



Texas Department of Housing and Community Affairs

Summary of CDBG-CV Amendment to the 2019 State of Texas Consolidated Plan One Year Action Plan

October 2020

The Governor of the State of Texas has designated the Texas Department of Housing and Community Affairs (TDHCA) to receive all allocations of CDBG-CV funds under the CARES Act. It's three allocations are \$40,000,886, \$63,546,200 and \$38,299,172 respectively for a total of \$141,846,258.

As required by the CDBG-CV notice, TDHCA will allocate \$40,000,886 (the amount of its first allocation) to non-entitlement units of general local government (UGLG). Non-entitlement units are cities with populations of less than 50,000 (except cities that are designated principal cities of Metropolitan Statistical Areas), and counties with populations of less than 200,000.

All CDBG-CV allocations will be used for the following activities to prevent, prepare for, or respond to the coronavirus. Depending on the ease of implementation of these activities and the demand at the time the services are provided, TDHCA may redirect funds from one activity to another, without submitting an additional substantial amendment, to expedite the delivery of assistance in these urgent times for up to 25% of the budgeted activities. However, the \$40,000,886 in Urgent Need Rental Assistance allocated competitively to non-entitlement cities and counties will remain with non-entitlement cities and counties but may be relocated among awardees if the funds are not timely expended.

Uses for CDBG-CV Funds

CDBG-CV Program Activity	Recommended Allocation
1. Urgent Need Rental Assistance <i>A. \$40,000,886 to be allocated competitively to non-entitlement cities and counties</i> <i>B. \$65,916,134 to address rental assistance needs elsewhere in the state including:</i> <ul style="list-style-type: none"> • <i>Approximately \$40 million allocated directed to entitlement cities and counties already operating COVID rental assistance programs</i> • <i>A commitment of at least 10% of all RA (\$10.1 million) for eviction diversion</i> 	\$105,917,020
2. Food Bank Distribution Assistance	\$21,000,000
3. Provider Relief Assistance - Persons with Disabilities	\$5,000,000
4. Legal Services for Persons with Disability	\$250,000
TDHCA Administration and Technical Assistance (up to 7%)	\$9,679,238
Total first, second and third allocations from HUD	\$141,846,258

1. **Rental Assistance - \$105.9M**

The COVID-19 pandemic has had a massive impact on families' abilities to work for pay, and their capacity to pay their rent. Unpaid rents also affect landlords who must continue to pay mortgages, property taxes and maintenance costs for their rental properties in spite of their income from rents being reduced. The need for assistance has far outpaced the availability of local rental assistance funds. TDHCA is thus proposing making a \$105.9 million commitment from CDBG CARES funds for rental assistance.

As required by CDBG-CV rules, the emergency rental assistance will be made directly to the landlord or property owner, on behalf of the individual or families in need of assistance, and not directly to an individual or family in the form of a direct income payment. Funds dedicated to this activity will assist households for no more than six months of rental assistance, including arrears. The assistance will allow payments for up to 5 months of arrears and at least one month of forward payment of the full amount of the contracted rent up to the Department established limit.

Funds dedicated to rental assistance will be programmed in the following ways: All funds will be allocated regionally to ensure broad geographic distribution in the state.

- **Rental Assistance in Rural and Small Metro Areas:** As required by HUD, TDHCA will allocate at least \$40,000,886 (the amount of its first allocation) to non-entitlement units of general local government through a competitive notice of funding availability and made available regionally. Non-entitlement units are cities with populations of less than 50,000 (except cities that are designated principal cities of Metropolitan Statistical Areas), and counties with populations of less than 200,000. There are approximately 1,000 rural and small cities and counties in Texas. The Department will provide specific program design guidelines, facilitating the program administration for non-entitlement awardees that do not have an existing rental assistance program. Based on the length of conducting a competitive application, we estimate the assistance will be available in communities approximately 6 months from the time this Plan is accepted by HUD.
- **Rapid Deployment in Entitlement Communities with Existing Rental Assistance Programs.** Approximately \$40 million will be directly committed to those entitlement communities already having COVID rental assistance programs. This will allow those larger cities and counties to quickly channel funds through their current programs. It is anticipated that cities and counties will be able to use their existing program design and intake forms subject to approval from the Department. The documents executed by households and landlords will need to be those prepared by the Department, or meeting Department approval. It is estimated these funds will be available in communities within 2 months from the time the Plan is accepted by HUD. If only a limited number of entitlement communities with existing COVID rental programs are willing to accept a rental assistance contract, the \$40 million earmarked for this purpose may be reduced and transferred into the competitive balance of state coverage.
- **Balance of State Coverage.** The funds within each region not allocated for non-entitlement awardees and not committed directly to entitlement communities with existing rental assistance programs – approximately \$25.9 million - will be used to fund one or more of the following: 1) entitlement communities within that region not already having a rental program in operation, 2) a regional organization to provide rental assistance to the balance of the area

within that region, and/or 3) if needed the state may provide assistance to the balance of the area within that region. It is the intent of TDHCA that an eligible household anywhere in the state will be able to apply for funds. To minimize the risk of duplication of benefits, properties in an area covered by a contracted non-entitlement or entitlement awardee will be assisted through that respective program, and will therefore not be eligible to be assisted through the regional or statewide activity.

- **Eviction Diversion:** To keep Texans in their homes who have fallen behind on their rent because of the impact of COVID-19 and whose landlords have initiated eviction proceedings, all Subrecipients will be required to also serve as the Eviction Diversion rental assistance provider for one or more designated Justices of the Peace as specified by TDHCA and the Office of Court Administration. Ten percent of their contract amount will be set aside for this activity until a specified time and then may be reallocated by the Department into other contracts for this activity or be allowed to be used for other rental assistance payments by, in the Department's sole discretion. Rental assistance will be in the form of lump sum payments to landlords in exchange for allowing tenants to remain in their homes. The Supreme Court of Texas is intending to remove or seal the initiated eviction from the household's record to mitigate the secondary effects on the tenant's ability to rent housing in the future.

2. Food Bank Distribution Assistance – \$21M

Funds dedicated to this activity will serve as state match for FEMA eligible activities related to food bank distribution. The Texas Department of Emergency Management (TDEM) has expended approximately \$133 million in food distribution activities to address food and nutrition needs statewide in response to the pandemic, of which the state was required to cover 25% (approximately \$33 million). These CDBG funds will cover approximately \$21 million of that match requirement, based upon a review of the CDBG eligibility of the incurred costs.

3. Assistance for Persons with Disabilities – \$5M

Given that persons with disabilities (PWD) are disproportionately low income and may be particularly vulnerable to both the physical and economic effects of COVID-19, TDHCA is proposing to use \$5 million specifically for those providers and facilities that assist persons with disabilities. It is estimated that the state will enter agreements, non-competitively, with an existing network of subrecipients to assist local providers in accessing funds. We anticipate funds will be made available to providers in communities approximately 4 months from the time the Plan is accepted by HUD.

4. Legal Services for Persons with Disability – \$250K

TDHCA will dedicate \$250K in legal services designed to address the specific needs and rights of people with disabilities who have been impacted by the pandemic.

5. TDHCA Administration – \$9.7M

TDHCA is allowed to use up to 5 percent of its allocation for general administration and up to two percent for technical assistance for a total of \$9,929,238. However, TDHCA is planning to use up to \$9,679,238 – having dedicated \$250,000 out of this pool of funds for the provision of legal services for persons with disability. Also, from within the administration pool, up to approximately \$500,000 may be used to pursue expanded broadband planning efforts in the state focusing on the needs of households at 80% or below AMI.

Public Comment and the Departments reasoned responses to that comment can be found attached at the end of this document.

2015-2019 State of Texas Consolidated Plan

SP-35 Anticipated Resources - 91.315(a)(4), 91.320(c)(1,2)

Anticipated Resources (only added row shown)

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of Con Plan: \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG-CV	public - federal	Admin and Planning Urgent Need Public Services Rental Assistance Financial Assistance	\$141,846,258	\$0	\$0	\$141,846,258	\$0	CDBG-CV funding will be allocated to the following activities to address the pandemic: <ol style="list-style-type: none"> 1) Rental assistance 2) Food bank distribution assistance 3) Relief to providers of persons with disabilities 4) Legal services for persons with disabilities 5) State Administration

State of Texas 2019 One-Year Action Plan

AP-15 Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of Con Plan: \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG-CV	public - federal	Admin and Planning Urgent Need Public Services Rental Assistance Financial Assistance	\$141,846,258	\$0	\$0	\$141,846,258	\$141,846,258	CDBG-CV funding will be allocated to the following activities to address the pandemic: 1) Rental assistance 2) Food bank distribution assistance 3) Relief to providers of persons with disabilities 4) Legal services for persons with disabilities 5) State Administration

AP-20 Annual Goals and Objectives

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
26	CDBG-CV Rental Assistance for Rural and Small Metro Areas	2019	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Rental Assistance TBRA	CDBG-CV: \$40,000,886	Tenant-based rental assistance/Rapid Rehousing: 9,462 Households
27	CDBG-CV Rental Assistance for Entitlement Communities with Existing COVID Rental Assistance Programs	2019	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Rental Assistance TBRA	CDBG-CV: \$40,000,000	Tenant-based rental assistance/Rapid Rehousing: 6,596 Households Assisted
28	CDBG-CV Rental Assistance for Balance of State Coverage	2019	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Rental Assistance TBRA	CDBG-CV: \$25,916,131	Tenant-based rental assistance/Rapid Rehousing: 5,036 Households Assisted
29	CDBG-CV Food bank distribution assistance	2019	2019	Non-Housing Community Development	State of Texas	Public Services	CDBG-CV: \$21,000,000	Public Service activities other than Low/moderate income housing benefit: 0 Persons Assisted*
30	CDBG-CV Relief to Providers of Persons with Disabilities	2019	2019	Non-Housing Community Development Non-Homeless Special Needs	State of Texas	Public Services	CDBG-CV: \$5,000,000	Public Service activities other than Low/moderate income housing benefit: 0 Persons Assisted*
31	CDBG-CV Legal Services for Persons With Disabilities	2019	2019	Non-Housing Community Development Non-Homeless Special Needs	State of Texas	Public Services	CDBG-CV: \$250,000	Public Service activities other than Low/moderate income housing benefit: 0 Persons Assisted*
32	CDBG-CV Administration	2019	2019	Administration/ Technical Assistance	State of Texas	Rental Assistance TBRA Admin and Planning Public Service	CDBG-CV: \$9,679,238	Other: 0 Other

* Please note that in SP-45 and AP-20 below, the Goal Outcome Indicator for both programs reflects 0 persons being assisted at this time. The HUD system requires that a numeral be entered here, yet at this time an estimate is not available. Therefore, the field is defaulted to 0.

Goals Summary

26	Goal Name	CDBG-CV Rental Assistance for Rural and Small Metro Areas
	Goal Description	Funds will be awarded competitively to units of general local governments (UGLGs) in the state of Texas for rental assistance funds using a regional allocation to ensure broad geographic distribution in the state.
27	Goal Name	CDBG-CV Rental Assistance for Entitlement Communities with Existing Rental Assistance Programs
	Goal Description	Fund will be directly committed to those entitlement communities already having existing COVID rental assistance programs. This will allow those larger cities and counties to quickly channel funds through their current program infrastructure.
28	Goal Name	CDBG-CV Rental Assistance for Balance of State Coverage
	Goal Description	The funds within each region not allocated for non-entitlement awardees and not committed directly to entitlement communities with existing rental assistance programs – approximately \$25.9 million - will be used to fund one or more of the following: 1) entitlement communities within that region not already having a rental program in operation, 2) a regional organization to provide rental assistance to the balance of the area within that region, and/or 3) if needed the state may provide assistance to the balance of the area within that region.
29	Goal Name	CDBG-CV Food Bank Distribution Assistance
	Goal Description	Funds dedicated to this activity will serve as state match for FEMA eligible activities related to food bank distribution. The Texas Department of Emergency Management (TDEM) has expended approximately \$133 million in food distribution activities to address food and nutrition needs statewide in response to the pandemic, of which the state was required to cover 25% (approximately \$33 million). These CDBG funds will cover approximately \$21 million of that match requirement, based upon a review of the CDBG eligibility of the incurred costs.
30	Goal Name	Relief to Providers of Persons with Disabilities
	Goal Description	Funds will support relief assistance to providers of persons with disabilities, such as group homes, covering the costs of activities like: salaries, sheltering residents outside of group homes when quarantining, Personal Protective Equipment (PPP) and if determined eligible by HUD, the cost of holding beds for tenants who area temporarily relocated because of COVID-19.
31	Goal Name	CDBG-CV Legal Services for Persons With Disabilities
	Goal Description	Funds will be directed to Disability Rights Texas to provide unique legal services to persons with disabilities.
32	Goal Name	CDBG-CV Administration
	Goal Description	CDBG-CV General Administrative costs including Technical Assistance. Up to \$500,000 of these funds will also be used to support broadband planning.

AP-30 Methods of Distribution

Distribution Methods

Table 1 - Distribution Methods by State Program

26	State Program Name:	CDBG-CV Rental Assistance for Rural and Small Metro Areas
	Funding Sources:	CDBG-CV: \$40,000,886
	Describe the state program addressed by the Method of Distribution.	Funds will be made available competitively and regionally to all Texas non-entitlement units of general local government (UGLGs) to apply as Subrecipients with funds limited to use for rental assistance. Funds not applied for within a region will be made available to non-entitlement applications from other regions. Subrecipients who apply can elect service areas of its jurisdiction (one city, one county) and enter into a contract for a given amount of funds.
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	<p>A Notice of Funding Availability will contain a description of all criteria used to select applicants for funding, including the relative weight of each criterion.</p> <p>Priority will be given to non-entitlement UGLGs who have an existing rental assistance activity in place that can readily utilize the funds and applicants that: 1) agree to access their CRF funds to be used as rental assistance, if not expended by that time, or 2) have already accessed their Coronavirus Relief Fund (CRF) allocation.</p> <p>The Department will provide specific program design guidelines, facilitating the program administration for non-entitlement awardees that do not have an existing rental assistance program.</p>
	Describe how resources will be allocated among funding categories.	<p>Funds dedicated to this activity will assist households for <u>no more than six months</u> of rental and assistance, including arrears. The assistance will allow payments for up to 5 months of arrears and at least one month of forward payment of the full amount of the contracted rent up to the Department established limit.</p> <p>The households needing assistance would be identified by Subrecipients reaching out to properties and/or tenants. Subrecipients will accept applications from landlords and will have the option of also working with clients directly, however all payments must be made to landlords directly.</p>
	Describe threshold factors and grant size limits.	A grant limit per contract and threshold factors for subrecipients will be identified in the Notice of Funding Availability. Program participants must evidence or certify that they have been economically impacted by the pandemic and assistance is limited to no more than 6 consecutive months of rental assistance per household.
	What are the outcome measures expected as a result of the method of distribution?	<p>Based on the following calculations, we estimate serving 6,311 households</p> <ul style="list-style-type: none"> • Average Fair Market Rent (FMR) for non-entitlement counties in Texas= \$919 • Estimated average months of assistance = 6 months • Total Cost for 4 months at Avg. FRM = \$5,514 • Allocation of \$40,000,886 (minus 13% Subrecipient admin) = Estimated funds available for rental assistance or \$34,800,770 • Estimated # of Households to be served: 6,311

27	State Program Name:	CDBG-CV Rental Assistance for Entitlement Communities with Existing Rental Assistance Programs
	Funding Sources:	CDBG-CV: \$40,000,000
	Describe the state program addressed by the Method of Distribution.	Approximately \$40 million will be committed through non-competitive direct awards to those entitlement communities already having rental assistance programs responsive to the pandemic. The program is voluntary and cities and counties will have an opportunity to accept or decline the funds.
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	There are 74 CDBG entitlement communities in the State of Texas. The Department will offer rental assistance grants to those entitlement cities and counties already operating COVID-19 rental assistance programs. This will allow those larger cities and counties to quickly channel funds through their current programs.
	Describe how resources will be allocated among funding categories.	<p>Funds dedicated to this activity will assist households for no more than six months of rental and assistance, including arrears. The assistance will allow payments for up to 5 months of arrears and at least one month of forward payment of the full amount of the contracted rent up to the Department established limit.</p> <p>The households needing assistance would be identified by Subrecipients reaching out to properties and/or tenants. Subrecipients will accept applications from landlords and will have the option of working with clients directly or via landlords, however all payments must be made to landlords directly.</p>
	Describe threshold factors and grant size limits.	The amount of funds each entitlement will receive will be determined by dividing the \$40M in this category among the entitlements with COVID-19 rental assistance programs that accept funds by using an allocation formula similar to the one HUD used to distribute its CDBG-CV 2 funds. Factors considered in the allocation formula for each entitlement include the number of low-income elderly, unemployment cases, children in poverty and rate of COVID-19 cases.
	What are the outcome measures expected as a result of the method of distribution?	<p>Based on the following calculations, we estimate serving 4,397 households</p> <ul style="list-style-type: none"> • Average Fair Market Rent (FMR) for entitlement counties in Texas= \$1,319 • Estimated average months of assistance = 6 months • Total Cost for 4 months at Avg. FRM = \$7,914 • Allocation of \$40,000,000 minus 13% Subrecipient admin = Estimated funds available for rental assistance or \$34,800,000 • Estimated # of Households to be served: 4,397

28	State Program Name:	CDBG-CV Rental Assistance for Balance of State Coverage
	Funding Sources:	CDBG-CV: \$25,916,131
	Describe the state program addressed by the Method of Distribution.	<p>The funds within each region not allocated for non-entitlement awardees and not committed directly to entitlement communities with existing rental assistance programs – approximately \$25.9 million - will be made available through a competitive application process to fund one or more of the following:</p> <ol style="list-style-type: none"> 1. Entitlement communities within that region not already having a rental program in operation, 2. A regional organization to provide rental assistance to the balance of the area within that region, and/or <p>If no organizations applies to serve a given area, the state may provide assistance to the balance of the area within that region.</p> <p>It is the intent of TDHCA that an eligible household anywhere in the state will be able to apply for funds. Properties in an area covered by a contracted non-entitlement or entitlement awardee will be assisted through that respective program, and will therefore not be eligible to be assisted through the regional or statewide activity.</p>
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	Priority will be given to subrecipients that can readily utilize the funds and establish a program within a short amount of time given the contracts will be for a one-year period. Other criteria will be further explained in the Notice of Funding Availability.
Describe how resources will be allocated among funding categories.	<p>Funds dedicated to this activity will assist households for <u>no more than six months</u> of rental and assistance, including arrears. The assistance will allow payments for up to 5 months of arrears and at least one month of forward payment of the full amount of the contracted rent up to the Department established limit.</p> <p>The households needing assistance would be identified by Subrecipients reaching out to properties and/or tenants. Subrecipients will accept applications from landlords and will have the option of also working with clients directly or via landlords, however all payments must be made to landlords directly.</p>	
Describe threshold factors and grant size limits.	Households must be able to evidence or certify that they have been economically impacted by the pandemic. No threshold or grant size limits will apply on a per household or per property basis, beyond that assistance is limited to no more than 6 months of rental assistance per household.	
What are the outcome measures expected as a result of the method of distribution?	<p>Based on the following calculations, we estimate serving 3,358 households</p> <ul style="list-style-type: none"> • Average Fair Market Rent (FMR) for all counties in Texas= \$1,119 • Estimated average months of assistance = 6 months 	

		<ul style="list-style-type: none"> • Total Cost for 6 months at Avg. FRM = \$6,714 • Allocation of \$25,916,131 minus 13% Subrecipient admin) = Estimated funds available for rental assistance \$22,547,034 <p>Estimated # of Households to be served: 3,358</p>
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29	State Program Name:	CDBG-CV Food Bank Distribution Assistance
	Funding Sources:	CDBG-CV: \$21,000,000
	Describe the state program addressed by the Method of Distribution.	<p>Funds dedicated to this activity will serve as state match for FEMA eligible activities related to food bank distribution. The Texas Department of Emergency Management (TDEM) has expended approximately \$133 million in food distribution activities to address food and nutrition needs statewide in response to the pandemic, of which the state was required to cover 25% (approximately \$33 million). These CDBG funds will cover approximately \$21 million of that match requirement, based upon a review of the CDBG eligibility of the incurred costs.</p> <p>This activity will be accomplished through the execution of an Interagency Agreement between TDHCA and TDEM. Upon execution, funds can be paid. <i>It is estimated that funds can be distributed to TDEM within approximately 3 months from the time the Plan is accepted by HUD</i></p>
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	Not applicable.
	Describe how resources will be allocated among funding categories.	Not applicable.
	Describe threshold factors and grant size limits.	Not applicable.
	What are the outcome measures expected as a result of the method of distribution?	Match for eligible CDBG food expenses already incurred by the State.

30	State Program Name:	CDBG-CV Assistance for Group Home Providers of Persons with Disabilities
	Funding Sources:	CDBG-CV: \$5,000,000
	Describe the state program addressed by the Method of Distribution.	These funds will be made available to housing providers of assistance to persons with disabilities (to be defined in subsequent documents but intended to include group homes) to allow those entities to receive reimbursement

		for a series of eligible COVID-related expenses (not having been paid or is available to be paid for by another pandemic-specific funding source).
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	TDHCA intends to allow eligible providers to include both nonprofit and for profit entities. However, for-profit entities may be more limited in the assistance they can receive which may be determined, in part, by their ownership structure and access to other resources.
	Describe how resources will be allocated among funding categories.	This activity will cover the cost of salaries/wages for employees hired or retained specifically to provide COVID related assistance; hotel or room costs for expenses incurred in keeping PWD clients quarantined; costs of purchasing Personal Protection Equipment (PPE) for staff and PWD clients; and costs of holding beds for clients who are temporarily relocated because of COVID but cannot be made available to a new client if determined allowable by HUD.
	Describe threshold factors and grant size limits.	A maximum amount of assistance by category type and per provider will be implemented.
	What are the outcome measures expected as a result of the method of distribution?	Providers assisted (unknown number at this time).
31	State Program Name:	CDBG-CV Legal Services for Persons With Disabilities
	Funding Sources:	CDBG-CV: \$250,000
	Describe the state program addressed by the Method of Distribution.	Funds will be directed to Disability Rights Texas to provide unique legal services to persons with disabilities. This will be accomplished through a contract with Disability Rights Texas to administer the funds.
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	Not Applicable
	Describe how resources will be allocated among funding categories.	Not Applicable
	Describe threshold factors and grant size limits.	Not Applicable
	What are the outcome measures expected as a result of the method of distribution?	Legal Services provided to Persons with Disabilities

AP-35 Projects – (Optional)

Introduction:

Per the IDIS Desk Guide, Project-level detail is not required for a state grantees Annual Action Plan. Once a state grantee has allocated funding via its Method of Distribution, the state grantee will use the Projects sub-menu in IDIS Online to add its projects for the program year. However, in order for accomplishments to associate to the goals listed in the plan, projects must be entered in the Action Plan template. Although not typically required, Texas is amending the Action Plan to include the initial allocation of ESG-CV funding, HOPWA-CV, and CDBG-CV. This does require that the ESG, HOPWA, and CDBG funds programmed in this plan are included in the AP-35 as separate ESG, HOPWA, and CDBG projects as outlined in this section.

TDHCA will receive \$9,127,824 in ESG, DSHS will receive \$4,422,464 under the 2019 HOPWA allocation. TDHCA has been allocated an additional \$97,792,616 in 2020 ESG-CV funds, and \$141,846,258 in CDBG-CV funds and DSHS has been allocated an additional \$724,936 under the CARES Act, outlined as ESG20 Texas, CV- and CV-COVID-19 respectively for the purposes of this plan, and the use of these funds is further described below.

#	Project Name
26	CDBG-CV Rental Assistance for Rural and Small Metro Areas
27	CDBG-CV Rental Assistance for Entitlement Communities with Existing Rental Assistance Programs
28	CDBG-CV Rental Assistance for Balance of State Coverage
29	CDBG-CV Food Bank Distribution Assistance
30	CDBG-CV Relief Assistance for Providers of Persons with Disabilities
31	CDBG-CV Legal Services for Persons With Disabilities

Table 2 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Reasons for allocation priorities and other obstacles to addressing underserved needs can be found in the description of ESG20 and CDBG-CV projects above. Actions to meeting underserved needs are found in Action Plan Section 85.

AP-38 Project Summary

Project Summary Information

26	Project Name	CDBG-CV Rental Assistance for Rural and Small Metro Areas
	Target Area	State of Texas
	Goals Supported	Funds will be awarded competitively to units of general local governments (UGLGs) in the state of Texas for rental/utility assistance.
	Needs Addressed	Rental Assistance
	Funding	CDBG-CV: \$40,000,886
	Description	Funds will be awarded competitively to units of general local governments (UGLGs) in the state of Texas for rental assistance funds.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	6,311 Households
	Location Description	N/A
	Planned Activities	Rental Assistance
27	Project Name	CDBG-CV Rental Assistance for Entitlement Communities with Existing Rental Assistance Programs
	Target Area	State of Texas
	Goals Supported	Fund will be directly committed to those entitlement communities already having rental assistance programs. This will allow those larger cities and counties to quickly channel funds through their current programs.
	Needs Addressed	Rental Assistance
	Funding	CDBG-CV: \$40,000,000
	Description	Fund will be directly committed to those entitlement communities already having rental assistance programs. This will allow those larger cities and counties to quickly channel funds through their current programs.
	Target Date	9/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	4,397 Households
	Location Description	N/A
	Planned Activities	Rental Assistance
28	Project Name	CDBG-CV Rental Assistance for Balance of State Coverage
	Target Area	State of Texas
	Goals Supported	Rental Assistance
	Needs Addressed	Rental Assistance
	Funding	CDBG-CV: \$25,916,131
	Description	The funds within each region not allocated for non-entitlement awardees and not committed directly to entitlement communities with existing rental assistance programs – approximately \$25.9 million - will be used to fund one or more of the following: 1) entitlement communities within that region not already having a rental program in operation, 2) a regional organization to provide rental assistance to the balance of the area within that region, and/or 3) if needed the state may provide assistance to the balance of the area within that region.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	3,358 households served
	Location Description	Not applicable
	Planned Activities	Rental Assistance
29	Project Name	CV- Food Bank Distribution Assistance
	Target Area	State of Texas
	Goals Supported	CDBG-CV Feeding Texans Pandemic Response Program
	Needs Addressed	Public Services
	Funding	CDBG-CV: \$21,000,000

	Description	<p>Funds dedicated to this activity will serve as state match for FEMA eligible activities related to food bank distribution. The Texas Department of Emergency Management (TDEM) has expended approximately \$133 million in food distribution activities to address food and nutrition needs statewide in response to the pandemic, of which the state was required to cover 25% (approximately \$33 million). These CDBG funds will cover approximately \$21 million of that match requirement, based upon a review of the CDBG eligibility of the incurred costs.</p> <p>This activity will be accomplished through the execution of an Interagency Agreement between TDHCA and TDEM. Upon execution, funds can be paid. It is estimated that funds can be distributed to TDEM within approximately 3 months from the time the Plan is accepted by HUD.</p>
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Not applicable
	Location Description	Not applicable
	Planned Activities	FEMA match for Food distribution
30	Project Name	CDBG-CV Relief to Providers of Persons with Disabilities
	Target Area	State of Texas
	Goals Supported	Providers assisted
	Needs Addressed	Public Services
	Funding	CDBG-CV: \$5,000,000
	Description	<p>These funds will be made available to housing providers of assistance to persons with disabilities (to be defined in subsequent documents but intended to include group homes) to allow those entities to receive reimbursement for a series of eligible COVID-related expenses (not having been paid or is available to be paid for by another pandemic-specific funding source).</p>
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Unknown at this this time

	Location Description	Not applicable
	Planned Activities	Relief to Providers of Persons with Disabilities
31	Project Name	CDBG-CV Legal Services for Persons With Disabilities
	Target Area	State of Texas
	Goals Supported	Legal Services for Persons with Disabilities
	Needs Addressed	Public Services
	Funding	CDBG-CV: \$250,000
	Description	Funds will be directed to Disability Rights Texas to provide unique legal services to persons with disabilities
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Unknown at this time
	Location Description	Not applicable
	Planned Activities	Provision of legal services to Persons with Disabilities

**Texas Department of Housing and Community Affairs (TDHCA)
CDBG-CV Public Comment Responses**



Texas Department of Housing and Community Affairs

**CDBG-CV, Amendment to the 2019 State of Texas Consolidated Plan
One Year Action Plan**

October 2020

CDBG-CV Public Notification was achieved through posting the Substantial Amendment for CDBG-CV funds on the TDHCA Public Comment section of the website found here:

<https://www.tdhca.state.tx.us/public-comment.htm>

For the CDBG-CV funding the State put the amendment out for a 5-day public comment period from October 12, 2020 to October 16, 2020. In addition, to the 5-day comment period a public hearing was held on October 14, 2020 at 6:00 pm Austin local time. During the 5-day comment period 4 commenters submitted 7 comments as seen in the summary and reasoned responses by the State below:

Concho Valley Community Action Agency (CVCAA)

Comment Summary

CVCAA appreciates the need to push these funds out quickly to entitlement communities and units of local government. However, CVCAA supports any opportunity to compete for available rental assistance funds. CVCAA has spent all of its CSBG rental assistance funds for a total of \$152,000, serving 465 individuals. The current need for rental assistance throughout the Concho Valley is great and there are limited avenues available to the Concho Valley as a whole. CVCAA looks forward to every opportunity to partner with the Department to ensure that households across the Concho Valley have access to services.

Response

As stated on the Action Plan Amendment, the Texas Department of Housing and Communities Affairs (TDHCA) will make CDBG-CV funds available for rental assistance to different entities through direct awards and through a competitive process. TDHCA appreciates CVCAA's commitment to local rental assistance; CVCAA will have an opportunity to apply for CDBG CARES funds through the Notice of Funding Availability. No revision to the plan amendment is made in response to this comment.

Comment Summary

Texas Department of Housing and Community Affairs (TDHCA)
CDBG-CV Public Comment Responses

CVCAA strongly urges the Department to push out its eviction diversion program quickly. As CVCAA previously commented to the Department, resources are not uniformly distributed throughout the state and tenants are facing evictions now.

Response

TDHCA is diligently planning the expenditures of CDBG-CV funds in a way that both expedites the delivery of services and still meets all federal and state program requirements. TDHCA is implementing the Texas Eviction Diversion Program (TEDP) pilot in eight communities and will use lessons learned from the pilot when implementing the CDBG-CV Texas Rental Assistance Program in the ensuing months. For more information on the pilot program visit: <https://www.tdhca.state.tx.us/TEDP.htm>. No revision to the plan amendment is made in response to this comment.

Disability Rights Texas (DRTx)

Comment Summary

Many low income renters with a household member with a disability have continued to face displacement and have been disproportionately devastated by COVID. Prior to the pandemic, households with members with a disability were already severely cost-burdened. DRTx continues to receive calls and emails daily through our intake process from individuals with disabilities that need assistance and whose housing stability is threatened. These individuals are at greater risk of infection, unnecessary institutionalization and mortality if they cannot be assisted in a timely manner. DRTx requests that TDHCA establish a preference or priority in the allocation of rental assistance funding to households with an individual with a disability.

Response

TDHCA acknowledges that the community of persons with disabilities has been greatly affected by the pandemic. While funds dedicated to rental assistance have not had a preference established so that they can serve the broadest number of households across the state who have also been greatly impacted by COVID-19, TDHCA is dedicating \$5,000,000 of its CDBG CARES allocation specifically to serve as relief for providers of persons with disabilities. No revision to the plan amendment is made in response to this comment.

Comment Summary

TDHCA's proposed partnership with group home providers is a positive approach to addressing the housing stability of those individuals in these residential settings. DRTx encourages TDHCA to ensure that all community residential settings are included in this effort.

Response

TDHCA welcomes this suggestion and seek DRTx's involvement when defining the terms that will guide the funds dedicated as relief for providers of persons with disability. No revision to the plan amendment is made in response to this comment.

Texas Department of Housing and Community Affairs (TDHCA)
CDBG-CV Public Comment Responses

Comment Summary

DRTx is supportive of the efforts that TDHCA has undertaken to support the work of the three legal services organizations in the state of Texas. DRTx provides unique legal and advocacy services designed to address the specific needs and rights of people with disabilities. The impact of COVID-19, specifically related to the assistance needed to support and secure housing for people with disabilities, continues to challenge our ability to address these needs. As an eligible activity under the CDBG funding, we encourage you to consider a partnership with DRTx to help us ensure obligations under the Fair Housing Act (FHA) are enforced and housing rights of individuals with disabilities are protected.

Response

TDHCA will follow all its fair housing requirements for all the different activities it plans to undertake and will require its subrecipients to do the same. TDHCA will amend its state plan amendment to reflect an allocation – out of the Department’s administrative or technical assistance funds – in the amount of \$250,000 to be directed to DRTx specifically to provide unique legal services to persons with disabilities.

Texas Apartment Association (TAA)

Comment Summary

The Texas Apartment Association appreciate the efforts by TDHCA, the Governor’s Office and the Texas Office of Court Administration in dedicating funds for rental assistance. TAA wants to see the funds spent as efficiently and simply as possible to help people in need and is interested in seeing people helped at different income levels with the funds used as broadly as possible.

Response

TDHCA is diligently planning the expenditures of CDBG-CV funds in a way that both expedites the delivery of services and still meets all federal and state program requirements. As required by CDBG-CV, the program will serve households whose gross annual income is at or below 80 percent of the [Area Median Income](#). No revision to the plan amendment is made in response to this comment.

Accessible Housing Resources, Inc.
Representing Coastal Bend Center for Independent Living

Comment Summary

The commenter was pleased to see that the TBRA program is recognized as an eligible local subrecipient providing rental assistance. The commenter noted that they felt the plan to cover the entire state appears to be equitable and they fully supported planning for increased broadband in rural areas.

Response

TDHCA appreciates these comments. No revision to the plan amendment is made in response to this comment.

Comment Summary

Texas Department of Housing and Community Affairs (TDHCA)
CDBG-CV Public Comment Responses

The commenter noted that the funding for disability providers lacked details and they noted their hope that other congregate settings for individuals with disabilities could apply, not only group homes. The commenter gave the example of the “old” HUD section 811 living options, such as shared living with no more than 3 individuals, with no provider caregiver assistance assigned to the house.

Response

TDHCA welcomes this suggestion and will consider it when defining the terms that will guide the funds dedicated as relief for providers of persons with disability. No revision to the plan amendment is made in response to this comment.