

**CDBG Hearing
Regional Planning Commission
April 11, 2023**

Community Development Block Grant Hearing (CDBG)

Commissioner Davis welcomed Holly Mattei and thanked her for filling in for the Regional Planning vacancy and for presenting at the Hearing. The Commissioner also shared his appreciation that Ms. Mattei was a resource that could step in and keep the RPC moving.

Ms. Mattei stated her appreciation to the county for reaching out to her regarding the vacancy and added that there would be another CDBG public hearing scheduled in the beginning of May.

Ms. Mattei provided a PowerPoint that is available with these minutes. She began her presentation by stating that CDBG is a federal program that is part of the Department of Housing and Urban Development, and the Ohio Development Services Agency. She spoke about the three competitively awarded CDBG programs and added that Fairfield County had an agreement with Hicks Partners regarding the Critical Infrastructure Grant Program prior to her start. Ms. Mattei also spoke about the Critical Infrastructure Grant preapplication threshold, CDBG national objectives and requirements, and the next steps for the Grant.

Ms. Mattei provided that the CDBG Grant Program requires the county to implement a fair Housing program containing two main components, landlord-tenant issues, and issues with discrimination in renting. She added that both federal and state fair housing laws give all persons the right to live where they can afford. She further added actions that could not take place based on one's race, color, national origin, religious beliefs, familiar status and/or disabilities, and stated that reasonable accommodations must be made for disabilities. Ms. Mattei provided additional information on the Ohio Landlord Tenant Act and the Rights of Landlords.

Commissioner Fix asked about the grant process and how long it took to receive a grant decision.

Ms. Mattei supplied the grant cycles and stated that the county could apply for another grant once some projects were completed.

Commissioner Davis asked if there was a ranking system for grants.

Ms. Mattei replied that Hicks Partners has an Excel Sheet with the grant application information that has requirements listed.

The hearing was adjourned at 10:56 a.m.



Community Development Block Grant (CDBG) Program

CDBG Basic Information



**Department of
Housing and Urban Development**



**Development
Services Agency**

Ohio Development Services Agency



**Regional Planning Commission
on behalf of the
Fairfield County Commissioners
2023 – Hicks Partners is applying
for the Critical Infrastructure Grant.**

CDBG Basic Information

- Fairfield County Participates in Ohio's Non-Entitlement (Allocation) CDBG program
- This program is for units of general-purpose local government (cities and counties) that do not participate in HUD's CDBG Entitlement or Urban County program.

CDBG Basic Information

- Three other CDBG programs which are competitively awarded:
 - Neighborhood Revitalization Program
 - Critical Infrastructure Grant Program
 - Downtown Redevelopment Program

CDBG Basic Information

Critical Infrastructure Grant Program

CIG projects are designed to assist applicant communities with high-priority, single-component infrastructure improvements. This includes, but is not limited to:

- Street Improvements (e.g. street reconstruction, bridge replacement, etc.)
- Flood and Drainage Infrastructure
- Culvert Replacement
- Water and Sanitary Sewer Infrastructure
- **The maximum Critical Infrastructure Grant program award is \$500,000.**

CDBG Basic Information

Critical Infrastructure Grant Program

CIIG projects are designed to assist applicant communities with high-priority, single-component infrastructure improvements. Ineligible activities include:

- Public services or direct benefit activities.
- Planning activities.
- Economic development activities
- Projects in residential areas addressing deficiencies with multiple infrastructure or public facility-components in multiple locations; these projects are better suited for the Neighborhood Revitalization Program.
- Projects in central business districts or commercial areas addressing deficiencies without a primarily residential benefit.
- Projects which include road resurfacing (paving), chip seal or other maintenance activities.
- Projects that are designed primarily for future residential, commercial or industrial development.
- Large scale, single-purpose water and sanitary sewer projects with a total project cost in excess of \$600,000, or that require on-site improvements, and that are better suited for the CDBG Residential Public Infrastructure Program. Applicants must contact OCD for guidance on program selection prior to submitting a letter of interest for water or sanitary sewer projects with a total project cost in excess of \$600,000.

CDBG National Objectives

- **Provide a benefit to low- and moderate-income persons**
- **Prevent or eliminate slum and blight**
- **Meet an urgent community need that threatens the health or welfare of the residents**
- **All programs must benefit primarily low-and moderate-income individuals or families. LMI POPULATION MUST BE MORE THAN 51%**

Ways to Satisfy the LMI National Objective

- Area Benefit
 - Through ACS Data
 - Income Survey
- Limited Clientele designation is used for an activity that benefits specific individuals in the community (e.g., handicapped, homebound elderly, homeless)



Community Development Block Grant (CDBG) Program

Critical Infrastructure Grant – Preapplication Threshold:

- National Objective Attainment.
- Readiness to Proceed.
- Program Impact.

Meeting the minimum threshold does NOT guarantee project funding.



Community Development Block Grant (CDBG) Program

State's Critical Infrastructure Grant Rating Criteria:

- Failure level of the infrastructure system.
- Impact on the identified beneficiaries.
- Whether the proposed solutions meets the identified need.
- Useful life of the proposed improvements.
- Distress:
 - LMI percentage of the service area.
 - LMI percent of the infrastructure owner.
- The above criteria are rated under the following point distribution:
 - Implementation and Administrative Capacity.
 - Program Design.
 - Infrastructure condition and narrative.

2023 Fairfield County CDBG Critical Infrastructure Grant

- **Next Steps**

- **April 19th CDBG Training (RPC Staff/Hicks Partners)**
- **April 21st – Applications due to the county.**
- **Hicks Partners to rate projects and submit list to County Commissioners.**
- **Early May – Second Public Hearing**
 - **Commissioners will identify which project to submit to the state**
- **May 17th – State starts accepting pre-applications**
- **June 14th – Full application is due to the state**



Fairfield County Fair Housing Program

- As a part of Fairfield County's Community Development Block Grant (CDBG) program, the county is required to implement a fair housing program
- Two main components to the fair housing program:
 - Landlord-tenant issues
 - Discrimination in renting issues



Fairfield County Fair Housing Program

- Regional Planning Commission staff will take calls from residents.
- Will refer citizens to legal aid or Ohio Civil Rights Commission.
- Provide materials to general public about fair housing laws.



Fairfield County Fair Housing Program

- **FAIR HOUSING**



Fairfield County Fair Housing Program

- **Both the federal and state fair housing laws give all persons in the protected classes the right to live wherever they can afford to buy a home or rent an apartment and helps to ensure that fair housing is a way of life in Ohio**



Fairfield County Fair Housing Program

Protected Groups

- Families with children
- Disabled People
- Ethnic minorities because of race, color, ancestry or national origin
- Gender differences and protection against sexual harassment
- Religion differences
- Military Status (Ohio)



Fairfield County Fair Housing Program

In the Sale and Rental of Housing no one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap:

- **Refuse to negotiate, rent or sell housing**
- **Make housing unavailable**
- **Set different terms, conditions or privileges for sale or rental of a dwelling**
- **Provide different housing services or facilities**
- **Falsely deny that housing is available for inspection, sale, or rental**
- **For profit, persuade owners to sell or rent (blockbusting) or**
- **Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.**



Fairfield County Fair Housing Program

Blatant or obvious discrimination is not acceptable

- Advertisements may not specify a racial or ethnic preference.
- The landlord or owner may not tell a non-white person that the apartment has been leased and then offer it to the next person who is white.
- The landlord or owner must have the same official rules regarding credit and require the same deposit, and have the same rules for all tenants, without regard to a protected class

It is prohibited to create or manipulate with the intent to discriminate

- Landlords and owners may not create ethnic or racially segregated neighborhoods within their building or living complex, or make a determination on the location of your apartment based on the color of your skin, national origin or ancestry.
- Real estate agents may not treat you inferior, or show you houses only in neighborhoods where the residents are similar to you, with respect to skin color, national origin or ancestry.

Fairfield County Fair Housing Program

Familial Status:

- **“Familial status” is whether or not a household has one or more children under age 18. Families with children are protected from discrimination under the fair housing laws. The children must be residing in the household either with a parent or guardian or with the written permission of a parent or guardian. The law also covers people waiting to adopt or give birth to a child..**
- **Discrimination includes both refusing to rent or sell a residence to families with children and treating families with children differently than other residents. Landlords cannot charge higher security deposits, require different lease terms or house rules, or restrict children from access to common spaces.**
- **The federal government has a rough guideline that a reasonable occupancy standard could be two persons per bedroom**



Fairfield County Fair Housing Program

Reasonable Accommodation:

- **Landlords must make reasonable changes to their rules, policies, and practices when necessary because of a tenant's disability.**
- **For example, landlords must make exceptions to their “no pets” policies for service animals.**
- **If a tenant needs an exception to a landlord's rule because of a disability, the landlord must grant that exception unless it would change the nature of the landlord's business or be a heavy financial or administrative burden on the landlord.**



Fairfield County Fair Housing Program

Reasonable Modification:

- **Landlords must allow tenants to make physical changes to the residence if necessary because of the tenant's disability.**
- **These changes could include:**
 - **Widening doorways;**
 - **Installing visual alarms, ramps, or grab bars;**
 - **Making any other physical modification to the tenant's unit or common areas.**
- **In private housing, the tenant has to pay for the changes him/herself**
- **When reasonable, the landlord can require the tenant to restore the interior of the unit to its previous condition before moving out.**



Fairfield County Fair Housing Program

- **LANLORD TENANT
COMPLAINTS**

Ohio Landlord Tenant Act

- Ohio Tenant-Landlord Bill, effective November 4, 1974, applies to most landlord-tenant relations and governs most rental agreements whether written or oral.
- Found in the Ohio Revised Code Section 5321.01-.19

LANDLORD OBLIGATIONS

- Ohio Revised Code 5321.04
- Keep common areas safe and sanitary
- Comply with housing codes
- Make repairs to keep fit and habitable
- Supply hot and running water
- Supply garbage cans and pick-up (4 or more units)
- Maintain appliances provided by landlord
- Access - notice of entry 24 hours unless emergency

LANDLORD RIGHTS

- Evict a tenant who does not pay rent when due.
- Evict a tenant who refuses to move after the end of the rental agreement.
- Evict a tenant who does not perform the duties in the rental agreement or those required by state law.
- Receive notice from a tenant when the tenant wants to end the rental agreement.

LANDLORD'S CANNOT:

- Shut off utilities or other services, change the locks, remove doors or windows or threaten to do any of these unlawful acts in an attempt to evict tenants
- Enter tenant's apartment or house whenever he wants to or repeatedly demand to enter even though proper notice has been given.
- Refuse to rent to tenants because of their race, color, religion, national origin, citizenship, sex or handicap.
- Prevent tenant from exercising rights as a tenant by increasing rent, decreasing services, bringing or threatening to bring an eviction because tenant has complained to him/her about a code violation or because tenant has participated in a tenants' union.

TENANT OBLIGATIONS

- Ohio Revised Code 5321.05
- Pay their rent in full when due.
- Keep the property safe, sanitary and clean.
- Keep all plumbing fixtures clean and free flowing.
- Not damage the property and not allow guests to do so.
- Keep appliances in good working order as outlined by the lease.
- Allow the landlord to inspect or show the property, make repairs at reasonable times with a least 24 hours notice or immediately in case of emergency.
- Comply with all local housing, health and safety codes.

TENANT REMEDIES

- Join a tenant's union to bargain with the landlord.
- Complain to a government agency about a landlord's possible violation of housing laws and regulations affecting health and safety.
- Know the name and address of the owner of the property and his agent, if there is one. The information must be in the rental agreement or be given to the tenant when he/she moves in.
- Receive at least three day's written notice before the landlord files an eviction in court.
- Receive notice from the landlord when the landlord wishes to end the rental agreement or to raise the rent
- Rent escrow.

RENT ESCROW

- If the landlord does not comply with his/her obligations, tenants have a right to escrow rent with the court. The tenant does not have the right to stop paying rent and to do so would void protection under the law. In order to escrow rent, a tenant must:
 - Pay rent up to date.
 - Request in writing the repairs needed.
- If the landlord fails to make the repairs within 30 days or within a reasonable time in case of an emergency, the tenant can:
 - Escrow rent by depositing it with the clerk of the appropriate municipal or county court.
 - Ask the court to direct that the repairs be made, to reduce the rent, and to release some of the money for making repairs.
 - Terminate the lease and move out. In this case, the security deposit should be returned in full.

CONTACT INFORMATION

- Fairfield County Regional Planning Commission:
(740) 652-7110 or rpc@co.fairfield.oh.us
- Ohio Civil Rights Commission: (614) 466-5928 or
1-888-278-7101
- Southeastern Ohio Legal Services (Legal Aid):
(740) 773-0012 or 1-888-686-3668



Community Development Block Grant (CDBG) Program