

MARYLAND'S CITIZEN PARTICIPATION PLAN

I. INTRODUCTION

Under the guidelines established by the U.S. Department of Housing and Urban Development (HUD) the State of Maryland must prepare a Consolidated Plan that addresses the housing, community development, and economic development activities the State will undertake to assist Maryland's Citizens, with special emphasis on serving the needs of extremely low, low, and moderate income persons.

The Plan covers a five-year period, and is updated annually (in a formal Annual Plan) to show how the State is meeting its five-year goals. The State also issues formal Performance Reports every year to show how successful the State has been in reaching its goals. As an adjunct to the Consolidated Plan, the State prepares a Citizen Participation Plan which details how the State will work to include citizens, public interest groups and advocacy organizations, for profit and non-profit developers, local governments, Public Housing Authorities (PHAs), other State agencies and Departments, and other interested parties in the development of the Consolidated Plan and its related updates and reports.

In addition to being a planning document, the Consolidated Plan also serves as the State's application for Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons With AIDS (HOPWA) funds. The Consolidated Plan also makes it possible for DHCD, public housing authorities, local governments, nonprofit organizations, community action agencies and others to apply for funding under HUD's competitive grant programs.

HUD Programs covered by the State Consolidated Plan include:

- ❖ Community Development Block Grant (CDBG) program--Small Cities and Insular Areas
- ❖ Emergency Solutions Grant (ESG) program (for non-entitlement jurisdictions)
- ❖ HOME (for non-entitlement jurisdictions)
- ❖ Housing Opportunities for Persons with AIDS (HOPWA) program (for non-entitlement jurisdictions)
- ❖ HOPE VI Program (Note: Program is being redesigned as Choice Neighborhoods)
- ❖ Low-Income Housing Preservation program
- ❖ Supportive Housing for the Elderly (Section 202) program
- ❖ Supportive Housing for Persons with Disabilities (Section 811) program
- ❖ Continuum of Care homeless programs
- ❖ HOME program reallocations program
- ❖ Revitalization of Severely Distressed Public Housing program
- ❖ Lead-Based Paint Hazard Reduction program
- ❖ Competitive grants under the Housing Opportunities for Persons with AIDS,
- ❖ Neighborhood Stabilization Program, and
- ❖ Grants for Regulatory Barrier Removal Strategies and Implementation

Local Public Housing Authority plans must be consistent with the State's Consolidated Plan. and USDA housing programs and Federal Low-Income Housing Tax Credits are coordinated with the Plan. Lastly, while not directly covered by the Consolidated Plan, HUD funding allocations for the Section 8 Certificate and Voucher programs may be made in a way that enables jurisdictions to carry out their Consolidated Plan.

It should be noted that the State Plan focuses on “non-entitlement jurisdictions.” These areas are areas that do NOT receive direct funding from HUD for the HUD formula programs – CDBG, HOME, ESG, and HOPWA - listed above. The State’s entitlement jurisdictions, which receive direct funding from HUD from one or more of these programs, write their own Consolidated Plans. The State’s entitlement jurisdictions who are not covered by the State Plan are Anne Arundel, Baltimore, Harford, Howard, Montgomery, and Prince George’s Counties, and the Cities of Annapolis, Baltimore, Bowie, Cumberland, Frederick, Gaithersburg, Hagerstown, and Salisbury. They all have their own Citizen Participation Plans which differ from the States’. All other areas in Maryland are covered by the State Plan.

II. HOW MARYLAND PROPOSES TO STRUCTURE THE CITIZEN PARTICIPATION PROCESS

The purpose of this citizen participation plan is to outline how those most affected by the use of DHCD's programs, especially Maryland's low income citizens and the service agencies and organizations who serve them, will be involved in this planning effort.

The primary goals of the public participation process are:

1. to solicit the viewpoints and concerns of the public at large, and all groups and constituencies interested in or affected by the Consolidated Plan;
2. to present information on the status of housing and community development activities in the State and their related target populations;
3. to solicit recommendations on the goals, objectives and strategies for providing housing and economic development opportunities to Maryland's low income citizens; and
4. to obtain responses to proposed policy alternatives and priorities for resource allocation.

In order to achieve the above goals, DHCD will actively involve the groups below in the planning process:

- Advocacy groups for the homeless, the elderly, and individuals and families with disabilities
- Continuums of Care
- Local governments
- Low Income citizens
- State Departments and Agencies
- Public Housing Authorities
- Profit motivated housing developers
- Non-profit housing developers
- Banks and other lending institutions
- Real estate brokers and attorneys and
- General public, including those with a general interest in low-income housing, community development and economic development activities

In order to encourage the participation of identified "stakeholders" in the development of the Five Year Consolidated Plan, DHCD will use the following methods to involve them in the planning process as appropriate:

- Focus Groups
- Hearings
- Mailings
- Internet Surveys
- Internet Postings
- Newsletters
- Newspaper Advertisements, and
- Press Releases

For preparation of the Annual Action Plan, DHCD will use:

- Hearings
- Mailings
- Newspaper Advertisements, and
- Press Releases

In addition, HUD is currently in the process of moving the entire Consolidated Planning process on-line. DHCD will post draft and final versions of the 5 Year Plan and the Annual Plan on line, and the public will have access to the draft documents under HUD's new web-based system which is expected to be in place starting in the Spring of 2013.

III. FEDERAL REQUIREMENTS OF THE CITIZEN PARTICIPATION PLAN

In accordance with HUD regulations, the Citizen Participation (CP) Plan must be designed to incorporate the following elements:

A. Applicability to Maryland

Maryland is required to adopt a citizen participation plan because it receives HUD funds under the HOME, CDBG, ESG, and HOPWA programs, among others. Maryland must work to encourage participation by very low- and low-income persons, including minority and non-English speaking persons, as well as disabled persons. Participation by these groups is particularly sought, as they are the most affected by the Consolidated Plan and funding under DHCD's programs. Maryland, in conjunction with Public Housing Authorities, is required to ensure participation in the development of the plan by residents of public housing, residents of assisted housing, and other low-income persons living near public housing developments.

B. Federal Requirements for the Citizen Participation (CP) Plan and Maryland's Plan to Meet Them

(1) **Encouragement of Citizen Participation.** The CP plan must encourage citizens to participate in the development of the Consolidated Plan, any amendments to the plan, and the performance report. To do this DHCD will work with agencies that contribute to the preparation of the Consolidated Plan, including:

- the Department of Human Resources
- the Department of Business and Economic Development
- the Department of Health and Mental Hygiene
- the Department of Disabilities
- the Department of the Environment
- the Maryland Department on Aging and,
- the Maryland Department of Planning;

private and nonprofit citizen organizations that are directly interested in the plan and ensuring that the State serves the neediest households, such as:

- local Community Action Agencies, and
- local nonprofit organizations;

and statewide organizations such as:

- the Maryland Association of Housing and Redevelopment Agencies
- the Maryland Association of Counties
- the Maryland Municipal League, and
- members of local governments who will administer many of the programs covered by the plan.

(2) **Information to be Provided.** The CP plan must assure that citizens or, as appropriate, units of general local government, be furnished appropriate information to make informed decisions.

(i) Before Maryland adopts a Consolidated Plan, DHCD must make available to citizens, public agencies, and other interested parties information that includes the amount of funds Maryland expects to receive and the range of activities that may be undertaken. DHCD will also state the amount that will benefit persons of very low-income and low-income, and the plans to minimize displacement of persons and assist any persons displaced.

Maryland's Consolidated Plan will contain the estimated amount of funds available for proposed community development, economic development and housing activities and the range of activities that may be undertaken, including the amount that will benefit very low income and low income persons. It also will contain plans to minimize displacement of persons and plans for assistance of any persons displaced. This information will be written out in the draft version of the Plan placed before the general public for comment, and will be included in the final version of the Plan as well.

(ii) DHCD must publish the proposed Consolidated Plan for comment. The requirement for publishing may be met by publishing a summary of the proposed Consolidated Plan in one or more newspapers of general circulation, and by making copies of the proposed plan available at libraries, government offices, and public places. The summary must describe the contents and purpose of the Consolidated Plan, and must include a list of the locations where copies of the entire plan may be examined.

DHCD will publish a summary of the Consolidated Plan in State newspapers for comment. This summary will describe the contents and purpose of the Consolidated Plan, and the amount of money the State expects to receive (if available), and will provide a list of libraries and government offices where copies of the entire plan may be examined. Newspaper advertisements will be placed in a minimum of five newspapers, and press releases, newsletter announcements, and letters will be sent out notifying groups and individuals that the plan is available for comment. Newspapers will be chosen to ensure a broad reading audience in all regions of the State.

In addition, to further expand participation in the development of the plan and distribution of the Consolidated Plan, press releases will be sent out to electronic and print media outlets in the State so that they may also spread the news about the Consolidated Plan. Mailings, telephone contacts, and networking will be used to reach directly other persons who might be interested in participating in the development of the Consolidated Plan, including organizations and persons who are on the Department's mailing lists.

Copies of the Consolidated Plan will be provided to the State's regional lending libraries, including the Enoch Pratt Free Library in Baltimore, the Eastern Shore Regional Library in Salisbury, the Western Maryland Public Library in Hagerstown, and the Southern Maryland regional Library in Charlotte Hall, as well as the Maryland Library for the Blind and Physically Handicapped (large print version), among others. The Plan and its updates will also be posted on DHCD's website for downloading or reading on-line, and the public will also be able to receive free hard copies of the Plan by calling or writing directly to DHCD.

(iii) DHCD must notify citizens, or units of general local government, as appropriate, of the availability of the Consolidated Plan as adopted. DHCD must also notify citizens and units of general local government of any amendments to the plan, and of the performance report made on the plan after it is adopted.

Notice of the availability of all aspects of the Plan in both final and draft stages, as well as any amendments to the Plan, and the Consolidated Plan Performance Report will be made available in accordance with the distribution procedures described above, including sending copies to regional libraries and the Maryland Library for the Blind and Physically Handicapped. Free copies also will be available to anyone who requests a copy of the Consolidated Plan, any amendments to the Plan, and the Consolidated Plan Performance Report, and copies of any and all of these documents will be posted on DHCD's website.

(iv) The CP plan also must provide a period of not less than 30 days to receive comments from citizens or units of general local government on the plan, amendments or reports before they are submitted to HUD.

When the final version of the Consolidated Plan is released for comment, it will be available for comment for not less than 30 days. Letters noting the availability of the Consolidated Plan, along with a letter inviting comments, shall be mailed to the chief elected officials and chief county housing contacts in each jurisdiction, as well as to all the State agencies and nonprofit organizations involved in developing the

Consolidated Plan and to any other person or agency who requests a copy. Copies also will be mailed to the libraries noted above. The same procedures will hold true for any amendment to the Plan, and for any reports that must be submitted to HUD.

- (3) Access to Records.** The CP plan requires State and local jurisdictions to provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to a jurisdiction's use of assistance under the programs covered by the plan during the preceding five years.

The State shall make available, upon request, a list of all projects using CDBG, HOME, or ESG funding over the past five years. The list will include the name of the jurisdiction, amount of the award, a brief description of the project, and the fiscal year in which the funds were distributed. The State also keeps extensive records and reports on its own programs, and will make copies of this material available to the public as well, upon request. In addition, DHCD will provide this information on a year by year basis as part of its Consolidated Plan Performance Report.

- (4) Technical Assistance.** The CP plan must provide groups representing very low and low income persons that request technical assistance in developing proposals for funding under any of the programs covered by the Consolidated Plan with the level and type of assistance determined appropriate by the jurisdiction providing the funding.

The State will make available technical assistance to eligible local governments, nonprofit organizations, community groups, and organizations in developing proposals. In addition, DHCD's Division of Housing Finance will provide technical assistance to Community Housing Development Organizations (CHDOs) through a set-aside of HOME funds to assist CHDO housing efforts.

- (5) Public Hearings.** (i) DHCD must provide for at least two public hearings per year to obtain citizens views. They must be held at a minimum of two different stages in the program year. Together, the hearings must address housing and community development needs, development of proposed activities, and review of program performance. DHCD must hold at least one of these hearings before the proposed Consolidated Plan is published for comment.

Maryland will hold a minimum of six public hearings on the Five Year Consolidated Plan. The hearings will allow for response to housing and community development needs identified by DHCD, other agencies, organizations and individuals, for comments on the development of proposed activities, and for assessments of program performance. At least three of these hearings will be held in the early stages of plan development, primarily for the purpose of presenting data and information on the current status of housing and community development activities and their target populations, and for soliciting recommendations for policy priorities and program activity. A second set of three hearings will be held during the second and/or third weeks after the final version of the Consolidated Plan is released for public comment, to allow for additional response and amendment. A minimum of six public hearings following the same guidelines will also be held in years when only an Annual Plan update is required. [NOTE: At least one hearing also will be held prior to submittal of the Performance Report.]

(ii) DHCD must provide that adequate advance notice of each hearing be given to citizens, or, as appropriate, units of general local government, with sufficient information published about the subject of the hearing to permit informed comment.

The State will publish notices of the hearings in a minimum of five newspapers of general circulation regionally throughout the State, notifying the public no less than five (5) days before the hearing of the time, date, location, and subject of the hearings in order to obtain the views of citizens on the State's housing and community development needs and on the housing and community development and performance of the State, however the State will activity strive to give at least 10 days notice. Letters will also be mailed out to local governments, non profit and for profit developers, advocacy organizations, Public Housing Authorities, and other stakeholders in the Consolidated Planning process.

(iii) DHCD must hold the hearings at times and locations convenient to potential and actual beneficiaries. Hearing sites must be accessible to the handicapped, and provision must be made for persons with disabilities.

Hearings will be held throughout the State at each stage of the hearing process. These hearings will be held at various times, including both day and evening hours. Hearing times, days, and locations will be advertised in the newspapers, newsletters, and other channels as noted above. All hearings will be held at handicapped-accessible sites. In addition, TTY phone numbers will be placed in all advertisements so that hearing impaired individuals may call and request interpreters for any hearing or hearings they wish to attend.

(iv) DHCD must explain 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 attend.

DHCD does not anticipate a significant number of non-English speaking residents at its public hearings because the population of non-English speaking persons, living in the State's non-entitlement jurisdictions is very small. However, should the need arise, the State will hire a translator to discuss issues of concern with the non-English speaking individual or group, and incorporate those comment into the Consolidated Plan as appropriate. Individuals or groups requesting a translator should do so at least three days in advance of the hearing or hearings they Plan to attend.

(6) Comments and Complaints. (i) DHCD must consider any comments or views of citizens (or units of general local government) received in writing, or orally at the public hearings, in preparing the final Consolidated Plan, amendment of the Plan, or Performance Report. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the final Consolidated Plan, Annual Plan, amendment of the Plan, or Performance Report.

The State will accept any comments or views made on the Consolidated Plan, amendments to the Plan, and the Consolidated Plan Performance Report through all stages of the preparation of these documents, up until the closing of the formal comment period. Written copies, via either e-mail or standard post, of all

complaints and comments received during the public comment period will be attached to the Consolidated Plan, any amendment to the Plan, and the Consolidated Plan Performance Report with appropriate responses made to all questions asked and issues raised. Oral comments received at public hearings also will be presented, commented upon, and attached to the final version of the Consolidated Plan, any amendments to the Plan, or the Consolidated Plan Performance Report. Comments that are similar to one another will be summarized as “several people commented that...” rather than repeating the same comments multiple times.

(ii) The CP plan shall describe the State 's appropriate and practicable procedures to handle complaints from citizens related to the Consolidated Plan, amendments, and performance report. At a minimum, the CP plan shall require that a jurisdiction must provide a timely, substantive written response to every written citizen complaint, within an established period of time (within 15 working days, where practicable, if the jurisdiction is a CDBG grant recipient).

Any complaints related to the Consolidated Plan, any amendments to the Plan, and the Consolidated Plan performance report shall be directed to the Deputy Secretary of DHCD. The Deputy Secretary will determine what actions will be taken to address the complaint. In any event, any written complaint shall be responded to in writing within 15 working days of receipt.

(7). Criteria for Amendment to Plan. The CP plan must specify the criteria DHCD will use for determining what constitutes a substantial change in the jurisdiction's planned or actual activities that requires an amendment to the Consolidated Plan. It must address changes such as reallocations of CDBG funds from one eligible activity to another or changes in the method of distribution of such funds.

If the need arises, the State will amend the Plan generally using the same 30 day public comment and notice period previously noted. The exceptions will be when the State receives disaster recovery funding, where the comment period will be reduced to 15 days and hearings reduced from a minimum of 3 to 2, or when HUD and/or Congress dictate a shorter comment period and/or fast turnaround times and lesser (or no) hearings and/or a shorter comment period, when the State will comply with federal requirements. In addition, the comment period for Amendments may also be reduced to 15 days when special circumstances arise, for example, the two-part ESG funding process used in 2011 where the normal Con Plan citizen participation process was used, and then a second allocation of funding was made in early 2012 (within the same program year) accompanied by a HUD mandated earlier-than-normal submission deadline for the second round of funding. The State will determine the necessary changes, prepare the proposed amendment and provide citizens and units of general local government with reasonable notice of and an opportunity to comment on the proposed amendment.

Notice of the proposed amendment, a summary of it contents, and instructions on how to receive a copy and the final date for submission of comments will be published in newspapers of general circulation regionally throughout the State. Copies of the proposed amendment will be made available in local lending libraries and the Library for the Blind and Physically Handicapped. Additionally, free copies of the amendment will be mailed as requested, and the State will also post the proposed amendments on DHCD's website. The State shall consider all comments received and make them available to the public at the time the amendment is submitted to

HUD. The amended Plan shall be submitted to HUD before the State may implement changes embodied in the amendment.

The following criteria will be used to determine whether a change is substantial enough to warrant an amendment to the Consolidated Plan:

- 1. Change in scope – a change in the State’s priorities as identified in the Plan**
- 2. Change in the method of distribution - a major change in the current method of distributing funds; for example, a change from a competitive application process to a formula-based allocation or vice versa.**
- 3. Change in the allocation priorities - a new need is identified as being urgent or crucial, necessitating a major allocation and displacing a previously identified need for which funding would be made available.**
- 4. A substantial change in federal program rules or regulations for existing programs which add additional federal requirements, for example, an allocation of disaster funding or an economic stimulus package.**
- 5. When HUD or Congress State in legislation that a change in program operations constitutes a substantial amendment to the Consolidated Plan, such as revised funding and program operations for the homeless under the HEARTH Act.**

C. Adoption of CP Plan

The State must provide citizens with a reasonable opportunity to comment on the Citizen Participation plan, and on any amendments to the CP plan, and must make the CP plan public. The CP plan must be in a format accessible to persons with disabilities.

The State will make the Citizen Participation Plan available for public comment for a period of 30 days. In addition, letters notifying interested organization about changes or updates to the Citizen Participation Plan will be mailed to all the organizations, advocacy groups, State and local government officials, noted above. They may call, write, or e-mail to ask for a free hard copy of the Citizen Participation Plan, or download it from DHCD’s website where it will be posted during the comment period. Copies of the Citizen Participation Plan will be provided to all of Maryland’s regional lending libraries as noted above, as well as a large print version for the Maryland Library for the Blind and Physically Handicapped.

D. Use of CP Plan

The jurisdiction must follow its citizen participation plan.

The State will carry out the CP plan to the fullest extent possible.

IV. LOCAL GOVERNMENT REQUIREMENTS FOR THE CDBG PROGRAM

Local governments which receive or apply for funding under the State CDBG program are required to undertake their own citizen participation process for receiving CDBG funding. These are set forth below:

(1) Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in slum or blighted areas and areas in which CDBG funds are proposed to be used;

The State will require that the local government files contain a written citizen participation plan which describes its methods for meeting the federal required elements.

(2) Ensure that citizens be given reasonable and timely access to local meetings, information, and records relating to the unit of general local government's proposed and actual use of funds;

The State will require that notice of a public hearing be published in a newspaper of general local circulation no less than five (5) days in advance of the hearing. The hearing must be held in conjunction with a regularly scheduled meeting of the elected officials of the jurisdiction. Local government files shall contain documentary evidence that the required notices were published and public hearings were held in accordance with the plan. Copies of the actual notices and/or affidavits shall be a part of the files, in addition to minutes of the hearings.

(3) Furnish citizens information including, but not limited to:

(i) the amount of CDBG funds expected to be made available for the current fiscal year (including the grant and anticipated program income);

Information is most often furnished to citizens through public notice in a newspaper of general circulation. Additionally, articles published in local newspapers, newsletters or community bulletins, flyers distributed door to door or presentations at community meetings are effective ways to inform citizens about the CDBG Program.

(ii) the range of activities that may be undertaken with CDBG funds;

The local government will provide a list of activities that may be undertaken with CDBG funds to any group or any individual who requests one. In addition, the public will be informed of permissible activities for the use of CDBG funds during the public hearing process.

(iii) the estimated amount of CDBG funds proposed to be used for activities that will meet the national objective to benefit low and moderate income persons; and

The local government will specify the amount of CDBG funds applied for and the activities that will be undertaken to meet the national objective of benefiting low and very low income persons in its application for funds. This application shall be made available to the general public, including placing the document out for review in local government offices and local libraries. In addition, when published notice of public hearing is given in area newspapers on the local government's application for CDBG funds, the local government will provide a short summary of the proposed activities in the published notice, including in that notice how low and moderate income persons are expected to benefit from the use of CDBG funds.

(iv) the proposed CDBG activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under 24 CFR Part 570.488.

All CDBG grantees are required to adopt a Residential Anti-Displacement and Relocation Plan. This plan should outline what actions would be taken by the jurisdiction in the event that displacement occurs. All grantees are encouraged to avoid activities that result in displacement.

In the event any displacement is likely to occur as the result of use of the CDBG funds, the local government must make notice of that displacement in its newspaper notices of public hearing, and must advise all affected persons directly through flyers, letters, or other appropriate actions, including site visits for persons who are illiterate or handicapped, of their proposed displacement. Should funds be granted that result in dislocation of residents, the local government must undertake the full range of activities as outlined under the law to help dislocated persons, including assisting persons in locating new housing, paying moving and relocation expenses, and providing rental or any other financial assistance for the full time required by law.

(4) Provide technical assistance to groups representative of persons of low and moderate income that request assistance in developing proposals in accordance with procedures developed by the State. Such assistance need not include providing funds.

When requested to provide technical assistance to groups representative of persons of low and moderate income, a local government shall assist if possible. Files shall document meetings between the groups and the local government. If the local government does not have the staff capacity to assist, they may offer a referral to the State or to a consultant who can provide the necessary expertise.

(5) Provide for a minimum of two public hearings, each at a different stage of the program, for the purpose of obtaining citizens' views, and responding to proposals and questions. Together the hearings must cover community development and housing needs, development of proposed activities, and a review of program performance. The public hearing to cover community development and housing needs must be held before submission of an application to the State. There must be reasonable notice of the hearings, and they must be held at times and locations convenient to potential or actual beneficiaries. Accommodations must also be made for the handicapped. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate.

The local government must hold one public hearing on housing, economic development, and community development needs and development of proposed activities prior to submission of an application. If funded, a second hearing on program performance must be held at some point during the grant period after the activity has been initiated.

Arrangements will be made for a translator when it is expected that non-English speaking persons will participate. Similarly, a signer must be provided for a hearing-impaired or mute participant.

6) Provide citizens with reasonable advance notice of, and opportunity to comment on,

proposed activities in an application to the State and, for grants already made, activities which are proposed to be added, deleted, or substantially changed from a local government's application to the State. "Substantially changed" means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the State.

A substantial change as defined in C.6 requires that local governments give notice of and opportunity to comment on changes to a proposed project application or actual grant. This can be achieved through public notices describing the change and establishing a comment period or through public hearing.

7) Provide citizens the address, phone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances, within 15 working days where practicable.

The local government shall provide a current phone number and address to citizens who wish to submit a complaint or grievance. The local government shall make every effort to respond in writing to the complaint or grievance within 15 working days.