

# Coronavirus Aid, Relief and Economic Security Act 2020

**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 Remaining 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 – released Remaining – to be announced
Expenditure Deadline	September 30, 2021 (Formula) September 30, 2022 (New Com.)	September 30, 2022	September 30, 2022
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 [3/27/20].” reg. waivers from Sec. effective when grantee “began preparing”
Award Conditions	New Competitive.: <ul style="list-style-type: none"> <li>one-time, non-renewable</li> <li>current PSH grantees</li> <li>proportionate to current</li> <li>Don't have to spend on PSH</li> </ul>	Additional for States and insular areas: “...based on public health needs, risk of transmission of coronavirus, number of coronavirus cases compared to the national average, and economic and housing market disruptions, and other factors, as determined by the Secretary	Remaining amount: areas w/greatest need i.e. risk of transmission, high numbers or rates of sheltered and unsheltered homeless, and economic and housing market conditions as determined by the Secretary
Analysis	<b>STRMU</b> extended to 24 months. <b>Self-isolation costs</b> for HH. <b>Relocation serv.</b> hotel/motel/other <b>Admin. Caps</b> 6% grantee, 10% subrecipient. <b>Previous awards</b> subject to same conditions	<b>Con/AAP Submission</b> extended to 8/16/21. <b>Expedited Procedures</b> (plans/amendments) this and past grants. <ul style="list-style-type: none"> <li>Min. 5-day comment period.</li> <li>Virtual pub. hearings “for as long as national or local health authorities recommend”</li> <li>“Reasonable notif. and access per certs., resp. from officials, and access to Q&amp;As</li> </ul> <b>PS Cap</b> waived for this and past awards for C-19 <b>Broad Waiver Auth.</b> “except fair housing, nondiscrimination, labor, and environment)	<b>At-risk expansion</b> <VLMI <b>Procurement</b> may deviate (not defined) <b>Admin. Cap</b> 10% <b>Citz. Part.</b> just need to pub. (web=ok) <b>Shelter &amp; Outreach Cap</b> waived <b>Temp. Shelters</b> no min. use or env. if “necessary” per State & local health. <b>Training/Hazard Pay</b> not subj. to admin. <b>Broad Waiver Auth.</b> “except fair housing, nondiscrimination, labor, and environment)

# CARES Act CPD Funding for Ohio: Round 1

## CARES ACT GRANTS - FIRST ROUND

STATE	GRANTEE	CDBG20-CARES	ESG20-CARES	HOPWA20-CARES	TOTALS
OH	Akron	\$3,619,581	\$1,840,393	\$0	\$5,459,974
OH	Alliance	\$367,100	\$0	\$0	\$367,100
OH	Barberton	\$386,869	\$0	\$0	\$386,869
OH	Bowling Green	\$179,913	\$0	\$0	\$179,913
OH	Canton	\$1,566,461	\$783,834	\$0	\$2,350,295
OH	Cincinnati	\$6,881,355	\$3,495,228	\$166,072	\$10,542,655
OH	Cleveland	\$12,777,258	\$6,409,548	\$229,922	\$19,416,728
OH	Cleveland Heights	\$956,215	\$0	\$0	\$956,215
OH	Columbus	\$4,388,525	\$2,150,555	\$205,452	\$6,744,532
OH	Cuyahoga Falls	\$394,954	\$0	\$0	\$394,954
OH	Dayton	\$3,471,659	\$1,745,634	\$70,253	\$5,287,546
OH	East Cleveland	\$657,684	\$0	\$0	\$657,684
OH	Elyria	\$439,110	\$0	\$0	\$439,110
OH	Euclid	\$617,569	\$0	\$0	\$617,569
OH	Fairborn	\$162,642	\$0	\$0	\$162,642
OH	Hamilton City	\$855,817	\$0	\$0	\$855,817
OH	Kent	\$178,696	\$0	\$0	\$178,696
OH	Kettering	\$334,921	\$0	\$0	\$334,921
OH	Lakewood	\$1,186,886	\$601,062	\$0	\$1,787,948
OH	Lancaster	\$296,742	\$0	\$0	\$296,742
OH	Lima	\$629,388	\$0	\$0	\$629,388
OH	Lorain	\$725,720	\$0	\$0	\$725,720
OH	Mansfield	\$514,410	\$0	\$0	\$514,410
OH	Marietta	\$242,989	\$0	\$0	\$242,989
OH	Massillon	\$392,232	\$0	\$0	\$392,232
OH	Mentor	\$94,411	\$0	\$0	\$94,411
OH	Middletown	\$431,289	\$0	\$0	\$431,289
OH	Newark	\$433,410	\$0	\$0	\$433,410
OH	Parma	\$572,218	\$0	\$0	\$572,218
OH	Sandusky	\$437,328	\$0	\$0	\$437,328
OH	Springfield	\$1,116,973	\$560,655	\$0	\$1,677,628
OH	Steubenville	\$365,667	\$0	\$0	\$365,667
OH	Toledo	\$4,453,360	\$2,249,248	\$0	\$6,702,608
OH	Warren	\$702,138	\$0	\$0	\$702,138
OH	Youngstown	\$2,091,689	\$1,062,917	\$0	\$3,154,606
OH	Butler County	\$739,290	\$0	\$0	\$739,290
OH	Clermont County	\$573,023	\$0	\$0	\$573,023
OH	Cuyahoga County	\$2,432,345	\$1,204,362	\$0	\$3,636,707
OH	Franklin County	\$1,200,795	\$595,590	\$0	\$1,796,385
OH	Hamilton County	\$2,003,730	\$1,009,176	\$0	\$3,012,906
OH	Lake County	\$822,275	\$0	\$0	\$822,275
OH	Montgomery County	\$1,160,651	\$584,510	\$0	\$1,745,161
OH	Stark County	\$803,098	\$0	\$0	\$803,098
OH	Summit County	\$567,622	\$0	\$0	\$567,622
OH	Warren County	\$436,054	\$0	\$0	\$436,054
OH	State of Ohio for Ohio Nonentitlement Communities	\$27,257,013	\$21,324,293	\$238,430	\$48,819,736
<b>TOTALS</b>		<b>\$90,919,075</b>	<b>\$45,617,005</b>	<b>\$910,129</b>	<b>\$137,446,209</b>

# 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,
- 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



Continuum of Care (CoC) Program



Emergency Solutions Grant (ESG)  
Program



Housing Opportunities for Persons with  
AIDS (HOPWA) Program



Consolidated Plan Requirements

# CoC Program Waivers

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The following waivers are available for the CoC Program:

1

**Fair Market Rent for Individual Units and Leasing Costs**

24 CFR 578.48(b)(2)

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)

4

**Permanent Housing-Rapid Re-housing Monthly Case Management**

24 CFR 578.37(a)(1)(ii)(F)

5

**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(i)(1)

# ESG Program Waivers

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The following waivers are available for the ESG Program:

- 10** **HMIS Lead Activities**  
24 CFR 576.107(a)(2)
- 11** **Re-Evaluations for Homelessness Prevention Assistance**  
24 CFR 576.401(b)
- 12** **Housing Stability Case Management**  
24 CFR 576.401(e)
- 13** **Restriction of Rental Assistance to Units with Rent at or Below FMR**  
24 CFR 576.106(d)(1)



# Consolidated Plan Waivers

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The following waivers are available for Consolidated Plan requirements:

8

**Citizen Participation Public Comment Period for Consolidated Plan Amendment**

24 CFR 91.105(c)(2) and (k); 24 CFR 91.115(c)(2) and (i); 24 CFR 91.401

9

**Citizen Participation Reasonable Notice and Opportunity to Comment**

24 CFR 91.105(c)(2) and (k); 24 CFR 91.115(c)(2) and (i); 24 CFR 91.401

CAPER 24 CFR 91.520 (a) extends deadline to submit from 90 to 180 days

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# 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

# Submitting and Documenting Waivers

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- 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.
- 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](mailto:CPD_COVID-19AmendmentCOL@hud.gov)
- Include the FO email on Environmental notices for public comment and submit all environmental documents: **CPD\_COVID-19OEECOL@hud.gov**

## CARES Act CPD Grant agreement process

Grantees have three options:

1. Amend most recently approved 2019 AAP
  2. Amend 2020 AAP (if already approved or past its 45-day statutory review period)
  3. Submit for CARES funds together with original 2020 plan
- **Grantee must choose either 2019 or 2020 plan for CV funds, and stick with it 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.
- 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.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-flexibilities-for-cdbg-funds-used-to-support-coronavirus-response/>
- <https://www.hudexchange.info/news/hud-issues-memoranda-on-suspensions-and-waivers-for-home-program-covid-19-response/>