

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
**TDHCA Governing Board Approved Proposed Repeal
10 TAC, Chapter 7, Subchapter A, General Provisions, §§7.1-7.14, and
Subchapter B, Homeless Housing and Services Program (HHSP), §§7.21-7.29**

Disclaimer

Attached is a draft **proposed repeal of 10 TAC Chapter 7, Subchapter A, §§7.1-7.14, General Provisions, and the repeal of 10 TAC Chapter 7, Subchapter B, §§7001-7.1005, Homeless Housing and Services Program (“HHSP”)**, that was approved by the TDHCA Governing Board on April 26, 2018. This document, including its preamble, is scheduled to be published in the May 11, 2018 edition of the *Texas Register* and that published version will constitute the official version for purposes of public comment. The version herein is informational only and should not be relied upon as the basis for public comment.

Public Comment

Public Comment Period: Starts: 8:00 A.M. Austin local time on May 11, 2018 Ends: 5:00 P.M. Austin local time on June 11, 2018

Comments received after 5:00 P.M. Austin local time on June 11, 2018 will not be accepted.

Written comments may be submitted, in hard copy/fax or electronic formats to:

Texas Department of Housing and Community Affairs
Attn: Naomi Cantu
P.O. Box 13941
Austin, Texas 78711-3941
Fax: (512) 475-1671
Email: naomi.cantu@tdhca.state.tx.us

Written comments may be submitted in hard copy, fax, or email formats within the designated public comment period. Those making public comment are encouraged to reference the specific draft rule, policy, or plan related to their comment as well as a specific reference or cite associated with each comment.

Please be aware that all comments submitted to the TDHCA will be considered public information.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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The Texas Department of Housing and Community Affairs (the "Department") proposes the repeal of 10 TAC Chapter 7, Subchapter A, §§7.1-7.14, concerning General Provisions for Homeless Programs, and the repeal of 10 TAC Chapter 7, Subchapter B, §§7001-7.1005, concerning the Homeless Housing and Services Program ("HHSP"). The purpose of the proposed repealed Subchapters is to allow for proposed new Subchapters to add clarification to the framework for the Homeless Program's administration and to clarify requirements for HHSP.

FISCAL NOTE. Timothy K. Irvine, Executive Director, has determined that, for each year of the first five years the repealed sections are in effect, enforcing or administering the repealed sections does not have any foreseeable implications related to costs or revenues of the state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT. Mr. Irvine also has determined that, for the first five years a rule would be in effect:

The proposed rule does not create or eliminate a government program;
The proposed rule will not require a change in the number of employees of the Department;
The proposed rule will not require additional future legislative appropriations;
The proposed rule will result in neither an increase nor a decrease in fees paid to the Department;
The proposed rule will not create a new regulation; however, the rule being repealed will be replaced;
The proposed rule will repeal an existing regulation; however, the rule being repealed will be replaced;
The proposed rule will not increase decrease the number of individuals subject to the rule's applicability; and will neither positively or negatively affect this state's economy.

PUBLIC BENEFIT/COST NOTE. Mr. Irvine also has determined that, for each year of the first five years the repeal of sections are in effect, the public benefit anticipated as a result of the repealed sections will be clarification of existing regulations. There will not be any economic cost to any individuals required to comply with the repealed sections because additional requirements are not added through this repeal.

ADVERSE IMPACT ON SMALL OR MICRO-BUSINESSES OR RURAL COMMUNITIES. The Department has determined that there will be no economic effect on small or micro-businesses or rural communities.

REQUEST FOR PUBLIC COMMENT. The public comment period will be held May 11, 2018 to June 11, 2018, to receive input on the repealed sections. Written comments may be submitted to the Texas Department of Housing and Community Affairs, Naomi Cantu, Rule Comments, P.O. Box 13941, Austin, Texas 78711-3941, by fax to (512) 475-0220, or email naomi.cantu@tdhca.state.tx.us. ALL COMMENTS MUST BE RECEIVED BY 5:00 P.M. Austin local time JUNE 11, 2018.

STATUTORY AUTHORITY. The repealed sections are proposed pursuant to Texas Government Code, §2306.053, which authorizes the Department to adopt rules.

Except as described herein the proposed repealed sections affect no other code, article, or statute.

Subchapter A. General Provisions.

§7.1. Purpose and Goals.

§7.2. Definitions.

§7.3. Land Use Restriction Requirement.

§7.4. Subrecipient Contract.

§7.5. Performance and Expenditure Benchmarks.

§7.6. Subrecipient Reporting.

§7.7. Subrecipient Data Collection.

§7.8. Program Participant Eligibility.

§7.9. Income Determination.

§7.10. Subrecipient Contact Information.

§7.11. Records Retention.

§7.12. Contract Closeout.

§7.13. Inclusive Marketing.

§7.14. Compliance Monitoring.

Subchapter B. Homeless Housing and Services Program (HHSP).

§7.1001. Purpose and Use of Funds.

§7.1002. Distribution of Funds and Formula.

§7.1003. General Homeless Housing and Services Program ("HHSP") Requirements.

§7.1004. Eligible Costs.

§7.1005. Shelter and Housing Standards.