2, 1999; an Amended and Restated Agreement on April 15, 2008, which provides LMHA with some authority to investigate and adopt new policies and to flexibly use HUD funding and which extended participation in the MTW Program until June 30, 2018 and subsequently extended participation until June 30, 2028; and Amendment to the Amended and Restated Agreement on March 17, 2020, which authorized citations to waive an independent entity inspection; and

WHEREAS, The LMHA intends to participate in HUD's Rental Assistance Demonstration (RAD) by converting 21 former Beecher Terrace public housing units to RAD Project-Based Voucher rental assistance; and

WHEREAS, Public and Indian Housing (PIH) Notice 2012-32, REV-2 (*Rental Assistance Demonstration – Final Implementation, Revision 2*) states that “[P]rior to conversion, MTW agencies will be required to amend Attachment A of their MTW Agreement to the extent HUD determines is necessary to meet the statutory requirements of RAD”; and

WHEREAS, HUD has provided LMHA with such an amendment to its Amended and Restated MTW Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS that the Executive Director, Lisa Osanka, is hereby authorized to execute the third Amendment to the Housing Authority's Amended and Restated Moving to Work (MTW) Agreement.

RESOLUTION BACKGROUND STATEMENT

ADOPTION OF A THIRD AMENDMENT TO THE AMENDED AND RESTATED MOVING TO WORK (MTW) AGREEMENT

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I. STATEMENT OF FACTS:

As part of Phase IV of the on-site rental component of the Louisville Metro Housing Authority's (LMHA) Choice Neighborhoods Initiative for Beecher Terrace and the wider Russell neighborhood, LMHA plans to convert 21 former public housing units at Beecher Terrace to Project-Based Voucher (PBV) rental assistance through HUD's Rental Assistance Demonstration (RAD).

Due to program requirements, 21 former Beecher Terrace public housing units did not qualify for Tenant Protection Vouchers but did qualify for conversion through RAD. By pursuing RAD for these 21 units, LMHA will be able to preserve an additional 21 affordable housing units.

Per Public and Indian Housing (PIH) Notice 2012-32, REV-2 (*Rental Assistance Demonstration – Final Implementation, Revision 2*), “[P]rior to conversion, MTW agencies will be required to amend Attachment A of their MTW Agreement to the extent HUD determines is necessary to meet the statutory requirements of RAD.

HUD has determined that a third amendment to LMHA's Amended and Restated Moving to Work (MTW) Agreement is necessary to allow the Housing Authority to participate in RAD.

The third amendment modifies Attachment A to the Amended and Restated MTW Agreement, describing the mechanism through which additional funding will be provided for RAD PBV assistance.

II. ALTERNATIVES:

- A. Adopt the third amendment to the Amended and Restated Moving to Work (MTW) Agreement
- B. Do not adopt the third amendment to the Amended and Restated Moving to Work (MTW) Agreement

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III. RECOMMENDATION:

Staff recommends Alternative "A."

IV. JUSTIFICATION:

Due to program requirements, 21 former Beecher Terrace public housing units did not qualify for Tenant Protection Vouchers but did qualify for conversion to Project-Based Voucher assistance through the Rental Assistance Demonstration (RAD). By pursuing RAD for these 21 units, LMHA will be able to preserve an additional 21 affordable housing units, which will comprise a portion of the on-site Beecher Terrace Phase IV redevelopment.

As required by HUD, in order to obtain the benefits offered through RAD, the Louisville Metro Housing Authority must adopt the proposed third amendment to its Amended and Restated Moving to Work (MTW) Agreement.

Submitted by: Sarah Galloway,
Special Assistant to the Executive Director
February 21, 2023