

## CHAPTER 69 COMMUNITY DEVELOPMENT PROGRAM

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### 6900 GENERAL PROVISIONS

- 6900.1 The purpose of the Community Development Program (CDP) established under D.C. Law 1-39, D.C. Code §5-901 *et seq.* (1988 Repl. Vol.), is to maintain and develop the District as a viable urban community for persons of low and moderate income by doing the following:
- (a) Providing decent housing;
  - (b) Providing a suitable living environment; and
  - (c) Expanding economic opportunities.
- 6900.1 The purpose and scope of this chapter is to set forth the process by which the District of Columbia government (the "District"), through the Department of Housing and Community Development ("DHCD"), shall provide grants and other forms of assistance to carry out the Community Development Program (CDP).
- 6900.2 Grants or other forms of assistance provided under the authority of the CDP from federal, District or other funding sources, shall be consistent with the provisions of this chapter, unless otherwise provided for under more specific rules for community development program activity elsewhere in the *D.C. Municipal Regulations*, or the *Code of Federal Regulations*, including the Community Development Block Grant Program (24 CFR Part 570).
- 6900.3 This chapter shall govern agreements for grants or other forms of assistance involving the transfer of money, property or anything of value to persons or other legal entities to carry out a public purpose in accordance with an approved CDP.
- 6900.4 The Director may enter into written agreements with other agencies of the District for the purposes of fund transfer and implementation of the CDP without regard to the requirements of this chapter.

6900.5 The Director may, for good cause shown in writing, waive any provisions of this chapter, consistent with applicable law. All waivers shall be justified by a determination that undue hardship will result from applying the requirement and where application of the requirement would adversely affect the purpose and objectives of the CDP.

AUTHORITY: Unless otherwise noted, the authority for this chapter is the District of Columbia Community Development Act of 1975, D.C. Law 1-39, D.C. Code §5-901 *et seq.* (1988 Repl. Vol.).

SOURCE: Final Rulemaking published at 37 DCR 5814 (August 11, 1989).

**6901 ANNUAL COMMUNITY DEVELOPMENT PROGRAM**

6901.1 The Mayor shall prepare on an annual basis a CDP pursuant to the requirements of the Act, including notice and hearing requirements.

6901.2 Following submission to and approval of the CDP by the Council, DHCD shall implement the program and activities of the approved CDP.

6901.3 Any modifications to the CDP shall be made in a manner consistent with §3 of D.C. Code §5-902.

SOURCE: Final Rulemaking published at 37 DCR 5814, 5815 (August 11, 1989).

**6902 PUBLIC NOTICE AND APPLICATION SUBMISSION PROCESS**

6902.1 The Director, or his or her designee, may provide grants or other forms of assistance to person(s) or other legal entities (including community based organizations) requesting assistance consistent with an approved CDP.

6902.2 Grants or other forms of assistance may be made as follows:

- (a) In response to a specific solicitation for application to carry out a specific program or activity of the approved CDP;
- (b) In response to a general solicitation for applications to carry out activities consistent with the approved CDP; or
- (c) As unsolicited applications for activities consistent with the approved CDP.

6902.3 Solicitations for applications shall be published as follows:

- (a) In no less than one (1) newspaper of general circulation in the District of Columbia;
- (b) In two (2) or more newspapers serving minority communities in the District of Columbia; and
- (c) In other publications as deemed appropriate.

6902.4 The Director, or his or her designee, shall establish reasonable time periods for the receipt of applications as provided for in §6902.2.

- 6902.5 All solicitations shall set forth objective selection criteria which may include, without limitation, the following:
- (a) Timeliness of response;
  - (b) Feasibility;
  - (c) Likelihood of success;
  - (d) Experience of the proposed grantee in similar activities;
  - (e) Cost effectiveness;
  - (f) Consistency with the approved CDP; and
  - (g) Level of contribution toward achieving the goals of the CDP.
- 6902.6 All applications shall be in a form prescribed by the Director, or his or her designee, which shall include, but not limited to, the following:
- (a) A description of the activity to be funded, the amount of funding requested and a detailed budget for the funds;
  - (b) A statement showing how the activity meets eligibility criteria for assistance, and the relation of the activity to the approved CDP; and
  - (c) Response to any competitive or selective factors specified in the solicitation.
- 6902.7 Unsolicited applications submitted consistent with §§6902.2(c) and 6902.4, shall be recorded on a register which is available for public inspection during regular business hours of DHCD.
- 6902.8 Persons wishing to inspect applications may do so by filing a written request with the official designated in the register of unsolicited applications maintained by DHCD. Information shall be provided consistent with the Freedom of Information Act, D.C. Code §1-1521 *et seq.* (1987 Repl. Vol.).

SOURCE: Final Rulemaking published at 37 DCR 5814, 5815 (August 11, 1989).

### 6903 REVIEW AND APPROVAL OF APPLICATIONS

- 6903.1 The Director, or his or her designee, shall review each proposal for completeness and compliance with requirements of the solicitation.
- 6903.2 The Director, or his or her designee, may reject applications which are initially determined incomplete or ineligible, and may, in his or her sole discretion, for good cause grant additional time to enable applicants to correct deficiencies identified during the initial evaluation of the application(s).
- 6903.3 The Director, or his or her designee, shall also review the application(s) for consistency with the approved CDP, any ranking and selection criteria established

in the solicitation, or other applicable requirements for the provision of grants or other forms of assistance.

- 6903.4 The Director, or his or her designee, consistent with his or her authority, shall make the final decision on application approvals, selecting those applications which best meet the applicable program priorities and selection criteria.
- 6903.5 The Director, or his or her designee, shall notify all applicants in writing of final decisions regarding approval or disapproval of applications. For unsolicited applications, the final decision shall also be recorded in the register noted in §6902.7. Approvals may be subject to the satisfaction of further conditions set forth in the approval letter.
- 6903.6 The Director, or his or her designee, may approve grants or other forms of assistance for less than the amount requested.

SOURCE: Final Rulemaking published at 37 DCR 5814, 5817 (August 11, 1989).

#### 6904 FUNDING AGREEMENTS AND OTHER REQUIREMENTS

- 6904.1 All grants or other forms of assistance shall be made pursuant to written agreements and shall be legally binding documents consistent with all requirements of law and regulation prior to the release of any funds by the District.
- 6904.2 The specific form and content of any agreement for funding shall be at the discretion of the Director, or his or her designee, and may include, but shall not be limited to, the following:
- (a) The purpose, amount, terms and conditions attaching to the funds provided;
  - (b) Time of performance and method of payment;
  - (c) Provisions for reporting to and audit or inspection by the District;
  - (d) Provisions for the termination of assistance; and
  - (e) Any other requirements of law, regulation, operation or enforcement necessary and appropriate to the provision of funds.

SOURCE: Final Rulemaking published at 37 DCR 5814, 5815 (August 11, 1989).

#### 6999 DEFINITIONS

- 699.1 When used in this chapter, the following words and phrases shall have the meaning ascribed:

Act - the Community Development Act of 1975, D.C. Law 1-39 (D.C. Code §5-901 *et seq.*) (1988 Repl. Vol.).

**CDP** - the Community Development Program, as defined by D.C. Law 1-39 (D.C. Code §5-901 *et seq.*) (1988 Repl. Vol.).

**Council** - the Council of the District of Columbia.

**DHCD** - the Department of Housing and Community Development.

**Director** - the Director of the Department of Housing and Community Development.

**District** - the government of the District of Columbia.

**Mayor** - the Mayor of the District of Columbia.

SOURCE: Final Rulemaking published at 37 DCR 5814, 5815 (August 11, 1989).