

# CDBG AND THE CITIZEN PARTICIPATION PLAN

HOW TO AFFIRMATIVELY  
FURTHERING FAIR HOUSING AT THE  
LOCAL LEVEL

# Con Plan/AAP Disapproval

- 24 CFR 91.500 (b) contains the standard of review for disapproval of a Con Plan or AAP.
  - It is inconsistent with the purposes of the Cranston-Gonzales NAHA.
  - It is substantially incomplete.
  - Based on evidence, the grantee's certifications are not acceptable.

# The Purposes of NAHA

- (1) to help families not owning a home to save for a down payment for the purchase of a home;
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- (2) to retain wherever feasible as housing affordable to low-income families those dwelling units produced for such purpose with Federal assistance;
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- (3) to extend and strengthen partnerships among all levels of government and the private sector, including for-profit and nonprofit organizations, in the production and operation of housing affordable to low-income and moderate-income families;
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- (4) to expand and improve Federal rental assistance for very low-income families; and
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- (5) to increase the supply of supportive housing, which combines structural features and services needed to enable persons with special needs to live with dignity and independence

# “SUBSTANTIALLY INCOMPLETE PLAN”

- A CONSOLIDATED PLAN THAT WAS DEVELOPED WITHOUT THE REQUIRED CITIZEN PARTICIPATION OR CONSULTATION IS DEEMED AS “SUBSTANTIALLY INCOMPLETE.”



# ACCEPTABLE CRRPR CERTIFICATIONS

- The grantee must be administering its housing and community development programs in a non-discriminatory manner.
- The grantee must AFFH – that is engage in the fair housing planning process as defined in 24 CFR 91.225 (a)(1).
- The grantee must be in compliance with other applicable laws e.g. The Fair Housing Act, TITLE VI, Section 109, Section 504, the ADA and Section 3.

**91.105 Citizen participation plan;  
local governments.**

*Applicability and adoption of the citizen participation plan.*

(1) The jurisdiction is required to adopt a citizen participation plan that sets forth the jurisdiction's policies and procedures for citizen participation.

*Development of the consolidated plan.*

The citizen participation plan must include the following minimum requirements for the development of the consolidated plan.

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The citizen participation plan must include the following minimum requirements for the development of the consolidated plan.

The citizen participation plan must provide for at least one public hearing during the development of the consolidated plan.

The citizen participation plan must provide a period, not less than 30 days, to receive comments from citizens on the consolidated plan.

The citizen participation plan shall require the jurisdiction to consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the final consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the final consolidated plan

*Public hearings.*

The citizen participation plan must provide for at least two public hearings per year to obtain citizens' views and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year.

## SECTION 504 AND THE RIGHTS OF THE DISABLED

The citizen participation plan must provide that hearings be held at times and locations convenient to potential and actual beneficiaries, and with accommodation for persons with disabilities. The citizen participation plan must specify how it will meet these requirements.

## LIMITED ENGLISH PROFICIENCY AND TITLE VI

The citizen participation plan must identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

*Technical assistance.*

The citizen participation plan must provide for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals for funding assistance under any of the programs covered by the consolidated plan, with the level and type of assistance determined by the jurisdiction. The assistance need not include the provision of funds to the groups.

*Complaints.* The citizen participation plan shall describe the jurisdiction's appropriate and practicable procedures to handle complaints from citizens related to the consolidated plan, amendments, and performance report.

At a minimum, the citizen participation plan shall require that the jurisdiction must provide a timely, substantive written response to every written citizen complaint, within an established period of time (within 15 working days, where practicable, if the jurisdiction is a CDBG grant recipient).