



Emergency Rental Assistance (COVID) Program

Policies and Procedures

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City of Palmdale
Neighborhood Services
38250 Sierra Highway, 2nd Floor
Palmdale, CA 93550

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Policies and Procedures

Introduction

The City of Palmdale (City) is an Entitlement City in the Community Development Block Grant (CDBG) Program. As an Entitlement City the City receives an annual allocation of CDBG funds from the U.S. Department of Housing and Urban Development (HUD) to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The Coronavirus Aid, Relief and Economic Security Act (CARES Act) (Public Law 116-136), signed into law on March 27, 2020, made available \$5 billion in supplemental Community Development Block Grant (CDBG-CV) funding to prevent, prepare for, and respond to the coronavirus. In recognition of the substantially negative economic impact of the COVID-19 pandemic on Palmdale residents, the City Council authorized the use of a portion of the City's CDBG-CV grant funds for an emergency rental assistance program.

Several eligible public services may be funded with CDBG-CV. For CDBG-CV and FY 2019 and 2020 annual CDBG grants, the 15 percent cap has been lifted for public services that prevent, prepare for, or respond to coronavirus. CDBG-CV funds may only be used for those public service activities that are new or that represent a quantifiable increase above the level of an existing service that has been provided by or on behalf of the unit of general local government (through funds raised by the unit or received by the unit from the state in which it is located) in the 12 calendar months before the submission of the action plan.

The City's Department of Neighborhood Services – Housing Division ("Housing") will be responsible for administering and implementing the Emergency Rental Assistance (COVID) Program ("Program"). Housing will utilize these policies and procedures in the day-to-day implementation of the Program. These policies and procedures incorporate the required CDBG-CV and other federal cross cutting requirements in addition to the suspensions and waivers from HUD.

A. Program Description

The Emergency Rental Assistance (COVID) Program provides emergency rental assistance grants to income-eligible individuals and families economically impacted during the COVID-19 pandemic through job loss, furlough, or reduction in hours or pay. Eligible individuals and families that apply for assistance must be residents renting a standard housing unit located within the incorporated city limits of the City of Palmdale. For the limited purposes of this program, a standard housing unit is defined as a permitted dwelling unit located within the incorporated City limits of the City of Palmdale that

contains a functioning kitchen, bathroom, storage, sleeping areas, living areas, and appropriate ingress and egress, and that is rented to the applicant pursuant to a written lease by a third-party property owner that does not reside within the dwelling unit.

The Program provides emergency rental assistance grants on behalf of an income-eligible applicant, in a reasonable amount determined by the City for a period not to exceed December 31, 2022, to reduce rental payment delinquency in arrears as a result of the economic downturn during the COVID-19 pandemic. In accordance with the FR-6218-N-01: Notice of Program Rules, Waivers, and Alternative Requirements Under the CARES Act for CDBG Program Coronavirus Response Grants, FY19 & 20 CDBGs, and for Other Formula Programs (August 7, 2020) HUD allows the City to pay for rent that is due or that is past due. This program will provide emergency rental assistance, including monthly rent or past due rent, originally due on or after April 1, 2020, which is on or after March 13, 2020, which was the effective date of the emergency declarations issued under Title IV of the Stafford Act. This program will not cover any late fees or utility payments. The maximum amount of assistance per household shall be \$10,000. All assistance amounts paid shall be paid directly to the owner or property manager and shall not, under any circumstances, be paid to the applicant.

B. Applicant Eligibility

To be eligible for assistance, an applicant must:

1. Reside within the incorporated limits of the City of Palmdale.
2. Have a current annual household income that does not exceed the U.S. Department of Housing and Urban Development (HUD) established 50 percent of Area Median Income (AMI) limits for Los Angeles County, adjusted for household size, as published for the CDBG program. Household income eligibility is based on the following two (2) factors:
 - a. The total number of people residing in the housing unit; and
 - b. The total amount of current annual household income as stated in the Program Application and Certification of Income.
3. Have experienced a negative economic impact because of the COVID-19 pandemic and able to document that impact.
4. Have a current residential lease or rental agreement for a standard housing unit in the City of Palmdale.

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5. Submit a Statement of Intent to Participate Form signed by the bona fide landlord/property management agent or company.
 6. Submit evidence of the current rental balance.
 7. Certify on the Program Application that the applicant has received no other sources of assistance for the requested rent expenses from any private, local, state, or federal funding source.

Community Development Block Grant (CDBG) Program

The CDBG Program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended 42 U.S.C. 5301 et seq. The program was designed to reinforce several important values and principles of community development:

- CDBG's flexibility empowers people and communities to design and implement strategies tailored to their own needs and priorities.
- CDBG's emphasis on consolidated planning expands and strengthens partnerships among all levels of government and the private sector in enhancing community development.
- CDBG's technical assistance activities and set-aside for grantees builds the capacity of these partners.

A. Use of CDBG-CV Funds for Emergency Rental Assistance (COVID) Program

The City will use CDBG-CV funds for emergency rental payments on behalf of income-eligible individuals and families economically impacted by the COVID-19 pandemic. Monthly rental assistance is provided through direct payment to a bona fide landlord, property management agent or company for current rent and/or to pay down rental arrears within the period of April 1, 2020 to December 31, 2022. The City shall require proof of arrears that are owed.

This activity is an eligible activity under the CDBG-CV program regulations as a public service activity under the authority of 24 CFR 570.201(e) which allows for emergency grant payments.

Program Requirements

The Emergency Rental Assistance (COVID) Program policies and procedures are designed to assist the City staff in complying with all CDBG-CV Program requirements, including all federal crosscutting requirements and City requirements. CDBG-CV funds shall be used to pay up to 100 percent of the emergency rental assistance for applicants that can demonstrate a financial hardship due to a negative economic impact because of the COVID-19 pandemic.

A. Applicant Eligibility

Applicant's eligibility for Program assistance shall be determined upon submission of a completed Program Application and Certification of Income with all required information and documents. Program staff shall review application information and provide an eligibility determination within 14 days. Information and supporting documentation for each applicant shall be recorded in an applicant file to demonstrate eligibility/ineligibility for this program. Documents supplied to the City in connection with Program Applications shall not be returned. Applicants are cautioned not to submit original documents and to only submit copies.

A denied applicant file shall contain all submitted information and documentation, as well as the reason for denial (e.g., over income limits, incomplete information, reside outside service area).

An approved applicant file shall contain all submitted information and documentation necessary to meet all required eligibility criteria and contain completed forms, documentation, and necessary information for all members of an applicant such as the following:

1. Residency in Eligible Area

To be eligible for the Program, applicants must be current residents of the City of Palmdale. Applicants will be required to provide proof of residency by means of a government issued identification. Rental assistance shall only be provided for standard housing units located within the City boundaries. Verification that the residence is located within the City will be made by staff using City maps.

2. Household Income

Income limits are established by household size and revised annually by the U.S. Department of Housing and Urban Development (HUD). All households assisted under the Program shall not exceed 50 percent of AMI as published by HUD for the CDBG program. **Table 1** provides the CDBG income limits effective June 1, 2022.

Table 1

Household Size	Low Income (50% of AMI)
1	\$41,700
2	\$47,650
3	\$53,600
4	\$59,550
5	\$64,350
6	\$69,100
7	\$73,850
8	\$78,650

CDBG Income Limits Effective June 1, 2022

Applicants shall demonstrate that their household income does not exceed HUD's 50 percent AMI limit as adjusted for household size. Income will be determined utilizing the Section 8 method, commonly as the Part 5 method, as defined at 92.203(b). In this method, the City must use the household's annual gross income for qualification purposes.

3. Section 8 Assistance

Households already receiving Section 8 rental housing assistance payments are ineligible for assistance under the Program.

B. Program Costs

1. Direct Program Costs

Eligible direct program costs which shall be paid for with Program funds are Emergency Rental assistance which will cover rental payments in arrears through December 31, 2022.

2. Ineligible Use of Funds

Any services not explicitly listed in the Eligible Use of Funds section shall be deemed ineligible. The City shall also note that Emergency Rental Assistance funds may not be spent:

- To prevent displacement of, or provide relocation assistance to, tenants as a result

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- of activities other than the CDBG program
- To pay for overnight or temporary shelter
 - To pay rent for a non-standard unit, including renting a room within a housing unit, renting a garage, or other housing arrangement that is not a standard permitted housing unit
 - To pay rent for a portion of a standard unit owned and occupied by a family member
 - To pay rent for a unit that does not have a lease or rental agreement already in place, or for payment for months not covered by the lease or rental agreement

C. Prohibition Against Duplicative Assistance

Applicants cannot receive Program assistance if they are receiving rental assistance under another federal, state, or local rental assistance program if the Program subsidy would result in duplicative subsidies.

All applicants shall certify on the Program Application and Certification of Income under penalty of perjury, under the laws of the State of California, that they are not able to receive, and have not received, other federal or non-federal benefits or assistance for rent assistance for the period of time between April 1, 2020, and the date of last signature on this application form. Applicants shall further certify that they will not pursue other federal or non-federal benefits for the same uses of this grant program for rent and/ costs for the period of April 1, 2020, until the final assistance payment made by City under this program.

D. Appeals

Applicants may appeal application denials. Appeals shall be submitted in writing to the Housing Manager, Housing Division at 38250 Sierra Highway, 2nd Floor, Palmdale, CA. 93550 within seven (7) calendar days of the date of the application denial letter. The written appeal shall state the reason(s) why the applicant believes the application denial was in error and provide any additional documentation necessary to support the applicant's assertion of same. The Housing Manager will review the appeal and issue a determination in writing within fourteen (14) calendar days. If further review is required, the Director of Neighborhood Services or designee shall review the appeal. The decision of the Director or designee shall be issued in writing within fourteen (14) calendar days and shall be final.

E. False Claims

Applicants shall certify on the Program Application and Certification of Income under penalty of perjury that "The information provided on this form is subject to verification

by HUD at any time, and Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony and assistance can be terminated for knowingly and willingly making a false or fraudulent statement to a department of the United States Government.”

F. Conflict of Interest

In accordance with 24 CFR 570.611, no employee, agent, consultant, officer, elected official, or appointed official of the City of Palmdale who exercise or has exercised any functions or responsibilities with respect to activities assisted with CDBG-CV funds or who are in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a financial interest or financial benefit from a CDBG-CV assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to the CDBG CV-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties shall include (whether by blood, marriage, or adoption) the spouse, parent (including a stepparent), child (including a stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild, and in-laws of a covered person.

Upon the written request of the City of Palmdale, HUD may grant an exception to the Conflict-of-Interest provisions on a case-by-case basis when HUD determines that the exception will serve to further the purposes of the CDBG CV Program and the effective and efficient administration of the City’s Program. HUD will only consider an exception after the City has provided the following:

- A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made.
- An opinion of the City’s attorney that the interest for which the exception is sought would not violate State or local law.

In determining whether to grant a requested exception after the City has satisfactorily met the requirements above, HUD will consider the cumulative effect of the following factors, where applicable:

- Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available.
- Whether the person affected is a member of a group or class of low- and moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class.

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- Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question.
 - Whether the interest or benefit was present before the affected person was in a position as described in this section.
 - Whether undue hardship will result either to the City or the person affected when weighed against the public interest served by avoiding the prohibited conflict.
 - Any other relevant considerations.

G. Preferences and Priorities

Assistance shall be limited to units within the City's boundaries. Assistance shall be limited to current residents of the City. No other priorities or preferences for certain types of housing or household type are included herein.

H. Program Guidelines Changes or Modifications

Minor changes to these Program Guidelines involving administrative procedures or accommodations to adapt to unique applicant situations or opportunities, or regulatory changes may be performed with the approval of the Housing Manager. Federal regulatory requirements for the CDBG program are not subject to modification or revision, except when HUD issues guidance superseding prior regulatory requirements.

Application Process

Applications shall be processed in a manner that ensures fair access, including reasonable time periods and methods of submission. Assistance shall be offered to any City of Palmdale household requesting assistance in completing the Program Application and Certification of Income Form.

A. Applicant Intake Process

To participate in this Program, interested residents shall submit a Pre-Application Form during the advertised period of availability, between December 8, 2022, 8am - December 19, 2022, 6pm. Applicants selected from the Pre-Application period of availability via lottery will be provided an opportunity to complete and submit a full Program Application and Certification of Income along with all required supporting documents.

If after the initial Pre-Application period of availability and lottery, the City determines that there are sufficient funds remaining or the City has received additional funds exceeding the number of eligible applicants on the waitlist, the pre-application period

may be reopened to allow additional applicants an opportunity submit a pre-application and be placed on the waitlist. When and if the waitlist is re-opened, Staff will follow program guidelines regarding marketing and advertising.

1. Application Details

Applicants shall be contacted by staff in the order of the lottery results. Staff shall send Applications to applicants for completion. The Application shall be completed and submitted along with the supporting documents requested as part of the application. The application shall be submitted either in-person or electronically by emailing the completed application to the designated address. Application submittals must include all of the information requested by the City in order to determine eligibility. This includes City residency, proof of COVID-19 negative economic impact, rental amounts, and household income certification. Application forms shall be reviewed in the order in which they are received. Applicants submitting incomplete Applications shall be notified by staff, via e-mail and/or U.S. mail, of any deficiencies in the application and shall provide the applicants 14 calendar days to submit the required information.

2. Lottery and Waitlist

Each applicant who submits a Pre-Application form will be entered into a lottery. Applicants will be pulled in the lottery process until each Pre-Application has been assigned a number and placed on a “lottery list” in chronological order of being drawn. Staff will begin with the first applicant on the lottery list and process all applicants in chronological order and in accordance with the guidelines until all program funds are depleted.

When program funds have been depleted, the City will maintain the lottery list as a waitlist. The waitlist will be maintained for up to six months from the date of fund depletion. If the City identifies additional funds, staff will start at the beginning of the waitlist to further process applicants to provide assistance to eligible individuals and families in accordance with program guidelines. Any additional funds identified by the City may entail different program requirements from those included herein for this program. If the City determines that there are sufficient funds remaining, the pre-application period may be reopened, and a new lottery created until all funds are obligated to eligible households.

3. Applicant Confidentiality

Employees and agents of the City will not disclose any applicant’s personal confidential information as part of the program. All confidential information of applicants will be kept in a locked secured storage facility or password protected electronic files and unavailable

to persons outside of the program. At all times, the City will abide by all requirements stated within the Privacy Act of 1974 as amended. If the City receives a request for public records related to the program, only non-confidential information, as verified by the City, will be provided. The City shall follow its Personally Identifiable Information (PII) policies and procedures to ensure all records containing personally identifying information (as defined by HUD) of any person or family who applies for and/or receives assistance is kept secure and confidential.

4. Written Agreements & Program Documents

Any emergency rental assistance agreements entered into by the City must be signed by the relevant parties and the City. These agreements shall include at least the following:

- Amount of assistance
- Period of arrears the assistance covers

B. Annual Income Definition and Documentation

“Annual Income” is defined as all amounts, monetary or not, which go to the household (even if not related) or are anticipated to be received from a source outside the family during the past 12-month period.

The Part 5 definition of annual income shall be used exclusively for this program. No other definition of income shall apply. For income and asset inclusions and exclusions, please review 24 CFR 5.609.

The City must determine that the applicant is not a student that would be ineligible to receive assistance in accordance with 24 CFR 92.2.

The City must determine a tenant’s annual income by examining at least 2 months of source documentation evidencing income for the past 12 months. The City must ensure that the tenant’s self-certification indicates how the applicant’s financial situation has changed (i.e., job loss or reduced wages), and includes all income including any unemployment or emergency benefits received by the applicant as a result of the pandemic. Note that for the purposes of the tenant’s self-certification, stimulus payments will not be included as emergency benefit.

For Part 5 income determinations, the City shall verify the applicant’s household income using a third-party source information for each participant over the age of 18. Third party

source documentation may include, but is not limited, to paycheck stubs or other wage statements, interest statements, unemployment or worker's compensation statements, or Social Security letter of monthly award. The City shall maintain a copy of the source verification documents in each applicant's file.

1. Definition of a Household and Documentation of Household Members

Household means one or more persons occupying a housing unit. Therefore, household information must include, at a minimum, the following:

1. Full names and ages of all people living in the residence; and
2. Signature of all adult household members aged 18 or over, certifying that the information provided related to the annual household income and household composition is correct.

Program Implementation

These policies and procedures describe the steps that must be followed by the City of Palmdale in the administration and implementation of the Emergency Rental Assistance (COVID) Program. These Policies and Procedures must be followed and shall be enforceable along with all aspects of the grant agreement and CDBG Program regulations at 24 CFR 570.201(e) which allows for emergency grant payments.

A. Program Marketing

The City shall market the Program through various means to enable the widest reach possible. The City shall use the following methods to market the program:

- City's website at www.cityofpalmdale.org
- Social media, including but not limited to, Facebook, Twitter, and Instagram
- Press Release
- A flyer will be developed and distributed to nonprofit partners and local property managers

As part of the marketing, the City shall implement an affirmative marketing plan describing how it will reach out to property owners to make them aware of the program and its requirements and to minimize potential discrimination. To further fair housing objectives, the City shall identify households that are least likely to apply and determine what special outreach activities shall ensure they are fully informed about the program.

To ensure that the Program access is not limited to a particular facility or program's applicants, the marketing approach shall address:

- How the program will be announced (i.e., a marketing and outreach strategy)
- How long applications will be accepted
- Where and how to submit applications
- How applicants will be contacted regarding program acceptance or denial

Landlord willingness to accept Program payments significantly affects the options and opportunities available to applicants. Mailing program notices to landlords using City records as a resource and participating in local landlord association meetings may be used as an effective tool.

B. Applicant Files/Checklist

An applicant file shall be created for each applicant who submits an actual program application form regardless of whether the program application is eventually accepted or denied. This file will contain the application form and all supporting documentation submitted by the application with the application as well as all written correspondence between the applicant and City. A log shall be maintained of all pre-screening applications that are received and reviewed. For applicants that are deemed to meet all the program criteria and are approved, a paper file shall be developed containing copies of all supporting documentation including at least their income documentation or self-certification, calculation of tenant's contribution to rent, all written correspondence, documentation that the City reviewed and approved the lease, application form, and agreement with landlord/property manager. Applicant files must be maintained for five years after the period of rental assistance ends.

C. Environmental Review

24 CFR 58.22 prohibits the commitment or expenditure of CDBG CV funds or other funds until the environmental review process has been completed and the environmental clearance and subsequent release of funds has been received. In accordance with the CARES Act, the waiver of environmental regulations is not permitted. Accordingly, the City shall conduct a programmatic environmental review for the Rental Assistance Program. A Categorically Excluded, Not Subject to 58.5 (CENST) review shall be completed prior to providing any assistance under this program.

D. Accessibility

Private housing providers participating in a CDBG CV-funded program are not subject to the requirements of Section 504 of the Rehabilitation Act of 1973, however the City is required to comply with the following:

- Section 504 and its implementing regulations at 24 CFR Part 8 obligates the City, as a recipient of Federal financial funds, to make its programs accessible to persons with disabilities, including providing a policy, practice, or rule modification, or an accessible feature in a unit or common area, if needed as an accommodation by an applicant or tenant with a disability, unless doing so would result in a fundamental alteration in the nature of its program or an undue financial and administrative burden (See 24 CFR 8.4, 8.20, 8.24, and 8.33 for further requirements and guidance).
- The City shall take the following steps to ensure that it is operating the Program in a manner that makes the program accessible to persons with disabilities:
 - Ensure that the location for the in-take process of the Program is in a building that is accessible to persons with mobility disabilities.
 - Distribute notices of the availability of housing assistance to eligible individuals with disabilities.
 - Make notices and application forms available in a variety of formats, to ensure that persons with disabilities receive information about the Program and are able to access the program.
 - Provide information about the availability of accessible units to applicants who require accessible units, where known.
 - Provide information on counseling available to help those in need of accessible units to find them.
- In addition, the City is aware that it may need to provide reasonable accommodations to individuals with disabilities in order to make it possible for them to participate in the Program. Such accommodations may include providing higher rents and sufficient assistance to enable a person with a disability who needs a live-in aide to rent a unit with an extra bedroom, in addition to that needed by the family.
- Effective communication with applicants and beneficiaries may require auxiliary aids where necessary, such as sign language interpreters, TTY devices, note readers, large-sized written materials, Braille materials, audio recordings, and other similar services and devices; and having a TTY or equally effective communication system available if the City communicates with the public by telephone.

Under the Fair Housing Act, housing providers must make reasonable accommodations for applicants or residents with disabilities to enable them to fully enjoy or use their

dwelling and any related amenities afforded to other residents, in accordance with 24 CFR 100.203 and 100.204.

- Typically, an accommodation can be made with little or no cost to the housing provider. However, in some circumstances an applicant or resident will require an accommodation that has a cost and is necessary to the full use and enjoyment of the property by the tenant. In these cases, the housing provider is obligated to bear the cost of the accommodation, provided it does not impose an undue financial and administrative burden on the housing provider.

In addition, housing providers must permit tenants to make and pay for structural modifications to units or common areas that are needed to allow them to have effective use of the housing program (reasonable modifications).

- A housing provider is not required to pay for modifications or structural changes to the development. If the housing provider wishes to make these modifications on behalf of the tenant, the cost of these modifications can be passed on to the tenant, either as a direct payment to the housing provider, or in a series of payments over time. The tenant can also arrange to have these modifications made on his or her own. A housing provider may require the tenant or applicant to provide a description of the proposed work and reasonable assurances that the work will be done in a workmanlike manner and with required building permits.
- The housing provider may also require restoration of the unit to its original condition (except for normal wear and tear) prior to moving out, if the modification might interfere with a subsequent tenant's use and enjoyment of the unit, and payment into an interest-bearing escrow the funds for restoration.

E. Payment Process

The City shall implement a payment process for disbursing payments to outside entities, including landlords. This process requires the City to make rent payments directly to the landlord upon approval of the Emergency Rental Assistance (COVID) Program application approval and proof of arrears being provided by the applicant and confirmed with the Landlord or property management company.

F. Uniform Administrative Requirements for Financial Management

The City shall implement its financial management system to ensure that it meets the Uniform Federal Administrative requirements (2 CFR 200.301-316) that:

- Provide effective control over and accountability for all funds, property, and other

assets.

- Identify the source and application of funds for federally sponsored activities including records and reports that verify the eligibility, reasonableness, allowability and allocability of costs.
- Permit the accurate, complete and timely disclosure of financial results in accordance with HUD reporting requirements.
- Minimize the time elapsing between the transfer of funds from the U.S. Treasury and disbursement.
- The City shall comply with the Uniform Administrative Requirements as set forth in 2 CFR Part 200 and the Uniform Administrative Requirements, Cost Principals and Audit Requirements and as described in 24CFR Part 92.205, as applicable and as may be amended from time to time.

The financial management standards shall provide for:

- Internal Controls – The combination of policies, procedures, job responsibilities, personnel and records that together create accountability in an organization’s financial system and safeguard its cash, property and other assets.
- Budget Controls – procedures to compare and control expenditures against approved budgets.
- Accounting Records – records that sufficiently identify the source and application of CDBG funds provided.
- Cash Management – procedures in place to minimize the amount of time that elapses between receipt of CDBG funds and the actual disbursement of those funds.

G. Disbursements and IDIS

The City shall not request reimbursement from HUD until the funds have been paid out for payment of eligible costs. Meaning that the cost has occurred prior to requesting CDBG reimbursement. The amount of each reimbursement request shall be limited to the amount of the costs paid out.

IDIS - Integrated Disbursement Information System requirements:

- The City shall set up a single activity in IDIS and draw down funds as they are disbursed.
- Due to IDIS automatically cancelling projects in the system for no activity, the City shall not set up units in IDIS unless the Program assistance is ready to begin, and a qualified tenant has an approved application and/or the City is ready request the first disbursement.

APPENDIX A

Definitions

Term:	Definition:
Consolidated Plan (24 CFR Part 91.5)	The document that is submitted to HUD that serves as the comprehensive housing affordability strategy, community development plan, and submissions for funding under any of the Community Planning and Development formula grant programs (e.g., CDBG, ESG, HOME, and HOPWA), that is prepared in accordance with the process described in this part.
Cost Burdened	A household that pays more than 30 percent of its monthly gross income for housing costs including rent and tenant-paid utilities
Family (24 CFR 5.403)	<p><i>Family</i> includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:</p> <ol style="list-style-type: none"> 1. A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or 2. A group of persons residing together, and such group includes, but is not limited to: <ul style="list-style-type: none"> ○ A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family); ○ An elderly family. ○ A near-elderly family. ○ A disabled family. ○ A displaced family. ○ The remaining member of a tenant family.
Household	Household means all persons occupying a housing unit. The occupants may be a family, as defined in 24 CFR 5.403 ; two or more families living together; or any other group of related or unrelated persons who share living arrangements, regardless of actual or perceived, sexual orientation, gender identity, or marital status.
Lead-Based Paint (24 CFR Part 91.5)	Means lead-based paint hazards as defined in part 35, subpart B of this title.
Low-income families – CDBG Definition (24 CFR Part 570.3)	Family whose incomes do not exceed 50 percent of the median family or household income for the area, as determined by HUD with adjustments for smaller and larger families.
Persons with a disability (24 CFR Part 91.5)	Persons with a disability. A person who is determined to: <ol style="list-style-type: none"> 1. Have a physical, mental, or emotional impairment that: <ul style="list-style-type: none"> ▪ Is expected to be of long-continued and indefinite duration. ▪ Substantially impedes his or her ability to live independently;

Term:	Definition:
	<p>and</p> <ul style="list-style-type: none"> ▪ Is of such a nature that the ability could be improved by more suitable housing conditions; or <p>2. Have a developmental disability, as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001-6007); or</p> <p>3. Be the surviving member or members of any family that had been living in an assisted unit with the deceased member of the family who had a disability at the time of his or her death.</p>
Severely Cost Burdened	A household that pays more than 50 percent of its monthly gross income for housing costs including rent and tenant-paid utilities.
Subrecipient	A private non-profit organization or unit of general local government to which a grantee provides funds to carry out the eligible activities under the grant and which is accountable to the grantee for the use of funds provided.

APPENDIX B

Compliance with Applicable Laws, Rules & Regulations

The City shall comply with the following applicable laws, rules, and regulations for HUD programs:

1. U.S. Department of Housing and Urban Development Community Development Block Grant Program Regulations at 24 CFR Part 570 and FR 6218-N-01.
2. 24 CFR Part 1 and 6, Public Law 90-284, Fair Housing Act, the regulations issued following Title VI of the 1964 Civil Rights Act and Section 109 of the 1975 Housing and Community Development Act that prohibits discrimination in HUD programs based on sex, race, color, national origin, and religion and administer all programs and activities in a manner to affirmatively further the policies of the Fair Housing Act.
3. 24 CFR Part 107 and 108, the regulations issued following Executive Order 11063 and Executive Order 12892 which prohibits discrimination and promotes equal opportunity in housing.
4. 24 CFR Part 24, the regulations that prohibit use of debarred or suspended contractors on federally assisted projects and Drug Free Workplace requirements; issued according to Executive Order 12459.
5. Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, regarding eligibility restrictions for certain resident aliens.
6. 24 CFR Part 58, the regulations prescribing the Environmental Review procedure under the National Environmental Policy Act of 1969.
7. 24 CFR Part 7 and 41 CFR Part 60, regulations on equal employment opportunity without regard to race sex, color, religion, age, national origin, and disability in federally assisted construction contracts.
8. 2 CFR Part 200, Uniform Administrative Requirements.
9. 24 CFR Part 87 and Byrd Anti-Lobbying Amendment (31 U.S.C. 1352), regulations for restrictions on lobbying and required certifications.
10. 36 CFR Part 800, the regulations outlining the procedures for the protection of historic and cultural properties.
11. Age Discrimination Act of 1975 (42 U.S.C. 6101), the regulations that prohibit discrimination on the basis of age.
12. Chapters 81 and 84, of the Health and Safety Code; Title VIII, subtitle D of the Cranston-Gonzalez National Affordable Act of 1990, and 24 CFR Part 50.
13. Clean Air Act (42 U.S.C. 7401) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), regulations and provision that requires compliance with all applicable standards, orders, or regulations issued following the rule.
14. Copeland "Anti-Kickback" Act (18 U.S.C. 874 and 40 U.S.C. 276c), the regulations on contracts for construction or repair awarded by subrecipients shall include a provision for compliance with the Copeland "Anti-Kickback" Act.
15. Executive Order 13170, regulations on increasing opportunities and access for Disadvantaged Businesses.
16. HUD requirements, all other required reports, circulars, and procedures when applicable.

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17. National Affordable Housing Act (NAHA) PL 101-625.
 18. National Flood Insurance Act of 1968, 24 CFR Part 55 under Executive Order 11988, the regulations for proposed projects and properties located in a floodplain.
 19. 2 CFR 200, regulations that identify federal cost principals.
 20. 2 CFR Part 200, regulations concerning annual audits.
 21. Residential Lead Based Paint Hazard Reduction Act of 1992, the regulations implemented by 24 CFR Part 35, Subpart B imposes certain requirements on disclosure of lead base paint hazards.
 22. Section 3 of the U.S. Housing and Urban Development Act of 1968 providing for economic opportunities for low and very low local residents in connection with assisted projects.
 23. Section 504 of the Rehabilitation Act of 1973, 24 CFR Part 40 and 41, the regulations that sets forth policies and procedures for the enforcement of standards and requirements for accessibility for disabled persons. The Architectural Barriers Act of 1968 and the American with Disabilities Act provide additional laws on accessibility and civil rights to individuals with disabilities.
 24. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, policies that provide for displacement, relocation assistance, and real property acquisition as defined by 42 U.S.C. 4601 (URA) (42 U.S.C. 4601), and implementing regulations issued by the Department of Transportation at 49 CFR part 24 and section 104(d) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(d)).
 25. Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
 26. 2 CFR 200.329 Monitoring and oversight by the City of Palmdale through risk-based monitoring for all CDBG funded activities and projects, including on-site monitoring schedules and financial oversight protocols for rental properties.