



Omar Negrón Judice, MBA
Comisionado

"La mano amiga de los municipios"

CIRCULAR INFORMATIVA 2009-32

6 de agosto de 2009

**A TODOS LOS ALCALDES,
DIRECTORES DE PROGRAMAS FEDERALES,
COORDINADORES DE VIVIENDA JUSTA E
IGUALDAD DE OPORTUNIDADES Y
PRESIDENTES DE LA JUNTA DE SUBASTAS
DE LOS MUNICIPIOS "NON-ENTITLEMENT"**

Omar Negrón Judice
Comisionado

RADICACION INFORME HUD-60002 – "SECTION 3 SUMMARY REPORT – ECONOMIC OPPORTUNITIES FOR LOW AND VERY LOW – INCOME PERSONS"

La Oficina de Vivienda Justa y Oportunidad Igual de la Región de Nueva York del Departamento de Vivienda, requiere la preparación del Informe "Section 3 Summary Report – HUD 60002", para medir cuantitativamente las oportunidades de adiestramiento y empleo, a través de los fondos CDBG (Community Development Block Grant) a las personas y negocios de ingresos económicos bajos y bien bajos. **Este informe debe ser completado anualmente cubriendo el periodo de octubre de 2008 a septiembre de 2009.**

A esos efectos, le requerimos la radicación del mencionado informe **en o antes del 25 de septiembre de 2009**. El mismo puede ser remitido por correo electrónico iguerra@ocam.gobierno.pr y/o vía facsímile al (787) 763-5970, con atención a la Sra. Yvonne Guerra, Supervisora del Area de Asistencia Técnica de Programas Federales.

Adjunto el formulario HUD-60002 para ser debidamente cumplimentado. Puede acceder a la siguiente dirección para copias del documento e información adicional de la Sección 3: <http://www.hud.gov./offices/fheol/section3/section3.cfm>.

Para aclarar cualquier duda sobre el particular, favor comunicarse al teléfono (787) 754-1600, extensión 302. Debe referirse al número de control 8-43.

Anejos

Part II: Contracts Awarded

1. Construction Contracts:

A. Total dollar amount of all contracts awarded on the project	\$
B. Total dollar amount of contracts awarded to Section 3 businesses	\$
C. Percentage of the total dollar amount that was awarded to Section 3 businesses	%
D. Total number of Section 3 businesses receiving contracts	

2. Non-Construction Contracts:

A. Total dollar amount all non-construction contracts awarded on the project/activity	\$
B. Total dollar amount of non-construction contracts awarded to Section 3 businesses	\$
C. Percentage of the total dollar amount that was awarded to Section 3 businesses	%
D. Total number of Section 3 businesses receiving non-construction contracts	

Part III: Summary

Indicate the efforts made to direct the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs, to the greatest extent feasible, toward low- and very low-income persons, particularly those who are recipients of government assistance for housing. (Check all that apply.)

- Attempted to recruit low-income residents through: local advertising media, signs prominently displayed at the project site, contracts with the community organizations and public or private agencies operating within the metropolitan area (or nonmetropolitan county) in which the Section 3 covered program or project is located, or similar methods.
- Participated in a HUD program or other program which promotes the training or employment of Section 3 residents.
- Participated in a HUD program or other program which promotes the award of contracts to business concerns which meet the definition of Section 3 business concerns.
- Coordinated with Youthbuild Programs administered in the metropolitan area in which the Section 3 covered project is located.
- Other; describe below.

Public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB number.

Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u, mandates that the Department ensures that employment and other economic opportunities generated by its housing and community development assistance programs are directed toward low- and very-low income persons, particularly those who are recipients of government assistance housing. The regulations are found at 24 CFR Part 135. The information will be used by the Department to monitor program recipients' compliance with Section 3, to assess the results of the Department's efforts to meet the statutory objectives of Section 3, to prepare reports to Congress, and by recipients as self-monitoring tool. The data is entered into a database and will be analyzed and distributed. The collection of information involves recipients receiving Federal financial assistance for housing and community development programs covered by Section 3. The information will be collected annually to assist HUD in meeting its reporting requirements under Section 808(e)(6) of the Fair Housing Act and Section 916 of the HCDA of 1992. An assurance of confidentiality is not applicable to this form. The Privacy Act of 1974 and OMB Circular A-108 are not applicable. The reporting requirements do not contain sensitive questions. Data is cumulative; personal identifying information is not included.

Form HUD-60002, Section 3 Summary Report, Economic Opportunities for Low- and Very Low-Income Persons.

Instructions: This form is to be used to report annual accomplishments regarding employment and other economic opportunities provided to low- and very low-income persons under Section 3 of the Housing and Urban Development Act of 1968. The Section 3 regulations apply to any public and Indian housing programs that receive: (1) development assistance pursuant to Section 5 of the U.S. Housing Act of 1937; (2) operating assistance pursuant to Section 9 of the U.S. Housing Act of 1937; or (3) modernization grants pursuant to Section 14 of the U.S. Housing Act of 1937 and to recipients of housing and community development assistance in excess of \$200,000 expended for: (1) housing rehabilitation (including reduction and abatement of lead-based paint hazards); (2) housing construction; or (3) other public construction projects; and to contracts and subcontracts in excess of \$100,000 awarded in connection with the Section-3-covered activity.

Form HUD-60002 has three parts, which are to be completed for all programs covered by Section 3. Part I relates to employment and training. The recipient has the option to determine numerical employment/training goals either on the basis of the number of hours worked by new hires (columns B, D, E and F). Part II of the form relates to contracting, and Part III summarizes recipients' efforts to comply with Section 3.

Recipients or contractors subject to Section 3 requirements must maintain appropriate documentation to establish that HUD financial assistance for housing and community development programs were directed toward low- and very low-income persons.* A recipient of Section 3 covered assistance shall submit one copy of this report to HUD Headquarters, Office of Fair Housing and Equal Opportunity. Where the program providing assistance requires an annual performance report, this Section 3 report is to be submitted at the same time the program performance report is submitted. Where an annual performance report is not required, this Section 3 report is to be submitted by January 10 and, if the project ends before December 31, within 10 days of project completion. Only Prime Recipients are required to report to HUD. The report must include accomplishments of all recipients and their Section 3 covered contractors and subcontractors.

- HUD Field Office: Enter the Field Office name .
1. Recipient: Enter the name and address of the recipient submitting this report.
2. Federal Identification: Enter the number that appears on the award form (with dashes). The award may be a grant, cooperative agreement or contract.
3. Dollar Amount of Award: Enter the dollar amount, rounded to the nearest dollar, received by the recipient.
4 & 5. Contact Person/Phone: Enter the name and telephone number of the person with knowledge of the award and the recipient's implementation of Section 3.
6. Reporting Period: Indicate the time period (months and year) this report covers.
7. Date Report Submitted: Enter the appropriate date.

- 8. Program Code: Enter the appropriate program code as listed at the bottom of the page.
9. Program Name: Enter the name of HUD Program corresponding with the "Program Code" in number 8.

Part I: Employment and Training Opportunities

Column A: Contains various job categories. Professionals are defined as people who have special knowledge of an occupation (i.e. supervisors, architects, surveyors, planners, and computer programmers). For construction positions, list each trade and provide data in columns B through F for each trade where persons were employed. The category of "Other" includes occupations such as service workers.

Column B: (Mandatory Field) Enter the number of new hires for each category of workers identified in Column A in connection with this award. New hire refers to a person who is not on the contractor's or recipient's payroll for employment at the time of selection for the Section 3 covered award or at the time of receipt of Section 3 covered assistance.

Column C: (Mandatory Field) Enter the number of Section 3 new hires for each category of workers identified in Column A in connection with this award. Section 3 new hire refers to a Section 3 resident who is not on the contractor's or recipient's payroll for employment at the time of selection for the Section 3 covered award or at the time of receipt of Section 3 covered assistance.

Column D: Enter the percentage of all the staff hours of new hires (Section 3 residents) in connection with this award.

Column E: Enter the percentage of the total staff hours worked for Section 3 employees and trainees (including new hires) connected with this award. Include staff hours for part-time and full-time positions.

Column F: (Mandatory Field) Enter the number of Section 3 residents that were trained in connection with this award.

Part II: Contract Opportunities

Block 1: Construction Contracts

Item A: Enter the total dollar amount of all contracts awarded on the project/program.

Item B: Enter the total dollar amount of contracts connected with this project/program that were awarded to Section 3 businesses.

Item C: Enter the percentage of the total dollar amount of contracts connected with this project/program awarded to Section 3 businesses.

Item D: Enter the number of Section 3 businesses receiving awards.

Block 2: Non-Construction Contracts

Item A: Enter the total dollar amount of all contracts awarded on the project/program.

Item B: Enter the total dollar amount of contracts connected with this project awarded to Section 3 businesses.

Item C: Enter the percentage of the total dollar amount of contracts connected with this project/program awarded to Section 3 businesses.

Item D: Enter the number of Section 3 businesses receiving awards.

Part III: Summary of Efforts - Self -explanatory

Submit one (1) copy of this report to the HUD Headquarters Office of Fair Housing and Equal Opportunity, at the same time the performance report is submitted to the program office. The Section 3 report is submitted by January 10. Include only contracts executed during the period specified in item 8. PHAs/IHAs are to report all contracts/subcontracts.

* The terms "low-income persons" and very low-income persons" have the same meanings given the terms in section 3 (b) (2) of the United States Housing Act of 1937. Low-income persons mean families (including single persons) whose incomes do not exceed 80 percent of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that

The Secretary may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of the Secretary's findings such that variations are necessary because of prevailing levels of construction costs or unusually high- or low-income families. Very low-income persons mean low-income families (including single persons) whose incomes do not exceed 50 percent of the median family income area, as determined by the Secretary with adjustments or smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.



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Column C: (Mandatory Field) Enter the number of Section 3 new hires for each category of workers identified in **Column A** in connection with this award. Section 3 new hire refers to a Section 3 resident who is not on the contractor's or recipient's payroll for employment at the time of selection for the Section 3 covered award or at the time of receipt of Section 3 covered assistance.

Column D: Enter the percentage of all the staff hours of new hires (Section 3 residents) in connection with this award.

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Fair Housing and Equal Opportunity

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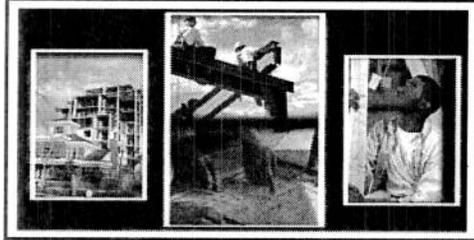
Working with HUD

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Section 3 - Economic Opportunities



The **Section 3** program requires that recipients of certain HUD financial assistance, to the greatest extent possible, provide job training, employment, and contract opportunities for low- or very-low income residents in connection with projects and activities in their neighborhoods.

If you live in government-assisted housing or if your household income falls below **HUD's income limits**, you may qualify as a Section 3 resident or Section 3 business concern. [Learn more about Section 3](#)

What Are You Looking For?

- [Contacts](#)
- [Model Section 3 Programs](#)
- [Section 3 Frequently Asked Questions](#)
- [NSP Guidance](#)

- [Information by State](#)
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Helpful Tools

- ▶ [Section 3 Regulations: 24 CFR 135](#)
 - ▶ [Indexed](#)
- ▶ [Section 3 Summary Report - HUD Form 60002](#)
 - ▶ [Complete Online](#)
 - ▶ [Download and print](#) ✓
- ▶ [Complaint Register - HUD Form 958](#)
- ▶ [Section 3 Plan](#)
- ▶ [Sample Certification Form for Residents](#)
- ▶ [Sample Certification Form for Businesses](#)
- ▶ [Section 3 Brochure \(Spanish version\)](#) ✓

Did You Know?

- ▶ Section 3 helps low-income residents get the skills and jobs needed to become self-sufficient.
 - ▶ [Examples of Training & Employment Opportunities](#)
- ▶ Section 3 also provides opportunities for qualified, low-income business owners to receive preference in bidding on HUD-funded contracts.
 - ▶ [Examples of Awarding Contracts to Section 3 Businesses](#)
 - ▶ [Examples of Preferential Procurement Procedures](#)

Content current as of 9 June 2009

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 U.S. Department of Housing and Urban Development
 451 7th Street S.W., Washington, DC 20410
 Telephone: (202) 708-1112 TTY: (202) 708-1455
[Find the address of a HUD office near you](#)

[Home](#)





HUD Compliance and Monitoring?

HUD monitors the performance of recipients and contractors. HUD examines employment and contract records for evidence of actions taken to train and employ Section 3 residents and to award contracts to Section 3 businesses. HUD provides technical assistance to recipients and contractors in order to obtain compliance with Section 3 requirements.



What if it appears that an entity is not complying with Section 3?

There is a complaint process. Section 3 residents and business concerns may file complaints if they think a violation of Section 3 requirements has occurred where a HUD-funded project is planned or underway. Complaints will be investigated; if appropriate, voluntary resolutions will be sought. There are appeal rights to the Secretary. Section 3 residents and businesses may also seek judicial relief.



How can Section 3 businesses or residents complain about a violation of Section 3 requirements?

They can file a complaint in writing to the local HUD FHEO Office or to:

The Assistant Secretary for Fair Housing and Equal Opportunity

U.S. Department of Housing and Urban Development
451 Seventh Street, SW, Room 5100
Washington, DC 20410-2000
1-800-669-9777
1-800-927-9276 (TTY)

www.hud.gov www.espanol.hud.gov

A written complaint should contain:

1. Name and address of the person filing the complaint;
2. Name and address of subject of complaint (HUD recipient or contractor);
3. Description of acts or omissions in alleged violation of Section 3;
4. Statement of corrective actions sought.



04736

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Section 3

Economic Opportunity

A Piece of the American Dream



U.S. Department of Housing and Urban Development



Fair Housing and Equal Opportunity

April 2006

HUD-1476-FHEO Rev 2

OMB Approval Number 2529-0043 (exp. 8/31/2007)

Previous Editions are Obsolete

Section 3 Act

Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (as amended), requires that economic opportunities generated by certain HUD financial assistance for housing (including Public and Indian Housing) and community development programs shall, to the greatest extent feasible, be given to low and very low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities for these persons.

Other HUD programs covered by Section 3 (to distinguish between HUD Public and Indian housing programs) are those that provide housing or community development assistance for housing rehabilitation, housing construction, or other public construction project.

Who are Section 3 residents?

Public housing residents including persons with disabilities.

Low and very low income persons who live in the area where a HUD assisted project is located.

What is a Section 3 business?

A section 3 business is one:

That is owned by Section 3 residents
Employs Section 3 residents or;
Subcontracts with businesses that provide opportunities to low and very low income persons.

What types of Economic Opportunities are available under Section 3?

- ✓ Jobs and Employment opportunities
- ✓ Training and Educational opportunities
- ✓ Contracts and Business opportunities

Who will provide the Economic Opportunities?

Recipients of HUD financial assistance and their contractors and subcontractors are expected to develop a Section 3 Plan to assure that economic opportunities to the greatest extent feasible, are provided to low and very low-income persons and to qualified Section 3 businesses. One element of that Plan is the use of a Section 3 clause which indicates that all work performed under the contract are subject to the requirements of Section 3.

Who receives Economic Opportunities under Section 3?

For training and employment:

- ✓ persons in public and assisted housing;
- ✓ persons in the affected project neighborhood;
- ✓ participants in HUD Youth-build programs;
- ✓ homeless persons.

For contracting:

- ✓ businesses which fit the definition of a Section 3 business.

How can individuals and businesses find out more about Section 3?

Contact the Fair Housing and Equal Opportunity representative at your nearest HUD Office.

Viviendas y Comunidades

Departamento de Vivienda y
Desarrollo Urbano de EE.UU.

In English | Versión de texto | Búsqueda / Índice

Equidad de Vivienda e Igualdad de Oportunidades

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Información oficial en español

Sección 3 - Oportunidades Económicas

La **Sección 3** es una provisión de la Ley de Vivienda y Desarrollo Urbano (HUD) de 1968 que promueve el desarrollo económico local, la mejora económica de vecindarios, y la auto suficiencia individual.

El programa de la **Sección 3** requiere a los beneficiarios de cierta ayuda financiera de HUD, hasta en lo que más sea posible, ofrecer capacitación laboral, empleo, y oportunidades de contratación para residentes de bajos o muy bajos ingresos en conexión con sus proyectos y actividades en sus vecindarios.

Si usted vive en vivienda subsidiada por el gobierno o si el ingreso familiar se reduce a menos de los **límites de ingreso de HUD**, usted puede calificar como un residente de la Sección 3 o un asunto de negocios de la Sección 3.

- [Infórmese más acerca del programa de la Sección 3](#)

Puntos Destacados

[Programas modelo de la Sección 3](#)

[Preguntas más frecuentes sobre la Sección 3](#)

Herramientas Útiles

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 - ▶ [Índice](#)
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 - ▶ [Complete en línea](#)
 - ▶ [Descargue e imprima](#) ✓
- ▶ Registro de quejas - [Formulario de HUD 958](#)
- ▶ [Plan de la Sección 3](#)
- ▶ [Panfleto de la Sección 3 \(Versión en español\)](#) ✓
- ▶ **Evaluaciones de monitoreo**
 - ▶ [Año Fiscal 2006](#)
 - ▶ [Año Fiscal 2005](#)

¿Sabía Usted que...?

- ▶ La Sección 3 ayuda a residentes de bajos ingresos a obtener las destrezas y empleos necesarios para alcanzar la autosuficiencia.
 - ▶ [Ejemplo de oportunidades de capacitación y empleo](#)
- ▶ La Sección 3 también ofrece oportunidades para propietarios de negocios calificados de bajos ingresos, para recibir preferencias en ofertar contratos financiados por HUD.
 - ▶ [Example of Awarding Contracts to Section 3 Businesses](#)
 - ▶ [Example of Preferential Procurement Procedures](#)

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Teléfono: (202) 708-1112 TTY: (202) 708-1455
[Busque la oficina de HUD más cercana.](#)

 **¿Cómo obliga el HUD a cumplir la ley y cómo vigila su cumplimiento?**

El HUD vigila el desempeño de los receptores de la asistencia y de los contratistas. El HUD examina las constancias de empleo y de las contrataciones para saber si se han tomado medidas para capacitar y dar empleo a los residentes según la Sección 3, así como para adjudicar contratos a las empresas según la Sección 3.

 **¿Qué se hace si alguna empresa parece no cumplir con la Sección 3?**

Existe un procedimiento de denuncia. Los residentes y las empresas según la

Sección 3 pueden presentar denuncias si consideran que ha ocurrido una infracción de los requisitos de la Sección 3 que afecta a un proyecto financiado por el HUD, planificado o en vías de realización. Estas denuncias se investigarán y se procurará resolverlas de forma voluntaria. Hay derecho de apelación ante el Secretario. Los residentes y las empresas según la Sección 3 también pueden recurrir al desagravio por vía judicial.

 **¿Cómo pueden quejarse las empresas o los residentes según la Sección 3 de las infracciones de la misma?**

Pueden presentar una denuncia por escrito a la delegación local de HUD/FHEO o a:

The Assistant Secretary for Fair Housing and Equal Opportunity

U.S. Department of Housing and Urban Development
451 Seventh Street, SW, Room 5100
Washington, DC 20410-2000
1-800-669-9777
1-800-927-9276 (TTY)
www.espanol.hud.gov

En las denuncias por escrito se incluirán los datos siguientes:

- Nombre y dirección del denunciante;
- Nombre y dirección del denunciado (beneficiario o contratista del HUD);
- Descripción de los actos u omisiones que supuestamente han infringido la Sección 3;
- Declaración de las medidas correctivas que se solicitan.

HUD-1476-FHEO Rev 2 (Spanish) (4/06)

Departamento
de Vivienda y Desarrollo
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SECCIÓN 3
OPORTUNIDAD ECONÓMICA

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Estados Unidos



Equidad de Vivienda e Igualdad de
Oportunidades

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Previous Editions are Obsolete

Sección 3 de la Ley

Conforme a la Sección 3 de la Ley de Vivienda y Desarrollo Urbano de los Estados Unidos de 1968 (que figura en la Sección 1701u, enmendada, del título 12 del Código de los Estados Unidos), las oportunidades económicas que generen determinados tipos de asistencia financiera concedida por el Departamento de Vivienda y Desarrollo Urbano (HUD), incluida la destinada a la vivienda pública y la de los pueblos indígenas, se deberá proporcionar, en lo que sea factible, a las personas de ingresos bajos o muy bajos, especialmente a las que reciben asistencia pública para la vivienda, así como a las empresas que ofrecen oportunidades económicas a esas personas.

El HUD también administra otros programas conforme a la Sección 3. Para distinguir entre los programas para la vivienda pública y los destinados a los pueblos indígenas, estos otros programas proporcionan asistencia para la vivienda o para el desarrollo comunitario dirigida a la rehabilitación y construcción de viviendas o a otros proyectos de construcción pública.

¿Quiénes son los residentes según la Sección 3?

Los residentes de viviendas públicas, incluidos los discapacitados.

Las personas de ingresos bajos o muy bajos que viven donde hay bloques de viviendas que reciben asistencia del HUD.

¿Cuáles son las empresas según la Sección 3?

Por una empresa según la Sección 3 se entiende:

- La que es propiedad de residentes según la Sección 3.
- La que emplea a residentes según la Sección 3.
- La que subcontrata a empresas que proporcionan oportunidades a personas de ingresos bajos o muy bajos.

¿Qué tipos de oportunidades económicas se ofrecen según la Sección 3?

- ✓ Oportunidades de trabajo y empleo
- ✓ Oportunidades de capacitación y educación
- ✓ Contracts and Business opportunities

¿Quién proporcionará las oportunidades económicas?

Los receptores de la asistencia financiera del HUD y sus contratistas y subcontratistas están obligados a elaborar planes conforme a la Sección 3 para asegurar que, en lo que sea factible, se proporcionen oportunidades a las personas de ingresos bajos o muy bajos y a las empresas que reúnan las condiciones que estipula la Sección 3. En esos planes se especificará que todos los trabajos efectuados conforme al contrato cumplan con los requisitos de la Sección 3.

¿Quién recibe las oportunidades económicas según la Sección 3?

Con fines de capacitación y empleo:

- ✓ Los residentes en viviendas públicas o subvencionadas;
- ✓ Los residentes en el vecindario de las viviendas públicas o subvencionadas;
- ✓ Los participantes en los programas del HUD de ayuda a la juventud (Youth-build programs);
- ✓ Las personas sin hogar.

Para conseguir contratos:

- ✓ Los negocios que se ajusten a la definición de las empresas según la Sección 3.

¿Cómo pueden las personas y las empresas recibir más información acerca de la Sección 3?

Deben comunicarse con el representante de la Oficina para la Equidad de Vivienda e Igualdad de Oportunidades (Fair Housing and Equal Opportunity, FHEO), en la delegación del HUD más cercana.