



# CITIZEN PARTICIPATION PLAN

## Territory of the U.S. Virgin Islands

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## Purpose

The U.S. Department of Housing and Urban Development requires that the Territory of the U.S. Virgin Islands develop a Consolidated Plan (Con Plan). The Con Plan is the written result of the planning process that recipients of HUD funding for the programs listed here must undertake as a condition of receiving those funds. The programs covered in the Con Plan include: the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), the HOME Program, and other programs as may from time to time be made. The Consolidated Plan serves as a planning document which builds on citizen participation, as an application for federal funds under the above-mentioned HUD programs, as a strategy for the implementation of program activities, and finally, as a basis for assessing performance. The purpose of the Citizen Participation Plan is to describe how the Territory shall provide for and encourage citizen participation in the development of the 5- year Consolidated Plan, any amendments thereto, the Annual Action Plan, the annual performance evaluation report (CAPER), and any amendments to those plans.

The Consolidated Planning process entails the assessment of needs, the establishment of priorities, and the development of strategies to address housing, community development, and homelessness. The Citizen Participation Plan shall be reviewed and revised, if necessary, every five (5) years as part of the consolidated planning process.

### What is the Community Development Block Grant?

The primary objective of the Community Development Block Grant (CDBG) is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities primarily for persons of low and moderate income. Not less than 70% of CDBG funds received shall be used for activities that benefit low to moderate income persons. Funds may also be used for the elimination of slums and blight or for activities that address an urgent need.

The Territory of the U.S. Virgin Islands became eligible to participate in the national CDBG program in 1976. Since that time, the Territory has been receiving an annual grant of approximately \$2,000,000. The greater portion of these funds has been sub-granted to various non-profit and governmental entities. As of March 2008, the Community Development Block Grant is administered by the Virgin Islands Housing Finance Authority. Prior to that time, the grant was administered by the Department of Planning & Natural Resources.

## What is the Emergency Solutions Grant?

The Emergency Solutions Grant Program (ESG) provides grants for the rehabilitation or conversion of buildings for use as emergency shelters for the homeless and for the payment of certain related operating and social services expenses. Limited funds from each annual grant may be used for homeless prevention activities and essential services for the target population.

The Territory became eligible to receive ESG funds in 1997. For the past several years, the annual grant award has been approximately \$150,000. The Emergency Solutions Grant is presently administered by the Virgin Islands Housing Finance Authority.

## What is the HOME Program?

The Home Investments Partnership Program (HOME) is a HUD formula-allocation grant through which funds are provided to jurisdictions to support state and local affordable housing programs. The primary objective of the HOME Program is to expand the supply of safe, decent, sanitary and affordable housing for low-income families. Funds may be used for acquisition, rehabilitation and new construction of housing and for tenant-based rental assistance.

The Virgin Islands became eligible to participate in the HOME Program in 1993. Since that time, the Territory has received a total of \$19,823,448; currently, the annual allocation is approximately \$1 million. The Virgin Islands Housing Finance Authority administers the HOME Program on behalf of the Territory.

## Consolidated Plan Process

The Virgin Islands Housing Finance Authority will oversee all aspects of the Consolidated Plan process. The process shall entail the following tasks:

- Develop the Citizen Participation Plan (CPP) and any amendments
- Review/revise the CPP periodically, as necessary
- Conduct outreach and education about the Consolidated Plan process
- Facilitate the needs assessment process
- Develop funding priorities based on the findings of the needs assessment
- Develop funding criteria and select projects accordingly
- Develop the Draft Consolidated Plan and the Draft Annual Action Plan and respond to citizen comments regarding said draft plans

- Prepare the Consolidated Annual Performance Evaluation Report (CAPER) and facilitate the process for citizen review of said document
- Draft the CDBG-DR Action Plan and respond to citizen comments regarding the draft plan
- Provide residents, public agencies, and other interested parties with timely access to records and information related to the Virgin Islands' use of assistance.
- Define and publicize a process by which the Virgin Islands will handle complaints from residents related to the Consolidated Plan, Action Plan, amendments and performance reports, which at a minimum includes a written response to residents within an established period of time.
- Post the Consolidated Plan, along with any substantial amendments, and performance reports on VIHFA's website and/or a dedicated website for Disaster Recovery; and provide availability of these documents in a form accessible to persons with disabilities, upon request.

## Targeted Groups and Populations for Citizen Participation

The Virgin Islands encourages the participation of all citizens in the development of the Consolidated Plan. The Territory has identified the following constituency groups to be particularly targeted for outreach efforts when developing the Consolidated Plan, Action Plans or substantial amendments:

- Persons who do not speak English – i.e., Limited English Proficiency
- Persons with HIV/AIDS and HIV/AIDS service providers
- Homeless persons and homeless service providers
- Public housing residents and the Housing Authority
- Community Development Corporations and residents served
- Mental Health service agencies/organizations and clients
- Alcohol and Drug Agencies/Organizations and clients
- Department of Health and Lead-based Paint Agencies/Organizations
- Children and Youth service agencies and/or advisory groups
- Civic organizations
- Faith-based organizations
- Elderly persons and Elderly Service Providers
- Persons with disabilities and service providers for persons with disabilities
- Economic Development/Job Creation Agencies and Community Businesses

- Private Housing Developers/Banks/Fair Housing Advocacy Groups/CRA Advocacy Groups
- Low- and moderate-income residents, particularly those living in areas where funds are proposed to be used or where access to information on programs provides a benefit to these residents.
- Residents of assisted housing, including recipients of tenant-based rental assistance

## Development of the Citizen Participation Plan

The Territory's first Citizen Participation Plan was initially developed and adopted in 2005. It is being revised in 2018 to be consistent with current HUD requirements.

- A draft of the original Citizen Participation Plan is advertised and a public review and comment period of thirty (30) days is allowed before the final document is adopted. The final document is developed in consideration of any public comments which are received. The final Citizen Participation Plan will be made available at the offices of the Department of Planning & Natural Resources and the Virgin Islands Housing Finance Authority on St. Thomas and St. Croix, and the public libraries on all three islands.
- A copy of the plan will also be posted on the Virgin Islands Housing Finance Authority site ([www.vihfa.gov](http://www.vihfa.gov)).
- Based on most recent available census data regarding languages spoken by Virgin Islands residents with limited English proficiency a copy of the plan will be available on the Virgin Islands Housing Finance Authority website in Spanish and potentially other languages based on the the VIHFA's Language Access Plan.
- Upon request and as noted in the document, the plan will be made available in a format accessible to persons with disabilities upon request (e.g. oral, electronic, or large print copies for the visually impaired).
- All advertisements relative to the availability of the Final Plan for public review will be published in the *Virgin Islands Daily News* and the *St. Croix Avis*.

In accordance with the terms of the Plan, the Citizen Participation Plan is reviewed and updated every five (5) years as part of the consolidated planning process.

## Preparation of Consolidated Plan and Amendments

### Needs Assessment

The identification of the housing and community development needs of the Territory is an integral part of the Consolidated Planning process. The following are the activities that shall be implemented to obtain citizen participation in the process of conducting the needs assessment as required by the Virgin Islands' Citizen Participation Plan:

- The Virgin Islands Housing Finance Authority shall use plans, surveys, and studies to assess needs within the period to be covered by the Plan. To the extent feasible, this information will be shared with citizens via the Virgin Islands Housing Finance Authority Website ([www.vihfa.gov](http://www.vihfa.gov)).
- Meetings and/ or survey distribution shall be conducted in various low and moderate-income neighborhoods to hear residents' opinions about the needs of their respective neighborhoods.
- To the extent they are available, the following organizations and interest groups will be solicited for input:
  - Persons with HIV/AIDS and HIV/AIDS service providers
  - Homeless persons and homeless service providers
  - Public housing residents and the Housing Authority
  - Mental Health service agencies/organizations and clients
  - Substance Abuse Treatment Providers, Organizations and clients
  - Department of Health and Lead-based Paint Agencies/Organizations
  - Children and Youth service agencies and/or advisory groups
  - Civic organizations
  - Faith-based organizations
  - Elderly persons and Elderly Service Providers
  - Persons with disabilities and service providers for persons with disabilities
  - Economic Development/Job Creation Agencies and Community Businesses
  - Private Housing Developers/Banks/Fair Housing Advocacy Groups
  - Low- and moderate-income residents in the areas where funded activities take place
  - Residents of assisted housing, including recipients of tenant-based rental assistance

- Public solicitations will be published to invite individuals, community organizations, and government agencies to submit proposals with respect to the clients or neighborhoods that they serve.
- Additionally, one set of public hearings shall be held to obtain public comments on housing and community development needs and to prioritize the projects that are being considered for funding. At this hearing, the following information shall be disseminated:
- An estimate of how much funding is expected in the upcoming year for all the Consolidated Plan programs
  - A description of the types of activities being considered for funding
  - An estimate of the percentage of these funds that will serve low and moderate-income persons
  - Where applicable, a summary of plans to minimize displacement of low- and moderate-income persons and to assist any persons displaced as a result of the implementation of the Action Plan

#### Draft Annual Action Plan re: CDBG, HOME, ESG, and Housing Trust Fund (HTF)

Each year, at least 3-6 months before the draft of the Annual Action Plan is completed, community meetings shall be held in different neighborhoods to assess how needs have changed and to evaluate program performance.

Written suggestions shall be invited from citizens. All written suggestions are to be sent to the Virgin Islands Housing Finance Authority.

The draft Consolidated Plan or Annual Action Plan will contain and make available to the citizens, public agencies and other interested parties, the following information:

- Amount of assistance that the Virgin Islands expects to receive for each program;
- The programs and activities that may be undertaken with those funds, including the amount directly benefiting low-moderate persons.
- Plans to minimize displacement of persons, and to assist any persons who may be displaced; and
- When and how the Virgin Islands will make this information available.

## Availability of Draft Annual Action Plan/Consolidated Plan/CAPER

At least thirty (30) days before the draft plan is to be submitted to HUD, it shall be advertised for public review and comment. To the greatest extent possible, the Draft Plan will contain all sections required by HUD, including information on needs, the Priorities Tables, an account of all proposed uses of expected funds (type of activity, location, and amount of funding received.) method of distribution, and program descriptions. An Executive Summary that provides a synopsis of the Plan and locations where the full plan can be obtained shall be prepared and distributed.

- The Draft Plan will be provided to the public free of charge in the following manner:
  - Posted on the Virgin Islands Housing Finance Authority website ([www.vifha.gov](http://www.vifha.gov))
  - A Notice of Availability that describes the purpose of the Plan and lists the locations where the plan is available, and the duration of the comment period is published in newspapers of general circulation
  - Summary of document available free of charge at local post offices
  - Public hearing held on each island (with notice to citizens via website, radio and newspapers of general circulation)
- Written comments will be encouraged from citizens. All written comments are to be submitted to the Virgin Islands Housing Finance Authority.
- Transcription services will be used for all public hearings to capture and record citizen comments.
- All meeting locations shall be accessible to persons with disabilities. If an individual requires special services, the Virgin Islands Housing Finance Authority will make necessary arrangements to accommodate that person, to the greatest extent possible, as long as reasonable advance notice is given.

## Notification of Public Hearings & Meetings Related to the Consolidated Planning Process and the Availability of Documents & Records

The public will be given thirty (30) day's notice of public hearings, meetings and comment period pertaining to the consolidated planning process. Public notice will take any of the following forms:

- Each year, the local government will send to everyone on the mailing list a calendar and description of the specific activities that will take place to carry out the Consolidated Plan. Notice will be sent to any individual or organization requesting to be included in the mailing list. Every effort will be made to maintain an up-to-date mailing list.

- The calendar of events will also be publicized via electronic, radio and television media.
- Letters shall also be sent to neighborhood organizations, public housing tenant associations, religious institutions and businesses located in low-income communities, and organizations that provide services to low-income people.
- Advertisements in the non-legal sections of the Territory's major newspapers of general circulation such as The Virgin Islands Daily News and the St. Croix Avis (14 days in advance of a public hearing or meeting), and will be published in no less than 10-point type.
- Articles in major newspapers.
- A press release sent to all major outlets to encourage local media coverage announcing public hearing and meetings pertaining to the Consolidated Plan process.
- Public service announcements on local radio and television stations.

### Meetings

The Consolidated Planning Committee, made up of organizations that serve the needs of the Territory's most vulnerable populations (e.g. Public Housing Authority, Continuum of Care members), shall conduct working meetings on a regular basis concerning all aspects of the development of the Consolidated Plan. To the greatest extent possible, meetings shall also be held in certain low-income neighborhoods and public housing communities to obtain residents' views on the housing and community development needs of their neighborhoods. The public shall be made aware of and invited to these meetings via releases, flyers and radio and television announcements.

All meeting locations shall be accessible to persons with disabilities. If an individual requires special services, the Virgin Islands Housing Finance Authority will make necessary arrangements to accommodate that person, to the greatest extent possible, as long as reasonable advance notice is given. Transcript or minutes of each meeting shall be made available to the general public upon request.

### Public Hearings

Public hearings are required by law and must take place at various stages of the consolidated planning process. The purpose of the hearings is to disseminate information to the public and obtain their feedback and input.

Each year, two sets of public hearings shall be held at the following stages: (a) to obtain input on the need assessment; and to facilitate public review and comments on the activities that are being considered for funding; (b) to obtain comments on the prior year's performance as presented in the CAPER. At least one hearing will take place prior to publishing the Consolidated Plan for comments.

Each set of public hearings shall entail at least one within each district. Hearings shall be held in areas that are easily accessible to the target population. The place and other particulars about each set of public hearings shall be advertised in the *Virgin Islands Daily News* and the *St. Croix Avis* at least 14 days before the hearing date. Press releases and radio and television announcements shall also be employed.

No hearing shall start earlier than 5:30 p.m. in order to meet the convenience of the majority of the people who will benefit from the Consolidated Plan resources. Transcripts of each hearing shall be made and shall be available to the general public upon request.

With advance notice, translators will be provided for citizens who do not speak English or who require sign-language translation.

#### Access to Records & Documents

- The Virgin Islands will provide any citizen with any information they request pertaining to the Consolidated Plan process within two (2) days. The first 50 pages will be provided to citizens free of charge with a reasonable charge for additional pages.
- The draft versions of the Consolidated Plan, Action Plans, CAPERs, substantial amendments and related documents will be mailed, upon request.
- A transcript of all meeting and hearings will be prepared and made available to citizens. The input provided at the meetings will be reviewed and incorporated into the Consolidated Plan and the annual Action Plans.
- All major documents such as draft versions of the Consolidated Plans Annual Action Plans, CAPER and substantial amendments will be available at local public libraries and other appropriate government offices.
- The Territory will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's Consolidated Plan and the jurisdiction's use of assistance under the programs covered by this part during the preceding five years.

#### Amendments to Consolidated Plan

The Territory shall consider any comments or views of citizens and units of general local government received in writing, or orally at public hearings, if any, in preparing any substantial amendments to the Consolidated Plan. A summary of these comments and views not accepted, and the reasons therefore, shall be attached to the substantial amendment of the Consolidated Plan.

### Substantial Amendments

A substantial amendment is defined as changing the amount awarded to a project by 25% plus or minus (unless the minus is merely the result of a cost under-run); changing the purpose, scope or intended beneficiaries of a project; or changing or adding a new project.

The Territory will amend its Consolidated Plan prior to making any of the following decisions:

- To change the method of distribution of funds or the priorities for allocation;
- To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the annual Action Plan;
- To change the purpose, scope, location, or beneficiaries of an activity from what was proposed in the original plan; or
- To change the amount of funds reserved for a particular funding category or activity, unless the change is made in accordance with conditions and procedures specified in the original Consolidated Plan.

The Territory will conduct at least one hearing on any proposed substantial amendment, unless the Consolidated Plan procedures have been specifically modified by HUD for the purpose of expediting a special grant award. The hearing or meetings will be publicized and held as described in the above section entitled "Meetings". The published notice will include a summary of the proposed changes and information on how to request a copy of the entire proposed amendment.

The Territory will receive comments from citizens and units of general local government on the proposed amendment for a period of not less than 30 days, unless the comment period associated with a special grant award has been specifically reduced by HUD in the Notice of Funding Allocation and Requirements. The comment period will be outlined in the notices published in the newspaper and mailed to interested parties. Any comments received in writing will be considered in preparing the substantial amendment. The final substantial amendment will be submitted with a summary of these comments or views and the reasons for not accepting any comments received. All amendments to approved projects must be approved by the administering agency, whichever body initially awarded the funds, and submitted for public comment for 14 days, rather than 30 days, before being submitted to HUD.

### Minor Revisions

Minor revisions which would change the amount awarded to a project by less than 25% or would change the eligible activity or location but would not change the purpose, scope or intended beneficiaries, will not require public notice. The subrecipient requesting the change will inform the administering agency in writing of the minor change(s) and the change(s) shall be approved by the administering agency before being implemented.

## Performance Reports

With respect to the HUD performance reports, VIHFA will do the following:

- Provide citizens with reasonable notice & opportunity to comment on performance reports
- Define how reasonable notice & opportunity to comment will be given
- Provide period, not less than 15 days to receive comments on performance report before submission to HUD.

## Procedures for Complaints or Grievances

Written complaints or grievances from citizens relative to the Citizen Participation Plan, Consolidated Plan, amendments the CAPER, and/or the CDBG-DR Action Plan and amendments shall be submitted to offices of the offices of the V.I. Housing Finance Authority and will be answered within 15 working days whenever possible. (Applications, contracts, and other records related to the funds are available for public review at the offices of the Virgin Islands Housing Finance Authority on St. Thomas and St. Croix).

## Minimizing Displacement and the Loss of Low- and Moderate-Income Dwelling Units

It is the Territory's policy to discourage proposals which cause the displacement of people or businesses. Any proposal which is likely to cause displacement must include the maximum relocation assistance payments in the budget (under federal regulations, displaced households may be eligible for assistance for up to 5 years). The Territory will take the following steps to minimize the displacement of persons or businesses:

- Acquisition of properties which are being voluntarily sold by an owner-occupant so that relocation is not the direct result of the project;
- Acquisition of projects which require only temporary relocation;
- Retention of buildings currently housing low and moderate-income tenants;
- Allowing tenants to leave through attrition;
- Acquisition of projects which will not cause increase in neighborhood rents as a result of cumulative impacts of CDBG or HOME investments in the neighborhood.

Local program staff will be responsible for ensuring that requirements are met for notification and provision of assistance, as described in the Uniform Relocation Assistance and Real Properties Acquisition Act of 1970, as amended (URA), and Section 104(d) of the Housing and Community Act of 1974, as amended (The Barney Frank Amendment).

Local program staff will identify replacement units for all occupied and vacant occupiable low and moderate-income dwelling units demolished or converted to a use other than as low and moderate-income housing in connection with an activity assisted with funds provided under the Barney Frank Amendments.

All replacement housing units will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing federal program funds for an activity that will result in demolition or conversion, CDBG will publish a notice in the local newspapers of general circulation and will submit to HUD the following information in writing:

- A description of the proposed assisted activity;
- The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low-income dwelling units as a direct result of the assisted activities;
- A time schedule for the commencement and completion of the demolition or conversion;
- The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data are not available at the time of general submission, CDBG will identify the general location on an area map and the approximate number of dwelling units by size and provide information identifying the specific location and number of dwelling units by size as it is available;
- The source of funding and a time schedule for the provision of the replacement dwelling units;
- The basis for concluding that each replacement dwelling unit will remain a low-income dwelling unit for at least 10 years from the date of initial occupancy;
- Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units) is consistent with the housing needs of lower-income households in the Territory.

In addition to being responsible for ensuring that requirements for notification and provision of relocation assistance are met, staff will also be responsible for tracking the replacement of housing units and ensuring that these units are provided within the required period.

## Technical Assistance

The Territory is required to provide technical assistance. Local administering agency program staff will be available to provide, to any group that represents persons of low and moderate-income, the level and type of technical assistance determined by the agency. HFA hosts a “Pre-application Workshop” in each district annually early in the CDBG application cycle. CDBG staff also meets one-on-one with prospective applicants upon request. The provision of technical assistance does not guarantee funding approval.

In addition, staff will be available to answer questions concerning the procedure for the development and implementation of the Consolidated Plan and all its components.

Citizens or organizations requiring technical assistance should contact the Virgin Islands Housing Finance Authority, Federal Programs Division, 3202 Demarara No. 3, Suite #200, St. Thomas, Virgin Islands 00802; Phone (340) 777-4432.

## Citizen Participation Plan for Community Development Block Grant – Disaster Recovery (CDBG-DR) Funding

As the Virgin Islands will be receiving an allocation of CDBG-DR funds to support its recovery from Hurricanes Irma and Maria. While many of the policies and procedures of the Citizens Participation Plan apply to the CDBG-DR Action Plan and its amendments; where noted, this Citizen Participation Plan also reflects waivers and alternative requirements included in 83 FR 5844 (February 9, 2018) that are specific to this allocation.

### What is the Community Development Block Grant – Disaster Recovery Program?

The Community Development Block Grant – Disaster Recovery (CDBG-DR) is an allocation of funding, made by Congress, and administered by HUD, to assist states and communities that have been severely impacted by a Presidentially-declared disaster. While similar to the regular CDBG program, CDBG-DR provides some waivers and alternative requirements that enable the receiving entities more latitude in the use of the funding to address and remediate disaster impacts in their communities. Action Plans and amendments required for CDBG-DR are subject to many of the same citizen participation requirements as other HUD programs; however, where requirements differ from those of other HUD programs, they are noted in this Plan under “Additional Requirements specific to the CDBG-DR Action Plan”

### The CDBG-DR Action Plan Development Process

- Conduct outreach and education about the CDBG-DR Action Plan development process
- Facilitate the needs assessment process
- Develop funding priorities based on the findings of the needs assessment
- Develop funding criteria and select programs/activities accordingly
- Develop the Draft CDBG-DR Action Plan and respond to citizen comments regarding said draft plans

- For CDBG-DR funding, prepare and publish Quarterly Performance Reports
- Provide residents, public agencies, and other interested parties with timely access to records and information related to the Virgin Islands' use of assistance.
- Define and publicize a process by which the Virgin Islands will handle complaints from residents related to the Action Plan, amendments and quarterly performance reports, which at a minimum includes a written response to residents within an established period of time.
- Publish the CDBG-DR Action Plan, along with any substantial amendments, and quarterly performance reports on VIHFA's website and/or a dedicated website for Disaster Recovery; and provide availability of these documents in a form accessible to persons with disabilities, upon request.

### Draft CDBG-DR Action Plan

While the timing requirements for the CDBG-DR Action Plan and substantial amendments may be shortened in response to the disaster-related needs as authorized in the Federal Register Notice, the Virgin Islands Housing Finance Authority, as Grantee for the funds, will follow all other requirements of the Citizen Participation Plan. Public comment periods and public hearing requirements for the CDBG-DR Action Plan will be guided by the Federal Register notice requirements for each specific allocation.

Note: For the first allocation of CDBG-DR funds under 83 FR 5844 (February 9, 2018), the public comment period is no less than fourteen days (14).

### Availability of Draft CDBG-DR Action Plan and Substantial Amendments

- Prior to submission to HUD, the draft Action Plan will be made available for public comment for a period of time no less than that prescribed in the Federal Register notice covering the allocation. The plan shall be advertised for public review and comment. To the greatest extent possible, the Draft Plan will contain all sections required by HUD, including information on needs, the Priorities Tables, an account of all proposed uses of expected funds (type of activity, location, and amount of funding received.) method of distribution, and program descriptions. An Executive Summary that provides a synopsis of the Plan and locations where the full plan can be obtained shall be prepared and distributed.

- A summary of the plan that provides information on needs, method of distribution, program descriptions, and locations where the full plan can be obtained, will be prepared and distributed.
- The Draft Plan will be provided to the public free of charge in the following manner:
  - Posted on the Virgin Islands Housing Finance Authority website ([www.vifha.gov](http://www.vifha.gov))
  - A Notice of Availability that describes the purpose of the Plan and lists the locations where the plan is available, and the duration of the comment period is published in newspapers of general circulation
  - Summary of document available free of charge at local post offices
  - Public hearing held on each island (with notice to citizens via website, radio and newspapers of general circulation)
  - The plan and other vital documents will be published on the Housing Finance Authority website in English and Spanish. It may be published in other languages as well based on the VIHFA's approved Language Access Plan.
- Written comments will be encouraged from citizens. All written comments are to be submitted to the Virgin Islands Housing Finance Authority.
- Transcription services will be used for all public hearings to capture and record citizen comments.
- All meeting locations shall be accessible to persons with disabilities. If an individual requires special services, the Virgin Islands Housing Finance Authority will make necessary arrangements to accommodate that person, to the greatest extent possible, as long as reasonable advance notice is given.

## Amendments to CDBG-DR Action Plan

Amendments to the action plan will be made to update its needs assessment, modify or create new activities, or reprogram funds, as necessary. HUD requires amendments to be included in a contiguous document to make easier tracking of program and budget changes.

### Substantial Amendments

Substantial Amendments are characterized by either an addition or deletion of any CDBG-DR funded program, any funding change greater than 1% of the total CDBG-DR allocation, or any change in the designated beneficiaries of a program. Substantial amendments will be available on the U.S. Virgin Islands CDBG-DR Action Plan website (<https://www.vihfa.gov/communitydevelopment-block-grant-disaster-relief>) for public review and comment for at least 14 days prior to submission to HUD.

## Technical or Non-Substantial Amendments

Technical Amendments are minor changes that do not materially alter the activities or eligible beneficiaries. The grantee must notify HUD at least five (5) business days before the effective date of any technical amendment. Technical amendments are not subject to public notification and public comment requirements.

## Quarterly Performance Reports

All Quarterly Performance Reports (QPRs) will be posted on the VI FHA's Disaster Recovery Website as required by the Federal Register notice governing the allocation.

## Additional Requirements Specific to the CDBG-DR Action Plan

### Public Website

VIHFA will maintain a comprehensive website dedicated to the U.S. Virgin Islands' CDBG-DR programs and related activities associated with these funds. The webpage can be found on VIHFA's website: <https://www.vihfa.gov/community-development-block-grant-disaster-recovery>. At some point in the future, VIHFA may opt to create a separate website which would be accessed from a link on VIHFA's regular website.

The website will ultimately include the following:

- CDBG-DR Action Plan, including all amendments;
- The current approved DRGR Action Plan;
- All QPRs created in DRGR;
- Citizen participation requirements;
- Procurement policies and procedures;
- Program policies and procedures;
- A description of services or goods currently being procured using CDBG-DR funds;
- PDF copies of all contracts that have been directly procured; and
- A summary of all procured contracts, including those procured by the U.S. Virgin Islands, recipients, or subrecipients (e.g. a summary list of procurements, phase of procurements, requirements for proposals, and any liquidation of damages necessitated by contractor's failure or inability to implement the contract, etc.)

## Application Status

A grantee has adequate procedures to enable applicants to determine the status of their applications for recovery assistance, at all phases. The procedures indicate methods for communication (i.e., website, telephone, case managers, letters, etc.), ensure the accessibility and privacy of

individualized information for all applicants, indicate the frequency of applicant status updates, and identify which personnel or unit is responsible for informing applicants of the status of recovery applications. Additional detail on the procedure for implementing this requirement is included in program specific policies and procedures.

#### Minimizing Displacement and the Loss of Low- and Moderate-Income Dwelling Units

In implementing the activities proposed in this Action Plan, VIHFA will ensure that the assistance and protections afforded to persons, businesses, and entities under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and Section 104(d) of the Housing and Community Development Act of 1974, are available. To ensure that any assistance provided under the URA or Section 104(d) is provided uniformly, the VIHFA will review and modify as needed its existing Residential Anti-displacement and Relocation Assistance Plan (RARAP) and Optional Relocation Policy.

Specific activities and programs proposed to be funded with CDBG-DR funds that may result in acquisition, relocation or displacement are:

- owner-occupied and rental housing rehabilitation;
- reconstruction of housing;
- voluntary buyouts of high-risk property;
- public and affordable housing development;
- affordable and mixed-used rental housing development;
- neighborhood revitalization activities;
- development of supportive housing;
- infill development, including addition of units to existing properties; and
- hazard mitigation activities.

Prior to pursuing each activity, the VIHFA will consider the potential that the activity will trigger relocation or displacement and will explore options to avoid relocation or displacement of persons and entities. The VIHFA will take the following steps to minimize the disruption due to relocation and to minimize displacement:

1. Facilitate, to the greatest extent possible, new construction on government-owned, vacant land.
2. Stage rehabilitation of apartment units in a manner such as to allow tenants to remain in the building or complex during and after the rehabilitation – i.e., by working with vacant units first.
3. Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.

4. Adopt policies which provide reasonable protections for tenants faced with conversion of their housing to a condominium, cooperative, or single-family ownership, such as working closely with the local PHA to identify alternate housing for those tenants who choose to vacate rather than participate in the conversion initiative.

Temporary relocation and permanent replacement housing payments will be provided in accordance with the Uniform Relocation Act. As temporary relocation will likely be necessary, the VIHFA will develop an Optional Relocation Policy to cover owner temporary relocation costs in cases of demonstrable hardship (defined below) and to facilitate the administration of temporary relocation benefits for tenants, such as establishing a per diem for meals and incidental costs, rather than to require the tenant to submit receipts for reimbursement.

VIHFA will exercise the waivers set forth in 83 FR 5844 dated February 9, 2018, pertaining to URA and HCD Acts given its priority to engage in voluntary buyout and optional relocation activities to avert repeated flood damage and to improve floodplain management. However, activities undertaken through this plan may result in the need for one-for-one replacement of housing units should the VIHFA demolish or convert properties that do not meet the definition of “Not Suitable for Rehabilitation” (defined below). In these cases, the VIHFA will follow procedures for one-for-one replacement as described in its RARAP.

## Conclusion

The Territory will follow the provision outlined in its Citizen Participation Plan. The requirements under the Citizen Participation Plan do not restrict the responsibility or authority of the Territory for the executive of the Consolidated Plan itself.

## Glossary

**Affordable Housing:** Affordable Housing is generally defined as housing where the occupant is paying no more than 30 percent of his or her gross income for gross housing cost, including utilities.

**Annual Action Plan:** Developed by local and state government with the input from citizens and community groups, the Annual Action Plan serves as the vehicle which describes on an annual basis what activities will be funded under Federal, state and local program within the current Consolidated Plan.

**Citizen Participation Plan:** Written policies and procedures for citizen participation in the process for developing and implementing the Consolidated Plan and all its integral components.

**Community Development Block Grant (CDBG):** A federal program created under the Housing and Community Development Act of 1974. This program provided grant funds to local and State government to be used to develop viable urban communities by providing decent housing with a suitable living environment and expanding economic opportunities to assist low and moderate-income residents.

**Community Development Block Grant – Disaster Recovery (CDBG-DR):** Special funding appropriated by Congress for assisting areas impacted by Presidentially-declared disasters with long term recovery,

**Consolidated Plan:** Developed by local and state government with the input from citizens and community groups, the Consolidated Plan serves four functions as follows:

- It is a planning document for each state and community built upon public participation and input
- It is the application for funds under HUD's formula grant program (CDBG, HOME, ESG, and HOPWA)
- It lays local priorities
- It lays out a 3-5-year strategy that the jurisdiction will follow in implementing HUD programs

**Consolidated Annual Performance and Evaluation Report (CAPER):** Required by HUD on an annual basis by all jurisdictions receiving federal funding, this document is an evaluation of the past year's performance as outlined in the Annual Action Plan.

***Emergency Shelter Grant (ESG):*** A federal grant program designed to help improve the quality of existing emergency shelters for the homeless, to make available additional shelter, to meet the cost of operating shelters, to provide essential services to homeless individuals, and to help prevent homelessness.

***Fiscal Year:*** Any yearly accounting period observed by the jurisdiction, regardless of its relationship to a calendar year.

***HOME Investment Partnership (HOME):*** A Federal grant program that provides funds to local government and states for new construction, rehabilitation, acquisition of standard housing, assistance to homebuyers, and tenant-based rental assistance.

***Low Moderate - Income:*** A household whose income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller or larger family sizes.

***Public Housing Agency (PHA):*** Organization created by local government, which administers HUD's Low-income Public Housing Program and other HUD programs - e.g. V.I. Housing Authority.

***U.S. Department of Housing and Urban Development (HUD):*** The Department of Housing and Urban Development is the Federal agency responsible for national policy and programs that address America's housing needs, improve and develop the Nation's communities, and enforce fair housing laws. HUD's business is helping create a decent home and suitable living environment for all Americans.