

## **CITIZEN PARTICIPATION REQUIREMENTS**

Each Local Unit of Government and Non-Profit Organization seeking HOME funds shall meet the following requirements as set forth at 24 CFR 91.115(e) of the Housing and Community Development Act of 1974. For-profit organizations and developers seeking HOME funding in conjunction with Low Income Housing Tax Credits (LIHTC) will satisfy the Citizen Participation requirement with the Public Hearing held for the Qualified Allocation Plan (QAP).

All Local Units of Government and Non-Profit Organizations must meet all citizen participation requirements prior to submittal of an application for HOME funds. It will be the responsibility of the Local Unit of Government and the Non-Profit Organization to provide documentation demonstrating that all requirements have been met and a written adopted Citizen Participation Plan is in place assuring the following:

- Encourages Citizen Participation with emphasis on participation by persons of low and moderate income, who are residents of areas in which the HUD funds are proposed to be used, and in the case of a grantee described in Section 106(a) of the Act, provides for participation of residents in low and moderate-income neighborhoods as defined by the local jurisdiction;
- Ensure that residents will be given reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements. As well as information relating to written complaints and grievances;
- Provide technical assistance to groups that are representative of persons of low- and moderate-income that request assistance in developing proposals (including proposed strategies and actions to affirmatively further fair housing) with the level and assistance to be determined;
- Provide for a minimum of two public hearings, each at a different stage of the program, for the purpose of obtaining residents' views and responding to proposals and questions. Together the hearings must cover community development and housing needs (including affirmatively furthering fair housing), development of proposed activities, and a review of program performance. The public hearings 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 accessible locations convenient to potential or actual beneficiaries, with accommodations for persons with disabilities. 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;

- Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application; and
- Provide citizens the address, phone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances, within fifteen (15) business days.

The provision and implementation of a Citizen Participation Plan may not be construed to restrict the responsibility or authority of the potential grantee for the development and execution of its community development program(s). All applicants/grantees must adopt a Citizen Participation Plan and provide documentation of compliance throughout the term of the grant agreement. The components of the Citizen Participation Plan and the kind of information necessary to meet the requirements are discussed in the following section.

### **INITIAL PUBLIC HEARING**

- An initial Public Hearing must be conducted in the proposed project area to inform the local citizens of the applicant's intention to apply for funds and to obtain local citizens' input. The public hearing **MUST** be held no less than seven (7) days prior to the due date of an application submittal. The hearing must be held at times and locations accessible and convenient to all citizens.
- The applicant must publish a notice of the initial public hearing not less than fourteen (14) days and no more than twenty (20) days prior to the date of the public hearing in the legal or non-legal section of a newspaper of general circulation. The notice must specify the actual activities proposed to be undertaken, should the project be funded. In addition to the newspaper publication, the applicant must make every effort and is encouraged to use additional methods of informing the public of the public hearing.
- During the public hearing, the applicant must furnish information to the citizens concerning the amount of funding available statewide for proposed community development activities, the types of eligible activities that may be undertaken, amount of HOME funds expected to benefit very-low to low income persons, the proposed HOME activities likely to result in displacement, and the applicant's plans to minimize displacement of persons and to assist displaced persons.
- The applicant must inform citizens that written comments will be accepted regarding the proposed use of funds and areas to be targeted for assistance and must provide a reasonable time period and location for submittal of written comments. Technical assistance must be provided to representatives of persons of very-low to low income as appropriate in developing program input.

- The applicant must ensure that local files contain documentary evidence that the public hearing was held, including the actual notice, original proof of publication of the notice, the attendance roster and detailed minutes of the meeting. Documentation must be included in Phase I application. The applicant must also retain the attendance roster and minutes of the meeting in the file for public review. All pertinent records, including written citizens' comments must be maintained and made available for review by MHC at the primary office of the applicant. Should the applicant receive an on-site visit, this information must be available for review. The Chief Elected Official or Executive Director of the applicant must sign the written minutes of the public hearing.
- In determining the proposed project location and needs to be addressed by the proposed project, the applicant must consider both citizen input that was received during the public meeting and the written comments that were received within the designated time frame after the public hearing.
- MHC encourages the establishment of a local task force composed of residents from the project area. In the event that local interest is not sufficient to establish a task force, the recipient must still conduct a Public Hearing during the project's implementation.
- The recipient must document its citizen participation process. Such documentation should describe the method used to obtain citizen input throughout its project and include records of all Public Hearings.

## **SECOND PUBLIC HEARING**

- After notification of funding award, a second public hearing must be conducted to provide a review of program perform. The hearing shall be conducted in the are of the community where the project is located and must be accessible to the handicapped.
- The same method of notifying the public of the meeting that was used for the initial public meeting must be used. Recipients are encouraged to use additional methods to notify persons in the area where the project is on-going.
- Records of the meeting must be retained in the local files. These records must include a copy of the actual notice, the attendance roster, and a copy of the minutes of the meeting which bear the signature of the recipient's Chief Executive Officer.

- The recipient must document its citizen participation process. Such documentation should describe the method used to obtain citizen input throughout its project and include records of all public meetings.

### **CALCULATION OF TIME FOR PUBLIC HEARINGS**

In calculating any period of publication required under a HOME project, the first day of the advertisement shall not be counted in the calculation.

**Publication Example:** For a 14 to 20 day Citizen Participation Public Hearing scheduled for February 10th, the Sub-recipient should calculate as follows: Earliest possible advertisement date: January 20th (20 Days). Latest possible advertisement date: January 26th (14 Days).

Applicants shall not schedule hearings or bid openings on Sundays or holidays. Whenever a public comment period ends on a Saturday, Sunday, or holiday, grantees shall accept comments until the end of the next business day that is not a Saturday, Sunday, or holiday.

## **PUBLIC HEARING NOTICE FOR INITIAL HEARING Homeowner Rehabilitation/Reconstruction**

### **SAMPLE**

The (City/Town/County) of Mississippi is considering applying to Mississippi Home Corporation for funding through the HOME Investment Partnership Program – Homeowner Rehabilitation/Reconstruction Program. The State of Mississippi has allocated \$\_\_\_\_\_ that will be made available to cities/towns/counties on a competitive basis to undertake homeowner rehabilitation/reconstruction activities.

The activities for which these funds may be used are in the areas of affordable housing for low and very low-income persons. More specific details regarding eligible activities, program requirements, and the rating system will be provided at a public hearing which will be held at (Place/Address) on (Date) at (Time).

The purpose of this hearing will be to obtain citizen input into the development of the application. The location for this hearing is an accessible facility. All comments are welcome and must be submitted in writing. If a translator is needed for non-English speaking persons, please contact (Name) at (Telephone Number) at least 5 days prior to the meeting in an effort to accommodate this request.

The (City/County or Town/CHDO) does not discriminate on the basis of disability in the admissions or access to or treatment or employment in its programs or activities.

The applicant should include any additional information as necessary.