

FAQs

2011 Community Development Block Grant Program

Q1: How do I know if my community is eligible to apply for Community Development Block Grant funds?

A1: Eligible applicants for the New York State CDBG program are cities, towns, and villages with a population under 50,000, and counties with an un-incorporated population under 200,000. These eligible applicants are considered non-entitlement communities and if awarded, would receive their CDBG funds directly from the state administered CDBG Program.

Units of general local government that are metropolitan cities or are part of an Urban County Consortium are not eligible applicants for the CDBG program. They are considered entitlement communities, which receive an allocation of CDBG funds directly from the U.S. Department of Housing and Urban Development and are not listed as an eligible community for the New York State CDBG Program. Eligible communities by county can be found on the HCR website at the following link:

<http://nysdhcr.gov/Programs/NYS-CDBG/EligibleCommunities.htm>

Q2: If a community submits an application and it is deemed ineligible, is the applicant provided the opportunity to revise the application?

A2: No. All materials related to eligibility, compliance with OCR requirements and overall project need must be provided by the application deadline.

Q3: Can the requirement for public hearings be met by holding hearings after the application deadline as long as they're held before award?

A3: No. Office of Community Renewal and CDBG regulations require a minimum of two public hearings be held prior to application. The first public hearing is intended to be related to general development issues and needs in the community and at least one subsequent hearing would need to be related to the specific application being submitted.

Q4: Must a program addressing single-family and multi-family housing rehabilitation be done as two separate applications?

A4: No. Such activities may be combined in a single housing application but distinct budget lines for each activity, and program delivery costs for each, must be separated out. Separate activity detail sheets must be provided for the single-family activity and for the multi-family activity.

Q5: Is water meter replacement eligible as a public facility project or as a housing rehab project?

A5: If the water meter cost for purchase and installation is borne by the municipality (or district) this would be treated as a Public Infrastructure activity; if the cost is borne by the individual homeowner, only low- and moderate-income housing may be assisted as a Housing Rehabilitation activity.

Q6: What are some of the program requirements?

A6: Every project must meet one of the three National Objectives and must satisfy an identified need. The three National Objectives are: activities benefitting Low- and Moderate-Income persons (persons with incomes at or below 80% of median area incomes), activities which aid in the prevention or elimination of slums or blight, and activities designed to meet an urgent need. Under the CDBG Competitive round, it is anticipated that activities would normally be addressing the National Objective of benefitting Low- and Moderate-Income persons. For those proposals addressing other National Objectives, contact should be made with the Office of Community Renewal prior to submitting such an application to ensure it may be submitted to be considered for funding.

Q7: What are National Objective low and moderate income benefit requirements for a community center?

A7: At minimum, 51% of the persons to benefit from a project must meet low and moderate income guidelines in order for a project to be eligible for CDBG funds. If a community wide activity is to be funded, such as a Community Center, then over 51% of the residents in the community must meet low/moderate income limits. If the community wide percentage of low and moderate income persons is less than 51%, a project may qualify if the project serves only low and moderate income people. Examples of such projects include senior citizens projects and projects resulting in the removal of barriers to the handicapped.

Q8: What are National Objective low and moderate-income benefit requirements for a sewer project?

A8: As with a Community Center, at minimum, 51% of the persons to benefit from a project must meet low and moderate-income guidelines in order for a project to be eligible for CDBG funds. This would apply to the entire service area of the project. For example; if general improvements are being undertaken to improve a Village sewer plant, if that facility serves only the area of the Village, only the Village population would be considered; if that facility also served areas in the surrounding town or towns, the population numbers and income levels of those service areas would have to be combined with the Village population to determine eligibility. If the project benefits were restricted predominantly to a particular area, such as having to replace a leaking sewer line impacting houses in a particular neighborhood, only the population of that neighborhood would need to be considered (and this would typically require some form of income survey of that neighborhood to determine the project's eligibility).

Q9: What is a valid income survey?

A9: The CDBG program uses a sliding scale for the number of valid responses required. The fewer households there are in a proposed service area, the higher response rate required. The CDBG survey sample size requirements and acceptable methodologies are included in the CDBG Application Kit, Appendix D. LMI National Objective Compliance Requirements. Each

household's response must be tallied in an Income Survey Summary. Houses should be identified either by a code number, or the street address. The Summary and survey instrument must be provided with the application and the actual survey forms must be available for review by Office of Community Renewal staff upon request and/or at time of monitoring awarded projects.

Q10: If awarded funding, how early could projects begin?

A10: CDBG will not cover pre-award costs and each project must complete required environmental reviews and obtain clearance prior to beginning projects or incurring costs, other than for administrative or other exempt activities such as engineering design work.

Q11: Who can submit an application?

A11: Units of general local government; Cities, Towns, Villages and Counties in non-Entitlement areas of New York State. Eligible municipalities are listed at: <http://nysdhcr.gov/Programs/NYS-CDBG/EligibleCommunities.htm>

Q12: Can we use the consultant hired to write the grant or hire someone else to administer the CDBG grant prior to award?

A12: Communities that intend to use CDBG resources to pay for professional services must follow federal procurement procedures and provide the Office of Community Renewal with information detailing the procurement process. If you secure the services of consultants before following approved federal CDBG procurement guidelines, costs for such services will not be CDBG reimbursable.

Q 13: If an income survey conducted in 2008 shows an overwhelming need, and created a waiting list of several hundred applicants, how long would this information be valid for?

A 13: For the 2011 round, the NOFA was issued December 29, 2010 so we would not generally accept surveys conducted prior to December 29, 2008. However, upon a request from the community (prior to the submission of the application), we will consider, on a case-by-case basis, accepting surveys conducted prior to that time. We will evaluate our acceptance of the survey based on when, prior to the previous 2 years, it was conducted. We will also consider by how much the survey results exceed the minimum level of 51% low- and moderate-income needed to show eligibility.

With regards to types of surveys and re-surveys, this is more of a question of competitiveness. For example; a proposed housing rehabilitation program may have a waiting list of households looking for assistance and that may include some information to show that prospective applicants on the list are income-eligible. We would expect some information to be included to demonstrate, in cases where the information may be somewhat dated, how this information is still relevant; however, it's not a question of eligibility as in the case of a sewer/water project and income survey data. Part of the evaluation in comparing applications

is judging the accuracy of the data included and dated data may be viewed as less dependable if there is nothing to support the current relevancy of the data.

Q 14: What is the general expiration date for surveys; when is it a good idea to re-survey?

See answer above.

A 14: We specify that income surveys for area benefit projects (sewer/water projects, community centers and other public facilities, etc.) must be conducted within two years from the time of the Notice of Funding Availability (NOFA) is issued.

Q 15: Would a significantly deteriorated DPW garage that poses serious safety risks to personnel and equipment be a valid community facilities project if the safety issues were addressed with these funds?

A 15: Section 105(a)(2) of the Housing and Community Development Act of 1974, prohibits the use of CDBG funds for the acquisition, construction or reconstruction of facilities or buildings used for the general conduct of government. This would preclude using CDBG funds for something like a DPW garage. The regulations do, however, allow use of CDBG funds for the removal of architectural barriers to accessibility from government buildings.

Q 16: Do surveys need to be conducted in communities where the entire community's Median Family Income is less than 80% of the County's or MSA's MFI as demonstrated through Census Data?

A 16: Area benefit projects that must demonstrate that a minimum of 51% of the area population is low- and moderate-income (LMI) can use Census data or income survey, or some combination of the two to demonstrate this requirement. They must consider the actual service area, for example; for assistance to be provided to a Village needing to replace a water tank for its water system, if the water system serves only the Village, only the Village population would be included as the service population. If the Census data shows the Village as 51% or more LMI, it would be eligible for CDBG assistance. However, if the Village system also served an area in another community, such as a town water district, that service population would also need to be combined with the Village's population to determine the overall LMI percentage. Often times those additional service areas do not include an entire community or necessarily coincide with Census boundaries so income surveys may be required for at least that portion of the service area to combine with the Village data.

Q 17: If a community has three Census Tracts and two of them are 53% LMI and one is 49% LMI, would this type of community qualify for an area wide project if the average between the three is greater than 51%?

A 17: For all service areas, it is the combined data and combined population that must be used to determine the LMI level and eligibility of the CDBG program. For this example, the population of all three Census Tracts would need to be combined to determine the total number of persons in the service area, the total

number of LMI persons in the service area and the overall LMI percentage for the combined area.

Q 18: Is there a Business Survey template?

A 18: The Office of Community Renewal CDBG program does not provide survey templates. The Application Kit for 2011 does include, in Appendix D., information for conducting income surveys; and, in Appendix G., information related to classifying the level of deficiency for substandard housing which might be used for housing condition surveys. If you are developing a survey for application purposes, we are happy to review the structure of what you are proposing and giving you feedback on its possible adequacy for collecting data needed to show project eligibility.

Q 19: Is there a database on HCR's website that would give us all historical awarded applications for a community?

A 19: Information related to CDBG funding history from 2000-2009 is available at: <http://nysdhcr.gov/Programs/NYS-CDBG/FundingHistory.htm>
Additional detail may be provided upon request.

Q 20: If a community has one application for home improvements and one application for public facility improvements, can they submit both applications? If so, what is the cumulative funding limit for the combination of projects?

A 20: OCR will give consideration to multiple applications from a community as long as the total for all applications does not exceed the maximum amount available through a single award. Example: A single town submitting a \$150,000 application for Housing program homeownership assistance could also submit a \$250,000 application for a Public Facilities Senior Center since the maximum would not exceed \$400,000, the maximum available under either of the these two activities; or, a \$150,000 application for Housing program homeownership assistance and an application of \$450,000 for a Public Infrastructure waterline replacement since this would not exceed \$600,000 which would be the maximum available under the limit for Public Infrastructure funding. It is highly recommended that communities considering submission of more than one application contact OCR to ensure they are not requesting more than the maximum allowed.