

Regulations and Other Administrative Documents Pertinent to HUD Performance Contracting

Statutory Authority

Section 9 of the United State Housing Act of 1937, as amended by Section 118 of the Housing and Community Development Act of 1987

Regulatory References (provided in this section):

- 24 CFR 5.603 Definitions, especially “tenant rent”
- 24 CFR 5.613 Total tenant payment
- 24 CFR 85.36 Procurement, especially (d) (3) — Procurement by competitive proposals
- 24 CFR 965.302 Requirements for energy audits
- 24 CFR 965.307 Compliance schedule [for cost effective energy efficiency measures]
- 24 CFR 965.308 Energy performance contracts [procurement and HUD review]
- 24 CFR 965.501 Applicability [of utility allowances and surcharges for utilities]
- 24 CFR 965.505 Standards for allowances for utilities
- 24 CFR 965.506 Surcharges for excess consumption of PHA-furnished utilities
- 24 CFR 965.507 Review and revision of [utility] allowances
- 24 CFR 990.105 Computation of allowable expense level [AEL]
- 24 CFR 990.107 Computation of utilities expense level, especially:
 - (b) (2) — [Rate reduction incentive]
 - (c) (4) — Freezing the Allowable Utilities Consumption Level [AUCL]
 - (f) (1) — [Incentive when payment is dependent on savings (frozen base)]
 - (f) (2) — [Add-on subsidy incentive]
- 24 CFR 990.110 Adjustments, especially:
 - (c) — Adjustments to utilities expense level
 - (e) — Energy conservation financing [add-on subsidy]

Public and Indian Housing Notices (all but PIH 91-41 provided in this section)

- PIH 91-41 (PHA) Final Rule — PFS: Energy Conservation Savings, Audit Responsibilities, Miscellaneous Revisions
- PIH 94-71 (HA) Final Rule — Annual contributions for Operating Subsidy; Shared Savings From Utility Rate Reduction and Subsidy for Economic Self-Sufficiency and Anti-Drugs Activity
- PIH 95-26 (HA) Incentives for Public Housing Agencies and Indian Housing Authorities to Reduce the Cost of Utilities

Final Rules (see Appendix A of Energy Performance Contracting for Public and Indian Housing: A Guide for Participants as provided elsewhere in this notebook and PIH 94-71 as provided in this section)

Federal Register / Vol. 56, No. 176 / Wednesday, September 11, 1991 / Rules and Regulations — Performance Funding System: Energy Conservation Savings, Audit Responsibilities, Miscellaneous Revisions

Federal Register / Vol. 57, No. 15 / Thursday, January 23, 1992 / Rules and Regulations — Performance Funding System: Energy Conservation Savings, Audit Responsibilities, Miscellaneous Revisions; Announcement of OMB Approval Numbers and Corrections

Federal Register / Vol. 59, no. 125 / Thursday, June 30, 1994 / Rules and Regulations — Annual Contributions for Operating Subsidy; Shared Savings from Utility Rate Reduction and Subsidy for Economic Self-Sufficiency and Anti-Drug Activities