



District of Columbia

Department of Housing and Community Development

FINAL DRAFT

Citizen Participation Plan

For

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

August 2012

**Vincent C. Gray, Mayor
Government of the District of Columbia**

**Victor L. Hoskins
Deputy Mayor for Planning and Economic Development**

**Michael P. Kelly, Acting Director
Department of Housing and Community Development
1800 Martin Luther King Jr., Avenue, SE
Washington, DC 20020
(202) 442-7200**

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

Background

The Community Development Block Grant program is authorized under Title I of the Housing and Community Development Act of 1974. The primary objective of this Act is the development of viable urban communities. The District of Columbia has been a participant in the federal Community Development Block Grant (CDBG) program since its inception. A Citizen Participation Plan is part of the Consolidated Planning requirements contained in 24 CFR 91.

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. The following four entitlement grant programs of the U.S. Department of Housing and Urban Development (HUD) were consolidated into a single planning and application process:

- Community Development Block Grant Program (CDBG)
- HOME Investment Partnerships Program (HOME)
- Emergency Shelter Grants Program (ESG)
- Housing Opportunities for Persons with AIDS Program (HOPWA)

The Citizen Participation Plan Requirement

The associated revised regulations stipulate that participating jurisdictions must develop and implement Citizen Participation Plans that specify how citizens can provide input to the planning and implementation process.

This document constitutes the Citizen Participation Plan for the District of Columbia's Consolidated Plan. It was prepared by the Department of Housing and Community Development (DHCD), the District's grantee agency for administration of the Consolidated Plan.

DHCD's Citizen Participation Plan (CPP) describes how citizens will participate in three programmatic areas:

1. Development of the Consolidated Plan,
2. Substantial amendments made to the Consolidated Plan, and
3. Development of the annual performance report.

The plan is designed to especially encourage 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 are proposed to be used. In addition, the CPP requires DHCD to minimize displacement and inform citizens of available assistance with relocation for all federally-funded projects. DHCD includes relocation requirements compliant with the Uniform Relocation Act (URA) in its guidelines to prospective developers during the development funding process. These guidelines are also available to the public and other government agencies. Participating jurisdictions are required to follow their Citizen Participation Plans after adoption.

Plan Development Process:

The District’s Consolidated Plan process begins with DHCD’s preparation of the Citizen Participation Plan (CPP) which describes the Plan Development Process. The CPP informs the public about processes and procedures for public access and influence on the Consolidated Plan and Annual Action Plans, and the proposed scheduling for development and submission of the plan. Copies of the CPP are made available at least 2 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>. The CPP is also made available during the review of the Consolidated Plan.

The CPP includes a vigorous effort to notify the District of Columbia Housing Authority and other government agencies as well as the affected public about the Plan Development Process and to provide ample opportunity for citizen input at all stages. In the course of developing the Consolidated Plan, there are *at least* three public hearings held and there are two 30-day, open comment periods during the drafting stages before the document is finalized and submitted to HUD. The Consolidated Plan development process consists of the following steps:

- Preparing and issuing the Citizen Participation Plan with Notice of the “Needs Assessment” Public Hearings,
- Conducting a series of “Needs Assessment” Public Hearings early in the fiscal year to develop public priorities and receive feedback on prior year performance,
- Preparing and issuing a draft proposed Five-Year Plan (if a new 5-Year Plan must be developed), or a draft proposed Action Plan for the current fiscal year,
- Conducting (at a different point in the program year) a “Budget” Public Hearing on the draft proposed Consolidated Plan and its proposed budget,
- Submitting the final proposed Consolidated Plan to the Mayor for approval,
- Finalizing the Consolidated Annual Action Plan, and
- Submitting the Consolidated Annual Action Plan to HUD prior to the August 15th annual deadline.

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

*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:

- No less than two-week advance publication of a Notice of Public Hearings,
- No less than 30 days to review the draft documents,
- Two-week periods following hearings for the submission of additional comments,
- Direct mailings of Notices to a wide range of interested groups,
- Easy access to draft documents (hard copies and on-line) and hearing transcripts,
- Accommodation of special needs participation through sign-language interpreters and interpreters for Spanish-speaking constituents, and
- Holding hearings at convenient times and in barrier-free facilities that are easily accessible by public transportation.

The Director and senior DHCD staff members are present at public hearings to take the direct testimony, answer questions on the District’s housing and community development needs, and receive comments on DHCD’s program performance for prior periods as well as for the current year. The submission of written testimony for the record is encouraged, and Public Hearing records are kept open for at least 2 weeks after the hearing for the receipt of post-hearing written testimony. A court reporter provides written transcripts within 2 weeks of the date of the Public Hearing, and a record of the Public Hearing, including the written transcript, is made available for public viewing at DHCD. When preparing the final Consolidated Plan, DHCD will include a summary of the comments and views received from citizens orally and in writing at the Public Hearing, as well as a response to any comments not accepted.

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 Specialist at (202) 442-7200.

Hearing Notification

DHCD promotes attendance at the hearings, particularly for low- and moderate-income citizens and citizen groups located in blighted areas of the city in which DHCD entitlement grant program funds are directed. The 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 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. Additionally, DHCD has contractual relationships with specific community based organizations (CBOs) that have a responsibility to distribute information regarding DHCD's entitlement grant programs and to review the information with citizens.

“Needs Assessment” Public Hearing

In the first quarter of each fiscal year, DHCD conducts a series of public hearings on “Housing and Community Development Needs in the District of Columbia.” Testimony is solicited from the public on a variety of issues, including community development, commercial revitalization, job creation through DHCD-funded projects, home ownership, housing rehabilitation, housing production, fair housing, lead paint hazards, and displacement issues resulting from DHCD development activities. Citizens are also invited to express their views on DHCD's administration of the Consolidated Plan entitlement grant programs and its performance in achieving the Consolidated Plan's goals and objectives as stated in the annual performance report, the *Consolidated Annual Performance and Evaluation Report (CAPER)*.

Draft Proposed Consolidated Plan

After conducting the “Needs Assessment” hearings, DHCD prepares a draft Consolidated Plan for the upcoming Fiscal Year.

The draft Consolidated Plan includes 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 considers 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 is given 30 days to provide written comments on the Plan to DHCD.

“Budget” Public Hearing

DHCD conducts a “Budget” Public Hearing on the proposed Consolidated Plan when the District’s budget process has clarified local funding, usually in the months of March-April of a given fiscal year. Copies of the draft proposed Consolidated Plan are 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 are given the opportunity to present oral and written testimony on the programmatic and budgetary provisions of the published draft proposed Consolidated Plan. Senior DHCD staff responds to comments and make referrals as needed. There is a court reporter present and a transcript of the proceedings is prepared and made available at DHCD. All public and special needs’ access provisions cited for the “Needs Assessment” hearing apply equally to the “Budget” Public Hearing. The submission of written testimony for the record is encouraged, and the Public Hearing record is kept open for at least 2 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 is no less than 30 days.

Submitting the Consolidated Plan to HUD

After approval of the proposed Consolidated Plan by the Mayor the Department submits the Plan to the Department of Housing and Urban Development’s (HUD) Washington Field Office by the August 15th deadline. Copies of the approved plan are distributed to stakeholders.

Technical Assistance

The Department makes federal and local funds available for new and rehabilitated housing proposals and community-development projects and services through a public Notice of Funding (NOFA). DHCD’s Development Finance Division (DFD) issues 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, the Development Finance Division (DFD) conducts a Pre-Proposal Conference and two community outreach meetings to give organizations opportunities to ask questions and obtain assistance in preparing RFP project submissions. In addition, DFD maintains 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 requires 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 URA (for federally-funded projects) or in Title 10 of the DC Code (for HPTF-funded projects).

During the RFA process for funding neighborhood services activities, the Residential and Community Services Division (RCS) conducts a Pre-Application Conference, usually within the first two weeks of the application cycle. At the Conference, RCS staff members provide a walk-thru of the entire application process, and also answer any specific questions from prospective applicants. RCS keeps a record of all those who receive the RFA throughout the application cycle, in order that any amendments to the application process can be quickly communicated to all potential applicants.

DHCD also supports direct technical assistance for low-and-moderate-income residents and groups through neighborhood-based housing counseling agencies and community development organizations. The purpose of the assistance is to make DHCD programs and funds accessible to low-moderate-income residents.

These services include:

- Assisting renters to understand their options under the “first right to purchase” program when a building is being sold 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 by 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.

Substantial Amendments to the Consolidated Plan

The federal Consolidated Plan regulations require the inclusion of specific criteria in the Citizen Participation Plan 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.*” (Emphasis added.) 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 are 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, is 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 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, is included in the notice. A period of not less than 30 days is allowed to receive responses from the public on a proposed Substantial Amendment. A period of at least 2 weeks notice is given for the two public hearings.

The proposed final Consolidated Plan Substantial Amendment (incorporating any revisions or discussions resulting from the public comment process), are 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 is deemed approved if the Mayor does not disapprove the amendment within 30 days (not including Saturdays, Sundays, legal holidays).

Annual Performance Report (CAPER)

Within 90 days after the close of DHCD’s Fiscal Year (September 30th), HUD regulations require the Department to submit a performance report, *the Consolidated Annual Performance and Evaluation Report (CAPER)*. The CAPER provides 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 also provides a vehicle for DHCD to describe its program achievements to District citizens.

At least 2 weeks prior to submission to HUD, the CAPER is 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 is provided for the draft CAPER. DHCD also accepts comments on the prior-year’s performance at the annual Consolidated Action Plan “Needs Assessments” Hearings.

The final CAPER is 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 Acting Director, Michael P. Kelly, Department of Housing and Community Development, 1800 Martin Luther King Jr., Avenue, SE, Washington, DC 20020, to the attention of Johnette Powell at (202) 442-7232.

Amendment of the Citizen Participation Plan

Notice of a proposed amendment to the Citizen Participation Plan (CPP), including a description of the nature, as well as the actual language, of the proposed amendment, 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 of such publications would include: the Afro-American, El Tiempo and The Blade.)* A solicitation of public comment is included in the Notice, and a period of not less than 30 days is allowed to receive responses from the public on a proposed amendment before such amendment is implemented by DHCD. The final Citizen Participation Plan amendment, as adopted by DHCD after due consideration of public comments, is 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 Citizen Participation Plan amendment will be deemed adopted upon publication in the *D.C. Register*.