Coronavirus Aid, Relief and Economic Security Act 2020

$\label{lem:conference} \mbox{Ohio Conference of Community Development, Inc.}$

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Community Planning and Development, Ohio Field Office
U. S. Dept. of Housing and Urban Development
May 5, 2020

CARES Act Community Planning and Development Funding				
Program	HOPWA	CDBG-CV	ESG	
Allocation	\$65,000,000	\$5,000,000,000	\$4,000,000,000	
Breakdown	Min. \$50,000,000 Current formula. Max. \$10,000,000 New Comp.	Max. \$2,000,000;000 Current formula \$1,000,000,000 States & Insular areas Remaining per Secretary	Max. \$2,000,000,000 Current formula Bernaining per Secretary	
Allocation Deadline	Current formula released Subsequent allocation: to be announced	Current formula -released Add. for States - to be announced Remaining - Rolling basis	Current formula - neleased Bernaining - to be announced	
Expenditure Deadline	September 30, 2021 (Formula) September 30, 2022 (New Com.)	September 30, 2022	September 30, 2002	
Start Date	regardless of date on which costs incurred, reg, waivers from Sec. effective when grantee "began preparing"	"regardless of the date on which such costs were incurred."	"Including costs incurred prior to [2/27/26]," reg, waivers from Sec. effective when grantee "Degan preparing"	
Award Conditions	New Competitive: one-time, non-renewable current PSH grantees proportionare to current Don't have so spend on PSH	Additional fee fisters and invalue areas: "based on judic health needs, risk of transmission of community, number of community areas compared to the community, number of committee the consideration as the committee and committee and benefit or safer of sumptions, and other factors, as determined by the Secretary	Sensoring resource mass adjunction treads in road transmission, high configure control of deliminal and anhabitered horseway, and consent and housing market conditions as determined by the Sciences.	
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CARES ACT G	RANTS - FIRST ROUND				
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DH .	Hamilton City	\$81,425	9	- 9	
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DH .	Warren County	MANAGE	5d		

CARES Act CPD Flexibilities

- Provides funds to enable grantees to prevent, prepare for and respond to COVID-19 and related economic downturn and recovery.
- Provides programmatic flexibilities for CV funding and FY19 & FY20.
- Authorizes waivers and alternatives for program operations
- Requires CDBG-CV grantees to prevent the duplication of benefits.
 - HUD will publish a Federal Register notice describing the requirements for each CV grants.
- CV Funds must be expended by 9/30/2022, submission of FY20 Con Plans extended until 8/16/2021; CAPERS submission period 180 days

CARES Act CPD Flexibilities

- CARES Act suspends public services limitation for CDBG-CV, FY2020 and FY2019 grants
- For FY19 and 20 grants, all amounts over 15% must be to prepare, prevent, or respond to coronavirus.
- Public services and capacity building do not include general conduct of government/general operating for subrecipients,
- \bullet Focus on funding the activity, not the entity to avoid non-compliance.
- Grantees may use CDBG-CV grant funds to cover or reimburse costs to prevent, prepare for, and respond to coronavirus regardless of the date when those costs were incurred & must comply with CDBG requirements.
- Grantees may amend citizen participation plans to establish procedures to draft, propose, or amend consolidated plans with expedited procedures and reduce public comment period to 5 days

CARES Act CPD
Waivers 4/1,
4/10, 4/29

Emergency Solutions Grant (ESG)
Program

Housing Opportunities for Persons with
AIDS (HOPWA) Program

Consolidated Plan Requirements

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CoC Program Waivers	
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The following waivers are available for the CoC Program: Fair Market Rent for Individual Units and Leasing Costs	
24 CFR 578.48(b)(2)	
Disability Documentation for Permanent Supportive Housing (PSH) 24 CFR 578.103(a) and 578.103(a) (4)(i)(B)	
3 Limit on Eligible Housing Search and Counseling Services 24 CFR 578.53(d) and 578.53(e)(8)(ii)(B)	
Permanent Housing-Rapid Re-housing Monthly Case Management 24 CFR 578.37(a)(1)(ii)(F)	
Housing Quality Standards (HQS) – Initial Physical Inspection of Unit 24 CFR 578.75(b)(1)	
6 HQS - Re-Inspection of Units 24 CFR 578.75(b)(2)	
7 One Year Lease Requirement, Definition of Permanent Housing 24 CFR 578.3 and 578.51(0)(1)	
24 CFR 576.3 BIID 576.3 [[][[1]	
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ESG Program Waivers	
The following waivers are available for the ESG Program:	
HMIS Lead Activities 24 CFR 576.107(a)(2)	
Re-Evaluations for Homelessness Prevention Assistance 24 CFR 576.401(b)	-
Housing Stability Case Management	
Restriction of Rental Assistance to Units with Rent at or Below FMR	
24 CFR 576.106(d)(1)	
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Consolidated Plan Waivers	
The following waivers are available for Consolidated Plan requirements:	
Citizen Participation Public Comment Period for Consolidated Plan Amendment	
Citizen Participation Reasonable Notice and Opportunity to Comment	
9 24 CFR 91.105(o)(2) and (k); 24 CFR 91.115(o)(2) and (i); 24 CFR 91.401	
CAPER 24 CFR 91.520 (a) extends deadline to submit from 90 to 180 days	

HOME Program Waivers Statutory Suspensions and Regulatory Waivers Available Only to Major Disaster Areas	
1. 10% Administration and Planning Cap	
2. CHDO Set-aside Requirement	
3. Limits and Conditions on CHDO Operating Expense Assistance	-
4. Matching Contribution Requirements	
Regulatory Waivers Available to All Participating Jurisdictions	
1. Citizen Participation Reasonable Notice and Opportunity to Comment	
2. Income Documentation	
3. On-Site Inspections of HOME-assisted Rental Housing	
4. Annual Inspection of Units Occupied by Recipients of HOME TBRA	
5. Four-Year Project Completion Requirement	
6. Nine-Month Deadline for Sale of Homebuyer Units	
7. Use of HOME Funds for Operating Reserves for Troubled HOME Projects	
8. Timeframe for a Participating Jurisdiction's Response to Findings of Noncompliance	-
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Submitting and Documenting Waivers	-
Recipients wishing to utilize any of the waivers provided should	
notify their local CPD Director, by email, of their intent to utilize a	
specific waiver two days before they anticipate using the flexibility.	
 Grantees are strongly encouraged to establish a set of emergency 	
policies and procedures for use during the COVID situation. This should outline the waivers they are utilizing and describe the records	
they will maintain to support those waivers.	

CARES Act CPD Grant agreement process Grantees have three options: 1. Amend most recently approved 2019 AAP

190EECOL@hud.gov

2. Amend 2020 AAP (if already approved or past its 45-day statutory review period)

The suggested documentation contained in this presentation may be electronic. COVID-19 Emergency Policies and Procedures should be created and source documentation must be maintained.
Grantees that desire to use a waiver must use suggested format.
Submit waiver request to CPD_COVID-19WaiverCOL@hud.gov
Submit amendments: CPD_COVID-19AmendmentCOL@hud.gov
Include the FO email on Environmental notices for public comment and submit all environmental documents: CPD_COVID-

- 3. Submit for CARES funds together with original 2020 plan
- Grantee must choose <u>either</u> 2019 or 2020 plan for CV funds, and <u>stick with it</u> through all tranches

Amending 2019 plan

- Fastest way to get money, easiest way to track all CV funding
- Once submitted, must use this FY19 amendment for all CARES funds.
- 5-day public comment (if Waiver notification) & expedited notice.
- CPP must be amended, simultaneous with notice of amended uses.
- New SF-424 & New SF-424D for each program. CDBG, ESG, HOPWA
- Newly signed certifications for each program: ESG-CV certification will have updated.
- ESG-CV only requires public notice, but no public comment.
- CPD Notices will be published for each program with IDIS instructions
- IDIS Projects setup addressing CARES fund usage
- HUD review process for amendments will be expedited.

Submitting or Amending FY2020 Con Plan

- Statutory timeline (45 days) for review and issuance of grant.
- All components of FY20 plan must be substantially complete to submit. If incomplete, will be submit back for correct, restart review.
- 5-day public comment (CARES Act); CPP must be amended for 5 days
- New SF-424 & New SF-424D for each program. CDBG, ESG, HOPWA
- Newly signed certifications for each program: ESG-CV will have updated.
- HUD review procedures differ for FY20 full plan versus amended.
- ESG-CV submission requires ONLY public notification.
- \bullet IDIS Projects setup addressing CARES fund usage.

Q&A and Links: Please register for HUD List serves

- https://www.documentcloud.org/documents/6819239-FINAL-FINAL-CARES-ACT.html
- https://files.hudexchange.info/resources/documents/Quick-Guide-CDBG-Infectious-Disease-Response.pdf
- https://files.hudexchange.info/resources/documents/Eviction-Moratorium-Impact-on-ESG-and-CoC-Programs.pdf
- https://www.hud.gov/sites/dfiles/CPD/documents/COVID-19 Mega Waiver 03-31-2020.pdf
- https://www.hudexchange.info/programs/cdbg/disease/
- https://www.hudexchange.info/resource/6018/cares-act-flexibilitiesfor-cdbg-funds-used-to-support-coronavirus-response/
- https://www.hudexchange.info/news/hud-issues-memoranda-onsuspensions-and-waivers-for-home-program-covid-19-response/

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