

been given appropriate opportunities to purchase the project or portion of the project covered by the application," for "disposition".

Subsec. (c)(2). Pub. L. 101-625, § 513(b), inserted at end "As part of each annual budget request for the Department of Housing and Urban Development, the Secretary shall submit to the Congress a report—", and added subpars. (A) and (B).

Subsec. (c)(3). Pub. L. 101-625, § 513(c), struck out par. (3) which read as follows: "The Secretary shall, in allocating assistance for the acquisition or development of public housing or for moderate rehabilitation under section 1437f(e)(2) of this title, give consideration to housing that replaces demolished public housing units in accordance with a plan under subsection (b)(3) of this section."

Subsec. (e). Pub. L. 101-625, § 412(b), added subsec. (e). 1988—Subsec. (a)(1). Pub. L. 100-242, § 121(a), substituted "and" for "or" after "purposes,".

Subsec. (b). Pub. L. 100-242, § 170(f), inserted "or" after "under this section".

Subsec. (b)(3). Pub. L. 100-242, § 121(b), added par. (3).

Subsec. (c). Pub. L. 100-242, § 121(c), designated existing provisions as par. (1) and added pars. (2) and (3).

Pub. L. 100-242, § 112(b)(9), substituted "contributions authorized under section 1437c" for "annual contributions authorized under section 1437c(c)".

Subsec. (d). Pub. L. 100-242, § 121(d), added subsec. (d) and struck out former subsec. (d) which read as follows: "The provisions of this section shall not apply to the conveyance of units in a public housing project for the purpose of providing homeownership opportunities for lower income families capable of assuming the responsibilities of homeownership."

#### EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-276, title V, § 531(c), Oct. 21, 1998, 112 Stat. 2574, provided that: "This section [amending this section and section 1437aaa-3 of this title and enacting provisions set out as a note under section 1437aaa-3 of this title] shall take effect on, and the amendments made by this section are made on, and shall apply beginning upon, the date of the enactment of this Act [Oct. 21, 1998]."

#### EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-19 effective for applications for demolition, disposition, or conversion to homeownership of public housing approved by the Secretary, and other consolidation and relocation activities of public housing agencies undertaken on, before, or after Sept. 30, 1995 and on or before Sept. 30, 1998, see section 1002(d) of Pub. L. 104-19, as amended, set out as a note under section 1437c of this title.

#### EFFECTIVE DATE OF 1990 AMENDMENT

Pub. L. 101-625, title V, § 512(b), Nov. 28, 1990, 104 Stat. 4195, provided that: "The amendment made by this section [amending this section] shall apply to any scattered-site public housing project or portion of such project disposed of after the date of the enactment of this Act [Nov. 28, 1990]."

#### REPLACEMENT HOUSING DEMONSTRATION PROGRAM

Pub. L. 101-625, title V, § 513(a), Nov. 28, 1990, 104 Stat. 4195, directed Secretary of Housing and Urban Development to carry out a program to demonstrate the effectiveness of replacing public housing dwelling units eligible for demolition or disposition with 5-year certificate assistance provided under 42 U.S.C. 1437f, with Secretary to carry out the demonstration only with respect to public housing dwelling units owned or operated by the public housing authority for Saint Louis, Missouri, that before the termination of the demonstration program under this subsection are approved for demolition or disposition, and with the demonstration program to terminate at end of Sept. 30, 1992.

### § 1437q. Financing limitations

On and after October 1, 1983, the Secretary—

(1) may only enter into contracts for annual contributions regarding obligations financing public housing projects authorized by section 1437c(c) of this title if such obligations are exempt from taxation under section 1437i(b) of this title, or if such obligations are issued under section 1437b of this title and such obligations are exempt from taxation; and

(2) may not enter into contracts for periodic payments to the Federal Financing Bank to offset the costs to the Bank of purchasing obligations (as described in the first sentence of section 2294(b) of title 12) issued by local public housing agencies for purposes of financing public housing projects authorized by section 1437c(c) of this title.

(Sept. 1, 1937, ch. 896, title I, § 19, as added Pub. L. 98-181, title I [title II, § 215], Nov. 30, 1983, 97 Stat. 1185; renumbered title I, Pub. L. 100-358, § 5, June 29, 1988, 102 Stat. 681.)

### § 1437r. Public housing resident management

#### (a) Purpose

The purpose of this section is to encourage increased resident management of public housing projects, as a means of improving existing living conditions in public housing projects, by providing increased flexibility for public housing projects that are managed by residents by—

(1) permitting the retention, and use for certain purposes, of any revenues exceeding operating and project costs; and

(2) providing funding, from amounts otherwise available, for technical assistance to promote formation and development of resident management entities.

For purposes of this section, the term "public housing project" includes one or more contiguous buildings or an area of contiguous row houses the elected resident councils of which approve the establishment of a resident management corporation and otherwise meet the requirements of this section.

#### (b) Program requirements

##### (1) Resident council

As a condition of entering into a resident management program, the elected resident council of a public housing project shall approve the establishment of a resident management corporation. When such approval is made by the elected resident council of a building or row house area, the resident management program shall not interfere with the rights of other families residing in the project or harm the efficient operation of the project. The resident management corporation and the resident council may be the same organization, if the organization complies with the requirements applicable to both the corporation and council. The corporation shall be a nonprofit corporation organized under the laws of the State in which the project is located, and the tenants of the project shall be the sole voting members of the corporation. If there is no elected resident council, a majority of the households of the public housing project shall approve the establishment of a resident council to determine the feasibility of establishing