



District of Columbia
Department of Housing and Community Development

FY 2016
Citizen Participation Plan

For

The District of Columbia Consolidated Plan for
HUD Federal Entitlement Grants,
Plan Amendments and Performance Reports

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DRAFT FY 2016

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For
The Consolidated Plan, Annual Action Plans,
Substantial Plan Amendments
and
Performance Reports**

Background

The Community Development Block Grant (CDBG) program, authorized under Title I of the Housing and Community Development Act of 1974, supports local activities that revitalize neighborhoods, promote economic development, and improve community facilities and services. Since the program's inception, the District of Columbia has been a recipient of these funds, using CDBG toward affordable housing and community development goals. The Department of Housing and Urban Development (HUD) manages the CDBG program and requires that participating jurisdictions develop a five-year vision for local programming and spending of CDBG funding.

In 1994, federal regulations were revised to require the consolidated submission of plans and applications for three other programs in addition to the CDBG plan and application. Four entitlement grant programs of the U.S. Department of Housing and Urban Development (HUD) were consolidated into a single planning and application process, better known as the "Consolidated Plan." These programs include:

- Community Development Block Grant Program (CDBG): funds local activities that revitalize neighborhoods, promote economic development, and improve community facilities and services in low-moderate income communities.
- HOME Investment Partnerships Program (HOME): funds the buying, building, and/or rehabilitating of affordable housing for rent or homeownership or providing direct rental assistance to low-income people.
- Emergency Solution Grants Program (ESG): funds street outreach, emergency shelters, homelessness prevention, and rapid-re-housing assistance for homeless individuals or persons living in temporary shelters.
- Housing Opportunities for Persons with AIDS Program (HOPWA): funds projects that benefit low-income persons living with HIV/AIDS and their families.

The Citizen Participation Plan Requirement

Pursuant to 24 CFR 91, jurisdictions that receive CDBG, HOME, ESG, and HOPWA funding must develop and implement Citizen Participation Plans (CPP) that specify how the public can provide input into the planning and implementation process for:

- The Consolidated Plan,
- Annual Action Plans,
- Substantial Plan Amendments to the Consolidated Plan, and
- Performance reports.

The District of Columbia's CPP was prepared by the Department of Housing and Community Development (DHCD), the District's grantee agency charged with developing and administering the District's Consolidated Plan. Jurisdictions participating in HUD's funding programs are required to adhere by HUD's citizen participation guidelines and follow their respective CPPs after adoption.¹

The plan promotes participation by low- and moderate-income persons, minority and non-English speaking persons, residents of public and assisted housing developments, and, in particular, persons living in areas where the federal grant funds will be used.

Recognizing the importance of minimizing displacement as a result of new and rehabilitated development, DHCD requires that developers who obtain development finance from the Agency comply with the Uniform Relocation Act (URA) and inform citizens of available relocation assistance for all federally-funded projects.

Plan Development Process

The District's annual Consolidated Planning process will begin with DHCD's preparation of this document: the CPP. The CPP describes how stakeholders may provide input to guide the planning process for the Consolidated Plan, Annual Action Plans, Amendments to the Consolidated Plan, and performance evaluation reports, and it provides a tentative timeframe within which the Agency will complete the plan.

DHCD will make copies of the CPP available at least two weeks prior to the first public hearing at public libraries, all Advisory Neighborhood Commission offices, selected community based organization offices, at DHCD's office, and on DHCD's website: <http://dhcd.dc.gov>. DHCD will also make the CPP available during the public review period of the draft Consolidated Plan.

As part of the plan development process, DHCD will notify the District of Columbia Housing Authority, other government agencies, and the general public about the Consolidated Plan and

¹ 24 C.F.R. § 91.105 and 24 C.F.R. § 91.115.

provide these stakeholders with opportunities for input. During the development of the Consolidated Plan, DHCD will facilitate *a minimum of* two public hearings and provide at least one 30-day open comment period before the document is finalized and submitted to HUD.

The Consolidated Plan development process consists of the following steps:

- Development of the CPP with Notice of the “Needs Assessment” Public Hearing(s);
- A minimum of one “Needs Assessment” Public Hearing to develop public priorities and receive feedback on prior year performance;
- Preparation of a draft proposed Five-Year Plan (if a new Five-Year Plan must be developed), or a draft proposed Action Plan for the current fiscal year;
- A minimum of one “Budget” Public Hearing on the draft proposed Consolidated Plan and its proposed budget;
- Submission of the final proposed Consolidated Plan to the Mayor for approval;
- Finalization of the Consolidated Annual Action Plan; and
- Submission of the Consolidated Annual Action Plan to HUD prior to the August 15th annual deadline. (If this deadline cannot be met, DHCD will request an extension from HUD.)

Plan Development Schedule*

EVENT	DATE
Issuance of Citizen Participation Plan with Notice of “Needs” Hearings	October
DHCD Public Hearings on “Housing and Community Development Needs in the District of Columbia”	November
Publication of proposed Action Plan	February
DHCD Public Hearing on proposed Action Plan & Budget	March
DHCD finalization of Action Plan	May-June
DHCD Submits final Proposed Plan to the Mayor for Approval	June-July
Submission of Action Plan application to HUD	Mid-August
Grant funds become available for start of <i>new</i> Fiscal Year.	October 1

* All dates are approximate and subject to change. Specifically, in the event the District is granted a formal extension for plan submission, this plan development schedule may be altered. Specific dates and locations are provided in published Notices, through direct mailings, in publicly-accessible locations, and on the DHCD web-site.

Public Access and Accommodation

DHCD facilitates broad-based participation in its planning process by providing:

- Direct mailings of Notices to a wide range of interested groups,
- No less than a two-week advance publication of a Notice of Public Hearings,
- Holding hearings at convenient times and in barrier-free facilities that are easily accessible by public transportation.
- Accommodation of special needs participation through sign-language interpreters, spoken-language interpreters for any group of five or more constituents who request such services, and written translation of plan documents into the language of any eligible linguistic group that requests such services,²
- Easy access to draft documents (hard copies and online) and hearing transcripts,
- No less than 30 days to review the draft documents, and
- No less than a two week period following the completion of public hearings for the submission of additional comments.

DHCD's Director and senior staff members will be present at each hearing to take direct testimony, answer questions on the District's housing and community development needs, receive comments regarding DHCD's program performance past and present, and receive recommendations on DHCD policies going forward. DHCD will encourage the submission of written testimony for the record, and Public Hearing records will be kept open for at least two weeks after each hearing for the receipt of post-hearing written testimony. A court reporter will provide a record of the Public Hearing, including written transcripts, within two weeks of the date of the Public Hearing. All Public Hearing documents will be made available for public viewing on DHCD's website and in hard copy at DHCD's headquarters. DHCD will include a summary of the comments and views received from citizens orally and in writing at the Public Hearing as well as responses to any comments not incorporated into the Consolidated Plan, and explanations of their exclusion from the plan.

Moreover, DHCD will provide citizens, public agencies and other interested parties with reasonable and timely access to information and records relating to the District's Consolidated Plan and its use of assistance under the programs covered under the Consolidated Plan during the preceding five years. Requests may be made to the DHCD Public Information Officer at (202) 442-7200.

Hearing Notification

Public Hearings are announced through the publication of a Public Hearing Notice, containing the date, time, location, and subject matter of the Public Hearing. Advertisement of the Public Notice is placed at least 2 weeks prior to the hearings in the *D.C. Register*, and in various media outlets that reach different population and interest groups. These media outlets include ***a daily newspaper in general circulation (such as The Washington Post) and other publications that reach different language groups, neighborhoods, minority populations,***

² Language Access Act of 2004 (D.C. Law 15-167 § 4(a), D.C. Official Code § 2-1931(C) et seq., Title IV DCMR 12 §1205.9) "A covered entity shall provide translations of vital documents into any non-English language spoken by a limited or no-English proficient population that constitutes 3% or 500 individuals, whichever is less, of the population served or encountered, or likely to be served or encountered, by the covered entity in the District of Columbia."

and other special interest populations. (Examples of such publications would include: the Afro-American, El Tiempo, and The Blade.) No fewer than 500 copies of the Public Hearing Notices are distributed by direct mail to various constituent groups and individuals, including all Advisory Neighborhood Commissions, public housing resident councils, civic associations, nonprofit developers, organizations supporting special needs populations, church groups, and community based organizations (CBOs). Additionally, DHCD has contractual relationships with specific CBOs that have a responsibility to distribute information regarding DHCD's entitlement grant programs and to review the information with citizens.

Through these efforts, DHCD promotes as much attendance as possible at the hearings, particularly for low- and moderate-income residents and community groups located in blighted areas of the city in which DHCD entitlement grant program funds are directed.

“Needs Assessment” Public Hearing

In the first quarter of each fiscal year, DHCD will conduct a minimum of one Public Hearing on “Housing and Community Development Needs in the District of Columbia.” Testimony will be solicited from the public on issues related to community development, commercial revitalization, job creation through DHCD-funded projects, home ownership, housing rehabilitation, housing production, housing affordability, housing access, fair housing, lead paint hazards, and displacement issues resulting from DHCD development activities. Residents may also express their views on DHCD's administration of the Consolidated Plan entitlement grant programs and the Department's performance in achieving the Consolidated Plan's goals and objectives as stated in the *Consolidated Annual Performance and Evaluation Report (CAPER)*.

Draft Proposed Consolidated Plan

After conducting the “Needs Assessment” hearings, DHCD will prepare a draft Annual Action Plan and, if appropriate, a draft Five-Year Consolidated Plan.

The draft Consolidated Plan will include estimated federal entitlement grant amounts, community development objectives, projected budgets and performance measures for implementing programs, a description of the processes DHCD utilizes to receive proposals for funding, certification of the District's plan to minimize displacement and assist in relocation in compliance with the federal and local regulations, and descriptions of other proposed District housing and/or community development activities. DHCD also includes estimates of appropriated, local funds, and the Housing Production Trust Fund (HPTF) in its draft document to provide the public with a complete picture of its potential sources and uses of funds.

In preparing the draft Consolidated Plan, DHCD will consider all statements, testimony, and proposals regarding expenditure of federal entitlement grant funds that have been provided up to that point in the development process. A summary of the comments from the public at the Needs Hearings are included in the Draft Consolidated Plan along with a discussion of any comments not incorporated into the Plan. The public will be given no less than 30 days to provide written comments on the Plan to DHCD.

“Budget” Public Hearing

DHCD will conduct a minimum of one “Budget” Public Hearing on the proposed Consolidated Plan when the District’s budget process has clarified local funding, usually in the months of March and April of a given fiscal year. Copies of the draft proposed Consolidated Plan will be made available no less than two weeks prior to the “Budget” Public Hearing in accordance with the notification and outreach processes outlined previously in this CPP. At the “Budget” Public Hearing, citizens will have the opportunity to present oral and written testimony on the programmatic and budgetary provisions of the published draft proposed Consolidated Plan. Senior DHCD staff will respond to comments and make referrals as needed. A court reporter will be present at the hearing and a transcript of the proceedings will be available at DHCD. All public and special needs’ access provisions cited for the “Needs Assessment” hearing will apply equally to the “Budget” Public Hearing. DHCD will encourage submission of written testimony for the record, and the Public Hearing record will be kept open for at least two weeks after the hearing for the receipt of post-hearing written testimony. The total comment period on the draft proposed Consolidated Plan at this phase will be no less than 30 days.

Submitting the Consolidated Plan to HUD

After approval of the proposed Consolidated Plan by the Mayor, DHCD will submit the Plan to the HUD Washington Field Office by the August 15th deadline. However, if this deadline cannot be achieved, DHCD may request an extension from HUD and alter the submission schedule. Copies of the approved plan are distributed to stakeholders.

Technical Assistance

DHCD will make federal and local funds available for new and rehabilitated housing proposals and community-development projects and services through a public Notice of Funding Availability (NOFA). DHCD’s Development Finance Division (DFD) will issue a Request for Proposals (RFP) for development proposals serving low-moderate-income residents, and the Residential and Community Services Division (RCS) issues a Request for Applications (RFA) for neighborhood-based services. Both Divisions can provide technical assistance to organizations that request it.

During the RFP process for development proposals, DFD will conduct a Pre-Proposal Conference and two community outreach meetings to give organizations opportunities to ask questions and obtain assistance in preparation for RFP project submissions. In addition, DFD will maintain an RFP telephone hotline and an RFP e-mail address to allow organizations to continue to ask questions and receive assistance on an ongoing basis throughout the RFP process. The RFP will require that development proposals for existing and occupied buildings minimize displacement and provide a strategy and funding to meet temporary or permanent relocation needs in compliance with the types and levels of assistance in the Uniform Relocation Act (URA) (for federally-funded projects) or in Title 10 of the D.C. Code (for HPTF-funded projects).

During the RFA process for funding neighborhood services activities, the Residential and Community Services Division (RCS) will conduct a Pre-Application Conference, usually within the first two weeks of the application cycle. At the Conference, RCS staff members will provide a walkthrough of the entire application process and answer any specific questions from prospective applicants. RCS will keep a record of all RFA recipients throughout the application cycle, so that DHCD can quickly communicate any amendments to the application process to all potential applicants.

DHCD supports neighborhood-based housing counseling agencies' and community development organizations' administration of direct technical assistance to low-and-moderate-income residents and groups in order to make DHCD programs and funds accessible to these residents.

These services include:

- Assisting renters to understand their options under the “first right to purchase” program when a building is being sold—under the Tenant Opportunity to Purchase Act (TOPA)—so they can access seed loans and rehabilitation loans to exercise their rights to purchase their units;
- Providing program intake and technical assistance for applicants for first-time home owner loans, including assistance to organize financial and other required program documentation;
- Assisting tenants in expiring Section 8 properties to understand their rights and to offer relocation assistance as needed,
- Assisting new home owners to remain owners through assistance in home management, budgeting, credit, and mortgage payments, and
- Assisting small, neighborhood-serving businesses with technical assistance in areas such as: business start-up, maintaining an existing business, or improving the business and its environment.

Amendments to the Plan

Substantial Amendments to the Consolidated Plan

The federal Consolidated Plan regulations require the inclusion of specific criteria in the CPP for determining what constitutes a change in programmatic activity significant enough to be classified as a “Substantial Amendment” to the Consolidated Plan. A change in federal rules or regulations that mandates an alteration in current programmatic operations would not be considered a substantive amendment, but rather a conforming regulatory requirement. Changes deemed “Substantial Amendments” must be subjected to citizen review and comment before implementation.

The following criteria are used to determine whether a programmatic change constitutes a Substantial Amendment to the Consolidated Plan:

- A change which results in a major alteration of the purpose, location, or beneficiaries of a DHCD operational program; or
- A change in the allocation of the distribution of program funds greater than 25 percent of the federal entitlement grants included in DHCD’s fiscal year budget (CDBG, HOME, and ESG).

District law (D.C. Code § 5-902) requires that DHCD “provide citizens a full and meaningful opportunity to participate in the planning, development and evaluation of the annual Community Development Program *and any amendments or modifications thereto.*” District law further requires that the public must be notified of a Substantial Amendment, and at least two public hearings must be held to obtain the views of citizens on the proposed change.

The procedures cited for notice and access during the Consolidated Plan development process will be applied in the case of any Substantial Amendment to the Plan.

Notice of a Proposed Substantial Amendment, including a description of the nature and the actual language of the amendment, will be published in the *D.C Register* and in various citywide media sources, including, but not limited to, *a daily newspaper in general circulation (such as The Washington Post) and other publications that reach different language groups, neighborhoods, minority populations and other special interest populations. (Examples of such publications would include: the Afro-American, El Tiempo and The Blade.)* A solicitation of public comment, including information on the two public hearings that will be held, will be included in the notice. A period of not less than 30 days will be allowed to receive responses from the public on a proposed Substantial Amendment. A period of at least two weeks’ notice will be given for the two public hearings.

The proposed final Consolidated Plan Substantial Amendment (incorporating any revisions or discussions resulting from the public comment process), will be transmitted to the Mayor.

Minor Amendments:

District law (D.C. Code § 5-902) allows DHCD to make “minor” amendments to the Consolidated Plan. A minor amendment is an amendment that is of less magnitude than a “substantial” amendment, but of greater significance than a “technical” amendment, which can be undertaken at the discretion of the agency.

A minor amendment would NOT result in:

- A major alteration of the purpose, location, or beneficiaries of a DHCD operational program; or
- A change in the allocation of the distribution of program funds greater than 25 percent of the federal entitlement grants included in DHCD’s fiscal year budget (CDBG, HOME, and ESG).

A minor amendment to the Consolidated Plan, consistent with the intent of the approved program, must be submitted to the Mayor. The minor amendment will be deemed approved if

the Mayor does not disapprove the amendment within 30 days (not including Saturdays, Sundays, and legal holidays).

Annual Performance Report

Within 90 days after the close of DHCD's Fiscal Year (September 30th), HUD regulations require the Department submit a performance report, *the Consolidated Annual Performance and Evaluation Report (CAPER)*. The CAPER will provide HUD with necessary information to assess whether DHCD carried out its programs in compliance with applicable regulations and requirements, and as stated in that year's Consolidated Plan. The CAPER will also provide a vehicle for DHCD to describe its program achievements to District citizens.

At least two weeks prior to submission to HUD, the CAPER will be made available to the public for review and comment, following the Notice and distribution procedures cited earlier. Notice of the availability of the CAPER for comment and review is published in the *D.C. Register* and in *a daily newspaper in general circulation (such as The Washington Post) and other publications that reach different language groups, neighborhoods, minority populations and other special interest populations. (Examples in 2006 of such publications would include: the Afro-American, El Tiempo and The Blade.)* No less than a 15-day review period will be provided for the draft CAPER. DHCD also will accept comments on the prior-year's performance at the annual Consolidated Action Plan "Needs Assessments" Hearings.

The final CAPER will be submitted to HUD by December 31st with an addendum that summarizes any public comments received and the agency's response to the public comments in adopting its final CAPER report. Copies of the report submitted to HUD are made available by DHCD for review by the public upon request.

Complaints and Grievances

DHCD will provide written responses to written complaints and grievances received regarding any aspect of the annual Consolidated Plan federal entitlement grant program within 15 working days, where practicable, of receiving the complaint or grievance.

Comments, complaints, and grievances concerning the Consolidated Plan should be addressed to the Director, Polly Donaldson, Department of Housing and Community Development, 1800 Martin Luther King, Jr. Avenue, SE, Washington, DC 20020.

Amendment of the Citizen Participation Plan

Notice of a proposed amendment to the CPP, including a description of the nature, as well as the actual language, of the proposed amendment, will be published in the *D.C. Register* and in *a daily newspaper in general circulation (such as The Washington Post) and other publications that reach different language groups, neighborhoods, minority populations and other special interest populations. (Examples of such publications would include: the*

Afro-American, El Tiempo and The Blade.) A solicitation of public comment will be included in the Notice, and a period of not less than 30 days will be allowed to receive responses from the public on a proposed amendment before such amendment is implemented by DHCD. The final CPP amendment, as adopted by DHCD after due consideration of public comments, will be published in the *D.C. Register*. The *D.C. Register* notice will also provide an addendum that summarizes the public comments received and the agency's response to the thrust of the public comments in adopting its final amendment. The final CPP amendment will be deemed adopted upon publication in the *D.C. Register*.

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