

# CITY OF BOSTON CONSOLIDATED PLAN

## Citizen Participation Plan

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**September 2016:** This Citizen Participation Plan is amended and updated to include the community participation requirements included in the Affirmatively Further Fair Housing (AFFH) Rule (24 CFR, Section 5.158). In July 2015 HUD issued a final Rule for grantees that replaces the Analysis of Impediments to Fair Housing Choice (AI) with a new process called an Assessment of Fair Housing (AFH). The Rule requires consultation and community participation in the analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals.

The AFH planning process is designed to help communities analyze challenges to fair housing choice and establish their own goals and priorities to address the fair housing barriers in their community. The Citizen Participation requirements of the AFFH Rule are described in Part II of this document. The City of Boston's AFH is due to HUD on October 4, 2017. Boston's AFH will be undertaken and issued jointly with the Boston Housing Authority (BHA). The priorities and goals identified in the AFH will inform the City of Boston's next Consolidated Plan and the BHA's next 5-year plan.

Further, this Plan is amended to describe procedures for language and communication access for city services in Section H of this document.

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## PART I

Pursuant to the requirements of 24 CFR 91.105 and 24 CFR Part 5.158 the City of Boston hereby issues the following plan to provide for and encourage citizens to participate in the development of the City of Boston's Consolidated Plan, any substantial amendments to the Consolidated Plan, and the performance reports. This plan amends and supersedes the City's existing Citizen Participation Plan, adopted in compliance with Section 104(a)(3) of the Housing and Community Development Act of 1974.

### **A) Development of the Consolidated Plan and Action Plan**

At least 30-days prior to adopting a Consolidated Plan or an annual Action Plan, the City of Boston will make available to citizens, public agencies, and other interested parties a draft of these documents.

The draft Plan(s) will include information on the amount of assistance the jurisdiction expects to receive from the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG), Section 108 Loan Guarantee, HOME

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Investment Partnerships Program (HOME), Housing Opportunities for Persons With AIDS (HOPWA) program, Emergency Solutions Grants (ESG) including grant funds and program income. It will also include descriptions of each program that the City plans to undertake with such assistance and the estimated amount of such funds that will benefit low- and moderate-income persons.

The City will afford citizens, public agencies and other interested parties an opportunity to examine and comment on the Draft Consolidated Plan or Draft Action Plan through the following actions:

1. The City will publish a Legal Notice in a daily newspaper of general circulation such as the Boston Globe, Boston Herald or Metro, summarizing the draft Consolidated Plan or Action Plan. The summary will describe the contents and purpose of the Consolidated Plan or Action Plan and include the location where a copy of the draft Plans may be obtained. The notice will also specify the deadline and place to which comments should be submitted. Citizens will be provided with a 30-day period to comment on the Plans.
2. The City will publish a notice of the opportunity for public comment on the draft Consolidated Plan or Action Plan on the DND website: [DND Hearings and Public Comment](#). DND will also post these documents on the website in a format available for citizens to examine or download. Citizens will be provided with a 30-day period to comment on the Plans and will be able to return comments by email to: [dndcomments@boston.gov](mailto:dndcomments@boston.gov)
3. The City will also establish and maintain a Policy News email list of interested citizens, public agencies and other parties for the purpose of providing notice of the issuance of such Plans or of any public hearings related to the development of the Plans. The City will send electronic notice of any such issuance to this email list not less than two weeks prior to said public hearings; and, the day that the Plan is issued and available on the Department's website.
4. The City will consider any comments or views of citizens received in writing, by email to [dndcomments@boston.gov](mailto:dndcomments@boston.gov), or orally at the public hearings, in preparing the final Consolidated Plan or Action Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the City's reasons therefore, shall be attached to the Consolidated Plan or Action Plan submitted to HUD.
5. It is anticipated that the draft Consolidated Plan (every 5 years) and the Action Plan will be issued on or about the second week of April of each year and the plans shall be adopted and submitted to HUD no later than the 15th of May of each year.

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6. After HUD approves the Consolidated Plan and/or annual Action Plan, the City will make the document available to the public by posting the final Consolidated Plan or Action Plan on the DND website: [DND Plans, Reports and Notices](#) . The web posted document conforms to the Web Content Accessibility Guidelines for individuals with disabilities.

### **B) Substantial Amendments**

The City will use the following criteria for determining what changes in the jurisdiction's planned or actual activities constitute a Substantial Amendment to the Consolidated Plan or Action Plan:

- ❖ If the CDBG national objective for a planned program or activity is changed from low-mod benefit to any other category (except in the event of an urgent need pursuant to 570.203c), a Substantial Amendment will be issued.
- ❖ If the total amount of HUD's CPD funding (CDBG, HOME, ESG and HOPWA) allocated to a program is increased or decreased by an amount that is more than 10% of the total CPD funds budgeted for that project for that year, a Substantial Amendment will be issued unless either of the two exceptions applies.

**Exception 1:** The budget change for the project is less than 1% of the source allocation.

*Example: The City receives \$16 million in CDBG for the program year; 1% of that equals \$160,000. Project X has a CDBG budget of \$500,000. Midway through the program year, a budget amendment is proposed to decrease CDBG funding to Project X by \$100,000 (20%). Although the change is greater than 10% of Project X CPD budget, it is less than \$160,000 or 1% of the CDBG allocation for the year. A substantial amendment is not required.*

**Exception 2:** The budget change for the project is less than \$25,000.

Notice to HUD and the public will be provided on all non-substantial budget amendments but would not require a 30-day public comment period for budget amendments that do not exceed both thresholds.

The City will afford citizens, public agencies and other interested parties an opportunity to examine and comment on any such Substantial Amendments through the following actions:

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1. The City will publish a Legal Notice in a daily newspaper of general circulation such as the Boston Globe, Boston Herald or Metro, summarizing the Substantial Amendment. The summary will describe the contents and purpose of the Amendment to the Consolidated Plan or Action Plan and include the location where a copy of the draft Substantial Amendment may be obtained. The notice will also specify the deadline and place to which comments should be submitted. Citizens will be provided with a 30-day period to comment on the Amendment.
2. The City will send electronic notice of proposed Substantial Amendment(s) to the Policy News email list and will publish said notice on the DND website ([DND Hearings and Public Comment](#)) at issuance. The City will also post the proposed Substantial Amendment(s) on the website in a format available for citizens to examine or download. Citizens will be able to return comments by email to: [dndcomments@boston.gov](mailto:dndcomments@boston.gov)
3. The City will consider any comments or views of citizens received in writing, or by email in preparing the final Substantial Amendment to the Consolidated Plan or Action Plan for submission to HUD. A summary of these comments or views, and a summary of any comments or views not accepted and the City's reasons therefore, shall be attached to the Amendment submitted to HUD.
4. After the Substantial Amendment is approved by HUD, the City will make the document available to the public by posting on the DND website [DND: HUD Plans Reports and Notices](#). The web posted document conforms to the Web Content Accessibility Guidelines for individuals with disabilities.

### **C) Consolidated Annual Performance and Evaluation Reports (CAPER)**

At least 15-days prior to submitting to HUD any CAPER on the Action Plan, the City of Boston will make available to citizens, public agencies, and other interested parties a draft CAPER and an opportunity to examine and comment on the draft CAPER through the following actions:

1. The City will publish a Legal Notice in a daily newspaper of general circulation such as the Boston Globe, Boston Herald or Metro, summarizing the draft CAPER. The summary will describe the contents and purpose of the CAPER and include the location where a copy of the entire draft CAPER may be examined. The notice will also specify the deadline and place to which comments should be submitted. Citizens will be provided with a 15-day period to comment on the report.
2. The City will send electronic notice of any such issuance to the Policy News email list

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at issuance of the CAPER on the DND website ([DND Hearings and Public Comment](#)

3. The City will also post the Performance Report on the website in a format available for citizens to examine or download. Citizens will be able to return comments by email to: [dndcomments@boston.gov](mailto:dndcomments@boston.gov)
4. The City will consider any comments or views of citizens received in writing by the specified deadline in preparing the final CAPER. A summary of these comments or views shall be attached to the CAPER submitted to HUD.
5. It is anticipated that the draft CAPER will be issued on or before the 15th of September of each year and the report shall be adopted and submitted to HUD no later than the 30th of September of each year.
6. The City will make the document available to the public after HUD approves the CAPER by posting the CAPER on the department's website at [DND: HUD Plans Reports and Notices](#). The web posted document conforms to the Web Content Accessibility Guidelines for individuals with disabilities.

#### **D) Public Hearings**

The City will hold at least two formal public hearings each year to obtain citizens' views and to respond to proposals and questions during different stages of the development of the Consolidated Plan or Action Plan. Together, these hearings will address housing and community development needs, development of the proposed activities and review of program performance.

1. The City will hold a first hearing or hearings for the purpose of obtaining citizen views regarding housing and community development needs and priorities for the coming year and to review program performance for the past year. The hearing will be held at least 14 days prior to issuance of the draft Consolidated Plan or Action Plan.
2. The City will hold a second hearing or hearings for the purpose of accepting citizen views regarding the draft Consolidated Plan, or Action Plan. The hearing will be held during the 30-day comment period on the draft Plans. The draft Plans will be available for review at least seven days before the scheduled hearing. The hearings will be advertised through a Legal Notice in a newspaper of general circulation, posting on the DND website ([DND Hearings and Public Comment](#)) and electronic notice to the Policy News email list not less than two weeks before the hearing.

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3. The hearings will be held on a weekday evening at a centrally located and handicapped accessible public place such as the Boston Public Library, the Winter Chambers at 26 Court Street or other such location.
4. A Spanish interpreter will be available at all hearings. Interpreter services in other languages and sign interpreters for the hearing impaired will be provided upon advance request of at least ten (10) days prior to the scheduled hearing. The City will seek to accommodate other language interpretation needs to the best of its ability, upon advance request.

### **E) Access to Records**

The City will provide citizens, public agencies and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's Consolidated Plan and the jurisdiction use of assistance under programs covered by the Consolidated Plan during the preceding 5 years. Requests for such information must be made in writing to the Policy Development and Research Division, Department of Neighborhood Development, , 26 Court Street, 11th floor, Boston, MA, 02108. Where practicable, the City will respond to such requests in writing within 15 working days. Requests for information which is not readily available, or which will require additional research or production of new documents, may take longer. In such cases, the City will respond in writing within 15 days stating whether or not the information is available and the timeline for completing the request.

### **F) Technical Assistance**

Upon written request, the City will provide access to technical assistance to groups representative of low-and moderate-income residents that request such assistance in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan and for participating in the development of the Assessment of Fair Housing (AFH). The City may choose to provide such assistance with its own staff, with consultants under contract to the City under any of its housing and community development programs or refer the group making the request to any of the organizations funded by the U.S. Department of Housing and Urban Development to provide such assistance. The assistance provided will not include the provision of funds to the groups.

### **G) Complaints**

The City has adopted the following procedures for handling complaints from citizens related to the Consolidated Plan, amendments and Performance Reports:

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- ❖ All such complaints are to be made in writing to the Policy Development and Research Division, Department of Neighborhood Development, 26 Court Street, 11th floor, Boston, MA, 02108.
- ❖ The Policy Development and Research Division will coordinate the preparation of a substantive written response to every written citizen complaint within 15 working days of receipt of the complaint, if practicable. The response will include the name of a contact person to facilitate any additional follow-up regarding the complaint.

### **H) Language and Communications Access for City Services**

In August 2016, the City passed an Ordinance to ensure that city services are accessible to all residents regardless of linguistic barriers or physical or visual impairments. The Ordinance established a communication access policy wherein each department defines customized guidelines to ensure meaningful access to services.

DND provides Spanish interpretation at public hearings (see “D” above) and will satisfy other language and disability accommodation requests with reasonable notice for hearings, classes, seminars and events. Community notifications and public advertisements for programs and development projects are translated into other languages as appropriate for the native language/s of residents in the impacted neighborhood. Verbal communication with limited English speakers’ is managed with DND bilingual staff and the Mayor’s Office of Immigrant Advancement.

## **PART II**

### **Assessment of Fair Housing (AFH)**

Pursuant to the requirements of 24 CFR 91.105 and to accommodate the new AFFH Rule’s of citizen participation plan requirements, the City of Boston hereby issues the following Plan to provide for and encourage the participation of and consultation with: residents, local and regional institutions, Continuum of Care, businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations in the development of the Assessment of Fair Housing (AFH). Further, in conjunction with the BHA, the needs of residents of public and assisted housing developments, resident advisory boards, resident councils and resident management corporations will be encouraged to participate in the development of the AFH.

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The AFH will be updated every five years prior to the development of each new Consolidated Plan.

### **Development of the Assessment of Fair Housing (AFH)**

At least 30-days prior to submitting a proposed AFH, the City of Boston will make available a draft of this document that will include the HUD-provided data and any other relevant data. The City will afford citizens, public agencies and other interested parties an opportunity to examine and comment on the draft AFH through the following actions:

1. The City will publish a Legal Notice in a daily newspaper of general circulation such as the Boston Globe, Boston Herald or Metro, summarizing the draft AFH. The summary will describe the contents and purpose of the AFH and include the location where a copy of the draft Plan may be obtained. The notice will also specify the deadline and place to which comments should be submitted. Citizens will be provided with a minimum 30-day period to comment on the Plan.
2. The City will publish a notice of the opportunity for public comment on the draft AFH on the DND website: [DND Hearings and Public Comment](#). DND will also post these documents on the website in a format available for citizens to examine or download. Citizens will be provided with a 30-day period to comment on the AFH and will be able to return comments by email to: [dndcomments@boston.gov](mailto:dndcomments@boston.gov)
3. The City will also establish and maintain a Policy News email list of interested citizens, public agencies and other parties for the purpose of providing notice of the issuance of the AFH or of any public hearings related to the development of the AFH. The City will send electronic notice of any such issuance to this email list not less than two weeks prior to said public hearings; and, the day that the Plan is issued and available on the Department's website.
4. The City will consider any comments or views of citizens received in writing, by email to [dndcomments@boston.gov](mailto:dndcomments@boston.gov), or orally at the public hearings, in preparing the final AFH. A summary of these comments or views, and a summary of any comments or views not accepted and the City's reasons therefore, shall be attached to the AFH submitted to HUD.
5. After HUD approves the AFH, the City will make the document available to the public by posting the final version on the DND website: [DND Plans, Reports and Notices](#). The web posted document conforms to the Web Content Accessibility Guidelines for individuals with disabilities.

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### Public Hearings & Consultations

The City will hold at least two public hearings; one during the development of the AFH and one after issuing a draft for comment. The purpose of the hearing is to solicit citizens' views on barriers to fair housing and setting goals for what can and should be done to address them.

1. The hearing will be held at least 30 days prior to issuance of the draft AFH. The hearings will be advertised through a Legal Notice in a newspaper of general circulation, posting on the DND website ([DND Hearings and Public Comment](#))
2. An electronic notice to the Policy News email list will be sent not less than two weeks before the hearing.
3. The hearing will be held on a weekday evening at a centrally located and handicapped accessible public place such as the Boston Public Library, the Winter Chambers at 26 Court Street or other such location.
4. A Spanish interpreter will be available at the hearing. Interpreter services in other languages and sign interpreters for the hearing impaired will be provided upon advance request of at least ten (10) days prior to the scheduled hearing. The City will seek to accommodate other language interpretation needs to the best of its ability, upon advance request.

In additions to the public hearings, the City and our partners will organize meetings to reach a comprehensive number of stakeholders in compliance with HUD's community participation and consultation requirements.

### Revisions to an Approved Assessment of Fair Housing (AFH)

The City will revise the AFH when:

- ❖ Material Change Occurs. A material change occurs when a significant event or change in circumstance alters the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals no longer reflect actual circumstances. HUD offers these examples, AFFH Rule Guidebook (page 37): *Material Changes may include presidentially declared disasters, significant demographic changes, new significant contributing factors in the jurisdiction, and civil rights findings, determinations, settlements, or court orders.*
- ❖ Upon Written Notification by HUD of a Material Change.

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The revised AFH will include the amended analyses, assessments, priorities, and goals that take into account the material change, including any new fair housing issues and contributing factors that may arise as a result of the material change.

The City will afford citizens, public agencies and other interested parties an opportunity to examine and comment on a revised AFH through the following actions:

1. The City will publish a Legal Notice in a daily newspaper of general circulation such as the Boston Globe, Boston Herald or Metro, summarizing the revisions to the AFH. The summary will describe the material change/s and purpose of the revision. The notice will also specify the deadline and place to which comments should be submitted. Citizens will be provided with a 30-day period to comment on the revision.
2. The City will send electronic notice of the revision to the Policy News email list and will publish said notice on the DND website ([DND Hearings and Public Comment](#)) at issuance. The City will also post the proposed Substantial Amendment(s) on the website in a format available for citizens to examine or download. Citizens will be able to return comments by email to: [dndcomments@boston.gov](mailto:dndcomments@boston.gov)
3. The City will consider any comments or views of citizens received in writing, or by email in preparing the final revised AFH for submission to HUD. A summary of these comments or views, and a summary of any comments or views not accepted and the City's reasons therefore, shall be attached to the revision submitted to HUD.
4. After the revised AFH is approved by HUD, the City will make the document available to the public. The web posted document conforms to the Web Content Accessibility Guidelines for individuals with disabilities.