

Attachment M



CDBG-DR Private Sewer Repair Program
Guide

City of Detroit

Housing & Revitalization Department

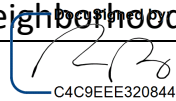
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Introduction

The CDBG-DR Private Sewer Repair Program (PSRP) is designed to assist Detroit residents in replacing or repairing private sewer laterals, focusing on benefiting low- and moderate-income (LMI) households. This guide provides detailed information about the program's objectives, eligibility criteria, application process, and implementation procedures.

Purpose

The U.S. Department of Housing and Urban Development (HUD) has allocated the City of Detroit, through its Housing and Revitalization Department (HRD) Community Development Block Grant – Disaster Recovery (CDBG-DR) funding to support long-term recovery efforts following storm events from the 2021 Presidential Major Disaster Declaration. These funds were allocated through the publication of the Federal Register, Vol. 87, No. 100, May 24, 2022, and 6368-N-01 January 18, 2023, for the total allocation under Pub. L 117-43 and 117-180. The allocation was made available through the Disaster Relief Supplemental Appropriations Act Public Law 117-43. CDBG-DR funding is designed to address needs that remain after all other federal assistance has been exhausted.

Scope

Private Sewer Repair Program primary objectives are to directly serve income eligible homeowners impacted by the disaster, either directly or indirectly in most impacted neighborhoods Action Plan by assisting with eligible home repairs. The City of Detroit is offering residential homeowners (owner/occupied and landlords of residential houses and duplexes) who have property within one of the identified neighborhoods, an opportunity to apply to the Private Sewer Repair Program. The maximum amount assistance per household may not exceed \$40,000 (except in instances where the city may find it necessary to provide an exception on a case-by-case basis). Assistance through this program is provided in the form of a grant to eligible homeowners and a forgivable loan to land landlords. All owner applicants must have a household income at or below 80% AMI. All landlords must be renting to a household at or below 80% AMI (if two to four units, 51% or more units must be rented to a LMI household) for the City of Detroit as published annually by the U.S. Department of Housing and Urban Development (HUD). FY 2025 Income Limits: https://www.huduser.gov/portal/datasets/il/il2024/select_Geography.odn

National Objective and Activities for CDBG-DR Private Sewer Repair Program (PSRP)

National Objective: The Community Development Block Grant Disaster Recovery (CDBG-DR) program's Private Sewer Repair Program (PSRP) is designed to meet the following national objective: Benefit to Low- and Moderate-Income (LMI) Persons – 24CFR 570.208(a)(3)

Activity: Housing Rehabilitation

Basic Eligibility

All applicants for CDBG-DR PSRP assistance must meet the following requirements:

- Households applying must be at or below 80% of the Area Median Income (AMI) as determined annually by HUD.
- Applicant must be an owner occupant or property owner (landlords)
- Applicants must live in a single-family residential structure (1-4 units).
- The property must be in one of the cities designated 22 most impacted neighborhoods in the following City Council districts:
 - District 1: Grandmont #1, Crary/St. Marys, Cadillac Community, Evergreen-Outer Drive, Hubbel-Lyndon
 - District 2: Greenfield, Martin Park, Pilgrim Village, Dexter-Fenkell, Bethune Community
 - District 3: Regent Park, Conant Gardens, Krainz Woods, Pulaski, Airport Sub, Hawthorne Park, Von Steuben, Grant, Mount Olivet, Cadillac Heights, Pershing, Franklin, Conner Creek, Sherwood
 - District 4: Cornerstone Village, Morningside, Chandler Park, Fox Creek, Riverbend, West End, LaSalle College Park, East English Village, Yorkshire Woods, Denby, Mapleridge, East Canfield, Eden Gardens, Wade, Ravendale, Gratiot-Findlay, Outer Drive-Hayes, Moross Morang, Chandler Park-Chalmers, Fox Creek
 - District 5: Arden Park, Islandview, Petosky-Otsego, Boston Edison, McDougall-Hunt, Pingree Park, East Village, NW Goldberg, Forest Park, Eastern Market, Gratiot Town/Kettering, Poletown East, Jamison, LaSalle Gardens, Wildemere Park, Medbury Park, Milwaukee Junction, Historic Atkinson, North End, Dexter-Linwood, Gratiot Woods, Gratiot Grand, Greektown
 - District 6: Midwest, Chadsey-Condon, Claytown, North Corktown, Michigan-Martin, Corktown, Core City
 - District 7: Aviation Sub, Garden View, Plymouth-I96, Plymouth-Hubbell, Paveway, We Care Community, Fiskhorn, Joy Schaefer, Warrendale, Warren Ave Community, Barton-McFarland, Franklin Park, Oakman Blvd Community, Nardin Park, Russell Woods, Joy Community, Southfield Plymouth, Pride Area Community, Happy Homes, Northwest Community, Littlefield Community, Grand River-I96, Davison-Schoolcraft, Chalfonte
 - The property cannot be in a floodplain.
- Applicants must be able to demonstrate that there is no duplication of benefits.
- Households must be able to demonstrate impact (tie-back) from the June 25-26, 2021, flood event. Homeowner should provide proof of 1 or more of the following:
 - Home Insurance Claim
 - FEMA Claim
 - SBA Claim
 - DWSD Water in Basement Claim

- Invoices from work completed by a licensed contractor/business.
- Claims must be between June 2021- September 2021
- Other proof can be submitted and reviewed by program staff. Applicants may be required to confirm impact of the Flood Event on June 25-26, 2021 through a signed affidavit.

Landlord – Tenant

The Landlord – Non-Owner Occupant Tenant program provides financial assistance to property owners (landlords) who rent to eligible low- and moderate-income (LMI) tenants. Assistance is

given in the form of a 5-year forgivable loan, with specific conditions and recapture provisions to ensure compliance with program requirements.

Key Provisions

Recapture Provision - 5 Year Forgivable Loan

Forgivable Loan Terms: The assistance provided is structured as a 60-month deferred payment loan. The loan will be secured through a mortgage and note on the assisted property.

Repayment Conditions: If the property owner fails to meet program requirements or sells or transfers the property within the 5-year loan period, repayments will be due on a descending scale.

Loan Forgiveness: If all program requirements are met for the entire 5-year period, the loan will be fully forgiven.

Eligibility and Application Limits

Property Types: Landlords can apply for up to 4 single family homes¹, which may include an eligible primary residence. Duplexes are counted as two single-family homes.

Income Requirements: At least 51% of the tenants must be low- to moderate-income, with incomes at or below 80% of the area median income (AMI). For duplexes, at least one home within the duplex must be rented to an LMI household.

- Tenant Income Documentation: Landlords must provide a signed lease and income eligibility documentation for LMI tenants.

Primary Residence Exception: Landlords who occupy one single-family home within a Duplex and meet LMI criteria need to provide tenant information for income verification. If the single-family home is vacant, fair market rent will be used to determine eligibility.

Tenants: Tenants applying for this program must be low- to moderate-income, with incomes at or below 80% of the area median income (AMI) and receive permission from Landlord for all eligible repairs to property. Landlord must follow guidelines listed prior.

Change in Residency

New Tenant Information: If there is a change in tenancy from the time of application, landlords must provide updated tenant information.

Vacancy Protocol: If units are vacated during the 5-year period, landlords must continue to market the units to LMI tenants and provide documentation of these efforts to HRD annually. HRD may conduct annual reviews, requiring landlords to provide marketing materials and other relevant documents.

¹ Single family home is a unit intended for one family to live in at a time.

Requirement for all rental properties

City Registration: The property must be registered with the City of Detroit Buildings, Safety, Engineering and Environmental Department (BSEED).

<https://detroitmi.gov/departments/buildings-safety-engineering-and-environmental-department>

Land Contracts

Individual(s) purchasing single family homes by a land contract will be considered as owner-occupant(s) provided that the following conditions are met:

- The single-family home must be the principal residence of the individual(s).
- There must be a written land contract properly recorded in the Wayne County Register of Deeds Office.
- The individual(s) must have made payments for at least six consecutive months or for 10% or more of the contract amount.
- Title holders must give consent to home repairs and participation in the Program.
- If all the above conditions have not been met, the individual(s) will be treated as tenants on a rental property and rental property program requirements will apply.

Ineligible Properties

- Commercial property
- Multi-family properties with more than 4 units
- Public housing units
- Project-based housing vouchers
- Zero-bedroom housing units
- 1-to-4-unit single family homes where all units are vacant
- Properties owned by a bank or the Treasurer's Office through the foreclosure process.
- Properties in which the owner is unable to show a clear title.

Eligible CDBG-DR PSRP Repairs

Eligible work is subject to available funding and must meet the requirements listed in the application and the property must be in one of the target neighborhoods.

Eligible Repairs

- Clean and Inspect sewer lateral service line with CCTV
- Disconnect downspouts and install extensions at least three feet from foundation (on rare occasion)
- Repair or replace private lateral sewer and install cleanout
- Install sump pump on properties where diversion is possible (on rare occasion)
- Install backwater valve and sump pump with sump pump overflow (on rare occasion)
- On a case-by-case basis:
 - funding will also be used to replace furnaces (or Boiler) or hot water heaters for homeowners that have been damaged by the flood.
 - funding will be used to test for mold, remediate & clean/sanitize basements.

Ineligible Repairs

This program does not cover:

- No replacement or repair of other private plumbing.
- No repairs to basement foundation or floor, such as pre-existing cracks, gaps and failing seals.
- No reimbursement for additional or alternative power for sump pumps.
- No reimbursement for existing backwater valve and/or sump pump.
- No replacement of an existing backwater valve or sump pump.
- No addition of another sump pump and/or backwater valve.
- No plumbing repairs on the private property including inside the house and the water service line.
- No homeowners in neighborhoods outside of the target areas will be eligible due both to funding capacity and based on historic basement backup data.

- If you have a finished basement with flooring other than cement, this program will only cover repatching the cement floor – the City will not subsidize the cost for restoring any tile, wood, carpeting, other materials, and/or fixtures.
- Hot Furnaces and Hot Water Tanks will be ineligible for repairs due to the following:
 - If damages to the Furnaces and Hot Water Tanks are found due to negligence and not related to flooding event.
 - If repairs were made due to the flooding event but not by licensed or certified plumber and further damages occurred.
 - If you received federal benefits for repairs and replacements which were expended (duplication of benefits)
 - Other items may be deemed ineligible based on information received after staff review.

Application Selection & Prioritization

Applicants who meet the eligibility requirements for the PSRP will be prioritized based on the following criteria to ensure that the most urgent needs are addressed first:

Affected Homeowners Benefit:

Priority: Residents identified through the Affected Homeowners Benefit, as per the City of Detroit Resolution, will be given priority. This group includes homes that have been specifically recognized as needing private lateral sewer repairs or replacements.

Second Priority: Households outside of the Affected Homeowners Benefit that require private lateral sewer repairs or replacements will be considered next.

Determination of Private Lateral Sewer Repair:

The need for private lateral sewer repair or replacement will be determined by the Detroit Water and Sewerage Department (DWSD) and/or a licensed plumbing contractor. This determination involves inspecting the sewer lateral service line using Closed-Circuit Television (CCTV).

Impact from Additional Flood Events:

Prioritization of Impacted Households: Households that have been impacted by specific flood events, namely those in August 2014 and both July and August 2021, will be given higher priority over other applicants.

Proof of Impact:

Applicants must provide proof of FEMA claims from the August 2014 flood events to qualify for this prioritization.

Income Verification and Qualification

Eligible applicant must have household income at or below 50% of the Area Median Income (AMI) for the City of Detroit as published annually by HUD. Household income shall be calculated based on the current annual gross income (AGI) as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 series for individual Federal annual income tax purposes. An applicant's income shall be assessed utilizing the most current tax returns (e.g., IRS Form 1040, 1040A, 1040EZ, or IRS form 8879) for all household members required to file taxes. All tax returns must be signed by the filer or tax transcripts from IRS. Please note that prior to July 1, 2025, the HUD Part 5 (Section 8) income determination method was utilized.

Household income shall be determined by totaling all income received by the applicant, spouse and other household members aged 18 or older at the time of Program application. If the applicant has not filed taxes in the last two current years, the following sources of income will be considered in determining gross household earnings:

- Gross salary from employment
- Periodic payment from annuity, pensions, disability payments, benefits, etc.
- Payment in lieu of wages, unemployment compensations, workman's compensation
- Payments from the State of Michigan Department of Health & Human Services
- Social Security/Social Security Disability payments
- Periodic allowances, child support, alimony
- Interest and dividends from savings, stocks
- Net income from the operation of a business
- Income received from rental units.

Documentation for other less common types of income will be assessed by the Program based on the type of income reported. Household occupants over the age of 18 without income are required to sign an Affidavit of Nonemployment Income and submitted as required supporting documentation.

The annual gross income eligibility checklist will be used to determine sources of income and must be signed and dated. HRD staff will use the income calculator embedded in Neighborly System to determine and certify the annual gross household income of the applicants.

Program Limits

Properties are limited to a one-time use of this funding. The maximum assistance per household shall not exceed \$40,000 (except in the instances where the City may find it necessary to provide an exception on a case-by-case basis.) Requests for repairs that exceed the stated program limits must be approved by the HRD Disaster Recovery Program Director.

Application Process

The following process details the application process HRD staff and City of Detroit residents will follow within the CDBG-PSRP program.

1. Applicants must complete an application:
<https://portal.neighborlysoftware.com/cityofdetroitmi/participant>
2. Once the application is completed by the resident, PSRP Program manager will check neighborhood, flood plain, income, housing structure, and prior benefits for eligibility.
3. Once deemed eligible, the PRSP Program Manager will assign applicant to an Intake Specialist to assist with application submission and intake for further eligibility.
4. The assigned Program Staff will be in contact with the applicant within five (5) days from the date of submission.
5. Intake Specialist will provide resident with an in-person location to complete application and provide documentation if needed.
 - a. District 7 Document Intake Day- Tuesday
 - b. District 4 and District 6 Document Intake Day - Wednesday
 - c. District 7 Document Intake Day - Thursday

Applications may be rejected for any of the following reasons:

- Causing undue delay in the project's process by not submitting required documents. An undue delay is a period in excess of 15 days after the Program Manager provides written notice to the applicant.
- Ineligible documentation.
- Submission of fraudulent documents.

- Excessive debris, disrepair or hoarding in the home that inhibits the Compliance Inspector from completing the inspections.
- Illegal utility hook-ups.
- Home is in a FEMA identified Special Flood Hazard Area
- Unable to provide impact (tie-back from the June 25-26, 2021, flood event)
- Program funding has depleted.
- Any other reason as documented in writing by the HRD PSRP Program Manager.

Full Application Requirements

1. Completed CDBG-DR PSRP Application
2. Proof of residency
 - a. Photo identification for each member of the household 18 and over:
 - i. Current driver's license, State ID card or City of Detroit ID card
3. Proof of ownership
 - a. Must show ownership for at least six (6) months at the time of application:
 - i. Recorded Warranty Deed, Quit Claim Deed or Land Contract (Warranty Deeds must accompany all recorded Quit Claim Deeds)
 - ii. Death and Marriage Certificates must be provided, if applicable
 - iii. Probate documents or Divorce Decree must be provided, if applicable
4. Proof of Current Property Taxes
 - a. Current, paid property tax bill (city or county) or
 - b. Must provide evidence of a recent property tax payment or show that they are actively enrolling in a payment plan through the Homeowners Property Exemption (HOPE) or the Michigan State Treasurer's Office. Residents needing support are added to an internal shared file to be assisted by HRD's Detroit Housing Services office in completing an application.
5. Proof of Occupancy
 - a. Copy of current utility bill or Copy of merchant's statement.
 - b. Credit card bills, delivery notices or other first-class mail addressed and received within the last 2 weeks.
6. Proof of Fire or Hazard Insurance (or waiver)
 - a. Copy of current fire hazard home insurance policy

7. Birth Certificates, or guardianship papers, for each dependent residing in the house
 - a. Religious, hospital or physician's certificate showing date of birth or
 - b. Adoption record or
 - c. Previously verified school records or
 - d. Affidavit from a parent
8. Proof of Income, for each member of the household 18 years and over (ALL)
 - a. Current annual gross income (AGI) as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 series for individual Federal annual income tax purposes. An applicant's income shall be assessed utilizing the most current tax returns (e.g., IRS Form 1040, 1040A, 1040EZ, or IRS form 8879) for all household members required to file taxes. All tax returns must be signed by the filer or tax transcripts submitted.
 - b. If the applicant has not filed taxes in the last two current years, the following sources of income will be considered in determining gross household earnings:
 - c. Gross salary from employment
 - d. Periodic payment from annuity, pensions, disability payments, benefits, etc.
 - e. Payment in lieu of wages, unemployment compensations, workman's compensation
 - f. Payments from the State of Michigan Department of Health & Human Services
 - g. Social Security/Social Security Disability payments
 - h. Periodic allowances, child support, alimony
 - i. Interest and dividends from savings, stocks
 - j. Net income from the operation of a business
 - k. Income received from rental units.
9. Duplication of Benefits Certification Form (Attachment E)
10. Proof and tie-back to June 25-26, 2021, Flood Disaster showing impact to home

Applicants must provide legible copies of the documents listed above. An incomplete application will not be accepted. Applications can be completed online or in person at one of the designated City of Detroit CDBG-DR PSRP locations. Locations will be communicated to residents through email.

Supporting Documentation can be provided online through the residential portal or in person at one of the designated City of Detroit CDBG-DR PSRP locations.

Use of Prior Application (Basement Backup Protection Program)

Prior applications may be considered if they are within the designated targeted areas. This program is not intended to be a first-come-first-served program and therefore persons who have already applied under prior funding amounts through the Basement Backup Protection Program (BBPP).

Prior applications will need to be reviewed to ascertain whether they qualify under the new program guidelines. As this program is not a continuation of other programs, applicants must be re-qualified.

Duplication of Benefits

CDBG-DR funds are one of multiple federal sources of disaster recovery assistance, and because CDBG-DR funds are typically the last federal source of funding, funds are often used for the same purposes as other federal funding sources. When CDBG-DR funds are used for the same purpose as other sources of funds, a duplication of benefits may occur. CDBG-DR assistance may only pay for eligible activities to address only pay for eligible activities to address unmet needs.

Basic DOB Verification

The total DOB is calculated by subtracting non-duplicative exclusions from total assistance. Therefore, to calculate the total maximum amount of the CDBG-DR award, the City must: (1) Identify total need; (2) identify total assistance; (3) subtract exclusions from total assistance to determine the amount of the DOB; and (4) subtract the amount of the DOB from the amount of the total need to determine the maximum amount of the CDBG-DR award. Please refer to the HRD CDBG-DR Duplication of Benefits Policy for an example of the basic framework for DOB verification in all CDBG-DR.

Applicants are required to report the amount of assistance received and purpose of the assistance from the following sources:

- Private Insurance (applicant must submit a claim if covered)
- National Flood Insurance Program (NFIP)
- SBA Grants/Loans
- Other Federal, State or Local Government Assistance
- Other private assistance includes charitable contributions.

Applicant Notified with Conditional Approval

Applicants will be notified by HRD that their application was approved for eligible services once all required documents have been submitted by CDBG-DR PSRP Intake Staff. If denied residents will be notified of reason via email, phone, mail with determination reason and provided with

general resources. Once Approved, HRD and DWSD (City of Detroit) will coordinate program/ construction start and end efforts. City of Detroit will provide residents with all necessary program documents while enrolled into program.

Unit Monitoring for Landlord Units

Each year during the five-year lien period, HRD PSRP staff will send a self-certification form (12 months from the execution of the mortgage and note) to the occupants of rental housing assisted with CDBG-DR PSRP funds requesting information about their income, number of people in the household and rental rate. If, based on the information returned, occupants are considered low-income, the monitoring is complete.

However, if, based on the returned survey, the occupants are over income, the property owner will be required to provide documentation showing the unit(s) was affirmatively marketed to low- to moderate-income families with children under six years of age and were unable to find a qualified low-income tenant to fill the vacancy.

If it is determined that the property owner did not fulfill their obligation to rent the assisted unit(s) to low-income families with children under six, the amount of the lien will be due immediately to HRD. The amount due will be based on the pro-rated amount.

In the case of owner-occupied assisted units, HRD staff will be notified if the house is sold. HRD staff will not implement additional compliance monitoring requirements on owner-occupied units. If the house is sold prior to the three-year lien expiring, the owner will be required to pay the pro-rated balance of the lien from proceeds of the sale.

Fair Market Rental Rates

Rental rates in tenant occupied units assisted with CDBG-DR PSRP grant funds must not exceed the HUD Fair Market Rental Rate, found here:

<https://www.huduser.gov/portal/datasets/fmr.html>. HUD Fair Market Rental Rates change annually, and the Lead Hazard Reduction Program will use the most current approved rental rates.

Landlords will not be permitted to raise rents during the five-year affordability period, unless there is a change in occupancy. As long as the tenant in the property at the time of assistance stays in the home, the rental rate established at the time of assistance will remain the rental rate until the end of the five-year affordability period or the tenant vacates the property.

When there is a change occupancy, the property owner may not raise the rent more than 5%, not to exceed the current HUD Fair Market Rental Rate. Non-Discrimination policy Section 109 of the Housing and Community Development Act of 1974 requires that no one shall, on the grounds of race, color, national origin, sex, age, or handicapped status, be excluded from

participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded with Community Development funds. In addition, any property owner, as a condition of obtaining a PSRP grant, must comply with all applicable requirements imposed by or pursuant to regulations affecting Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968 regarding the sale, lease, use or occupancy of his/her property.

The City of Detroit reaffirms its policy to allow all individuals the opportunity to participate in Federal financially assisted services and adopts the following provision:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In applying this policy, the City of Detroit and its sub-recipients of Federal funds shall not: Deny any individual with any services, opportunity, or other benefit for which such individual is otherwise qualified.

Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others.

Subject any individual to segregated or disparate treatment in any manner related to such individual's receipt of services or benefits.

Restrict an individual in any way from the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination.

Address any individual in a manner that denotes inferiority because of race, color, or national origin. Permit discriminatory activity in a facility built in whole or in part with Federal funds. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English-speaking ability, when requested and as appropriate.

Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment. Locate a facility in any way which would limit or impede access to a Federally funded service or benefit.

The City of Detroit will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues all within a period not to exceed 90 days.

The City of Detroit has designated a Title VI Coordinator who will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the City of Detroit complies with the Title VI regulations and pursues prevention of Title VI deficiencies or violations.

Inquiries concerning the City of Detroit and Title VI may be directed to: Title VI Coordinator, Coleman A. Young Municipal Center, 2 Woodward Avenue, Suite 1240, Detroit, MI 48226; or phone: 313.224.9521.

Language Assistance

As a recipient of federal funds, the City is required by Federal law to plan for and provide LEP individuals with meaningful access to City services, programs, and activities. In accordance with the Title VI non-discrimination laws regarding providing appropriate access to services and activities, the Limited English Proficiency Plan was implemented to define how the City of Detroit will accommodate LEP individuals. Upon request, the Civil Rights, Inclusion & Opportunity Department will provide interpretation and documentation translation services.

OWNER MISCONDUCT

If the property owner and/or tenant, and/or anyone related to or associated with the property owner and/or tenant, engages in conduct which either prevents or unduly interferes with the Contractor's performance activities as agreed to in the work specifications, and/or causes the destruction of work that has been completed, the Contractor may submit evidence of the property owner/tenant's alleged misconduct, in writing, and request the DWSD and PSRP Program Manager/Director to conduct an inquiry. Within fifteen (15) business days of request, the DWSD and PSRP Program Manager/Director shall notify the Contractor and the property owner and/or tenant, in writing, of the results of its inquiry. If HRD determines that the property owner/tenant has violated this policy, the Contractor may terminate the contract with ten (10) days written notice to HRD and the property owner and/or tenant. The Contractor shall be compensated for all work completed on the project approved by HRD. If HRD determines that the property owner/tenant's conduct is not in violation of this policy, any subsequent contract termination by the Contractor on the basis of the property owner and/or tenant's misconduct will be considered a violation of the policy. Failure of HRD to render a decision within fifteen (15) days after receipt of the Contractor's request for an inquiry shall be deemed a determination that the property owner and/or tenant is guilty of the alleged misconduct.

Other Repair Work

No work, of any kind, other than that contained in the approved work specifications included in the signed contract, or included in an approved change order, will be covered by the CDBG-DR PSRP nor should any additional work be undertaken, either by the owner/occupant, the HRD hired contractor or another contractor, during this project.

Release of Lien Restriction

By agreeing to be a part of the CDBG-DR PSRP, the landlord agrees to have a lien placed on their property to protect HUD's investment; A five-year lien is required rental units. The lien is

prorated on a monthly basis and forgiven over the period of the lien. Payback of the outstanding balance only occurs if the property owner does not meet the terms of the lien – (a) if the house is sold during the affordability period, or (b) the property is not occupied by a low- to moderate-income household and has not been affirmatively marketed to such households. The mortgage lien document recorded with the Register of Deeds outlines the terms and conditions of this program.

After the expiration of the affordability period, the owner can request that HRD discharge the property lien.

DEFINITIONS

CDBG – Community Development Block Grant

CDBG-DR – Community Development Block Grant – Disaster Recovery

Duplication of Benefits – The Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act) prohibits any person, business concern, or other entity from receiving financial assistance from CDBG Disaster Recovery funding with respect to any part of a loss resulting from a major disaster as to which he has already received financial assistance under any other program or from insurance or any other source.

Family – A household composed of two or more related persons. The term family also includes one or more eligible persons living with another person or persons who are determined to be important to their care or wellbeing, and the surviving member or members of any family described in this definition who were living in a unit assisted under the HOPWA program with the person with AIDS at the time of his or her death.

Household – A household is defined as all persons occupying the same housing unit, regardless of their relationship to each other. The occupants could consist of a single family, two (2) or more families living together, or any other group of related or unrelated persons who share living arrangements. For housing activities, the test of meeting the low to moderate income objective is based on the LMI of households.

HRD – Housing & Revitalization Department

Low to Moderate Income (LMI) National Objective – Activities which benefit households whose total annual gross income does not exceed 80% of Area Median Income (AMI), adjusted for family size. Income eligibility will be determined and verified in accordance with 24 CFR Part 5 requirements using procedures as stated in the Technical Guide for Determining Income and Allowances, 3rd Edition (HUD-1780-CPD). The most current income limits, published annually by HUD, shall be used by the subrecipient to verify the income eligibility of each household applying for assistance at the time assistance is provided.

- Very low: Household's annual income is up to 30% of the area median family income, as determined by HUD, adjusted for family size
- Low: Household's annual income is between 31% and 50% of the area median family income, as determined by HUD, adjusted for family size
- Moderate: Household's annual income is between 51% and 80% of the area median family income, as determined by HUD, adjusted for family size

PSRP – Private Sewer Repair Program

Contact Information

For more information or assistance, residents can contact:

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