



CITIZEN PARTICIPATION PLAN

DRAFT

For Council Consideration on

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I. DEFINITIONS

Community Development Block Grant (CDBG). Authorized under Title I of the Housing and Community Development Act of 1974, as amended, the CDBG Program combined multiple federal categorical grants under one regulation. The funds are a block grant that can be used to address critical and unmet community needs including those for housing rehabilitation, public facilities, infrastructure, economic development, public services, and more. The City is provided an annual grant on a formula basis as a CDBG Entitlement recipient. Funds are used to develop a viable urban community by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

Consolidated Plan. The document that is submitted to HUD that serves as the comprehensive housing affordability strategy, community development plan, and submissions for funding under any of the Community Planning and Development formula grant programs (e.g., CDBG, ESG, HOME, and HOPWA), that is prepared in accordance with the process described in this part.

Continuum of Care. The group composed of representatives of relevant organizations, which generally includes nonprofit homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing; transitional housing permanent housing; and prevention strategies to address the various needs of homeless persons and persons at risk of homelessness for a specific geographic area.

Emergency Solutions Grants (ESG). The ESG Program awards grants for these components: street outreach, shelter, homeless prevention and rapid re-housing. ESG activities include: renovation/rehabilitation of shelters, essential services, operations, housing relocation and stabilization/financial assistance, housing relocation, stabilization/financial services and rental assistance, Homeless Management Information System (HMIS) and administrative costs.

HOME Investment Partnerships Program (HOME). HOME funds are awarded annually as formula grants to participating jurisdictions (PJs), States and localities, that are used - often in partnership with local nonprofit groups - to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households.

Housing Opportunities for Persons with AIDS (HOPWA). The HOPWA Program was established by HUD to address the specific needs of persons living with HIV/AIDS and their families. HOPWA makes grants to local communities, States, and nonprofit organizations for projects that benefit low-income persons medically diagnosed with HIV/AIDS and their families.

Predominantly Low- and Moderate-Income Neighborhoods. The City defines low- and moderate-income neighborhoods as an area commensurate with one or more coterminous census block groups, where at least 51 percent of the residents are persons with gross household incomes not exceeding 80 percent of annual adjusted median income based on family size.

II. **BACKGROUND**

On January 5, 1995, the U.S. Department of Housing and Urban Development (HUD) issued a Final Rule under 24 CFR Part 91 that combined into a single Consolidated Plan submission the planning and application requirements of 17 federal programs [24 CFR 91.2 (b) (1)-(17)] and HUD's four formula grant programs: the Community Development Block Grant (CDBG) Program including the Section 108 Loan Guarantee (Section 108) Program, HOME Investment Partnerships Act (HOME) Program, Emergency Shelter Program (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) program of the U.S. Department of Housing and Urban Development (HUD). The aforementioned Final Rule also consolidates the reporting requirements for these programs.

The regulations implementing the consolidated submission requires the City of Huntington Park (City) to adopt a Citizen Participation Plan for the consolidated planning, application and reporting processes. The City is required to have a Consolidated Plan approved by HUD as a prerequisite for federal funding. Part of the Consolidated Plan process entails the grantee to certify that it is in full compliance, and is following a detailed Citizen Participation Plan (this document), consistent with the requirements of 24 CFR 91.105. To that end, this amended Citizen Participation Plan serves to bring the City into full compliance.

Accordingly, the City previously adopted a Citizen Participation Plan, pursuant to Section 104(a) (3) of the Housing and Community Development Act of 1974, as amended. By doing so, the City acknowledges the integral role of citizen participation in the process of neighborhood improvement, planning and development, and execution of the CDBG and HOME Programs administered by the City.

The City's Community Development Department (CDD) is the lead agency responsible for the consolidated submission and reporting to HUD. As such, the CDD is responsible for administering non-housing aspects of the CDBG Program and the housing activities of the CDBG Program and the HOME Program.

III. PUBLIC INPUT ON REVISED CITIZEN PARTICIPATION PLAN

The revised Draft Citizen Participation Plan was available for public review and comment between March 16, 2015 and May 5, 2015. The City published a notice in the The Wave on February 26, 2015 informing the public of the availability of the document for review and comment. The public had access to review the draft document at the Huntington Park City Clerk's Office, the Huntington Park Community Development Department counter, the Huntington Park Library, and the Family Center at 3355 Gage Avenue, Huntington Park. The draft document was also posted on the City's website. The public was invited to provide comments on the Draft Citizen Participation Plan on March 16, 2015 at a regular public meeting of the Huntington Park City Council.

IV. OBJECTIVES

The City's Citizen Participation Plan is designed to ensure equitable representation of all segments of the population and to aid communication between the City and its residents on matters pertaining to the use of all federal funding from HUD. The Citizen Participation Plan sets forth policies and procedures the City Council adopted to encourage citizen involvement regarding the use of federal funds, notably Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds. The intent of the Citizen Participation Plan is to encourage those least likely to participate in the process, especially low-income persons living in distressed neighborhoods, in public and assisted housing developments, and in areas where CDBG funds are proposed to be used. This document outlines basic tenets of the citizen participation regulations and remains in effect throughout the implementation of the City's entitlement awards from the federal government or until these funds are closed out.

The Citizen Participation Plan promotes citizen participation in the following key areas:

- A. Preparation of the Consolidated Plan, a five-year strategic plan that outlines the strategy and goals for the City's use of the federal funding sources;
- B. Development of the Annual Action Plan, which describes projects that will be undertaken in the upcoming fiscal year with the federal funding sources;
- C. Consideration of substantial amendments to a Consolidated Plan and/or Annual Action Plan;
- D. Provide an opportunity for residents to review and comment on the annual Consolidated Annual Performance and Evaluation Report (CAPER), which

describes Huntington Park's implementation of activities funded by the HUD formula programs CDBG and HOME; and

- E. Give consideration of substantial amendments to the Citizen Participation Plan.

The City of Huntington Park utilizes its funding from HUD in accordance with national objectives for the use of federal formula grant funds, for program planning, citizen participation, and implementation processes required by HUD. The City prepares a Five-Year Consolidated Plan that includes the identification of priority needs in the community and five-year goals to address those needs. As a federal grantee, the City sets forth its own five-year priorities and objectives to respond to local housing and community development needs; addresses affordable housing, homeless and other special population needs; affirmatively furthers fair housing; and, promotes community and economic development. Each year, based upon the Five-Year Consolidated Plan, the City adopts an Annual Action Plan to implement programs to address those priority needs identified in the Consolidated Plan. Several months after the conclusion of each Annual Action Plan program year (July 1 - June 30), the City prepares a Consolidated Annual Performance and Evaluation Report (CAPER) for submission to HUD.

V. ROLE OF CITIZENS

Citizen involvement is essential in assuring that City policies, procedures, programs and activities are well suited to local needs. Citizens' concerns and ideas may be expressed to the City Council. The City Council addresses itself to the development, review and adoption of the following areas:

- A. The City's Consolidated Plan and Annual Action Plan;
- B. The submission of the City's CAPER;
- C. City improvement strategies, programs, policies and procedures; and
- D. The Citizen Participation Plan.

Regular meetings of the City Council are held the first and third Mondays of the month, at 6:00 p.m., in the City Council Chambers (2nd floor) at City Hall, located at 6550 Miles Avenue, Huntington Park, 90255. City Hall and the City Council Chambers are accessible to the disabled.

City Council Meeting agenda and supporting documentation is available for public review at 4:00 p.m. Thursday prior to the regularly scheduled meeting in the Office of the City Clerk located at City Hall or online at www.hpca.gov. Cable broadcast of regular City Council meetings are available throughout the week on Charter Communications (Local Access Channel 3). Council meetings are broadcast daily at

10:00 a.m., 3:00 p.m., 7:00 p.m. and 9:00 pm. City Council meetings are also available by Video-on-Demand at the City's website.

VI. GUIDELINES FOR CITIZEN PARTICIPATION

The citizen participation process provides citizens of Huntington Park with the formal opportunity to take part in the development of housing and community development programs and amendments to adopted plans at a community-wide level in a public forum during a specified City Council Meeting. Listed below are the specific guidelines governing information access, public notices, and technical assistance, among others, that the City will follow to encourage citizen participation in the preparation of the Consolidated Plan, Annual Action Plan, and CAPER.

A. Consolidated Plan and Annual Action Plan

As mandated by federal regulations, the City submits a Consolidated Plan every five years and an Annual Action Plan to HUD. The Consolidated Plan is a long-range plan that identifies community development and housing needs of low-income Huntington Park residents, establishes priorities, and describes goals, objectives and strategies to address identified priorities. The Annual Action Plan is a document that lists specific activities for CDBG and HOME funding in the upcoming program year, as well as applications for both federal programs.

The following steps will be taken to encourage all Huntington Park citizens, including minorities, non-English speaking persons, and persons with disabilities, to participate in the development of the Consolidated Plan and Annual Action Plan and afford these citizens an opportunity to review and comment on the Consolidated Plan and Annual Action Plan:

1. In preparation of the Consolidated Plan, the City will distribute a Community Needs Survey (in English and Spanish) to local agencies, and will conduct a consultation workshop with housing, health, homeless, disabled, and other social service providers to identify key housing and community development needs and issues in the City, as well as identifying gaps in service.
2. The City will conduct a community workshop in English (and Spanish if necessary) to solicit citizens' opinions regarding perceived community needs during development of the Consolidated Plan, and provide a written Community Needs Survey (in English and Spanish) to establish expenditure priorities of CDBG and HOME monies.
3. The City will distribute from time-to-time a Request for Proposals (RFP) to nonprofit organizations and City departments to carry out public service activities.

4. The City will elicit comment from local and regional institutions, the Continuum of Care and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) when developing and implementing the Consolidated Plan.
5. In conjunction with consultation with public housing agencies, the City will encourage participation of residents in public and assisted housing developments while developing and implementing the Consolidated Plan, along with other low-income residents of targeted revitalization areas in which the developments are located. The City will provide information to public housing agencies in Huntington Park and surrounding cities about consolidated plan activities related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing required for the PHA Plan.
6. Prior to the publication of the City's Consolidated Plan, the first of two public hearings will be held to solicit and consider any public comments (oral and written) on the use of CDBG and HOME funds. The public hearing will serve to obtain the views of citizens on housing and community development needs, including priority non-housing community development needs. Spanish translation services will be made available at the public hearings. To ensure that all City residents have sufficient opportunity to take notice of all scheduled public hearings, all public hearing notices, including the date, time and location, shall be published in a local newspaper of general circulation at least fifteen (15) days prior to the date of the public hearing. Public hearings are held at 6:00 p.m. in the City Council Chambers located at 6500 Miles Avenue (2nd Floor), Huntington Park and are accessible to the disabled.
7. A summary describing the contents and purpose of the proposed Consolidated Plan and/or Annual Action Plan will be published in a newspaper of general circulation. The summary will also include a list of locations where a complete draft of the Consolidated Plan and Annual Action Plan may be obtained for review. The summary will include the amount of assistance expected to be received, grant funds and program income, the range of activities that may be undertaken and the estimated amount that will benefit persons of low- and moderate-income.
8. The publication of the summary will commence a 30-day public comment period, during which citizens will have the opportunity to examine the proposed Consolidated Plan and/or Annual Action Plan and submit comments regarding the draft document to the City's Community Development Department (see address below.) Complete copies of the draft Consolidated Plan and/or Annual Action Plan will be available for review at the following locations:

City Hall
(City Clerk and
Community
Development
Department)
6550 Miles
Avenue
Huntington
Park, CA 90255

Huntington Park Library
6518 Miles Avenue
Huntington Park, CA 90255

Huntington Park
Family Center
3355 Gage Avenue
Huntington Park, CA
90255

9. The City Council will accept a draft Consolidated Plan to initiate the 30-day public review period.
10. A second public hearing before the City Council will be held to adopt the Consolidated Plan and Annual Action Plan and to provide citizens further opportunity to comment on the Plans. The public hearing will serve again to obtain the views of citizens on housing and community development needs, including priority non-housing community development needs. A summary of comments or views along with a summary of any comment or view not accepted and the reasons therefore, shall be attached to the final Consolidated Plan. All guidelines set forth under the Public Comment section of this document will be followed to ensure and encourage citizen participation.

B. Program Amendments

Consolidated Plans and/or Annual Action Plans may be revised during the program year.

1. Minor Amendments. Any revisions not defined below as a Substantial Amendment constitutes a minor amendment not requiring public notification or citizen participation in advance of implementing such changes. Upon completion, the City will make the amendment public and notify HUD that an amendment has been made. The City will submit a copy of each minor amendment to HUD as it occurs, or at the close of program year.
2. Substantial Amendments. The following changes to the City's Consolidated Plan and/or Action Plan constitute substantial amendments requiring public notification and public review subject to the citizen participation process described at 24 CFR 91.105 and 24 CFR 91.115.

- a. The City makes a change in its allocation priorities or a change in the method of distribution of funds;
 - b. The City carries out an activity, using funds from any program covered by the Consolidated Plan, including program income, not previously described in the Action Plan;
 - c. The City proposes not to carry out an activity described in the Annual Action Plan and, if funded, cancel the activity in the federal Integrated Disbursement Information System (IDIS);
 - d. There is a change in the purpose, scope, location, or beneficiaries of an activity; or
 - e. There is a cumulative change in the use of CDBG or HOME funds from one activity to another activity in the Annual Action Plan that exceeds 30 percent of the entitlement award for the program year. If the CDBG award, for instance, is \$1.0 million, then an activity budget could be increased or decreased by up to \$300,000. Examples of CDBG activities include public services, economic development, capital projects, and housing. Examples of HOME activities include homebuyer programs, homeownership rehabilitation, rental housing programs or tenant based rental assistance (TBRA).
3. In the event that an amendment to the Consolidated Plan and/or Annual Action Plan qualifies as a substantial change, citizens will be given an opportunity to participate in the planning process. This opportunity will be afforded to the citizens by following the same steps (numbers 7 and 8) as provided under Section IV of this Citizen Participation Plan and restated below.
 - a. The City will publish a summary describing the contents and purpose of the proposed substantial amendment to the Consolidated Plan and/or Annual Action Plan and it will be published in a newspaper of general circulation. The summary will also include a list of locations where a complete draft of the Amended Consolidated Plan and Amended Annual Action Plan may be obtained for review.
 - b. The publication of the summary will commence a 30-day public comment period, during which citizens will have the opportunity to examine the proposed Amended Consolidated Plan and/or Amended Annual Action Plan and submit comments regarding the draft document to the City's Community Development Department.
 4. After the close of the 30-day public comment period, the City Council will consider approving a Substantial Amendment to the City's Consolidated Plan

and/or Annual Action Plan. If an amendment does not qualify as a substantial change, documentation of the amendment will be made to the current Consolidated Plan or Annual Action Plan, and notification of the amendment will be made available to residents and provided to HUD. All substantial amendments to the Consolidated Plan or Annual Action Plan and all amendments to the Citizen Participation Plan will be reviewed and approved by the City Council. A summary of comments or views along with a summary of any comment or view not accepted and the reasons therefore, will be attached to the final Consolidated Plan and/or Annual Action Plan.

C. Consolidated Annual Performance Evaluation Report (CAPER)

Upon completion of the CAPER and prior to its submission to HUD, a public notice will be published in a newspaper of general circulation announcing the availability of the CAPER for review and comment prior to a public hearing. This public review and comment period shall be for a minimum 15-day period beginning on the day of publication. During this period, citizens will have the opportunity to examine the CAPER and submit comments to the City's Community Development Department regarding the document. A public hearing will also serve to obtain the views of citizens about program performance. A summary of comments or views along with a summary of any comment or view not accepted and the reasons therefore, will be attached to the CAPER.

D. Public Comment

Public comment, verbally or in writing, is accepted throughout the program year, and is particularly invited during the noticed public comment periods described under Sections A, B and C above. Public hearings shall provide a major opportunity for citizen input on proposed neighborhood improvement programs, activities, policies and procedures. At a minimum, the City will conduct three separate public hearings annually—one for the purpose of soliciting comments from the public on needs and priorities for the development of the Consolidated Plan and Annual Action Plan, a second for the purpose of adopting the Consolidated Plan and/or Annual Action Plan, and a third public hearing accepting the Consolidated Annual Action Plan (CAPER) following a review of program performance. Public hearings will be held at times convenient to potential and actual beneficiaries, and accessible to the disabled.

Notices of public comment periods shall be published no later than the first day of the public comment period, which shall conclude with the public hearing before City Council. To ensure that all City residents have sufficient opportunity to take notice of all scheduled public hearings, all public hearing notices, including the date, time and location, shall be published in a local newspaper of general circulation at least fifteen (15) days prior to the date of the public hearing. Public notices will be published in local newspapers of general circulation when

pertaining to any projects proposed citywide, such as the Consolidated Plan, Annual Action Plan and CAPER.

E. Information Access

Included in the Consolidated Plan will be the estimated amount of federal funding available to the City and the range of eligible activities, programs, and projects designed to utilize these available funds. Copies of the Consolidated Plan, Annual Action Plan, Citizen Participation Plan, CAPER, and documents regarding other important program requirements including contracting procedures, environmental policies, fair housing/equal opportunity requirements and relocation provisions, will be available to the public during the City's regular business hours, Monday through Thursday 7:00 am-5:00 pm and every other Friday from 7:00 am-4:00 pm, in the City's Community Development Department located at Huntington Park City Hall, 6550 Miles Avenue, Huntington Park, CA 90255. Additional information may be obtained by calling (323) 584-6210. Upon request, the City will make all information available in a format accessible to persons with disabilities.

VII. TECHNICAL ASSISTANCE AND MISCELLANEOUS PROVISIONS

A. Non-English Speaking Citizens

The City will provide bilingual assistance whenever determined necessary to afford non-English speaking citizens an equal opportunity to comprehend and adequately express their views regarding the planning, implementation, monitoring and evaluation of neighborhood improvement activities. Spanish translations will be available during public hearings and workshops. To the extent that is feasible, the City will attempt further to cater to non-English speaking citizens by providing written material in Spanish. The availability of these services will be so noted in the Notices regarding the community meetings.

B. Technical Assistance

In an effort to encourage the submission of views and proposals regarding the Consolidated Plan and Annual Action Plan, particularly from residents of target areas and groups representative of persons of low- and moderate-income, the City shall provide technical assistance in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan or Annual Action Plan, if requested. Such assistance will include, but is not limited to, the provision of sample proposals, and program regulations and guidelines.

C. Provisions for the Disabled

Adequate and accessible parking will be provided for all public meetings to facilitate the attendance of disabled residents. The City will provide various

auxiliary aids to enable equal access for persons with impaired sensory, manual, or speaking skills. Services and devices for persons with impaired vision include audio recordings via televised regular meetings of the City Council and archived videos of previous meetings. Auxiliary aids for persons for hearing impaired residents seeking information regarding housing and community development programs, the City has Teletype TDD machines available upon request.

VIII. CITIZEN SERVICE REQUESTS AND GRIEVANCE PROCEDURE

Citizens should be aware that any questions or grievances, concerning the City of Huntington Park's Consolidated Plan, Annual Action Plan, any Amendments or CAPER, are to be submitted in writing to the City's Community Development Department located at Huntington Park City Hall, 6550 Miles Avenue, Huntington Park, CA 90255. During the actual development of the Consolidated Plan or Annual Action Plan submission or substantial amendment or the CAPER, oral or written concerns or complaints regarding the Plans or amendment shall initiate a written response indicating assessment of the complaint and/or proposals and actions taken to address the complaints and/or proposals before final submission of the documents to HUD. The City shall ensure that reasonable attempts are made to respond to questions or complaints in a timely manner, usually within fifteen (15) working days after receipt of the inquiry.

Although HUD will consider objections submitted at any time, such objections should be submitted within thirty-days of the submission of the Consolidated Plan, Annual Action Plan, any Amendments, or CAPER to HUD. Any written inquiries submitted to HUD should be addressed as follows:

U.S. Department of Housing and Urban Development
Los Angeles Area Office, CPD Division
611 West Sixth Street
Los Angeles, CA 90017

Objections submitted to HUD must meet one or more of the following criteria:

1. The description of needs and objectives are plainly inconsistent with available facts and data.
2. The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant jurisdiction.
3. The Submission does not comply with specific requirements or law.
4. The Submission proposes the undertaking of ineligible activities.

It is incumbent upon an objector to state clearly the grounds for an objection to the Submission, or any other grievance or problem.

Additional criteria may apply for certain projects requiring additional review, such as environmental review. Any notices regarding these projects will refer to both the standard and applicable additional criteria.

IX. ACCESS TO RECORDS

Persons, agencies and other interested parties may access information and records related to the City's Consolidated Plan, Annual Action Plan and the City's use of CDBG and HOME funds during the preceding five years. Interested parties will be offered reasonable and timely access to records in accordance with applicable public records access regulations.

X. DISPLACEMENT POLICY

In an effort to minimize displacement of persons and to assist any persons displaced by governmental actions, the City of Huntington Park has adopted a Residential Anti-Displacement and Relocation Assistance Plan. This Plan is attached hereto as Attachment A.

ATTACHMENT A

CITY OF HUNTINGTON PARK
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION
ASSISTANCE PLAN

**CITY OF HUNTINGTON PARK
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION
ASSISTANCE PLAN**

This Residential Antidisplacement and Relocation Assistance Plan (RARAP) is prepared by the City of Huntington Park (City) in accordance with the Housing and Community Development Act of 1974, as amended; and Department of Housing and Urban Development (HUD) regulations at 24 CFR 42.325 and is applicable to the City's Community Development Block Grant (CDBG), including the Section 108 Loan Guarantee Program, and HOME Investment Partnerships Act (HOME)-assisted projects.

Section 104(d) of the Housing and Community Development Act of 1974, as amended (HCD Act), and U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program regulations provide that, as a condition for receiving assistance, as a grantee, the City must certify that it is following a Residential Antidisplacement and Relocation Assistance Plan (RARAP), which contains two major components:

1. A requirement to replace all occupied and vacant occupiable low-moderate-income dwelling units that are demolished or converted to a use other than low-moderate-income housing in connection with an activity assisted under the HCD Act and 24 CFR 570.606(c)(1)); and
2. A requirement to provide certain relocation assistance to any lower income person displaced as a direct result of (1) the demolition of any dwelling unit or (2) the conversion of a low/moderate-income dwelling unit to a use other than a low/moderate-income dwelling in connection with an assisted activity.

The Huntington Park City Council previously approved a Displacement Policy for residents displaced from substandard structures when determined through City generated activities that eminent health, safety problems or extreme overcrowding exist. In addition, the City adopted a Tenant Assistance Policy for use in conjunction with the property improvement programs. The City is now amending its RARAP to ensure compliance with changes that occurred on January 4, 2005 to the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act or URA) 1970, as amended.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, Huntington Park will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs;

- Stage rehabilitation of apartment units to allow tenants to remain in the building complex during and after the rehabilitation, working with empty units first;
- Where feasible, give priority to rehabilitation of housing in lieu of demolition to minimize displacement;
- If feasible, demolish or convert only dwelling units that are unoccupied or vacant occupiable¹ dwelling units, especially if units are lower-income units as defined in 24 CFR. 42.305; and
- Target only those properties deemed essential to the need or success of the project.

Relocation Assistance to Displaced Persons

The City will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG and HOME Programs, move permanently or move personal property from real property as a direct result of the demolitions of any dwelling unit or the conversion² of a lower-income dwelling unit³ in accordance with requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant will be provided relocation assistance in accordance with the Uniform Act, as amended, and implementing regulations at 49 CFR Part 24.

One-for One Replacement of Lower-Income Dwelling Units

In accordance with section 104(d) of the Housing and Community Development Act of 1974, as amended (HCD Act) (Pub. L. 93-383, 42 U.S. C. 5301 *et seq*) and the implementing regulations at 24 CFR 42.375, the City will fulfill its obligation of providing one-for-one replacement housing by replacing all occupied and vacant occupiable lower-income dwelling units⁴ demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG and HOME Programs.

¹ A **vacant occupiable dwelling** unit means a vacant dwelling unit that is in a standard condition; a vacant dwelling unit that is in a substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning three months before the date of execution of the agreement by the recipient covering the rehabilitation or demolition.

² The term **conversion** means altering a housing unit to either use the dwelling for non-housing purposes, continue to use a unit for housing; but it fails to meet the definition of lower-income dwelling unit; or it is used as an emergency shelter. If a housing unit continues to be used for housing after completion of the project is not considered a "conversion" insofar as the unit is owned and occupied by a person who owned and occupied the unit before the project.

³ A **lower-income dwelling unit** means a dwelling unit with a market rent (including utility costs) that does not exceed the applicable Fair Market Rent.

⁴ The term **dwelling** as defined by the URA at 49 CFR 24.2(a)(10) includes transitional housing units or non-housekeeping units (SRO) commonly found in HUD programs. An emergency shelter is generally not considered a "dwelling" because such a facility is usually not a place of permanent, transitional or customary and usual residence.

To that end, the City, in fulfillment of 24 CFR 42.375, will replace all units triggering replacement-housing obligations with comparable lower-income dwelling units. Acceptable replacement units that are provided by the City or private developer will meet these requirements:

- The units will be located within the city and, to the extent feasible and consistent with other statutory priorities, be located within the same neighborhood as the units replaced.
- The units must be sufficient in number and size to house no fewer than the number of occupants who could have been housed, as determined by the City's local housing occupancy codes, in the units that are demolished or converted.
- The units must be provided in standard condition⁵.
- Replacement units must initially be made available for occupancy up to one year prior to the City publishing information regarding the project initiating replacement housing requirements and ending three years after commencing demolition or rehabilitation related to the conversion.
- Replacement units must remain lower-income dwelling units for a minimum of ten years from the date of initial occupancy. Replacement lower-income dwelling units may include public housing or existing housing receiving Section 8 project-based assistance.

Disclosure and Reporting Requirements

Before entering into a contract committing the City to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City will make public by publishing in a newspaper of general circulation and will submit to HUD the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of and assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;

⁵ Pursuant to 24 CFR 42.305, the terms **standard condition and substandard condition suitable for rehabilitation** have the meaning established by the City in its HUD-approved Consolidated Plan required under 24 CFR part 91.205 as part of the housing and homeless needs assessment.

4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided;
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least ten years from the date of initial occupancy;
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a two-bedroom unit with two one-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items four through seven are unavailable at the time of the general submission, the City will identify the general locations of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the City may submit a request to HUD for a determination that the one-to-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

Contacts

The City's Community Development Department at (323) 584-6200 is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The City's Community Development Department at (323) 584-6200 is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.