

CHAPTER 9. HA RESPONSIBILITY: RESIDENT AND LOCAL/TRIBAL  
GOVERNMENT PARTICIPATION

- 9-1. OBJECTIVE. The objectives of this Chapter are to set forth the statutory and regulatory requirements for resident and local/tribal government participation in the development, implementation and monitoring of the Comprehensive Plan and Annual Submission. It is the Department's position that the success or failure of the CGP rests upon the degree to which the residents and the community work with the HA in all aspects of its program and hold the HA accountable for the quality of the work performed. [Sec. 14(e)(1)(E), (e)(3)(A) and (B), and (e)(4)(a)]
- 9-2. COMPREHENSIVE PLAN AND ANNUAL SUBMISSION.
- A. General Requirements.
1. Resident Participation. The HA is required to develop, implement, monitor, and annually amend portions of its Comprehensive Plan in consultation with residents of the developments covered by the Comprehensive Plan (i.e., all developments eligible for CGP funding). In addition, the HA shall consult with Resident Management Corporations (RMCs) to the extent that an RMC manages a development covered by the Comprehensive Plan. The HA, in partnership with the residents, shall develop and implement a process for resident participation that ensures that residents are involved in a meaningful way in all phases of the CGP. Such involvement shall include implementing the Partnership Process as a critical element of the CGP. ['968.315(b)(1) or '950.652(b)(1)]
  2. Establishment of Partnership Process. The HA, in partnership with the residents of the developments covered by the Comprehensive Plan (and which may include resident leaders, resident councils, resident advisory councils/boards, and RMCs) shall establish a Partnership Process to develop and implement the goals, needs, strategies and priorities identified in the Comprehensive Plan. As defined in paragraph 1-6, the Partnership Process is a specific and ongoing process that is designed to ensure that the HA and residents work in a cooperative and collaborative manner to develop, implement and monitor the CGP. After residents have organized to participate in the CGP, they may decide to establish a volunteer advisory group of experts in various professions, including persons with disabilities or advocacy groups representing persons

with disabilities, to assist them in the CGP Partnership Process. The HA is encouraged to use the checklist for development of the Partnership Process as set forth in Appendix 9-1. The HA shall design the Partnership Process to achieve the following: ['968.315(b)(2) or '950.652(b)(2)]

- a. To assure that residents are fully briefed and involved in developing the content of, and monitoring the implementation of, the Comprehensive Plan including, but not limited to, the Physical and Management Needs Assessments, viability and reasonable cost analysis, Five-Year Action Plan, and Annual Statement. If necessary, the HA shall develop and implement capacity-building strategies to ensure meaningful participation. Such technical assistance efforts are eligible CGP administrative costs (see paragraph 2-14D).
  - b. To enable residents to participate, on a HA-wide or area-wide basis, in ongoing discussions of the Comprehensive Plan and strategies for its implementation, and in all meetings necessary to ensure meaningful participation.
3. Local/Tribal Government Participation. The HA shall consult with and provide information to appropriate local/tribal government officials regarding the development of the Comprehensive Plan. For PHAS, this is to ensure that there is coordination between the actions taken under the Consolidated Plan (see 24 CFR Part 91) for project and neighborhood improvements where public housing units are located or proposed for construction or modernization and improvement and to coordinate meeting public and human service needs of the public and assisted housing projects and their residents. [Note: The Consolidated Plan does not apply to IHAs.] The HA with developments in multiple jurisdictions may meet this requirement by consulting with an advisory group representative of all the jurisdictions. At a minimum, this consultation shall include providing such officials with: ['968.315(c) or '950.652(c)]
- a. Advance written notice of the public hearing required under subparagraph B3;
  - b. A copy of the Executive Summary, prepared as part of the Comprehensive Plan, which includes a Summary of Preliminary Estimated Costs and a description of the resident partnership and summary of general issues.

c. An opportunity to express their priorities and concerns to ensure due consideration in the HA's planning process.

4. Participation in Coordinating Entities. To the extent that coordinating entities are set up to plan and implement the Consolidated Plans under 24 CFR Part 91, the PHA shall participate in these entities to ensure coordination with broader community development activities. ['968.315(d)]
5. Funding. Funding may be provided for resident participation under either management improvements (1408) or administration (1410). Residents are encouraged to seek outside assistance to supplement any funds received from the HA. Possible sources may include, but not be limited to CDBG funds, private foundations, etc.

B. Specific Annual Requirements.

1. Public Notice. Within a reasonable amount of time before the advance meeting for residents under subparagraph B2 and the public hearing under paragraph B3, the HA shall annually provide public notice of the advance meeting and the public hearing in a manner determined by the HA and which ensures notice to all duly elected resident councils. ['968.315(b)(3) and 968.325(d)(1) or '950.652(b)(3) and 950.656(d)(1)]
2. Advance Meeting for Residents and Duly Elected Resident Councils. Within a reasonable amount of time before the public hearing under subparagraph B3, the HA shall annually hold a meeting for residents and duly elected resident councils at which the HA shall explain the components of the Comprehensive Plan or Annual Submission, including any amendments to the Comprehensive Plan. The HA shall advise residents before the meeting that the draft Comprehensive Plan or Annual Submission shall be available for their review at specified locations within the HA's jurisdiction. The meeting shall be open to all residents and duly elected resident councils. The purpose of the meeting is to provide information concerning the contents of the Comprehensive Plan or Annual Submission so that residents may make informed comments at the public hearing. ['968.315(b)(4) and 968.325(d)(2) or '950.652(b)(4) and 950.656(d)(2)]

3. Public Hearing. The HA shall annually hold at least one annual public hearing, and any appropriate number

of additional hearings, to present information on the Comprehensive Plan or Annual Submission and the status of prior approved programs. The public hearing shall provide ample opportunity for residents, local/tribal government officials, and other interested parties, such as persons with disabilities or advocacy groups representing persons with disabilities, to express their priorities and concerns. The HA shall give full consideration to the comments and concerns of residents, local/tribal government officials, and other interested parties. [ '968.315(b)(5) and 968.325(d)(3) or '950.652(b)(5) and 950.656(d)(3) ]

C. Submission Requirements.

1. Every Six Years. As part of its Comprehensive Plan, submitted and updated every six years, the HA shall submit, as part of its Executive Summary, a description of its process for maximizing the level of participation by residents during the development, implementation and monitoring of the Comprehensive Plan, a summary of the general issues raised on the Plan by residents, local/tribal government officials, and others during the public comment process, and the HA's response to those general issues. Refer to paragraph 4-6B.
2. Annually.
  - a. Local Government Statement. As part of its Comprehensive Plan and Annual Submission, the HA shall submit Form HUD-52835, Local Government Statement. Refer to paragraph 4-11 and Appendix 4-5.
  - b. HA Board Resolution. As part of its Comprehensive Plan and Annual Submission, the HA shall include Form HUD-52836, PHA/IHA Board Resolution Approving Comprehensive Plan or Annual Statement. Refer to paragraph 4-12 and Appendix 4-6.
3. As Needed. Where prior HUD approval is required to amend the Annual Statement, the HA shall submit, with the amendment, evidence of consultation with residents affected by the revisions and local/tribal government officials. Refer to paragraph 6-10A1.

9-3. PROGRAM IMPLEMENTATION. The HA shall establish and maintain a process for resident comment on the implementation of work included in the Annual Statement to ensure its quality and timeliness. The HA shall make reasonable efforts to notify residents and officials of the appropriate governing body of the availability of the draft Performance and Evaluation Report, make

copies available to residents in the development office or upon request, send a copy of the draft Report to local/tribal government, and provide residents and local/tribal government officials with at least 30 calendar days in which to comment on the draft Report. ['968.330 or '950.658]