

State of Rhode Island

AMENDED CITIZEN PARTICIPATION PLAN

RELATING TO THE ADMINISTRATION OF
THE COMMUNITY PLANNING & DEVELOPMENT PROGRAMS
OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

June 14, 2019

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A. Introduction

1. Purpose

Pursuant to the citizen participation requirements of 24 CFR Section 91.115, the State of Rhode Island (referred to as the “State”) sets forth the following amended Citizen Participation Plan (the “Plan”) as it relates to the administration of the Community Planning and Development programs funded by the U.S. Department of Housing and Urban Development (HUD). The Plan sets forth how the State will provide for and encourage all citizens to participate in the development, revision, amendment, adoption, and implementation of the documents covered by this Plan, which include the following:

- a) Citizen Participation Plan
- b) Consolidated Plan (Con Plan)
- c) Annual Action Plan (AAP)
- d) Consolidated Annual Performance and Evaluation Report (CAPER), and
- e) Section 108 Loan Guarantee Program

2. Lead Agency

In Rhode Island, HUD programs are administered by the State of Rhode Island, Office of Housing and Community Development (OHCD) and Rhode Island Housing and Mortgage Finance Corporation (Rhode Island Housing). Rhode Island Housing will have the primary responsibility for development of the Con Plan. Preparation of the Con Plan and AAP will generally be coordinated as follows:

- a) Rhode Island Housing: analysis of the State’s housing, homelessness and special needs issues
- b) Executive Office of Commerce, Office of Housing and Community Development: identification and prioritization of the State’s community development and homelessness needs

With guidance from the State’s Housing Resources Commission (HRC), these entities will formulate appropriate goals and strategies to address the State’s housing and community development needs.

3. Program Year

The Program Year for all documents covered by this Plan begins annually on July 1 and ends on June 30.

4. Federal Programs Covered

The following federal programs are covered by this Plan:

- a) Community Development Block Grant (CDBG)
- b) HOME Investment Partnerships (HOME)
- c) Emergency Solutions Grant (ESG)
- d) National Housing Trust Fund (HTF)

5. Effective Date

Subsequent to approval of this amended Citizen Participation Plan by the State of Rhode Island and HUD, the Plan shall be effective until it is amended or otherwise replaced.

B. Encouragement of Citizen Participation

1. General

The State provides for and encourages citizens to participate in the revision, amendment, adoption and implementation of the Citizen Participation Plan, the Con Plan, the AAP, and the CAPER. The State encourages participation by low- and moderate-income persons, particularly those living in areas designated as revitalization areas or in slum and blighted areas and in areas where HUD funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods. With respect to the public participation initiatives included in this Plan, the State will take appropriate actions to encourage the participation of all its citizens, including minorities, non-English speaking persons, and people with disabilities, as described below.

2. Non-English Speakers

The State has determined, based on 2013-2017 American Community Survey data, there are nine languages exceeding the HUD safe harbor threshold of 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be encountered by the programs covered by this Plan. These languages, in descending order of number of speakers, include: Spanish, Portuguese, Chinese (including Mandarin and Cantonese), Haitian, Khmer, French, Arabic, Italian, and Thai (including Lao or other Tai-Kadai languages). The prevalence of Spanish speakers speaking English less than very well significantly exceeds the prevalence of other language speakers. Legal notices will be made available in both English and Spanish.

For the purposes of this Plan, the State will provide language assistance services upon request for the translation of public notices, informational flyers and other comparable public information tools with the goal of informing and encouraging citizen participation in the planning processes covered by this Plan. Furthermore, the State may target the release of these outreach materials to the geographic areas within Rhode Island where any one or more of the nine languages stated above are more dominant in a specific jurisdiction.

The State may revise this section after preparing a Language Access Plan based on the Four-Factor Analysis.

3. People with Disabilities

To encourage the participation of people with disabilities, the State will include the following language in all public notices published in local newspapers:

To request a language or sign interpreter, please contact [Rhode Island entity name/phone number] or #711 (R.I. Relay) at least three (3) business days prior to the meeting. All hearing locations are handicapped accessible.

The State will conduct all public meetings in locations that are handicapped-accessible and provide a copy of this Plan in a format accessible to persons with disabilities, upon request.

4. Low- and Moderate-Income Persons

The State will conduct at least four public meetings in areas that contain at least 51% low- and moderate-income residents, based on current HUD data, during the development of the Con Plan.

5. Public Notices

Public review/comment periods and public hearings held in the process of developing, revising, amending, adopting and implementing the documents covered by this Plan shall be advertised in English in a local newspaper(s) of general circulation, as well as in Spanish in electronic or print news media serving primarily minority communities, no less than seven days before the public hearing is held. Public notices shall also be provided to the directors of public housing authorities to be made available for viewing by all residents. The State and RIHousing shall provide public notices via email to relevant stakeholder contact lists, including CDBG providers, municipal planners (OHCD); and developers, PHAs, HOME grantees, and others (RIHousing).

6. Public Hearings

All public hearings will be scheduled at times and locations that are convenient for potential and actual program beneficiaries, and with accommodation for people with disabilities and non-English Spanish speakers in accordance with this Plan.

7. Access to Draft Documents and Final Documents

The State will post draft copies and final copies of all documents covered by this Plan on its websites accessible at <https://www.rihousing.com> and www.ohcd.ri.gov . The State will also provide a notice that the draft documents are available for review and comment electronically on its website and hard copy in government and/or RIHousing offices and in public locations such as libraries, town halls, etc.).

In addition, the State will provide up to five free copies of the Con Plan or AAP to residents and groups that request a copy.

8. Technical Assistance

Outside of competitive application cycles, State and RIHousing staff are available to assist local units of government, public and private organizations and other eligible entities that are interested in submitting a proposal to obtain funding through the HUD programs covered by this Plan. All potential applicants are strongly encouraged to review program specific information (e.g. method of distribution section of Annual Action Plan, application handbooks, etc.) available online prior to initiating a funding request application. Applicants and award recipients are encouraged request technical assistance, as needed.

Program	Lead	Department/Agency
HOME, HTF	RIHousing https://www.rihousing.com/	RIHousing Mortgage and Finance Corporation (state housing finance agency)
CDBG, ESG and HOPWA Programs	Office Housing and Community Development (OHCD) http://ohcd.ri.gov/	Rhode Island Executive Office of Commerce (EOC)

9. Other Engagement Techniques

The Plan may be amended as the State continues to gain access to technology that improves the avenues of participation by its residents.

10. Contact Person

All communication regarding the Plan, the Con Plan, the AAP, the CAPER, comments, complaints, reasonable accommodation requests for people with disabilities, translation and interpretation services, or other elements shall be directed to the contact person identified in the applicable public notice/plan, and/or:

Alison Neirinckx
Research Assistant
401-457-1149
aneirinckx@rihousing.com

C. Citizen Participation Plan

1. Amendments to the Citizen Participation Plan

The State shall follow the following procedure to amend its Citizen Participation Plan, as needed.

a. Amendment Considerations

The State will amend the Plan, as necessary, to ensure adequate engagement and involvement of the public in making decisions related to its HUD programs. An amendment to the approved Citizen Participation Plan is considered substantial under the following circumstances:

- Decrease in the number or length of public comment periods, or change in the format of public comment;
- Decrease in the number or content of public hearings;
- Changes in identified populations or languages; or
- Elimination of any stakeholder groups.

Substantial amendments to the Plan may be required should a provision of the Plan be found by the State to conflict with HUD regulations, or when changes in applicable HUD regulations occur, or based on current HUD guidance. All other changes that do not meet the criteria defined above will be considered minor amendments and will not be subject to public comments. Amendments will be effective only after written approval by the Chief Executive of OHCD, online publication and if applicable, HUD approval.

b. Draft Amended Plan Review

The draft Amended Plan will be made available for public review for a 30-day period prior to approval by the State and may be done concurrently with the public review and comment process for the Con Plan or the Annual Action Plan.

c. Comments Received on Draft Amended Plan

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public review period.

d. Submission to HUD

A copy of the Amended Citizen Participation Plan, including a summary of all written comments, as well as the State's responses and proof of compliance with the minimum 30-day public review and comment period requirement, will be submitted to HUD. A summary of any comments or views not accepted and the reasons therefore shall be submitted to HUD as well.

D. Consolidated Plan (Con Plan)

1. Plan Development

The State will follow the process and procedures described below in the development of its Consolidated Plan (Con Plan).

a. Stakeholder Consultation

In the development of the Con Plan, the State encourages the participation of public and private entities, such as:

- Providers of affordable and assisted housing, including CDCs and PHAs
- Providers of health services
- Social service agencies (including those focusing on housing, health, victim services, employment, or education needs of low-income individuals and families; of homeless individuals and families, including homeless veterans; youth; and/or of other persons with special needs; services to children, elderly persons, people with disabilities, persons with HIV/AIDS and their families)
- The State Continuum of Care
- Rhode Island Department of Health for data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead-poisoned
- Local governments in non-entitlement areas of the State
- State-based and regionally based organizations that represent protected class members and organizations that enforce fair housing laws
- Business and civic leaders
- Commerce agencies/quasi-governmental organizations
- Broadband internet service providers and organizations engaged in narrowing the digital divide
- Agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and
- Emergency management agencies

The list of stakeholders to be consulted also reflects the State's support of EnVision Centers that are designed to leverage public and private resources for the benefit of individuals and families living in HUD-assisted housing.

A variety of mechanisms may be utilized to solicit input from these persons/service providers/agencies/entities. These include written letters, telephone or in-person interviews, mail surveys, internet-based feedback and surveys, focus groups, and/or consultation workshops.

b. Public Hearings

The State will conduct at least one public hearing in the development of the Con Plan, during which the State will address housing and community development

needs, the amount of assistance the State expects to receive (including grant funds and program income), the range of activities that may be undertaken, including the estimated amount that will benefit low- and moderate-income residents, plans to minimize displacement of persons and to assist any persons displaced, and a review of program performance. Other public meetings will be held to seek input from all residents, including low- and moderate-income persons, minorities, persons with LEP, and people with disabilities.

The State may also address identified housing and community development needs and provide a summary of proposed/continuing programs.

c. Potential Displacement of Persons

Although the State does not anticipate any residential displacement to occur in the foreseeable future, it is required to describe its plans to minimize the displacement of persons and to assist any persons displaced. When displacement is unavoidable on a temporary or permanent basis, the State will comply with the federal Uniform Act. Should displacement of residents be necessary as a result of the use of funds covered by this Plan, the State shall compensate residents who are actually displaced in accordance with *HUD Handbook No. 1378, Tenant Assistance, Relocation and Real Property Acquisition*. This resource is accessible online at: https://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/training/web/relocation/displaced

d. Public Display and Comment Period

The draft Con Plan will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary and purpose of the Con Plan; the anticipated amounts of funding (including program income, if any), if any; the dates of the public display and comment period; the locations where copies of the draft Con Plan can be examined; how comments will be accepted; and, the anticipated submission date to HUD.

e. Comments Received on the Draft Consolidated Plan

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The State will consider any comments or views of State residents received in writing, or orally at the public hearings, in preparing the final Con Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Con Plan for submission to HUD.

f. Submission to HUD

The Con Plan will be submitted to HUD no less than 45 days before the start of the State's five-year program cycle, unless otherwise instructed in writing by HUD.

2. Revisions to the Consolidated Plan

The State shall follow the following procedure to revise and amend its Con Plan, as needed.

a. Revision Considerations

There are two types of amendments that may occur with the Con Plan: minor amendments and substantial amendments. An amendment to the approved Con Plan is considered substantial under the following circumstances:

- Changes in goals or projected outcomes
- Changes in allocation priorities
- Changes in the method of distribution of funds (allowable activities, selection criteria, threshold factors, grant/award limits, etc.)
- Changes in geographic distribution

All other changes that do not meet the criteria defined above will be considered minor amendments, and will not be subject to public comments. General Con Plan amendments will be effective only after written approval by the Chief Executive of OHCD, online publication and if applicable, HUD approval. Amendments to the Con Plan limited to a specific program (ESG, CDBG, HTF, or HOME) will be effective only after written approval by the applicable authority, as indicated by the signatory on the applicable SF-424, online publication and if applicable, HUD approval.

b. Public Display and Comment Period

The draft Substantial Amendment to the Con Plan will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the revisions, the dates of the public display and comment period, the locations where copies of the proposed Substantial Amendment to the Con Plan can be examined, how comments will be accepted, when the document will be approved by the State, and the anticipated submission date to HUD.

c. Comments Received on the Draft Substantial Amendment to the Consolidated Plan

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The State will consider any comments or views of State residents received in writing, or orally at public hearings, in preparing the final Substantial Amendment to the Con Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Substantial Amendment to the Con Plan for submission to HUD.

d. Submission to HUD

The Substantial Amendment to the Con Plan will be submitted to HUD.

e. In the Event of a Disaster

In the event of a federally declared disaster where program funds covered by this Plan may be expended to carry out eligible activities to address the State's disaster response, the State's requirements under this Plan will be streamlined in accordance with any/all applicable HUD waivers, to include:

- a) A 7-day public display and comment period to amend the Con Plan
- b) A minimum of one public hearing shall be held to receive comments on the proposed amendment

E. Annual Action Plan (AAP)

The Annual Action Plan (AAP) is a component of the Consolidated Plan, and it describes the State's proposed use of available federal and other resources to address the priority needs and specific objectives in the Con Plan for each program year, the State's method for distributing funds, and, the geographic areas of the State to which it will direct assistance.

1. Plan Development

The State will follow the process and procedures described below in the development of its AAP.

a. Public Hearing

Unless otherwise instructed by HUD in writing, prior to the start of each Program Year that begins on July 1, the State will hold a public hearing to solicit residents' views on actions, activities and programs to be funded with federal program funds. During the public hearing, the State will address housing and community development needs, development of proposed activities, the amount of assistance the State expects to receive (including grant funds and program income), the range of activities that may be undertaken, including the estimated amount that will benefit low- and moderate-income residents, plans for minimizing the displacement of persons as a result of CDBG-funded activities, if any; plans to assist persons actually displaced, if any; a review of program performance, the dates of the public display and comment period; the locations where copies of the draft Con Plan can be examined; and, how comments will be accepted. The public hearing conducted for the Year 1 AAP may be conducted concurrently with the required public hearings for the Con Plan. This hearing shall be held no earlier than the 7th day of the 30-day public comment period.

b. Public Display and Comment Period

The draft AAP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the AAP, the anticipated amounts of funding (including program income, if any), the dates of the public display and comment period, the locations where copies of the draft AAP can be examined, how comments will be accepted, when the document will be approved by the State, and the anticipated submission date to HUD.

c. Comments Received on the Draft Annual Action Plan

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The State will consider any comments or views of State residents received in writing, or orally at the public hearing, in preparing the final AAP. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final AAP for submission to HUD.

d. Submission to HUD

The AAP will be submitted to HUD no less than 45 days before the start of the State's annual program year, unless otherwise instructed by HUD in writing.

2. Revisions to the Annual Action Plan

The State shall follow the following procedure to revise and amend its AAP, as needed.

a. Revision Considerations

There are two types of amendments that may occur with the AAP: minor amendments and substantial amendments. An amendment to the approved AAP is considered substantial under the following circumstances:

- Changes in goals or projected outcomes
- Changes in allocation priorities
- Changes in the method of distribution of funds (allowable activities, selection criteria, threshold factors, grant/award limits, etc.)
- Changes in geographic distribution

All other changes that do not meet the criteria defined above will be considered minor amendments, will be reviewed and approved by Brian DeChambeau (RI Housing) and will not be subject to public comments. These changes will be fully documented and signed by Carol Ventura (RI Housing).

b. Public Display and Comment Period

The draft Substantial Amendment to the AAP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the revisions, the dates of the public display and comment period, the locations where copies of the proposed Substantial Amendment to the AAP can be examined, how comments will be accepted, when the document will be approved by the State, and the anticipated submission date to HUD.

c. Comments Received on the Draft Substantial Amendment to the AAP

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The State will consider any comments or views of State residents received in writing, or orally at public hearings, in preparing the final Substantial Amendment to the AAP. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Substantial Amendment to the AAP for submission to HUD.

d. Submission to HUD

The Substantial Amendment to the AAP will be submitted to HUD.

e. In the Event of a Disaster

In the event of a federally declared disaster where program funds covered by this Plan may be expended to carry out eligible activities to address the State's disaster response, the State's requirements under this Plan will be streamlined in accordance with any/all applicable HUD waivers, to include:

- c) A 7-day public display and comment period to amend the AAP
- d) A minimum of one public hearing shall be held to receive comments on the proposed amendment

F. Consolidated Annual Performance and Evaluation Report (CAPER)

At the end of each Program Year, the State is required to prepare a report that describes its progress in carrying out its strategic and annual plans, including a description of the resources made available, the investment of available resources, the geographic distribution and location of investments, the number of families and persons assisted (including the race and ethnicity of persons assisted), actions taken to affirmatively further fair housing, and other actions proposed in the strategic and annual plans.

1. Report Development

The State shall follow the following procedure in the drafting and adoption of its Consolidated Annual Performance and Evaluation Report (CAPER).

a. Report Considerations

Rhode Island Housing and its partner State agencies will evaluate and report the accomplishments and expenditures of the previous program year for CDBG, HOME, ESG and Housing Trust Fund funds and draft the CAPER in accordance with HUD requirements.

b. Public Display and Comment Period

The draft CAPER will be placed on display for a period of no less than 15 days to encourage public review and comment. Public notice of the display and comment period will be published and shall include a brief summary and purpose of the CAPER, the dates of the public display and comment period, the locations where copies of the draft CAPER can be examined, how comments will be accepted, and the anticipated submission date to HUD.

c. Comments Received on the Draft CAPER

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The State will consider any comments or views of State residents received in writing in preparing the final CAPER. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final CAPER for submission to HUD.

d. Submission to HUD

The CAPER will be submitted to HUD within 90 days following the end of the State's annual Program Year.

G. Section 108 Loan Guarantee Program

1. Development of Section 108 Loan Guarantee Application

Applications for assistance filed by the State for Section 108 Loan Guarantee assistance authorized under HUD regulation 24 CFR Part 570, Subpart M, are subject to all provisions set forth within this Plan. Such applications for Section 108 assistance may be included as part of the consolidated planning process or may be undertaken separately anytime during the State's Program Year.

Before the State submits an application for Section 108 loan guarantee assistance, the State will make available to residents, public agencies and other interested parties information that includes the amount of assistance the State expects to be made available (including program income), the range of activities that may be undertaken, the estimated amount that will benefit persons of low- and moderate-income, and any activities likely to result in displacement. For more information, contact Laura Sullivan, Assistant Chief, OHCD, at Laura.sullivan@doa.ri.gov or 401-222-6844.

2. Public Display and Comment Period

The State will publish its proposed Section 108 loan application for review and comment. The public notice shall include a summary describing the contents and purpose of the application and listing the locations where the entire application may be examined. An application for Section 108 Loan Guarantee funding shall be made available for public review for a 30-day period prior to consideration and submission to HUD and may be done concurrently with the public review and comment process for the Con Plan.

3. Comments Received on the Proposed Section 108 Application

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The State will consider any comments or views of residents received in writing in preparing the final application. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final application for submission to HUD.

4. Submission to HUD

The Section 108 Loan Application will be submitted to HUD.

H. Complaints

Residents may register complaints regarding any aspect of the CDBG, HOME, ESG or HTF plans by contacting the Contact Person, or a designee. All written complaints received will be addressed in writing within 30 days.

Residents wishing to object to HUD approval of the final Con Plan may send written objections to the HUD Field Office at US Department of HUD:

Boston CPD
T.P. O'Neill, Jr. Federal Building
10 Causeway Street
Boston, MA 02222-1092

Objections should be made within 30 days after the State has submitted any of the documents covered by this Plan to HUD. Any objections made can only be submitted to HUD for the following reasons:

- The State's description of needs and objectives is plainly inconsistent with available facts and data
- The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the State
- The application does not comply with the requirements of the CDBG, HOME, ESG or HTF programs or other applicable laws
- The application proposed activities which are otherwise ineligible under the program regulations.

Objections shall include both an identification of requirements not met and available facts and data.