



Housing Assistance Council
HAC News

Court approves \$940 million settlement with tribes. A decades-long dispute between the federal government and tribes nationwide has been settled, with about 700 Native American tribes and tribal agencies expecting payments ranging from \$8,000 to \$58 million. *Ramah Navajo Chapter v. Jewell* involved tribes' claims that the government contracted with them to run Bureau of Indian Affairs programs but did not fully pay the agreed-upon amounts. In 2012, the issue reached the Supreme Court, which ultimately agreed with the tribes that the government was liable for the payments, regardless of whether Congress had appropriated adequate funds.

CFPB sets process to apply for rural area designation. The Consumer Financial Protection Bureau identifies rural places that are eligible for exemptions and other special provisions in some mortgage lending regulations. A new final rule explains how to request an area be designated rural if CFPB did not include it. The Bureau will publish another notice before March 31 defining the kind of area for which rural applications may be submitted. On March 31 it will begin accepting applications. Contact Carl Owens, CFPB, 202-435-7700.

IRS rule addresses LIHTC compliance monitoring. Comments are due May 25 on revisions relating to state and local housing credit agencies' duties to conduct physical inspections and review low-income certifications and other documentation. Contact Jian H. Grant, IRS, 202-317-4137. Revenue Procedure 2016-15 explains how the requirements will be implemented.

USDA RD consolidates environmental regulations. Effective April 1, the new rule will update and replace separate regulations for the Rural Business-Cooperative Service/Rural Housing Service and for the Rural Utilities Service. The majority of the changes relate to categorical exclusions. Contact Kellie M. Kubena, RUS, 202-720-1649.

Materials available soon for new Section 502 guarantee rule. USDA will post a new guarantee program handbook on March 9, the date new regulations go into effect (see *HAC News*, 2/17/16). Handbook changes are marked in the version posted here. A recorded webinar is also online. Contact Lilian Lipton, RD, 202-720-1452.

Section 502 final packaging rule to take effect in May. The effective date of the rule published April 29, 2015, previously deferred to October 1, 2016, has been moved up to May 19. All the pilot intermediaries have been accepted as intermediaries under the program. Each may choose to cover new states as well as the states it already covers. Around the effective date, USDA will issue program guidance for the certified loan application packaging process, including how others can apply to be intermediaries. Contact Tammy Repine, RHS, 360-753-7677.

Comments requested on historic preservation and community revitalization. A working group asks for input by April 4 on a draft policy statement to be adopted by the federal Advisory Council on Historic Preservation. The statement, intended to ensure that historic preservation is considered as a tool to stabilize and enhance communities with significant population and job loss, specifically acknowledges its role in rural communities and for tribes. Contact Charlene Dwin Vaughn, ACHP, 202-517-0207.

House committee passes measures to roll back parts of Dodd-Frank. Among several bills approved on March 2 was H.R. 2896, the "Taking Account of Institutions with Low Operation Risk Act of 2015." The TAILOR Act, intended to reduce regulatory burdens on community banks and credit unions, would require regulatory agencies to "tailor . . . regulatory action . . . in a manner that limits the regulatory compliance impact, cost, liability risk, and other burdens as is appropriate for the risk profile and business model involved." It would apply not only to future regulations, but also to those adopted during the past five years.

Vast majority of human needs programs cut since FY2010. A Coalition on Human Needs analysis found 139 of 164 human needs programs suffered cuts between FY10 and FY16; only 25 grew. Nearly half were cut by 15% or more, and almost one-third by 25% or more. The findings cover programs for job training, community services, health, substance abuse, education, and more, including most large HUD programs (though not HOME and not USDA rural housing).

New Distressed Communities Index examines economic recovery. A report and interactive maps by the Economic Innovation Group, a relatively new nonpartisan research and advocacy organization, show economic distress, measured by seven variables such as poverty, unemployment, and housing vacancy. Data are presented by zip code, county, state, and congressional district. Economic distress is highest in the South, Southwest, and Rust Belt. EIG says the data covers 99% of the U.S. population; it includes some rural areas but not all.

HAC's second CRA webinar set for March 16. "CRA in Rural America Part II: Successful Uses," second in a three-part series, will explore two successful rural development projects that earned CRA credit for the lenders in-volved. To register [click here](#). Contact [Shonterria Charleston](#), HAC, 404-892-4824. Materials from the first CRA webinar are posted [here](#).

Reminder: "duty to serve" comments due March 17. A proposed rule would implement the requirement for Fannie Mae and Freddie Mac to serve the rural, manufactured housing, and affordable housing preservation markets (see [HAC News, 12/16/15](#)). Materials from HAC's webinar on what the rule means for rural America are posted [online](#). HAC will post its comments online before the deadline. Contact [Lance George](#), HAC, 202-842-8600.

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