

CPD Waivers for Mississippi Tornado Recovery

The U.S. Department of Housing and Urban Development (HUD) issued a memorandum explaining the availability of suspensions and waivers of certain statutory and regulatory requirements associated with several Community Planning and Development (CPD) grant programs to address damage and facilitate recovery from severe storms, straight-line winds, and tornadoes in areas of Mississippi covered by a major disaster declaration (DR-4697-MS).

The HUD memorandum covers the following CPD programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)
- Housing Trust Fund (HTF)
- Housing Opportunities for Persons With AIDS (HOPWA)
- Emergency Solutions Grant (ESG), Continuum of Care Program (CoC)

Important note on process: Grantees must provide notification in writing, either through mail or e-mail, to the CPD Director of the HUD Field Office serving its jurisdiction no less than three days before the grantee anticipates using the suspension or waiver flexibility.

Documentation: Recipients are responsible for documenting that each waiver is used only under the circumstances and conditions permitted under this memorandum.

The following is a high-level overview of the waivers provided in this memorandum. Grantees should review the full memorandum for regulatory citations and to understand the applicability of waivers here: <https://www.hud.gov/sites/dfiles/CPD/documents/MS-Tornadoes-CPD-Waivers-2023-03-29.pdf>

Consolidated Plan Requirements

1. Public Comment Period: Waives the 30-day public comment requirements and reduces the public comment period to no less than seven days for substantial amendments to the consolidated plan, such as the addition of new activities or a change in the use of grant funds from one eligible activities to another.

2. Reasonable Notice: HUD waives reasonable notice and opportunity to comment requirements to allow grantees to determine what constitutes reasonable notice and opportunity to comment given disaster-related circumstances.

Community Development Block Grant (CDBG) Program

3. New Housing Construction: HUD will allow for CDBG funds to be used for new housing construction, allowing grantees to replace affordable housing units that were lost as a result of the disaster.

4. Suspension of Public Services Cap: Waiver permits CDBG grantees to exceed the 15 percent cap on public service expenditures.

5. Emergency Grant Payments up to Six Months: Permits emergency grant payments for up to six consecutive months, waiving the current provisions which limit emergency grant payments to three months.



Preparedness



Response



Recovery



Mitigation