

CITIZEN PARTICIPATION PLAN



BROCKTON, MASSACHUSETTS



Brockton Redevelopment Authority

Updated June 2016

CITY OF BROCKTON CITIZEN PARTICIPATION PLAN

The Housing and Community Development Act of 1974 consolidated several U.S. Department of Housing and Urban Development (HUD) programs into a single block grant program which entitled cities to receive specified federal funds in order to undertake eligible activities and projects.

Section 107 of the Cranston-Gonzales National Affordable Housing Act and its implementing regulations at 24 CFR Part 91 require the City to implement a citizen participation process as a prelude to the allocation and expenditure of formula funds for HUD's Community Planning and Development Programs. These requirements are also contained in section 104(a)(2) of the Housing and Community Development Act of 1974 for CDBG. The citizen participation plan and proposed allocation of funds to eligible activities are components of the City's consolidated plan required pursuant to 24 CFR 91. The specific statutory requirement is implemented through 24 CFR 91.105 for CDBG and 24 CFR Part 92 for HOME, which describes the standards for local government citizen participation plan applicable to the formula grant programs.

The CDBG and HOME Programs in Brockton have and continue to conform with HUD's national objectives as outlined below.

The focus of the CDBG program is the "development of viable communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income". Any activity undertaken with CDBG funds must meet at least one of the three national objectives: 1) principally must benefit lower-income persons, 2) aid in the elimination or prevention of slums or blight, and/or 3) meet other community development needs having a particular urgency.

The City of Brockton must certify to HUD that not less than 70% of CDBG funds are used for activities which benefit lower-income persons.

The intent of the HOME Program is to 1) provide decent affordable housing to lower-income households; 2) expand the capacity of nonprofit housing providers; 3) strengthen the ability of state and local governments to provide housing; and 4) leverage private-sector participation.

ELIGIBLE CDBG PROJECTS OR ACTIVITIES

Among the activities eligible for financial support under the CDBG Program are:

1. Acquisition by purchase, lease, donation, or otherwise, of real property for eligible public purposes;
2. Disposition of real property acquired with CDBG funds or its retention for public purposes;
3. Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements (except buildings or portions of buildings used predominantly for the general conduct of government) carried out by the City or other public or private non-profit entities;
4. Clearance, demolition, and removal of buildings and improvements;
5. Public services, including, but not limited to, public safety concerned with employment, crime prevention, child care, health, drug abuse, education energy, conservation, welfare, or recreational needs, emergency shelters;
6. Interim assistance when immediate action is necessary to arrest deterioration and when permanent improvements will be carried out as soon as practicable, and to alleviate emergency conditions threatening the public health and safety, except for the repair of parks and playgrounds, snow removal and similar forms of street clearance, and improvements of private properties;
7. Payment of the cost of completing an urban renewal project funded under Title I of the Housing Act of 1949, as amended;
8. Relocation payments and other assistance for permanently or temporarily displaced individuals, families, businesses, non-profit organizations, and farm operations where required by federal regulations or otherwise determined appropriate;
9. Payment to housing owners for losses of rental income incurred in hold, for temporary periods, housing units to be utilized for the relocation of individuals and families displaced by program activities;
10. Special projects directed to remove materials and architectural barriers which restrict the mobility and accessibility of elderly or handicapped persons;
11. Acquisition, construction, reconstruction, rehabilitation, or installation of distribution lines and facilities of privately-owned utilities;
12. Rehabilitation of privately owned buildings and improvements, low income public housing and other publicly owned residential buildings and improvements, and non-residential buildings and improvements otherwise eligible for assistance;
13. Rehabilitation, preservation, and restoration of publicly or privately owned properties listed in or eligible to be listed in the National Register of Historic Places, a state or local inventory of historical places, or designated as a state or local landmark or historic district by appropriate law or ordinance.
14. Renovation of closed school buildings for use as an eligible public facility, commercial or industrial facility, or housing;
15. Special activities determined as necessary or appropriate to carry out an economic development project, excluding the construction of housing;

16. Improvements to increase the efficient use of energy and water;
17. Support to neighborhood based non-profit organizations or entities, organized under Section 301(d) of the Small Business Investment Act of 1958, and Local Development Corporations to carry out a neighborhood revitalization, community economic development, or energy conservation project;
18. Planning, policy, management, and capacity-building activities; and
19. Administrative costs related to planning and execution of community development activities financed by CDBG funds and housing activities covered in the Consolidated Plan;
20. Any other such new eligible activities as issued by HUD.

INELIGIBLE CDBG PROJECTS OR ACTIVITIES

CDBG funds may not be used for city halls, courthouses, or other buildings and facilities predominantly used for the general conduct of government, except for the removal of architectural barriers and historic preservation or any other such activities as further described under 24 CFR, Part 570.207.

The purchase of equipment, including construction equipment and furnishings and personal property, generally is not eligible, nor is the use of CDBG funds for operating, maintaining, and repairing public facilities and works, general government expenses, political activities, new housing construction, and direct income payments for housing.

CDBG funds are not to be used to replace activities normally undertaken by the City of Brockton.

HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) ELIGIBLE ACTIVITIES: GENERAL

The HOME Investment Partnerships Program (HOME) 24 CFR, Part 92, funds may be used by the City of Brockton to provide incentives to develop and support affordable rental housing and homeownership affordability through the acquisition (including assistance to homebuyers at or below 80% of median income), reconstruction, or moderate or substantial rehabilitation of non-luxury housing with suitable amenities, including real property acquisition, site improvement, conversion, demolition, and other expenses, including financing costs, relocation expenses of any displaced persons, families, businesses, or organizations, to provide tenant-based rental assistance, including security deposits; to provide payment of reasonable administrative and planning costs; and to provide for the payment of operating expenses of community housing development organizations. The housing must be permanent or transitional housing, and includes permanent housing for disabled homeless persons, and single room occupancy (SRO).

PLANS TO MINIMIZE DISPLACEMENT

It is the intent of the City of Brockton, acting through the Brockton Redevelopment Authority (BRA), to take all steps to minimize residential relocation. A high priority will be given to activities that do not include relocation. All citizen participation and consultation requirements under 24 CFR, Part 91.105 shall be adhered to under the City's Citizen Participation Plan.

In the event that involuntary displacement must occur due to an emergency, the BRA will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as required under Section 570.606(b) and Federal implementing regulations; and it is following a residential antidisplacement and relocation assistance plan as required under Section 104(d) of the Act and in Section 570.606(c); and it will comply with the relocation requirements of Section 570.606(d) governing optional relocation assistance under Section 105(a)(11) of the Act, as amended.

CITIZEN PARTICIPATION

The Chief Executive Officer of the City of Brockton has authorized that the five (5) Board Members of the Brockton Redevelopment Authority, acting through its Executive Director, to be the agency responsible to carry out the expenditure of the Community Development Block Grant Program funds and the HOME Investment Partnerships Program Funds. Four (4) Board Members are named by the Chief Executive Officer of the City of Brockton and the fifth Board Member is named by the Governor of the Commonwealth of Massachusetts. The Board Member serve a five year term (Serve staggered terms).

Residents of lower income neighborhoods and other residents likely to be affected by the CDBG Program and the HOME Program are to be provided adequate information and the opportunity to express their views on community development and the needs, proposed activities and projected use of funds, and program performance. A copy of 24 CFR, Part 91.105, Citizen Participation Plan, Local governments, is attached to and made part of the Citizen Participation Plan and referenced.

Additionally, low and moderate income persons are also encouraged to participate in the development and any revisions to the AFH and the consolidated plan, any substantial amendments to the plan and the performance report. This process shall include persons living in areas designated as a revitalization area, areas designated as a slum and blighted area and areas where CDBG and HOME funds are proposed to be used. This participation is also directed to the non-English speaking community and translations can be made available in other languages upon request, as is assistance for persons with physical or hearing impairments.

The citizen participation plan also encourages the participation of local and regional institutions. Participation is encouraged from Continuums of Care, businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations in the process of developing and implementing the AFH and the consolidated plan. Additionally, participation is encouraged in conjunction with Brockton Housing Authority (BHA) consultations, participation of residents of public and assisted housing developments, including any resident advisory boards, resident councils, and resident management corporations, in the process of developing and implementing the AFH and the consolidated plan, along with other low-income residents of targeted revitalization areas in which the developments are located. The City shall make an effort to provide information to the BHA about the AFH, AFFH strategy, and consolidated plan activities related to the City's developments and surrounding communities so that the BHA can make this information available at the annual public hearing(s) required for the PHA Plan.

REASONABLE ACCESS TO PROGRAM INFORMATION

Residents, public agencies and other interested parties can request, in writing, information and records concerning Brockton's AFH, consolidated plan and its use of assistance under the CDBG and HOME Programs during the 5-year period preceding the date of the request. The City will make available, within 10 days, any information which does not violate the privacy of any person or involve personnel matters. If particular information cannot be provided, the City will explain, in writing, the reason within 10 days. The City may charge a reasonable amount to cover any costs of reproduction.

The City will make available to the public, residents, public agencies, and other interested parties any HUD-provided data and other supplemental information the City plans to incorporate into its AFH at the start of the public participation process (or as soon as feasible after).

All written comments relative to the CDBG and HOME Programs are to be answered within 15 working days.

PUBLIC HEARING

The Brockton Redevelopment Authority will conduct two (2) Public Hearings to:

1. Provide residents the opportunity to comment on the prior year's performance on the CDBG funds and HOME Program funds expended and the status of funds being expended. There will be a fifteen (15) day comment period after the public hearing. All comments received will be answered in writing by the BRA.
2. Obtain the views of residents on community development and housing needs and comments on the activities to be undertaken and development of the proposed activities for both the CDBG and HOME Programs.

Under 91.105(e), at least one public hearing will be held before the proposed consolidated plan is published for comment. Under 91.105(1)(iii), at least one public hearing will be held before the proposed AFH is published for comment, in order to obtain the views of the community on AFH-related data and affirmatively furthering fair housing in the City's housing and community development programs.

All notices of public hearing(s) are published at least seven (7) days prior to the hearings and no more than 14 days in the legal section of The Brockton Enterprise. Public hearing(s) are held in the City Hall, GAR room, located at 45 School Street, or at another location that is handicap accessible. Persons with speech, hearing or sight disabilities and persons requiring translation services will be accommodated to the greatest extent possible provided a request for such assistance is made at a reasonable time prior to the hearing to the Brockton Redevelopment Authority. Any comments or views of residents received in writing or orally at public hearings will be considered. A summary of these comments or views and a summary of any comments or views not accepted and the reasons why, shall be attached to the Plan.

CONSOLIDATED PLAN DEVELOPMENT OF STATEMENTS

A public hearing will be held to obtain views and for accepting comments on community development needs and proposals which will be reviewed by the Chief Executive Officer of the City of Brockton in the preparation of the Proposed Consolidated Plan. Prior to the submission to the U.S. Department of Housing and Urban Development, a summary of the Proposed Consolidated Plan will be published in the Brockton enterprise that describes the content and purpose of the consolidated plan, as applicable, as well as a list of locations where copies of the entire proposed document may be examined in order to provide affected residents the opportunity to examine and to submit written comments on its contents. The BRA will make available to residents, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income.

To further facilitate citizen participation by low and moderate income people, public agencies and other interested parties, all prepared statements, proposals and comments will be accepted at the public hearings. Additionally, prepared statements, proposals and comments will be accepted at the Office of the Brockton Redevelopment Authority, 50 School Street, between the hours of 9:00 AM to 4:00 PM. At the public hearings, all comments and statements given by interested residents shall be documented and reviewed by the Chief Executive Officer of the City of Brockton for their possible inclusion in the Proposed Consolidated Plan prior to submission to the U.S. Department of Housing and Urban Development.

The Proposed Consolidated Plan includes a listing of community development objectives proposed to be pursued in the forthcoming program year; and describes the activities proposed to be undertaken with CDBG and HOME funds, including location, to allow residents to determine the extent to which they may be affected. The City of Brockton follows the Residential Anti-displacement and Relocation Assistance Plan, which established policies towards providing assistance for displacement caused by CDBG and HOME Program activities.

Residents are encouraged to review the Proposed Consolidated Plan and to submit written comments on its contents with the assurance that comments received will be considered in the preparation of the City's Proposed Consolidated Plan which is filed by the Mayor with the U.S. Department of Housing and Urban Development (HUD). The City's Citizen Participation Plan provides up to 30 days to receive comments from residents or units of general local government on the plan, amendments or reports that are being submitted to HUD. A summary of these comments and views and a reason why any of them were accepted or rejected will be attached to the final Consolidated Plan.

Attached to and made part of the City's Citizen Participation Plan is a copy of 24 CFR, Part 91.105, Citizen Participation Plan. The attached HUD Regulations will be made available to interested residents to review during their review of the City's Citizen Participation Plan. Additionally, the Citizen Participation Plan will be amended, as applicable, by regulatory changes by HUD to 24 CFR, Part 91, et al.

All CDBG and HOME Program proposed documents, including the AFH, Consolidated Plan, the CDBG Consolidated Annual Performance Evaluation Report (CAPER), will be posted on the City of Brockton's website and the Brockton Redevelopment Authority's website as well as hard copies available at the Office of the Brockton Redevelopment Authority, the Brockton Housing Authority, all public libraries, the Office of the Mayor at City Hall and the Office of the City Clerk. Additionally, copies will be made available free of charge for review and/or distribution to interested residents and the general public at the office of the Brockton Redevelopment Authority. If required, translation may be made available to explain segments of the Plans to non-English speaking people. This will be carried out on a priority basis.

All such proposed documents with comments invited.

AMENDMENTS TO THE PROPOSED CONSOLIDATED PLAN

In the event that the City of Brockton amends or substantially changes its Consolidated Plan, the provisions at 24 CFR, Part 91.505 will be utilized. A substantial change to the Consolidated Plan would occur in the event of either of the following:

1. If the City decides not to carry out a prescribed activity;
2. To carry out an activity not previously described;
3. To change the purpose, location, or beneficiaries of a described activity; or
4. If there is a re-allocation of funding in excess of thirty percent (30%) for any described activity.

The amendment will be available for public review and comment at least 30 days before it is submitted to HUD. The proposed changes will be placed on the Brockton Redevelopment Authority's website and will request comments from residents or units of general local government on the proposed plan change(s). The City of Brockton will consider the comments received and will make the amendment available to the public at the time it is submitted to HUD for approval. All amendments to the Consolidated Plan must be approved, in writing, by the Chief Executive Officer of the City of Brockton.

ASSESSMENT OF FAIR HOUSING (AFH) DEVELOPMENT OF STATEMENTS

A public hearing will be held to obtain views and for accepting comments on proposed strategies and actions for affirmatively furthering fair housing which will be reviewed by the Chief Executive Officer of the City of Brockton in the preparation of the Proposed AFH. Prior to the submission to the U.S. Department of Housing and Urban Development, a summary of the Proposed AFH will be published in the Brockton enterprise that describe the content and purpose of the AFH, as applicable, as well as a list of locations where copies of the entire proposed document may be examined in order to obtain the views of the community on AFH-related data and affirmatively furthering fair housing in the City's housing and community development programs.

REVISIONS TO THE PROPOSED AFH

In the event that the City of Brockton amends or substantially changes its AFH, the provisions at 24 CFR 5.164 will be utilized. Revision to the AFH would be required if a material change in circumstances in the City that affects the information on which the AFH is based, to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances;

Prior to submission of the plan change(s) to HUD, the amendment will be made available for public review and comment. The proposed changes will be placed on the Brockton Redevelopment Authority's website and will request comments from residents or units of general local government

on the proposed plan change(s). The City of Brockton will consider the comments received within 30 calendar days and will make the amendment available to the public at the time it is submitted to HUD for approval. All amendments to the AFH must be approved, in writing, by the Chief Executive Officer of the City of Brockton.

TECHNICAL ASSISTANCE

Technical assistance is available through the Brockton Redevelopment Authority to groups representative of persons of low-and-moderate income that request such assistance to comment on the AFH, or in developing proposals for funding assistance under any of the programs covered by the consolidated plan.

POLICY ON COMMENTS AND COMPLAINTS

The City of Brockton, acting through the Brockton Redevelopment Authority, will provide a timely, substantive written response to every written resident complaint related to the consolidated plan, consolidated plan amendments, the AFH, any revisions to the AFH, and the performance report within fifteen (15) working days, where applicable.

OTHERS

NOTE: The Citizen Participation Plan will be further amended to incorporate new regulations established by HUD to insure citizen participation during the development of the Consolidated Plan, the AFH for continued planning and development programs, as applicable, on a yearly basis.

24 CFR, Part 91.105, Citizen Participation Plan, Local Governments dated May 13, 2016 Rules and Regulations, are attached hereto and made part of the City of Brockton's Citizen Participation Plan.

ELECTRONIC CODE OF FEDERAL REGULATIONS

e-CFR data is current as of May 13, 2016

Title 24 → Subtitle A → Part 91 → Subpart B → §91.105

Title 24: Housing and Urban Development

PART 91—CONSOLIDATED SUBMISSIONS FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS

Subpart B—Citizen Participation and Consultation

§91.105 Citizen participation plan; local governments.

(a) *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. (Where a jurisdiction, before August 17, 2015, adopted a citizen participation plan it, will need to amend the citizen participation plan to comply with provisions of this section.)

(2) *Encouragement of citizen participation.* (i) The citizen participation plan must provide for and encourage citizens to participate in the development of the AFH, any revisions to the AFH, the consolidated plan, any substantial amendment to the consolidated plan, and the performance report. These requirements are designed especially to encourage participation by low- and moderate-income persons, particularly those persons living in areas designated by the jurisdiction as a revitalization area or in a slum and blighted area and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, as defined by the jurisdiction. A jurisdiction must take appropriate actions to encourage the participation of all its citizens, including minorities and non-English speaking persons, as provided in paragraph (a)(4) of this section, as well as persons with disabilities.

(ii) The jurisdiction shall encourage the participation of local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) in the process of developing and implementing the AFH and the consolidated plan.

(iii) The jurisdiction shall encourage, in conjunction with consultation with public housing agencies, the participation of residents of public and assisted housing developments (including any resident advisory boards, resident councils, and resident management corporations) in the process of developing and implementing the AFH and the consolidated plan, along with other low-income residents of targeted revitalization areas in which the developments are located. The jurisdictions shall make an effort to provide information to the PHA about the AFH, AFFH strategy, and consolidated plan activities related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan.

(iv) The jurisdiction should explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance; e.g., use of focus groups and the Internet.

(3) *Citizen comment on the citizen participation plan and amendments.* The jurisdiction must provide citizens with a reasonable opportunity to comment on the original citizen participation plan and on substantial amendments to the citizen participation plan, and must make the citizen participation plan public. The citizen participation plan must be in a format accessible to persons with disabilities, upon request.

(4) The citizen participation plan shall describe the jurisdiction's procedures for assessing its language needs and identify any need for translation of notices and other vital documents. At a minimum, the citizen participation plan shall require that the jurisdiction take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English-speaking residents of the community.

(b) *Development of the AFH and the consolidated plan.* The citizen participation plan must include the following minimum requirements for the development of the AFH and the consolidated plan:

(1)(i) The citizen participation plan must require that at or as soon as feasible after the start of the public participation process the jurisdiction will make the HUD-provided data and any other supplemental information the jurisdiction plans to incorporate into its AFH available to its residents, public agencies, and other interested parties. The jurisdiction may make

the HUD-provided data available to the public by cross-referencing to the data on HUD's Web site.

(ii) The citizen participation plan must require that, before the jurisdiction adopts a consolidated plan, the jurisdiction will make available to residents, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income. The citizen participation plan also must set forth the jurisdiction's plans to minimize displacement of persons and to assist any persons displaced, specifying the types and levels of assistance the jurisdiction will make available (or require others to make available) to persons displaced, even if the jurisdiction expects no displacement to occur.

(iii) The citizen participation plan must state when and how the jurisdiction will make this information available.

(2) The citizen participation plan must require the jurisdiction to publish the proposed AFH and the proposed consolidated plan in a manner that affords its residents, public agencies, and other interested parties a reasonable opportunity to examine its content and to submit comments. The citizen participation plan must set forth how the jurisdiction will publish the proposed AFH and the proposed consolidated plan and give reasonable opportunity to examine each document's content. The requirement for publishing may be met by publishing a summary of each document in one or more newspapers of general circulation, and by making copies of each document available on the Internet, on the jurisdiction's official government Web site, and as well at libraries, government offices, and public places. The summary must describe the content and purpose of the AFH or the consolidated plan (as applicable), and must include a list of the locations where copies of the entire proposed document may be examined. In addition, the jurisdiction must provide a reasonable number of free copies of the plan or the AFH (as applicable) to residents and groups that request it.

(3) The citizen participation plan must provide for at least one public hearing during the development of the AFH or the consolidated plan (as applicable). See paragraph (e) of this section for public hearing requirements, generally.

(4) The citizen participation plan must provide a period, not less than 30 calendar days, to receive comments from residents of the community on the consolidated plan or the AFH (as applicable).

(5) The citizen participation plan shall require the jurisdiction to consider any comments or views of residents of the community received in writing, or orally at the public hearings, in preparing the final AFH or the final consolidated plan (as applicable). A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the final AFH or the final consolidated plan (as applicable).

(c) *Consolidated plan amendments and AFH revisions*—(1)(i) *Criteria for amendment to consolidated plan.* The citizen participation plan must specify the criteria the jurisdiction will use for determining what changes in the jurisdiction's planned or actual activities constitute a substantial amendment to the consolidated plan. (See §91.505.) The citizen participation plan must include, among the criteria for a substantial amendment, changes in the use of CDBG funds from one eligible activity to another.

(ii) *Criteria for revision to the AFH.* The jurisdiction must specify the criteria the jurisdiction will use for determining when revisions to the AFH will be required. (At a minimum, the specified criteria must include the situations described in 24 CFR 5.164.)

(2) The citizen participation plan must provide community residents with reasonable notice and an opportunity to comment on substantial amendments to the consolidated plan and revisions to the AFH. The citizen participation plan must state how reasonable notice and an opportunity to comment will be given. The citizen participation plan must provide a period, of not less than 30 calendar days, to receive comments on the consolidated plan substantial amendment or any revision to the AFH before the consolidated plan substantial amendment is implemented or the revised AFH is submitted to HUD for review.

(3) The citizen participation plan shall require the jurisdiction to consider any comments or views of residents of the community received in writing, or orally at public hearings, if any, in preparing the substantial amendment of the consolidated plan or significant revision to the AFH (as applicable). A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the substantial amendment of the consolidated plan or revision to the AFH (as applicable).

(d) *Performance reports.* (1) The citizen participation plan must provide citizens with reasonable notice and an opportunity to comment on performance reports. The citizen participation plan must state how reasonable notice and an opportunity to comment will be given. The citizen participation plan must provide a period, not less than 15 days, to receive comments on the performance report that is to be submitted to HUD before its submission.

(2) The citizen participation plan shall require the jurisdiction to consider any comments or views of citizens received in writing, or orally at public hearings in preparing the performance report. A summary of these comments or views shall

be attached to the performance report.

(e) *Public hearings*—(1)(i) *Consolidated plan*. The citizen participation plan must provide for at least two public hearings per year to obtain residents' views and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year. Together, the hearings must address housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing consistent with the AFH, and a review of program performance.

(ii) *Minimum number of hearings*. To obtain the views of residents of the community on housing and community development needs, including priority nonhousing community development needs and affirmatively furthering fair housing, the citizen participation plan must provide that at least one of these hearings is held before the proposed consolidated plan is published for comment.

(iii) *Assessment of Fair Housing*. To obtain the views of the community on AFH-related data and affirmatively furthering fair housing in the jurisdiction's housing and community development programs, the citizen participation plan must provide that at least one public hearing is held before the proposed AFH is published for comment.

(2) The citizen participation plan must state how and when adequate advance notice will be given to citizens of each hearing, with sufficient information published about the subject of the hearing to permit informed comment. (Publishing small print notices in the newspaper a few days before the hearing does not constitute adequate notice. Although HUD is not specifying the length of notice required, it would consider two weeks adequate.)

(3) 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.

(4) 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.

(f) *Meetings*. The citizen participation plan must provide residents of the community with reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements, in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as applicable.

(g) *Availability to the public*. The citizen participation plan must provide that the consolidated plan as adopted, consolidated plan substantial amendments, HUD-accepted AFH, revisions to the AFH, and the performance report will be available to the public, including the availability of materials in a form accessible to persons with disabilities, upon request. The citizen participation plan must state how these documents will be available to the public.

(h) *Access to records*. The citizen participation plan must require the jurisdiction to provide residents of the community, public agencies, and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's AFH, consolidated plan, and use of assistance under the programs covered by this part during the preceding 5 years.

(i) *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 commenting on the AFH and 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.

(j) *Complaints*. The citizen participation plan shall describe the jurisdiction's appropriate and practicable procedures to handle complaints from its residents related to the consolidated plan, amendments, AFH, revisions, and the performance report. At a minimum, the citizen participation plan shall require that the jurisdiction must provide a timely, substantive written response to every written resident complaint, within an established period of time (within 15 working days, where practicable, if the jurisdiction is a CDBG grant recipient).

(k) *Use of citizen participation plan*. The jurisdiction must follow its citizen participation plan.

(l) *Jurisdiction responsibility*. The requirements for citizen participation do not restrict the responsibility or authority of the jurisdiction for the development and execution of its consolidated plan or AFH.

(Approved by the Office of Management and Budget under control number 2506-0117)

[60 FR 1896, Jan. 5, 1995; 60 FR 10427, Feb. 24, 1995, as amended at 71 FR 6962, Feb. 9, 2006; 76 FR 75967, Dec. 5, 2011; 80 FR 42360, July 16, 2015]