



July 2, 2024

[Resident Name]

Freedom's Path at Ft. Harrison
3720 Liberty Ln
Fort Harrison, MT 59636

RE: Notice of Full Suspension of Project-Based Housing Assistance Payments

Dear [Resident Name]:

Yesterday, the Montana Department of Commerce (the "Department") mailed a Notice of Full Abatement of Project-Based Housing Assistance Payments to Freedom's Path at Fort Harrison residents via the United States Postal Service. That letter was sent to all residents currently supported by Housing Assistance Payments administered by the Department.

At the time that letter was sent, the Department had not received a formal response from the owner to our May 16 letter, with respect to corrective actions taken or in process to address identified lead hazards at the property. However, late yesterday afternoon the Department did receive a response from the owner's counsel outlining actions they have or are in the process of undertaking to maintain the property in compliance with federal regulations intended to protect residents from lead exposure.

In consideration of this late response, the Department decided to suspend the Project-Based Housing Assistance Payments, effectively immediately, rather than abating the payments. There is a technical distinction between suspension and abatement of payments; if payments are abated, the Department cannot retroactively release payments even if all required corrections are taken. Under suspension, there is a potential for the Department to release held payments retroactively.

In our response to the owner, the Department indicated it will suspend payments while we review the additional information provided by the owner. However, if the documentation provided and the owner's actions and communications going forward do not immediately demonstrate a sincere intent to remove or control lead hazards at the property, the Department reserves its right to abate payments with immediate effect.

What Does This Mean for Freedom's Path at Ft. Harrison Residents?

All residents should continue to make their timely rental payments for their portion of rent. Federal regulations—including 24 C.F.R. § 983.353(b)(4)—prohibit the owner or property management agent from terminating any resident's tenancy solely due to Commerce's nonpayment (whether that nonpayment is suspension or abatement) of the federal Housing Assistance Payments.





We will continue to notify residents of any significant changes that impact your federal housing subsidy and/or your residency at Freedom's Path. Residents can also read about the Department's actions, and find links to notices provided to residents on our website:

- <https://housing.mt.gov/Rental-Assistance/Veterans-Affairs-Supportive-Housing>
- <https://commerce.mt.gov/News/news-articles/Commerce-Taking-Action-to-Ensure-Lead-based-Paint-Hazards-Addressed-at-Freedoms-Path-at-Fort-Harrison>

Please do not hesitate to contact our office at any time, by calling 406-841-2840 or emailing housing@mt.gov. Our team is here to support you.

Regards,

Cheryl Cohen
Division Administrator

cc: Adrian Spencer, VA Homeless & Vocational Rehabilitation Program Manager

