

# STATE OF WEST VIRGINIA CITIZEN PARTICIPATION PLAN



WEST VIRGINIA DEPARTMENT OF ECONOMIC DEVELOPMENT  
WEST VIRGINIA HOUSING DEVELOPMENT FUND

## Change Log

Name:	Date:	Changes Made:
Sherry Risk	07/09/2022	Amended sections regarding Recovery Housing Program (RHP) amendments.
Ryan Halsey	06/01/2025	Revised to align with current policies and regulations. Amended RHP sections.

## **WEST VIRGINIA CITIZEN PARTICIPATION PLAN**

### **Background**

Chapter 24, Part 91, *et al.* of the Code of Federal Regulations requires the State of West Virginia, with input from citizens, local elected officials and other affected parties, to prepare a five-year U.S. Department of Housing and Urban Development (HUD) Consolidated Development Plan (Con Plan) outlining the State's goals and priorities for housing, community and economic development, and setting forth an Annual Action Plan (AAP) for the coordinated use of HUD and related federal, State, local, and private sector resources to achieve these goals. The purpose of the programs and activities covered by the Con Plan is to improve the State of West Virginia by providing safe, decent, sanitary, and affordable housing, a suitable living environment, and increasing economic opportunities for low- and moderate- income residents.

### **Purpose**

The purpose of the Citizen Participation Plan (CPP) is to provide opportunities for citizens of this State to provide input in the development of the Con Plan, the AAP, any substantial amendments to the Con Plan and AAP, the Consolidated Annual Performance and Evaluation Report (CAPER), and to set forth local requirements for citizen participation in the Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), Housing Opportunities for Persons with AIDS (HOPWA), HOME Investment Partnerships (HOME), and Housing Trust Fund (HTF) Programs. The CCP is designed to encourage participation by low-and moderate-income and minority persons that have an interest in activities funded under the Con Plan. The State is also committed to taking whatever actions are appropriate to encourage participation by non-English speaking persons, as well as persons with disabilities.

Below are details on the citizen participation efforts and requirements for the Con Plan, any substantial amendments to the Con Plan and the AAP, the Consolidated Annual Performance and Evaluation Report (CAPER), and local requirements for citizen participation in CDBG-funded projects.

### **Consolidated Development Plan and Annual Action Plan**

The State of West Virginia's Con Plan is developed through a collaboration of the West Virginia Department of Economic Development (WVDED) and the West Virginia Housing Development (WVHDF). The Con Plan identifies and prioritizes housing and community development needs in the state and how the state intends to address these needs through the following grant programs: CDBG; HOME Investment Partnerships Program (HOME); Emergency Solutions Grant (ESG); the Housing Opportunities for Persons with AIDS (HOPWA) and the Housing Trust Fund (HTF).

The State of West Virginia's AAP is an annual document reporting on how that year's funding allocation for CDBG, HOME, ESG, HOPWA, and HTF will be used to achieve the goals and priorities set out in the larger Con Plan.

The following will describe the citizen participation efforts conducted by the State of West Virginia for the Con Plan, AAP, Substantial Amendments, and the CAPER.

### **Citizen Participation in the Consolidated Plan (Con Plan):**

**Public Hearing:** The State will conduct at least three public hearings around the State in the needs assessment phase of the consolidated development planning process to solicit local input from citizens and local elected officials on priority housing and community development needs and barriers. These hearings will be held in strategic locations around the State to ensure convenient access by the citizenry, including low- and moderate-income and minority persons. The hearing sites will be accessible, and special provisions will be made to accommodate the needs of persons with disabilities and access and functional needs (DANF) upon request. In the event of a State or National Emergency, where citizens are discouraged from travel and the draft plan might not be available for review at the specified locations, WVDED will make the draft Con Plan available on the WVCAD website. As much as possible, arrangements will be made to review the draft plan in our offices by contacting WVDED. 2025 Public hearings will be held in-person in at least three different locations throughout the State. One additional public hearing will be held online.

A public notice stating the date, time and location of the public hearing will be published in newspapers of general local circulation at least 15 days in advance of each meeting. To broaden participation by low- and moderate-income and minority populations, a copy of the public notice will be direct-mailed or emailed to State and local organizations representative of these groups (WV Chapter-NAACP, WV Human Rights Commission, Public Housing Authorities, Regional Planning and Development Councils (RPDC) and community action agencies). West Virginia Department of Health and Human Resources will be requested to email a copy of the public notice to its local field offices with instructions to post them at the service entrances. This will further maximize participation by extremely low-level income populations. In the event of State or National Emergency, where citizens are discouraged from travel, WVDED will not request WVDHHR to post the public notice at local field offices.

**Survey:** A community needs assessment online survey of housing and community development needs and priorities will be provided through the West Virginia Community Advancement and Development website. The availability of the online survey will at a minimum be communicated through email or mail through partnering organizations.

**Consultation:** Prior to and during the development of the Consolidated Plan, the State will actively seek information about housing and community development needs in the State. This consultation may take the form of one or more of the following:

- Soliciting information from agencies and organizations that assist low to moderate-income persons and areas, including State and federal agencies, local governments, regional councils of government, Continuum(s) of Care, businesses, community and faith-based groups, broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies.
- Interviewing agency directors and/or staff and organizing focus groups with key stakeholders and partners. Collecting information at statewide or regional housing, community development, and economic development conferences and convenings when available.

A written record will be kept of all comments received at public hearings, and any written comments received during the public review period on the proposed Con Plan. These comments will be considered in finalizing the Plan, and a summary of the comments will be attached to the final Con Plan submitted to HUD.

**Final Action on the Consolidated Plan:** Upon completion of the draft Con Plan, a copy will be available for a 30-day review and comment period on the WVCAD website. An executive summary of the draft plan will be sent to the State's 11 Regional Planning and Development Councils (RPDC) to circulate to the mayors and county commissions in each region. A complete copy of the draft Con Plan will also be placed in each of the RPDC offices, and a public notice of its availability for review and comment will be published in newspapers of general local circulations. The public notice will state the deadline for receipt of written comments on the Con Plan, and the date, time and location of at least three public hearings. The notice will be published at least 15 days in advance of the hearings. The meeting sites will be accessible, and special provisions will be made for persons with disabilities and access and functional needs upon request. In the event of a State or National Emergency, where citizens are discouraged from travel and the draft plan might not be available for review at the specified locations, WVDED will make the draft Con Plan available on the WVCAD website. As much as possible, arrangements will be made to review the draft plan in our offices by contacting WVDED. Public hearings will be held in-person and virtually.

#### **Citizen Participation in the Annual Action Plan (AAP):**

**Final Action on the Annual Action Plan:** Upon completion of the draft AAP, a copy will be available for a 30-day review and comment period on the WVCAD website. An executive summary of the draft plan will be sent to the State's 11 RPDCs to circulate to the mayors and county commissions in each region. A complete copy of the draft AAP will also be placed in each of the RPDC offices, and a public notice of its availability for review and comment will be published in newspapers of general local circulations. The public notice will state the deadline for receipt of written comments on the AAP, and the date, time and location of at least three public hearings. The notice will be published at least 15 days in advance of the hearings. The meeting sites will be accessible, and special provisions will be made for persons with disabilities and access and functional needs upon request.

In the event of a State or National Emergency, where citizens are discouraged from travel and the draft plan might not be available for review at the specified locations, WVDED will make the draft Con Plan available on the WVCAD website. As much as possible, arrangements will be made to review the draft plan in our offices by contacting WVDED. In such instances, public hearings will be held in-person and/or virtually, if the emergency or the natural disaster allows it.

#### **Citizen Participation in the Recovery Housing Program (RHP)**

**Final Action on the Annual Action Plan:** Upon completion of the draft RHP AAP, a copy will be available for a 15-day review and comment period on the WVCAD website. A public notice of its availability for review and comment will be published in newspapers of local circulations. The public notice will state the deadline for receipt of written comments on the AAP.

Substantial Amendments to the RHP AP are inclusive of changes in the method of distributing funds; to carry out an activity not previously described in the plan; or, to change the purpose, scope, location, or beneficiaries of an activity, an increase to funding amounts, and including

new preferences not previously described in the plan. Should substantial amendments be proposed, WVCAD will make the proposed substantial amendment public and provide for a 15-day public comment period prior to submission.

Annual Performance Report (QPR): WV CAD must submit all reports received by the subrecipients using HUD's DRGR system, each year by October 30. Before submitting the performance reports to HUD, WV CAD must provide reasonable notice to citizens and make the full annual performance report in accordance with 24 CFR 91.105(d) and 24 CFR 91.115(d), including the SF-425 federal financial report available for citizen comment for a period not less than 15 days.

Non-Profits: All non-profit organizations seeking RHP funding directly from WV CAD are required to secure a letter of support or resolution from the local government. This letter serves to inform officials about potential projects within their jurisdiction. In the case of construction and/or rehabilitation projects, zoning letters from the planning commission or similar authority will also confirm the project's eligibility to proceed.

#### Unit of general local government (RHP)

Per 24 570.486, each unit of local government applying for RHP funding directly through the State, shall meet the following requirements:

1. Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in slum or blighted areas and areas in which RHP funds are proposed to be used;
2. Ensure that residents will be given reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8, and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as applicable, as well as information and records relating to the unit of local government's proposed and actual use of RHP funds;
3. Furnish citizens information, including but not limited to:
  - a. The amount of RHP funds expected to be made available for the current fiscal year (including the grant and anticipated program income);
  - b. The range of activities that may be undertaken with the RHP funds;
  - c. The estimated amount of the RHP funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons; and
  - d. The proposed RHP activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under § 570.488.
4. Provide technical assistance to groups that are representative of persons of low- and moderate-income that request assistance in developing proposals (including proposed strategies and actions to affirmatively further fair housing) in accordance with the procedures developed by the State. Such assistance need not include providing funds to such groups;
5. Provide for a minimum of two public hearings, each at a different stage of the program, for

the purpose of obtaining residents' views and responding to proposals and questions. Together the hearings must cover community development and housing needs (including affirmatively furthering fair housing), development of proposed activities, and a review of program performance. The public hearings to cover community development and housing needs must be held before submission of an application to the State. There must be reasonable notice of the hearings and they must be held at times and accessible locations convenient to potential or actual beneficiaries, with accommodations for persons with disabilities. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate;

6. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the unit of general local government's application to the state. Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state.
7. Provide citizens the address, phone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances, within 15 working days where practicable.

In the event of a State or National Emergency, where citizens are discouraged from travel, WVDED will make all applicable RHP documents on the WVCAD Website. As much as possible, arrangements will be made to review any and all documents in our offices by contacting WVDED. In such instances, public hearings will be held in-person and/or virtually, if the emergency or the natural disaster allows it.

### **Citizen Participation in the Home Investment Partnership Grant – American Recovery Plan (HOME-ARP)**

24 CFR 91.105, 24 CFR 91.115, 24 CFR 91.401 are waived, and the following alternative requirements shall apply to HOME-ARP allocation plan submissions by participating jurisdictions.

(1) Participating jurisdictions must provide for and encourage citizen participation in the development of the HOME-ARP allocation plan. Before submitting the HOME-ARP allocation plan to HUD, participating jurisdictions must provide residents with reasonable notice and an opportunity to comment on the proposed HOME-ARP allocation plan of no less than 15 calendar days. The participating jurisdiction must follow its adopted requirements for "reasonable notice and an opportunity to comment" for plan amendments in its current citizen participation plan except for where it conflicts with the requirements of this Appendix. In addition, participating jurisdictions must hold at least one public hearing during the development of the HOME-ARP allocation plan prior to submitting the plan to HUD and must also include a summary of comments received through the public participation process and any comments or views not accepted and the reasons why.

(2) For the purposes of HOME-ARP, participating jurisdictions are required to make the following information available to the public.

- a. The amount of HOME-ARP funds the participating jurisdiction will receive.

- b. The range of activities the participating jurisdiction may undertake.

Substantial Amendments to the HOME-ARP Allocation Plan. Participating jurisdictions must make a substantial amendment to the HOME-ARP allocation plan for changes in the method of distributing funds; to carry out an activity not previously described in the plan; or, to change the purpose, scope, location, or beneficiaries of an activity, including new preferences not previously described in the plan. Participating jurisdictions must make the proposed substantial amendment public and provide for a 15-day public comment period prior to submission.

In the event of a State or National Emergency, where citizens are discouraged from travel and the draft plan might not be available for review at the specified locations, WVHDF will make the draft HOME-ARP allocation plan and/or amendments available on the WVHDF website. As much as possible, arrangements will be made to review the draft allocation plan and/or amendments in our offices by contacting WVHDF. In such instances, public hearings will be held in-person and/or virtually, if the emergency or the natural disaster allows it.

### **Substantial Amendments**

The WVDED reserves the right to make non-substantive changes (administrative amendments) to the Con Plan and the AAP without opening a public comment period. A substantive change (substantial amendment) will require public comment as outlined below.

**Definition of substantial amendment:** A substantial amendment is defined as follows:

- A proposed change in the allocation of funds between funding categories, priorities, goals, and objectives that totals 20 percent or more of the State's annual allocation of CDBG, HOME, ESG, HOPWA, , RHP and HTF funds and any other special allocation made available by HUD and subject to this same requirement;
- A proposed change to the purpose, scope, location, or beneficiaries of an activity that totals a 20 percent or more increase in the activity's total project cost;
- A proposed change in the method of distribution of funds;
- A proposed change to establish a new funding or allocation priority or goal; or
- A proposed change to the Citizen Participation Plan.

Any changes in the distribution of funds caused by changes in the federal funding allocation after the Con Plan/AAP draft comment periods have expired will not be considered a substantial amendment.

**Citizen Participation in substantial amendments:** Substantial amendments to the approved Con Plan/ APP will be made public by public notices in newspapers and notices on the West Virginia Community Advancement and Development (WVCAD) website. Public Hearings will not be held for amendments.

**Final Action on Substantial Amendments:** The WVDED and WVHDF will receive and consider comments on substantial amendments to the Con Plan/AAP for 30 days before implementing those amendments, except for any other special allocation which allows a shorter comment period and RHP funds which allows a 15-day comment period.

### **Consolidated Annual Program Performance and Evaluation Report (CAPER)**

Each year the WVDED must submit a CAPER reporting on actions completed during the previous program year for CDBG, HOME, ESG, HOPWA and HTF as they relate to the performance measures outlined in the current Con Plan and AAP.



The following will describe the citizen participation efforts conducted by the State of West Virginia for the CAPER.

**Citizen Participation:** The WVDED will submit the CAPER to HUD. Copies of the CAPER will be placed in each of the 11 RPDC offices, and a notice of availability for public review will be published in newspapers of general local circulation and posted on WVCAD website. At least 15 days will be allowed for review and comment by the public. In the event of a State or National Emergency, where citizens are discouraged from travel, WVDED will make the draft CAPER available on the WVCAD websites and will not be available in the 11 RPDC or WVDED offices. As much as possible, arrangements will be made to review the draft plan in our offices by contacting WVDED.

**Final Action on the CAPER:** The WVDED will consider all comments received in the preparation of the CAPER. A summary of comments received will be attached to the final CAPER submitted to HUD.

### **Citizen Participation Requirements for Local Governments**

Upon application for funding, local governments are required to submit a certification of a local CPP. Local CPPs ensure that the units of local government are meeting the requirements of Title 24 of the Code of Federal Regulations Part 570.486.

The local participation plans should include the following provisions at a minimum:

- Local governments shall conduct a minimum of two (2) public hearings to be conducted regarding any CDBG application. One hearing shall be conducted prior to the preparation of the application to obtain the views and proposals of citizens regarding community and housing needs including the needs of low- and moderate-income persons, and a second public hearing shall be prior to submission of application to the State to obtain citizen input, comments, or opinions regarding such application) and with regard to program or project performance.
- Notices of public hearings to be conducted by the local government shall be published and posted within 14 days prior to the date of the hearings.
- The following information must be made available:
  - Amount of CDBG funds expected to be made available, range of activities that can be funded by CDBG, estimated amount of CDBG funds used for activities to meet the national objective, citizen participation process must identify each proposed project; project location, including target area boundaries, if any; proposed project activity; total project cost, grant amount requested, and if the project is likely to result in relocation and anti-displacement required by 570.488.
- Public hearings must be held at times and places convenient for affected citizens, potential or actual beneficiaries, and including persons with disabilities and access and functional needs. Public hearings must contain bilingual communications for non-English speaking residents when they will be affected by a proposal and reasonable advanced notification is given to the local government.

### **Availability to the Public**

Copies of the State's Con Plan and any amendments thereto, AAP and any amendments thereto, and the CAPER will be placed in the RPDC offices, the offices of the West Virginia Department of Economic Development and the West Virginia Housing Development Fund and posted on the WVCAD website. Copies of this information will be made available in a form accessible to the DAFN community upon request.

### **Access to Records**

The WVDED and WVHDF will provide citizens, public agencies, and other interested parties reasonable and timely access to information and records relating to the State's Con Plan and the State's use of assistance under the programs covered by the Con Plan during the preceding five years during normal business hours.

### **Complaints**

The State will provide a timely, substantive written response in the mail or email to every written resident complaint within 15 working days from receipt related to the Con Plan, Con Plan amendments, and the CAPER.