



# 2012 Program Year Annual Action Plan

The CPMP Fifth Annual Action Plan includes the SF 424 and Narrative Responses to the Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliance with the Consolidated Planning Regulations.

Executive Summary .....	2
I. What is the Annual Action Plan? .....	2
II. The Allocation Process.....	2
III. Funding for Third Program Year Action Plan .....	2
IV. Objectives .....	3
Geographic Distribution/Allocation Priorities:.....	7
Sources of Funds:.....	8
Managing the Process .....	9
Citizen Participation.....	10
Institutional Structure.....	12
Monitoring .....	13
Description of Activities .....	16
Summary of Specific Annual Objectives and Outcome Measures .....	16
PY 2012 Action Plan Summary of Specific Annual Objectives and Outcome Measures .....	17
PY 2012 Action Plan Summary of Specific Annual Objectives and Outcome Measures .....	17
PY 2012 Action Plan Summary of Specific Annual Objectives and Outcome Measures .....	17
Annual Affordable Housing Goals (91.220(g)) .....	18
Needs of Public Housing .....	20
Antipoverty Strategy .....	20
Barriers to Affordable Housing .....	21
Lead-based Paint.....	23
Lead Poisoning Prevention and Screenings .....	24
Specific Homeless Prevention Elements .....	24
Emergency Shelter Grants (ESG) .....	27
Non-homeless Special Needs (91.220 (c) and (e)) .....	27
Community Development Block Grant .....	28
HOME/ American Dream Down Payment Initiative (ADDI) .....	31
Housing Opportunities for People with AIDS .....	34

## GENERAL

### **Executive Summary**

The Executive Summary is required. Please provide your Executive Summary that should include objectives and outcomes identified in the plan, and an evaluation of past performance. 91.220(b)

PY 2012 Executive Summary:

#### **I. What is the Annual Action Plan?**

The City of Bloomington is an entitlement community selected by the U.S. Department of Housing and Urban Development and receives an annual allocation of HOME Investment Partnership Program and Community Development Block Grant funds. The Housing and Neighborhood Development Department is the administering agency for these funds. Each year, funds are set aside to meet program goals outlined in the Consolidated Plan 2010-2015 (<http://bloomington.in.gov/media/media/application/pdf/7500.pdf>). The Annual Action Plan outlines the goals and funds for this particular fiscal year. This is the third Annual Action Plan under this Consolidated Plan. Past Annual Action Plans and Comprehensive Annual Performance Evaluation Reports are available on-line at [http://bloomington.in.gov/sections/viewSection.php?section\\_id=233](http://bloomington.in.gov/sections/viewSection.php?section_id=233).

#### **II. The Allocation Process.**

Community Development Block Grant funds are allocated through the Citizen Advisory Council process. The Citizen Advisory Council membership includes two City Council members, two Redevelopment Commission members, four Community and Family Resources Commission members, and up to eighteen members appointed by the Mayor. This council reviews the applications for physical improvement projects and social service programs. The recommendations of the Citizens Advisory Council are presented at a public hearing to the Redevelopment Commission for approval, then to the Mayor, and finally to the City Council. Approved allocations are awarded funding for the following fiscal year which begins June 1. There are four meetings during which the public can provide input into the process: 1) the agency presentations (separate presentation events) to the CAC; 2) the CAC recommendations to the Redevelopment Commission; and 3) the CAC recommendations as approved by the Redevelopment Commission and the Mayor presented to the City Council. (See calendar outlined below.)

HOME funds are for projects that directly result in affordable housing units and applications are accepted year-round by the HAND staff.

#### **III. Funding for Third Program Year Action Plan**

<b>Community Development Block Grant Allocations</b>	<b>Amount of Funds</b>
Physical Improvement Projects:	
HAND Emergency Home Repair	\$50,000
HAND Owner Occupied Rehab	\$50,000
Habitat for Humanity – OOR Weatherization	\$92,991
Martha's House – Phase 1 Rehab	\$50,000

Monroe County United Ministries – Roof Replacement	\$25,000
City of Bloomington Parks & Rec – Renovation of RCA Park	\$205,600
HAND Curb & Sidewalk	\$30,000
Social Services Programs:	
Community Kitchen	\$23,597
Hoosier Hills Food Bank	\$22,595
Mother Hubbard’s Cupboard	\$23,057
Monroe County United Ministries – Child Care	\$22,595
Boys & Girls Club – Crestmont	\$24,368
CDBG Administration	154,950
<b>HOME Investment Partnership Program</b>	<b>Amount</b>
HOME Administration	\$41,197
HOME Programs:	
Owner-Occupied Rehabilitation	\$82,994
Home Buyer Assistance	\$82,994
Tenant Based Rental Assistance	\$60,000
CHDO	\$61,796
Rental Assistance	\$82,994

#### IV. Objectives

Community Development Block Grant Allocations	Objective outlined in Consolidated Plan 2010-2015
<b>Physical Improvement Projects:</b>	
<b>Martha’s House—Facility Renovation</b>	Priority Needs Analysis – Strategy 4, page 74;
<b>Decent Housing -- Outcome/Objective:</b> Accessibility for the purpose of providing decent affordable housing. <b>Performance Indicator:</b> Affordable Units. <b>Output Estimate:</b> 1 Funds will be used to rehabilitate a facility that serves the homeless.	
<b>Parks &amp; Recreation – Rehabilitation of RCA Park</b>	Improvement of Public Facilities; medium priority – Strategy 4, page 16;
<b>Suitable Living Environment – Outcome/Objective:</b> Accessibility for the purpose of creating suitable living environments. <b>Performance Indicator:</b> Public Facilities. <b>Output Estimate:</b> 1 project. This project will fund the complete renovation of the playground area and equipment. The project includes the installation of an accessible rubber safety surface to make this area accessible. Other improvements will address drainage issues that currently adversely affect the playground area.	
<b>HAND – Emergency Home Repair Grants</b>	Priority Needs Analysis – Strategy

	2, page 73; Specific Housing Objectives – Objective 2, page 97.
<p><b>Decent Housing -- Outcome/Objective:</b> Accessibility for the purpose of providing decent affordable housing. <b>Performance Indicator:</b> Affordable Units. <b>Output Estimate:</b> 10</p> <p>Emergency Home Repair assists existing homeowners with health and safety issues in their homes. These repairs can include roofing repairs, sanitary repairs, electrical repairs, etc.</p>	
<b>Monroe County United Ministries -- Roof</b>	Priority Needs Analysis – Strategy 4, page 74;
<p><b>Suitable Living Environment – Outcome/Objective:</b> Accessibility for the purpose of creating suitable living environments. <b>Performance Indicator:</b> Persons Served. <b>Output Estimate:</b> 1</p> <p>Funds will be used to replace the roof on the child care facility.</p>	
<b>Habitat for Humanity – Owner-Occupied Weatherization/Code Repairs</b>	Priority Needs Analysis – Strategy 2, page 73; Specific Housing Objectives – Objective 2, page 97.
<p><b>Decent Housing -- Outcome/Objective:</b> Accessibility for the purpose of providing decent affordable housing. <b>Performance Indicator:</b> Affordable Units. <b>Output Estimate:</b> 5</p> <p>Funds will be used to provide assist existing homeowners in making code related and other repairs to rehabilitate their homes.</p>	
<b>HAND – Owner-Occupied Rehab</b>	Priority Needs Analysis – Strategy 2, page 73; Specific Housing Objectives – Objective 2, page 97.
<p><b>Decent Housing -- Outcome/Objective:</b> Accessibility for the purpose of providing decent affordable housing. <b>Performance Indicator:</b> Affordable Units. <b>Output Estimate:</b> 2</p> <p>Funds will be used to provide assist existing homeowners in making code related and other repairs to rehabilitate their homes.</p>	
<b>HAND – Curb &amp; Sidewalks</b>	Community Development Needs Table – Street Improvements, high priority; Specific Special Needs Objectives – Objective 5, page 127.
<p><b>Suitable Living Environment – Outcome/Objective:</b> Accessibility for the purpose of creating suitable living environments. <b>Performance Indicator:</b> Sidewalks. <b>Output Estimate:</b> 2,500 linear feet</p> <p>This project provides funding for materials to create or repair sidewalks in low-income areas or for low-income households.</p>	
<b><i>Social Services Programs:</i></b>	
<b>Community Kitchen of Monroe County</b>	Priority Needs Analysis – Strategy 5, page 74; Homeless Strategic Plan – Strategy 2, page 116; Community Development Table – Public Services, high priority.

<p><b>Suitable Living Environment – Outcome/Objective:</b> Accessibility for the purpose of creating suitable living environments. <b>Performance Indicator:</b> Persons Served.  <b>Output Estimate:</b> 12,369  Support for Community Kitchen to provide free hot meals, including carry out meals, to needy Bloomington residents.</p>	
<p><b>Hoosier Hills Food Bank</b></p> <p><b>Suitable Living Environment – Outcome/Objective:</b> Accessibility for the purpose of creating suitable living environments. <b>Performance Indicator:</b> Persons Served.  <b>Output Estimate:</b> 9,770  Support for Hoosier Hills Food Bank to collect, store and distribute donated food to non-profit organizations with feeding programs who serve needy people.</p>	<p>Priority Needs Analysis – Strategy 5, page 74; Homeless Strategic Plan – Strategy 2, page 116; Community Development Table – Public Services, high priority.</p>
<p><b>Monroe County United Ministries – Childcare program</b></p> <p><b>Suitable Living Environment—Outcome Objective:</b> Accessibility for the purpose of creating suitable living environments. <b>Performance Indicator:</b> Persons Served.  <b>Output Estimate:</b> 29  Support for Monroe County United Ministries childcare program supplements the cost of childcare to low to moderate income working families.</p>	<p>Priority Needs Analysis Strategy 5, page 74; Community Development Table – Youth Services, high priority.</p>
<p><b>Boys &amp; Girls Club -- Crestmont</b></p> <p><b>Suitable Living Environment – Outcome/Objective:</b> Accessibility for the purpose of creating suitable living environments. <b>Performance Indicator:</b> Persons Served.  <b>Output Estimate:</b> 540  Provide diverse activities for youth after school and when MCCSC is closed at the Crestmont club.</p>	<p>Priority Needs Analysis – Strategy 5, page 74; Homeless Strategic Plan – Strategy 2, page 116; Community Development Needs Table – Public Services, high priority.</p>
<p><b>Mother Hubbard’s Cupboard</b></p> <p><b>Suitable Living Environment – Outcome/Objective:</b> Accessibility for the purpose of creating suitable living environments. <b>Performance Indicator:</b> Persons Served.  <b>Output Estimate:</b> 9,000  Support for Mother Hubbard’s Cupboard to provide wholesome, healthful food to people in need, as well as nutrition and gardening education through their food pantry program.</p>	<p>Priority Needs Analysis – Strategy 5, page 74; Homeless Strategic Plan – Strategy 2, page 116; Community Development Needs Table – Public Services, high priority.</p>

<b>HOME Investment Partnership Program</b>	
<b>HOME Programs:</b>	
<b>Home Buyer Assistance</b>	Priority Needs Analysis – Strategy 1, page 73; Specific Housing Objectives – Objective 1, page 97
<p><b>Decent Housing -- Outcome/Objective:</b> Accessibility for the purpose of providing decent affordable housing. <b>Performance Indicator:</b> Affordable Units. <b>Output Estimate: 3</b></p> <p>Funding will be used to create additional units of affordable housing through various programs such as new construction, acquisition/rehabilitation, and/or down payment and closing cost assistance.</p>	
<b>Tenant Based Rental Assistance</b>	Priority Housing Needs, page 80-81; Specific Special Needs Objectives – Objective 2, page 127.
<p><b>Decent Housing -- Outcome/Objective:</b> Accessibility for the purpose of providing decent affordable housing. <b>Performance Indicator:</b> Households. <b>Output Estimate: 6</b></p> <p>Tenant Based Rental Assistance is used to assist households on the Section 8 waiting lists of both the Bloomington Housing Authority and South Central Community Action Program. This program has been on-going for years, but has occasionally been funded by pre-1990 rental rehabilitation loan pay-offs. The market forces that have encouraged the use of this funding for this purpose continue to exist as outlined in the Consolidated Plan pages 83 – 96, specifically on pages 86-89.</p>	
<b>Owner-Occupied Rehabilitation</b>	Priority Needs Analysis – Strategy 2, page 73; Specific Housing Objectives – Objective 2, page 97; Specific Special Need Objectives – Objective 1, page 126.
<p><b>Decent Housing -- Outcome/Objective:</b> Accessibility for the purpose of providing decent affordable housing. <b>Performance Indicator:</b> Affordable Units. <b>Output Estimate: 3</b></p> <p>Funding will be used to rehabilitate existing owner-occupied homes to bring them up to code, improve energy efficiency, and, if needed, accessibility.</p>	
<b>Rental Assistance</b>	Priority Needs Analysis – Objective 1, page 73.
<p><b>Decent Housing -- Outcome/Objective:</b> Accessibility for the purpose of providing decent affordable housing. <b>Performance Indicator:</b> Affordable Units. <b>Output Estimate: 4</b></p> <p>Provide assistance to create affordable rental units for low income households through various programs such as new construction, acquisition/rehab, or rehabilitation.</p>	
<b>Community Housing Development Organizations (CHDO)</b>	Priority Needs Analysis – Strategy 1 and/or 2, page 73; Specific Housing Objectives – Objectives 1 and/or 2, page 96-97.



Mandated set-aside for CHDOs. At this time, HAND does not have any CHDO project applications for this funding.

The City of Bloomington's allocation priorities are for all funds to be used to benefit low to moderate income households. Approximately sixty (60%) of our CDBG physical improvement funds will be specifically dedicated to projects that directly benefit low income households this fiscal year. Those projects/programs include HAND's Emergency Home Repair Grant, HAND's Owner-Occupied Rehabilitation Loan Program, Habitat for Humanity's Owner-Occupied Weatherization and Code Repair program and facility improvements at the Martha's House (homeless shelter) and Monroe County United Ministries. In addition, the park rehabilitation will benefit the users of a park in a qualified census tract.

## **Action Plan Required Elements:**

### **Geographic Distribution/Allocation Priorities:**

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. *91.220(f)*

\*Please note that maps or other attachments may be included as additional files within the CPMP Tool.

#### PY 2012 Action Plan Geographic Distribution/Allocation Priorities # 1 response:

The Bloomington jurisdiction includes all areas within the corporate boundaries of the city. The Department makes support available for all income eligible individuals and families within the jurisdiction. Bloomington does not have any geographic areas where concentrations of minorities live. Minorities live throughout the community and support will be available for all citizens community-wide. See attached Census map marked as Exhibit B.

2. Describe the reasons for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) during the next year and the rationale for assigning the priorities.

*91.215(a)(1): Required in Strategic Plan*

#### PY 2012 Action Plan Geographic Distribution/Allocation Priorities # 2 response:

The City of Bloomington does not allocate investments geographically. However, the City of Bloomington has many planning efforts that will help allocate investments in various areas of the city. Those plans include the Unified Development Ordinance, Downtown Vision and Infill Strategy Plan, South Rogers Streetscape Identity Study, neighborhood plans, Preservation Plan for Downtown (draft), Bicycle and Pedestrian Transportation & Greenways System Plan, Certified Technology Park or Community Revitalization Enhancement District plans. Many of the goals of these plans are funded with the use of General Fund or other dollars outside the scope of this plan, but the goals are important to note for the health of the whole community.

The City of Bloomington Planning Department is currently updating the Growth Policies Plan. See <http://bloomington.in.gov/imaginebloomington> for more information on the development of the new plan.

3. Describe the actions that will take place during the next year to address obstacles to meeting underserved needs. *91.220(d) and 91.220(k)*

PY 2012 Action Plan Geographic Distribution/Allocation Priorities # 3 response:

Fund are not allocated geographically and plans to address obstacles in meeting underserved needs through HAND's various programs are described elsewhere in this document.

### Sources of Funds:

4. Identify the federal, state, and local resources the jurisdiction expects to receive to address the needs identified in the plan to include grant funds and program income. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan. *91.220(c)(1) and 91.220(c)(2)*

PY 2012 Action Plan Sources of Funds # 4 response:

The Bloomington jurisdiction expects to receive the following resources to address the needs identified in the plan:

Community Development Block Grant*	761,650
HOME Investment Partnership*	411,361
Section 8*	8,307,935
Public Housing*	1,381,651
HOPWA	96,986
ESG (Monroe County)	77,215
EFSP	47,399
General Fund – Jack Hopkins Council Social Service Grants (2012)	250,000
General Fund – Neighborhood Services/Capital Improvements (2012)	64,500
McKinney/Vento Funding (estimated based on previous year)	470,688
Shelter Plus Care	\$61,980
Bridges (HUD – included in McKinney/Vento funding above)	\$133,793

Note: Many of these are estimates as congress continues to debate funding for these programs.

5. If the jurisdiction plans to dedicate funds within a local targeted area, provide the boundaries of the targeted area and an estimate of the percentage of funds it plans to dedicate to target area(s). *91.220(f)*

PY 2012 Action Plan Sources of Funds # 5 response:

Not applicable.



6. Explain how federal funds will leverage resources from private and non-federal public sources. 91.220(c)(2)

PY 2012 Action Plan Sources of Funds # 6 response:

The City leverages funds from private and non-federal public sources in several ways. Those may include:

- Infrastructure provided by general or enterprise (City of Bloomington Utilities) funding
- Infrastructure provided by private developers
- Private mortgages
- Assistance through the Jack Hopkins Council Social Service Grant Program (general fund)
- Assistance through the Bloomington Urban Enterprise Association (private funding based on the receipt of tax incentives)
- Tax Increment Financing District funds
- Community Revitalization Enhancement District Funds
- Certified Technology Park funds
- Bloomington Housing Trust Fund

7. Provide a description of how matching requirements of HUD's programs will be satisfied. 91.220(c)(2)

PY 2012 Action Plan Sources of Funds # 7 response:

Historically, Bloomington has met the match requirement with the following:

- a) Cash contributions from non-federal resources;
- b) Foregone taxes, fees & charges;
- c) Appraised land/real property;
- d) Non-federal on-site and off-site infrastructure improvements to affordable housing projects; and
- e) Site preparation, construction material and donated labor.

8. If the jurisdiction deems it appropriate, indicate publicly owned land or property located within the jurisdiction that may be used to carry out the plan. 91.220(c)(2)

PY 2012 Action Plan Sources of Funds # 8 response:

At this time, the City of Bloomington has no public owned land or property located within the jurisdiction that will be used to carry out the plan.

## **Managing the Process**

9. Identify the significant aspects of the process, by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process. 91.220(k)

PY 2012 Action Plan Managing the Process # 9 response:

The Annual Action Plan is developed through several means including the Citizen Advisory Council process and HAND assessments. The Citizen Advisory Council process is described below. HAND assessments include using the Consolidated Plan, the Service Community Needs Assessment (SCAN), and other current needs assessments to determine what should be accomplished to meet the community's ever changing needs. Other groups involved in the development of the plan include the Redevelopment Commission, Mayor's Office, and City Council. Many entities and organizations were involved in the development of the Consolidated Plan 2010-2014 and those are outlined in that plan which can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand).

10. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies. 91.220(k)

PY 2012 Action Plan Managing the Process # 10 response:

The Housing and Neighborhood Development Department (HAND) has a very cooperative working relationship with the Bloomington Housing Authority. The assistant director of the Housing and Neighborhood Development Department is an appointed board member of the Bloomington Housing Authority. In addition to the assistant director, staff members regularly attend the Board meetings to help identify possible collaborative efforts.

The Bloomington Municipal Code Title 16 outlines the expectations and requirements of all rental properties located within the city limits. HAND is responsible for administering and enforcing Title 16. Every rental property located within the city limits must be registered with the HAND Department and inspected on a 3-5 year rotation. Due to this registration and inspection process, the HAND department has a working relationship with every landlord in Bloomington. Title 16 helps ensure that all Bloomington rental residents have a safe and sanitary place to live.

HAND administers the social service funding for the City of Bloomington. The City allocates the full 15% allowable under CDBG to social service programming. The City also has additional funding opportunities through the Jack Hopkins Council Social Service Grants for social service agencies. In 2011, they allocated \$220,000 and in 2012, they will allocate \$250,000. These funding opportunities give HAND an excellent opportunity to work with and coordinate services with the local social service community.

## **Citizen Participation**

11. Provide a description of the process used to allow citizens to review and submit comments on the proposed consolidated annual plan, including how the plan (or a summary of the plan) was published for review; the dates, times and locations of a public hearing, or hearings; when and how notice was provided to citizens of the hearing(s); the dates of the 30 day citizen comment period, and if technical assistance was provided to groups developing proposals for funding assistance under the consolidated plan and how this assistance was provided. 91.220(b)

PY 2012 Action Plan Citizen Participation # 11 response:

On an annual basis, prior to the submission of the Annual Action Plan, HAND convenes the Citizen Advisory Council to review Community Development Block Grant (CDBG) applications. This

council is made up of members from the City Council, Redevelopment Commission, Community and Family Resources Commission, and community members appointed by the Mayor. Half of the council reviews applications for physical improvement projects and the other half reviews applications for funding of social service programs. The calendar for this application process was as follows:

<b>Date</b>	<b>Activity</b>
Sept. 7, 2011	Applications available.
Sept. 7, 2011	CDBG Informational Meeting (for applicants unfamiliar with the CDBG process).
October 7, 2011	Letter of Intent due.
Oct. 10 & Oct. 18, 2011	Mandatory applicant training on the CDBG application, CDBG requirements, and the Consolidated Plan.
Nov. 14, 2011	Citizen Advisory Council (CAC) organizational meeting (training regarding CDBG requirements and consolidated plan are completed at this meeting). Physical Improvements Sub-committee plans its site visits.
Dec. 2, 2011	Applications due.
Dec. 12, 2011	Citizen Advisory Council meeting to pick up applications, review scoring system, and discuss calendar.
Jan. 5 & Jan. 10, 2012	Public Hearing for the applicants. Physical Improvements on the 5th, Social Services on the 10th. Public hearings are broadcasted on Bloomington Cable Access Television (CATS).
Jan. 12 & Jan. 17, 2012	Allocation recommendations meeting. Physical Improvements on the 12th, Social Services on the 17th.
Feb. 6, 2012	CAC recommendations presented to the Redevelopment Commission for approval. (Public meeting )
Feb. 6, 2012	Recommendations approved by the Redevelopment Commission sent to the Mayor for approval.
Feb. 22 & Feb 29, 2012	Recommendations approved by the Mayor sent to the City Council for final action. (Public meeting which is televised on Cable Access Television.)
June 1, 2012	Start of fiscal year.

HAND provides technical assistance to CDBG applicants at the mandatory applicant training that was held in October. HAND also provides on-going technical assistance to anyone applying for HOME funds. HAND staff members will meet with HOME applicants individually to review their projects and assist them in developing an appropriate application, if possible.

The plan is legally noticed in the Bloomington Herald-Times and is posted on the City's webpage. Hard copies are available at the Housing and Neighborhood Development office located in City Hall and at the Monroe County Public Library in the Indiana Room. Public comments are accepted for 30 days. See attached Exhibit A.

12. Provide a summary of efforts made to broaden public participation in the development of the consolidated annual plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities. 91.220(b)

PY 2012 Action Plan Citizen Participation # 12 response:

The City of Bloomington has considerable public participation in the development of its Annual Action Plan. As outlined above, the Community Development Block Grant allocations are based on recommendations made by a citizen council. The posting of the plan for public comment is advertised in the local newspaper. The plan is also discussed at the City Council meeting where the allocations are considered. Agencies that serve persons with disabilities are well aware of the plan as many of those agencies are recipients of either CDBG or Jack Hopkins funding.

The City of Bloomington Community & Family Resources Department provides services to non-English speaking community members. For more information about the city's outreach and services, please see [http://bloomington.in.gov/sections/viewSection.php?section\\_id=64](http://bloomington.in.gov/sections/viewSection.php?section_id=64).

13. Provide a summary of citizen comments or views on the plan. 91.220(b)

PY 2012 Action Plan Citizen Participation # 13 response:

The Annual Action Plan was posted for comment on March 15, 2012 on the City's web site, at the Housing and Neighborhood Development Department Office, and at the Indiana Room of the Monroe County Public Library. The posting was published in the Herald-Times on March 15, 2012, and discussed at the City Council meeting held on February 22, 2012 and/or February 29, 2012. City Council meetings are broadcasted on Community Access Television (CATS).

*Comments:* No comments were received.

14. Provide a written explanation of comments or views not accepted and the reasons why these comments or views were not accepted. 91.220(b)

PY 2012 Action Plan Citizen Participation # 14 response:

No comments were received.

## **Institutional Structure**

15. Describe the actions that will take place during the next year to develop institutional structure. 91.220(k)

PY 2012 Action Plan Institutional Structure # 15 response:

The Annual Action Plan will be carried out by the Housing and Neighborhood Development (HAND) staff, with the assistance of its boards and commissions. HAND works to continually improve the knowledge of the department staff members by attending appropriate training sessions whenever possible, including Basically CDBG, the HOME Certification and HOME Advanced Certification classes. Four staff members have HOME certification and two have HOME Advanced certification. The HAND staff work very closely with a number of Board and Commissions with responsibilities for different aspects of HAND's work. The Board and Commissions are as follows: Redevelopment Commission, CDBG Citizen Advisory Council, Board of Housing Quality Appeals, Historic Preservation Commission, Bloomington Urban Enterprise Association Board and the

Housing Trust Fund Advisory Board. Detailed descriptions of these Boards and Commissions can be found in the Consolidated Plan 2010-2015.

HAND also works with a variety of organizations in order to carry out its tasks under the Consolidated Plan and the Annual Action Plan. Those organizations include, but are not limited to, the following: Bloomington Housing Authority, Bloomington Restorations, Inc., Habitat for Humanity of Monroe County, Life Designs, and many other community organizations.

Procedures developed by HAND staff are in place to meet a variety of requirements and conditions to operation. The City of Bloomington's Controller's Office and Legal Departments oversee various aspects of HAND's mission to ensure compliance with the variety of local, state and federal statutes that govern HAND's actions.

## **Monitoring**

16. Describe the actions to be taken that will take place during the next year to monitor their performance in meeting goals and objectives set forth in your Consolidated Plan. 91.230

PY 2012 Action Plan Institutional Structure # 16 response:

It is the goal of the Housing and Neighborhood Development Department to ensure that all programs and projects comply with the applicable regulations and standards governing the actions of the department. HAND monitors its compliance with the Consolidated Plan through the Annual Action Plan process. All projects require an application that contains questions to ensure that funded projects comply with program requirements. In order to meet requirements with regard to timeliness of expenditures, each project will have a contract with a start and completion date. Extensions of time are allowed with extenuating circumstances.

17. Describe the steps/actions to be taken during the next year to ensure compliance with program requirements, including requirements involving the timeliness of expenditures.

Note: If timeliness of expenditures is an issue, please make sure the grant award letter includes language regarding appropriate actions the grantee should take to remedy this problem. 91.230

PY 2012 Action Plan Institutional Structure # 17 response:

Community Development Block Grant:

As part of the application review process, each project is assessed for its readiness to proceed. Projects deemed ready that are successfully funded sign a funding agreement with a required start date and completion date. Extensions of time are allowed under extenuating circumstances. Social service programs that receive funding are required to expend their funds prior to the end of the fiscal year. Extensions of time are allowed under extenuating circumstances. Each project and program is monitored as outlined below in #19 response.

HOME:

Projects are funded when they are ready to proceed. Each agreement contains a start and completion date. Each project is monitored as outlined below in # 19 response.

18. Describe the steps/action you will use to ensure long-term compliance with housing codes, including actions or on-site inspections they plan to undertake during the program year. 91.230

PY 2012 Action Plan Institutional Structure # 18 response:

Bloomington Municipal Code Title 16 requires that all rental properties within the city limits be registered with and inspected by the Housing and Neighborhood Development Department (HAND) on a 3, 4 or 5 year rotation basis to ensure compliance. After inspection, the owner/agent will receive a detailed Cycle Report outlining any deficiencies found. Deficiencies must be corrected and reinspected within 60 days. Once the deficiencies are corrected, a Rental Occupancy Permit will be issued. The length of the permit depends on multiple factors. A copy of the current housing code can be found at <http://bloomington.in.gov/media/media/application/pdf/4403.pdf>.

Rental properties can also be inspected on a complaint basis. Rental complaints must be signed and can be requested by landlords, tenants or city residents. Deficiencies found at a complaint inspection must be corrected within 14 days; unless the deficiency is of sufficient concern to require a shorter deadline.

All HOME assisted rental units must also submit to inspections as outlined above in addition to the required HOME inspections. If expiration dates for the Rental Occupancy Permit and the HOME Inspection align, only one inspection is completed.

19. Describe the actions to be taken to monitor subrecipients (including sponsors or administering agents) during the next program year. This includes the monitoring of all programs, CDBG, HOME, ESG, or HOPWA, as applicable. 91.230

PY 2012 Action Plan Institutional Structure # 19 response:

### **Community Development Block Grant**

Physical improvement projects are monitored as follows:

1. Each project is required to fill out an application to be reviewed by the Citizen Advisory Council (CAC) for allocation recommendation. Applications include specific information regarding design of project, cost of project, and beneficiaries.
2. Successfully funded applications are required to sign a funding agreement outlining all of the requirements, regulations and standards.
3. A program manager from HAND will do site inspections periodically throughout the project.
4. Claims for payment are filed, with appropriate documentation, with the program manager. The program manager reviews the claim and approves it for payment.
5. Davis-Bacon and affirmative action monitoring is completed by the contract compliance officer who is a staff attorney in the City of Bloomington Legal Department.
6. The HAND program manager will receive copies of all reports from the Monroe County Building Department, City of Bloomington Planning Department, and/or City of Bloomington Fire Department for compliance with all state, city and county regulations. If any other inspections are required or completed, a copy of that report must also be supplied to the program manager.
7. The HAND program manager will also monitor for beneficiary compliance. Depending upon the project and the agency, monitoring may occur both before and after the project.



Social service programs are monitored as follows:

1. Each project is required to fill out an application to be reviewed by the Citizen Advisory Council (CAC) for allocation recommendation. Applications include specific information about the program funded and the beneficiaries.
2. Successfully funded applications are required to sign a funding agreement outlining all of the requirements, regulations and standards.
3. A program manager from HAND will receive and review all claims for payment. Claims for payment must include beneficiary information.
4. The HAND program manager will monitor for compliance prior to the end of the fiscal year. If needed, monitoring may occur at more regular intervals.

There are two categories of HOME projects; HOME projects administered by HAND and HOME projects administered by CHDOs, Non-Profits, or For-Profit entities. HOME projects administered by HAND are monitored as follows:

1. HAND operates a number of housing projects that are funded by HOME. Each client is required to fill out an application to determine eligibility. Each application is processed by the HAND program manager/loan officer to determine income and residency eligibility and project feasibility.
2. The HAND program manager/construction project manager will inspect each project to determine project costs and requirements.
3. Upon approval of a project, funding agreements and/or mortgages are signed by applicant outlining terms and conditions of funds.
4. The HAND program manager/construction project manager will monitor the progress of the project, ensuring compliance with all building codes and HAND construction standards.
5. Claims for payment are reviewed and approved by the program manager/construction project manager monitoring the project.
6. A final inspection at the completion of the project must be completed prior to the final payment. This inspection also includes obtaining the certificate of occupancy from the Building Department.

HOME projects administered by CHDO's, non-profits or for-profit entities are monitored as follows:

1. Applications for funding must include specific details about the project, costs and beneficiaries.
2. Successfully funded applications are required to sign a funding agreement, mortgage and/or covenants outlining all of the requirements, regulations and standards.
3. A program manager from HAND will do site inspections periodically throughout the project.
4. Claims for payment are filed, with appropriate documentation, with the program manager. The program manager reviews the claim and approves it for payment.
5. Davis-Bacon and affirmative action monitoring, if applicable, is completed by the contract compliance officer who is a staff attorney in the City of Bloomington Legal Department.
6. The HAND program manager will receive copies of all reports from the Monroe County Building Department, City of Bloomington Planning Department, and/or City of Bloomington Fire Department for compliance with all city and county regulations. If any other inspections are required or completed, a copy of that report must also be supplied to the program manager.



7. The HAND program manager will also monitor for beneficiary compliance. Depending upon the project and the agency, monitoring may occur both before and after the project.

HOME rental projects are monitored as follows:

1. Each project is monitored as described above; however, on an annual basis each project is monitored for beneficiary compliance.
2. Documentation is provided to the program manager to ensure compliance with the funding agreement/mortgage/covenants. This documentation shows the number of assisted units, income level of residents, utility allowances, and units receiving Section 8 or units receiving TBRA, if applicable.
3. Program manager will contact tenants to verify information provided.
4. Physical inspections of HOME units are handled through HAND's comprehensive rental inspection program. Those inspections verify the physical condition of each unit and insure that they are in compliance with HOME standards and the City's Housing and Property Maintenance Code.

Tenant Based Rental Assistance projects are monitored as follows:

1. TBRA projects are governed according to their funding agreements.
2. On an annual basis, the HAND program manager meets with the administrator of each TBRA program. The administrator provides the program manager with information program policy and procedures, outreach, participant selection, unit information (including lead-based paint visual and HQS inspections), tenant income documentation, tenant leases, and, if applicable information regarding required self-sufficiency programming.
3. The HAND program manager may meet with the tenants to verify information.

Claims for payment must be approved by the HAND program manager and must include applicable documentation.

## **Description of Activities**

*\*If not using the CPMP Tool: Complete and submit Table 3C*

*\*If using the CPMP Tool: Complete and submit the Projects Worksheets and the Summaries Table.*

20. Provide a summary of the eligible programs or activities that will take place during the program year to address the priority needs and specific objectives identified in the strategic plan. This description of activities shall estimate the number and type of families that will benefit from the proposed activities, the specific local objectives and priority needs (identified in accordance with Sec. 91.215) that will be addressed by the activities using formula grant funds and program income the jurisdiction expects to receive during the program year, proposed accomplishments, and a target date for completion of the activity.

91.220(d)

*(Use of the Summaries Table and Project Worksheets or Table 3C/2A will be sufficient. No additional narrative is required.)*

PY 2012 Action Plan Description of Activities # 20 response:

See projects outlined in Executive Summary above. Project worksheets attached.

## **Summary of Specific Annual Objectives and Outcome Measures**

***\*If not using the CPMP Tool: Complete and submit Table 2C and Table 3A.***

***\*If using the CPMP Tool: Complete and submit the Summary of Specific Annual Objectives Worksheets or Summaries.xls***

21. Provide a summary of specific objectives that will be addressed during the program year.

91.220(c)(3)

*(Use of the Summaries Table and Project Worksheets or Table 3C/2A will be sufficient. No additional narrative is required.)*

PY 2012 Action Plan Summary of Specific Annual Objectives and Outcome Measures

# 21 response:

See projects outlined in Executive Summary above. Project worksheets attached.

22. Describe the Federal Resources, and private and non-Federal public resources expected to be available to address priority needs and specific objectives during the program year. 91.220(c)(1)

*(Use of the Summaries Table and Project Worksheets or Table 3C/2A will be sufficient. No additional narrative is required.)*

PY 2012 Action Plan Summary of Specific Annual Objectives and Outcome Measures

# 22 response:

Community Development Block Grant (federal)	\$774,753
HOME Investment Partnership (federal)	\$411,361
Jack Hopkins Council Social Service Grants 2012	\$250,000
General Fund	
Historic Consulting Grants	\$1,200
Neighborhood Clean-up Grants	\$3,000
Neighborhood Improvement Grants	\$50,000
Small & Simple Grants	\$5,000
Bloomington Urban Enterprise Association – Historic Façade Grants	\$30,000
Total	\$1,525,314

Note: As the budget is still under consideration by Congress, federal dollars are estimates.

Please note that the above amounts do not include costs covered by the General Fund for important programs such as the Title 16 (Rental Housing Inspection), Title 6 (Health & Sanitation), Title 8 (Historic Preservation & Protection), and Title 17 (Construction Regulation – Unsafe Building). Only projects funded with CDBG and HOME will have Project Worksheets attached.

23. Describe the outcome measures for activities in accordance with Federal Register Notice dated March 7, 2006, i.e., general objective category (decent housing, suitable living environment, economic opportunity) and general outcome category (availability/accessibility, affordability, sustainability).

91.220(e)

*(Use of the Summaries Table or Table 2C/Table 3A will be sufficient. No additional narrative is required.)*

PY 2012 Action Plan Summary of Specific Annual Objectives and Outcome Measures

# 23 response:

See Projects outlined in Executive Summary.

## HOUSING

### Annual Affordable Housing Goals (91.220(g))

*\*If not using the CPMP Tool: Complete and submit Table 3B Annual Housing Completion Goals.*

*\*If using the CPMP Tool: Complete and submit the Table 3B Annual Housing Completion Goals.*

24. Describe the one-year goals for the number of homeless, non-homeless, and special-needs households to be provided affordable housing using funds made available to the jurisdiction and one-year goals for the number of households to be provided affordable housing through activities that provide rental assistance, production of new units, rehabilitation of existing units, or acquisition of existing units using funds made available to the jurisdiction. The term affordable housing shall be defined in 24 CFR 92.252 for rental housing and 24 CFR 92.254 for homeownership. 91.220(g)

PY 2012 Action Plan Affordable Housing Goals # 24 response:

*Objective 1: Create opportunity for affordable homeownership.*

Activity	Units to be completed Fiscal Year 2012	Units completed or to be completed Fiscal Year 2011	Units completed Fiscal Years 2010
Provide subsidy and construction loans to for-profit and non-profit developers for the construction and/or rehabilitation of affordable owner-occupied homes.	7	11	
Provide homeowners direct assistance to purchase and/or rehabilitate existing homes through HAND's Homebuyer programs.	2	1	1
Provide homeowners direct assistance to purchase homes through HAND's Down Payment and Closing Cost Assistance program.		0	1
Provide technical assistance and support to potential first time homebuyers through HAND's Homebuyer's Club	30	43	41

*Objective 2: Encourage neighborhood stabilization.*

Provide rehabilitation and historic renovation assistance to existing eligible	Included above	Included above	Included above
--	----------------	----------------	----------------

homeowners.			
Provide rental inspections to maintain the integrity of rental properties. (General fund) Note: This is calendar year. This number does not include complaint inspections, reinspections, fire inspections, etc.	Approx. 5,000	4,566	5,471
Provide existing homeowners with assistance to make emergency home repairs that threaten the health and safety of the occupant or the integrity of the structure.	5	5	8
Provide infrastructure assistance (sidewalks, street improvements, water/sewer)	2,500 linear feet	1,500 linear feet	1,500 linear feet
Provide neighborhood assistance through the Neighborhood Improvement Grant or the Small & Simple Grant. (General fund)	Approx. 8-10	8	14
Provide neighborhoods with neighborhood clean-up grants. (General fund)	2	2	2

Homeless Needs – Priorities (Consolidated Plan 2010-2015):

<i>Emergency Housing for Homeless Individuals</i> – HAND provides TBRA to the Bloomington Housing Authority to help house households who are either homeless or at risk of becoming homeless from the Section 8 waiting list.	36	25	24
<i>Emergency Housing for Homeless Families</i> – New Hope Family Shelter opened its doors in 2011.	40	27	0
<i>Chronic Homelessness</i> – HAND participates with the Centerstone in a Shelter + Care grant to help house individuals with mental health issues who are either homeless or at risk of becoming homeless (S+C).	10	10	10

Non-Homeless Special Needs Objectives (Consolidated Plan 2010-2015):

<i>Objective 1 – Provide assistance to the elderly or disabled to allow them to remain in their homes. Provide assistance through Home Modification for Accessible Living</i>	7	5	8
---	---	---	---

## **Needs of Public Housing**

25. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership. 91.220(h)

PY 2012 Action Plan Needs of Public Housing # 25 response:

The Bloomington Housing Authority's mission is to "administer public funds using available resources in a manner which will allow the BHA to offer a variety of affordable housing opportunities and supportive services that foster stability and self sufficiency through creative partnerships while servicing our customers with the highest level of professionalism and respect." The Resident Council hosts National Night Out in August of every year. Since 2003, HAND has assisted the Resident Council by providing a Small & Simple Grant (general fund) for this event. In 2009, HAND provided the Resident Council with technical assistance and a grant in the amount of \$1,000. HAND anticipates working with the Resident Council on the 2012 National Night Out event as well. In addition to National Night Out, HAND has provided the Resident Council with a grant to install bus stop benches, landscaping and trash containers at strategic locations in the Crestmont neighborhood.

The Bloomington Housing Authority works with its clients who are interested in homeownership through their Family Self-Sufficiency Homeownership program. These program participants are required to attend HAND's Home Buyer's Club and do one-on-one counseling with the Bloomington Housing Authority's Family Self-Sufficiency HOP Coordinator.

HAND is one of the BHA's partners in their mission. For the fiscal year 2011, HAND will assist the Bloomington Housing Authority in rehabilitating the exterior of 36 units. HAND will also assist BHA by providing Tenant-Based Rental Assistance to individuals and families on their waiting list (approximately 34 households will be served).

26. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year. 91.220(h)

PY 2012 Action Plan Needs of Public Housing # 26 response:

The Bloomington Housing Authority has achieved the rating of "high performer" in both Public Housing and Section 8 earning Management Assessment Score (SEMAP) of 100. They also achieved a Public Housing Assessment Score (PHAS) of 85 for this last fiscal year. HAND has a close relationship with BHA and HAND's assistant director is a member of the Board of Directors. Joint projects to promote affordable housing or improved environmental conditions for low-income individuals and families are completed regularly.

## **Antipoverty Strategy**

27. Briefly describe the actions that will take place during the next year to reduce the number of poverty level families. (as defined by the Office of Management and Budget and revised annually), taking into consideration factors over which the jurisdiction has control. 91.220(k)

PY 2012 Action Plan Antipoverty Strategy # 27 response:

As outlined in the Consolidated Plan 2010-2015, the City of Bloomington's Anti-Poverty Strategy consists of a pattern of coordinated support for families below the poverty level through the homeless, public housing, housing and non housing community development strategies. A significant part of the Anti-Poverty Strategy is to provide access to information and emergency assistance to the most vulnerable elements of the community. The many forms of Outreach programming are enumerated in the Continuum of Care survey. These include locally: 24 hour crisis intervention, walk-in information and referral, Public Service Announcements, street canvassing, outreach to homeless veterans, Mental Health 24 hour on-call, HIV/AIDS Awareness, outreach to inmates through a renewed grant from the Indiana Criminal Justice Institute (ICJI), and Domestic Violence Outreach. The Housing Network is currently updating information to be provided through their web site. In this way, agencies and services can be accessed by case managers, law professionals and others who make referrals.

Supportive Services currently in place include Case Management, Life Skills, Employment training, Alcohol and Drug Abuse, Mental Health, AIDS-related treatment, Education, Employment Assistance, Child Care. Transportation, as well as health, legal, substance abuse, youth and housing counseling are available from a diverse group of agencies and programs. These programs continue to be supported through CDBG and HOME funding rounds as well as by the City's own Jack Hopkins Grants.

## **Barriers to Affordable Housing**

28. Describe the actions it plans to take during the next year to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing. Such policies, procedures and processes include, but are not limited to, land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220(j)

PY 2012 Action Plan Barriers to Affordable Housing # 28 response:

As outlined in the Consolidated Plan 2010-2015, the lucrative rental market drives the cost of land, construction, and renovation. In order to combat the cost barrier, HAND will continue to provide subsidies to both developers and homeowners/home buyers. In addition, HAND will work with the local Housing Trust Fund Advisory Board to provide technical assistance to projects that will create affordable housing units.

The City of Bloomington's Unified Development Ordinance went into affect on February 12, 2007. It is currently under review for amendments. Once such amendment is one specifically about incentives for affordable housing; however, it will not be up for public debate until later this year. This Ordinance contained the following provisions with regard to affordable housing:

- The Residential Core district is intended to be used as follows:
  - Increase the viability of owner-occupied and affordable dwelling units through the use of small-lot subdivisions, accessory dwelling units, and compatible property improvements.



○ **20.05.009 AH-01 [Affordable Housing; General]**

Purpose: Within the City of Bloomington, it is acknowledged that there is a need to provide affordable housing for very low- to moderate-income households. It is necessary to help maintain a diverse housing stock and to allow working people to have better access to jobs and to upgrade their economic status. This Affordable Housing Standards Section applies to the following zoning districts: RE, RS, RC, RM, RH, MH, CL, CG, CA, CD.

- (a) Prohibitions: No person shall sell, rent, purchase, or lease an affordable unit created pursuant to *Section 20.05.009* except to income-eligible households and in compliance with the provisions of *Section 20.05.009*.
- (b) Eligibility: To qualify for the development standard incentives outlined in this section, petitioners must enter into an affordable housing program administered by the federal, State, or local governments.
- (c) Location: When built as part of a larger development that also includes market rate housing, all affordable units constructed or rehabilitated under this section shall not be situated within the development in less desirable locations than market-rate units and shall not, on average, be less accessible to public amenities, such as open space, than the market rate units. Affordable housing shall be integrated with the rest of the development and shall be compatible with the market rate units in design, appearance, construction and quality of materials.
- (d) Incentives: The following incentives may be used to build affordable housing units:
  - (1) *Waiver of Fees*:
    - (A) Filing fees for the Plan Commission and/or Board of Zoning Appeals may be waived by the Planning Director.
    - (B) Fees associated with Right-of-way Excavation Permits may be waived by the Director of the Public Works Department.
    - (C) Sewer hook-on fees may be waived or reduced by the Utilities Service Board.
  - (2) *Sidewalk Construction*: Where deemed appropriate by the Director of the Public Works Department and the Planning Director, the construction of sidewalks and installation of street trees may be done by the City.
  - (3) *Single-family Residential Parking*: Parking requirements may be reduced to one (1) on-site parking space per single-family house when adequate adjacent on-street parking is available.
  - (4) *Reduced Bulk Requirements; Single-family Lots*: The following reductions in development standards may be applied to single-family residential lots and may be approved by the planning staff:
    - (A) Lot Area: Minimum lot area standards may be reduced up to forty percent (40%).
    - (B) Lot Width: Minimum lot width standards may be reduced up to twenty percent (20%).
    - (C) Side Building Setbacks: Side building setbacks may be reduced to five (5) feet regardless of the number of stories.
    - (D) Rear Building Setbacks: Rear building setbacks may be decreased to fifteen (15) feet.

○ **20.05.049 GD-01 [Green Development Incentives; General]**

(3) *Goal 3*: A commitment to serve, in an exceptional manner, important public policy such as pedestrian friendly, mixed use development, affordable housing, or reduction in automobile travel. Examples of commitments that may qualify as meeting this goal include but are not limited to the following:

- (A) Incorporation of a mix of residential and nonresidential land uses either within the development or within individual buildings.
- (B) Provision of 100% of the required bicycle parking spaces as either long-term Class I Bicycle Parking Facilities or covered, Class II Bicycle Parking Facilities, or a combination of those two bicycle parking facility types.
- (C) Provision of automobile parking at least twenty-five percent (25%) below required minimums, coupled with provision of bicycle parking at least fifty percent (50%) above required minimums. Fulfillment of this Sustainable Development Practice shall not require a variance from development standards.
- (D) Provision of subsidized Bloomington Transit passes or provision of a private van or shuttle.

(d) Level Three Incentives:



(1) A development may utilize the Level Three Incentives detailed in Division (2) if the reviewing authority determines that the development meets all four (4) goals listed in *Subsection 20.05.049(a): Sustainable Development Practices* through the incorporation of the following:

- (A) At least four (4) Sustainable Development Practices from Goal 1 as specified in *Division 20.05.049(a)(1)* above; and
- (B) At least two (2) Sustainable Development Practices from each of Goals 2, 3 and 4 as specified in *Division 20.05.049(a)(2)*, *Division 20.05.049(a)(3)* and *Division 20.05.049(a)(4)* above.
- (C) An allocation of at least fifteen percent (15%) of the total number of housing units located in the development as affordable housing. Such housing units must be entered into an affordable housing program administered by the local, State or Federal governments.

29. Describe the actions that will take place during the next year to foster and maintain affordable housing. 91.220(k)

PY 2012 Action Plan Barriers to Affordable Housing # 29 response:

HAND will continue to monitor existing subsidized affordable units to ensure that they are maintained as affordable units. HAND will also continue to provide subsidy and direct assistance to create and/or maintain affordable units for income eligible households as outlined in this plan.

## **Lead-based Paint**

30. Describe actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families. 91.220(k)

PY 2012 Action Plan Lead-based Paint # 30 response:

The City of Bloomington Housing and Neighborhood Development Department (HAND) has three (3) licensed risk assessors to do lead risk assessments for HAND's housing rehabilitation programs. Since 2001, HAND has conducted 102 risk assessments and 30 visual assessments. Of those, 56 risk assessments showed unacceptable lead levels. For the risk assessments, the highest lead level found have been with the highest lead level of dust wipe being 79,460/ $\mu\text{g}/\text{ft}^2$ , paint chip being 42.74%, soil being 7,585.7 ppm. Ten of those assessments were for families with children. Risk assessment steps include:

- Scheduling an interview. Interview questions include:
  - Locations where children play, sleep and eat.
  - Location where toys are stored.
  - EBLL testing results, if any.
  - Any visible evidence of chewed paint?
  - Entrances most frequently used.
  - Windows most frequently opened.
  - Locations of any window air conditions.
  - Do any members engage in gardening? If so, where?
  - Are you planning any landscaping activities? If so, where?
  - How often is the household cleaned?
  - What cleaning methods to you use?
  - Any recently completed remodeling or renovation? If so, where?

- Was any building debris stored in the yard?
- Are you planning any remodels or renovations?
- Do any household members work in a lead-related industry? If so, where? Where are any work clothes stored and cleaned?
- Have there been previous lead-based paint evaluations?
- Have there been previous lead hazard control activities?
- Determine location of dust swipes (approximately 12 – 14 swipes/project).
- Retrieve paint chip samples from exterior of house and trim.
- Collect composite soil samples. If play area, separate sample from play area.
- Provide owner with an extensive written report of test results.
- Each household receives instruction on how to inspect for interim control failure and how to remedy the situation.

Requiring lead risk assessments on each house that HAND rehabilitates will ensure that the number of lead-safe housing for low to moderate income individuals and families will increase.

#### Lead Poisoning Prevention and Screenings

The Monroe County Lead-Safe Coalition is made up of members from Bloomington Hospital, the City of Bloomington, Head Start, Legal Services, Monroe County Health Department, Monroe/Owen Medical Society, South Central Community Action Program and Women, Infant and Children's Program. The Monroe County Lead-Safe Coalition provides education to interested individuals and groups about lead poisoning. Local testing is available through local pediatricians, WIC or Bloomington Hospital's Community Health Services Walk-in Clinic. Home inspections are available through the Monroe County Lead-Safe Coalition or through the grant funded study currently available through the City of Bloomington Housing and Neighborhood Development Department.

HAND risk assessors are available to assist not for profit organizations with lead testing on properties they have acquired or will be using to serve their clients.

## **HOMELESS**

### **Specific Homeless Prevention Elements**

\*Please also refer to the Homeless Needs Table in the Needs.xls workbook.

#### 31. Homeless Prevention 91.220(i)

- a. Describe activities it plans to undertake during the next year to address emergency shelter and transitional housing needs of homeless individuals and families (including subpopulations).

#### PY 2012 Action Plan Homeless Prevention Elements # 31a response:

HAND is a member of the South Central Housing Network which includes most of the housing and sheltering agencies for Indiana Region 10 for the Continuum of Care. The Network meets monthly to discuss ways to improve care to those who are homeless or at risk of homelessness. In 2012, the Housing Network intends to develop a Blueprint to End Homelessness. The city is supporting this effort by providing a paid IU intern to help with the needed data collection to start

the Blueprint. The Network has submitted an application to the City Council for a Jack Hopkins Council Social Service grant to hire a consultant to develop the Blueprint. Those applications will be considered in May and successful applicants will receive contracts in June. HAND program manager, Nancy Hiestand, is the Network's secretary and will actively participate in the process.

Martha's House, Backstreet Missions and the Salvation Army will continue to provide assistance and services to adult individuals and families experiencing homelessness. Stepping Stones will continue to provide assistance to youth experiencing homelessness through their programs. HAND offers, through its counseling program, a series of classes using the workbook created for R101 Renting in Bloomington. These sections teach individuals how to stabilize their housing. This class teaches budgeting, all about credit, how to find an appropriate home, fair housing, tenant's rights and responsibilities, what to look for in a lease, landlords rights and responsibilities, and the HAND rental inspection program/requirements.

HAND partners with the Bloomington Housing Authority to provide tenant based rental assistance for people who are on their waiting list. In addition, Martha's House will receive \$50,000 in CDBG physical improvement funding to expand the shelter to serve additional men and women.

- b. Detail their plan for the investment and use of available resources and describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness, and to address the special needs of persons who are not homeless identified in accordance with 91.215(e).

PY 2012 Action Plan Homeless Prevention Elements # 31b response:

Below are listed agencies that were either allocated funds for this fiscal year or expect to be allocated funds for this fiscal year:

Funds	Agency
Continuum of Care (McKinney)	<ul style="list-style-type: none"> <li>○ Center for Behavioral Health</li> <li>○ Stepping Stones</li> <li>○ Martha's House</li> <li>○ Amethyst House</li> </ul>
Emergency Shelter Grant (State funding)	<ul style="list-style-type: none"> <li>○ Martha's House</li> <li>○ Middle Way House</li> </ul>
HOPWA (State funding)	<ul style="list-style-type: none"> <li>○ Positive Link (Bloomington Hospital)</li> </ul>
PATH Funds (Dept. of Mental Health)	<ul style="list-style-type: none"> <li>○ Centerstone</li> </ul>
Community Development Block Grant 2012-2013	<ul style="list-style-type: none"> <li>○ Community Kitchen (operating)</li> <li>○ Hoosier Hills Food Bank (operating)</li> <li>○ Mother Hubbard's Cupboard (operating)</li> </ul>
Jack Hopkins Council Social Service Grant (City General Fund 2011)	<ul style="list-style-type: none"> <li>○ Bloomington Housing Authority</li> <li>○ Community Kitchen</li> <li>○ Hoosier Hills Food Bank</li> <li>○ Martha's House</li> <li>○ Mother Hubbard's Cupboard</li> <li>○ Planned Parenthood of Indiana</li> <li>○ Shalom Community Center</li> </ul>

	○ Volunteers in Medicine
County Commissioner's Social Service Grant (County General Fund)	○ Undetermined at this time.

The City of Bloomington allocates the full 15% allowable by Community Development Block Grant (CDBG) regulations to social service programming. The Citizen Advisory Council, which makes allocation recommendations for CDBG, has made emergency services a priority. Emergency services are defined as shelter and food. See above for information on other funding for homeless services.

32. Describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless. Specifically, did the grantee explain how it intends to prevent low-income individuals and families with children (especially those with incomes below 30 percent of median) from becoming homeless and to help homeless persons make the transition to permanent housing and independent living. 91.220(i)

PY 2012 Action Plan Homeless Prevention Elements # 32 response:

HAND works extensively with the Bloomington Housing Authority to provide quality housing for individuals and families, the majority being below 30% AMI. Further, Martha's House provides case management to families through their Bridges Program which is currently assisting 24 individuals and 4 families. Stepping Stones provides shelter and case management to children ages 16 – 21 who are homeless or at risk of homelessness. Stepping Stones current provides services to 7 clients.

33. Discharge Coordination Policy — Does the jurisdiction certify that it has established a policy for discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care, or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons. 91.225(c)(10)

PY 2012 Action Plan Homeless Prevention Elements # 33 response:

In response to HUD's mandate, the City of Bloomington has begun to survey discharge policies affecting the housing status of those released by local institutional care givers. Martha's House has an agreement with the state prison to accept inmates who are re-entering society. From this location, if they need further rehabilitation, they may be directed toward more focused supportive housing that serves particular needs through appropriate counseling.

In this city's governmental organization, the Monroe County Sheriff's office administers the local correctional facility. The city has no jurisdiction. The average population of the jail is 225. Of these inmates, 80% have been incarcerated three times. Approximately 95% of the inmates suffer from addictions. Many have diagnosed mental illness. The Sheriff's Office has a long-standing relationship with a volunteer group called "Citizens for Effective Justice" staffed with retired professors who do one-on-one counseling with inmates. This counseling is designed to ease the inmates' transition into employment and housing upon release. This group successfully retained a grant after organizing as a not-for-profit called "New Life, New Leaf" in 2005. It now retains paid staff and has a cell set aside for activities associated with the grant. The program begins with situation-specific programming in the jail upon entering, then provides aftercare and transitional support services when the inmate is released back to the community. Concurrent efforts are underway to reach out to the family of the inmate to provide support to enable the family to overcome problems linked to the incarceration of their family member. Centerstone continues to

monitor and provide assistance within the Monroe County jail. Centerstone does have a policy in place which provides for the early evaluation and identification of inmates with chronic mental health issues.

The Sheriff's Office also works actively with church groups and liaison from First Christian Church, Backstreet Missions, and Sherwood Oaks Christian Church and Unchained Ministries. The Sheriff's Office does not have a formalized discharge policy. It does not monitor former inmates housing choices. For those inmates on Probation, officers recommend several housing options, including HAND's Housing Counseling program.

Until such time as a more comprehensive approach is finalized, the City of Bloomington's discharge policy is that all HUD McKinney-Vento homeless assistance that is governed or administered by the City of Bloomington will not be used for projects that target persons being discharged from public funded institutions or systems of care.

### **Emergency Shelter Grants (ESG)**

34. If applicable, describe how the ESG matching requirements will be met. 91.220(c)(2)

PY 2012 Action Plan ESG # 34 response:

Not applicable.

## **NON-HOMELESS SPECIAL NEEDS HOUSING**

### **Non-homeless Special Needs (91.220 (c) and (e))**

*\*If not using the CPMP Tool: Complete and submit Table 1B.*

*\*If using the CPMP Tool: Complete and submit Needs Table/Non-Homeless Needs.*

35. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan. 91.220(c)(3)

PY 2012 Action Plan Non-homeless Needs # 35 response:

*Objective 1: Provide assistance to the elderly or disabled to allow them to remain in their homes.*

- A. Provide financial and technical assistance, in partnership with Abilities Unlimited, to make accessibility modifications to the homes of eligible applicants. Both owner-occupied and rental (with permission from owner) are eligible. Funded by CDBG. This program did not receive funding for the 2012-2013 fiscal year. They have funding from the past two fiscal years to provide services through this next fiscal year.

*Objective 2: Provide financial assistance to low-income individuals and families in need of housing.*

- A. Provide financial assistance in the form of Tenant-Based Rental Assistance, through a partnership with the Bloomington Housing Authority to help individuals/families who are waiting for rental assistance. Funded by HOME.

*Objective 3: Provide financial assistance for the creation of handicapped accessible housing.*

- A. Provide subsidy to for-profit and non-profit developers to create affordable rental units that are handicapped accessible. Funded by HOME.

*Objective 4: Provide financial assistance to organizations that serve special needs groups.*

- A. Provide technical assistance to organizations that serve special needs groups on how to make accessibility modifications. Funded by CDBG/HOME administration and General Fund.
- B. Provide financial assistance for operations to organizations that serve special needs groups that include abused spouses, homeless persons, or individuals suffering from substance abuse. Funded by CDBG and Jack Hopkins Council Social Service Grants.

*Objective 5: Provide financial and technical assistance to provide for handicapped accessible infrastructure.*

- A. Provide financial assistance to create or repair sidewalks that meet ADA requirements. Funded by CDBG and General Fund.
- B. Provide technical assistance to developers and other City departments on creating infrastructure needs, such as sidewalks and curb cuts that meet ADA requirements. Provided by CDBG/HOME administration and General Fund.

36. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan. 91.220(c)(1) and 91.220(c)(2)

PY 2012 Action Plan Non-homeless Needs # 36 response:

See above.

## COMMUNITY DEVELOPMENT

### **Community Development Block Grant**

***\*If not using the CPMP Tool:*** Complete and submit Table 2B, Table 1C Summary of Specific Objectives.

***\*If using the CPMP Tool:*** Complete and submit the Needs Worksheets/Non-Housing Community Development and Summary of Specific Annual Objectives Worksheets or Summaries.xls

37. Identify the estimated amount of CDBG funds that will be used for activities that benefit persons of low- and moderate-income in sufficient detail, including location, to allow for citizens to determine the degree to which they are affected (an amount generally not to exceed ten percent of the total available CDBG funds may be excluded from the funds for which eligible activities are described if it has been identified as a contingency for cost overruns). 91.220(l)(1)(i) and 91.220(l)(1)(iv)

PY 2012 Action Plan CDBG # 37 response:



A thorough profile of the community is included in the Housing Needs Analysis section of the Consolidated Plan and will not be duplicated here. Many of the same issues that affect housing also affect social services in our community. In order to meet the needs of our community, for the fiscal year 2012, HAND will accomplish the following:

		Priority Need Level	Estimated Served Year 1	Estimated Dollars to Address Year 1
Physical Improve ments	03 Public Facilities Improvement	Medium	2 Facilities	\$75,000
	03F Parks	Medium	1 Facility	\$205,600
	03K Street Improvements	High	4,000 linear feet	\$167,374
Public Services	05 Public Services (General)	High	31,909	\$69,249
	05D Youth Services	High	571	\$46,963

HAND's primary goal is to expand personal economic development through the stabilization of an individual or family's housing cost by providing stable, affordable long-term housing. HAND's Home Buyer's Club provides education and assistance to people interested in buying a home. HAND's assistance programs make those homes affordable. This fiscal year, HAND will develop the following:

		Priority Need Level	Estimated Served Year 1	Estimated Dollars to Address Year 1
	12 Construction of Housing	High	35	\$168,680
	13 Direct Homeownership Assist.	High		
	14A Rehab; Single – Unit Resident.	High	2	\$82,840
	14B Rehab; Multi-Unit Resident.	Low		
	16A Residential Historic Preservation	High	Included above	Included above

Note: Includes HOME funds.

38. Describe all CDBG resources expected to be received during the program year, including the following, in addition to the annual grant:

- a. Program income expected to be generated by and deposited to revolving loan funds. (*Not required by regulation, good information to present in Action Plan*)

PY 2012 Action Plan CDBG # 38a response:

Not applicable. The City of Bloomington does not have revolving loan funds. However, HAND does receive on average \$1,525/month which is recycled into eligible programs. HAND adheres to the first out requirements.

- b. Any program income that will have been received before the start of the next program year and that has not yet been programmed. 91.220(l)(1)(ii)(A)



PY 2012 Action Plan CDBG # 38b response:

Not applicable.

- c. Proceeds from Section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives in its strategic plan. *91.220(l)(1)(ii)(B)*

PY 2012 Action Plan CDBG # 38c response:

Not applicable.

- d. Surplus funds from any urban renewal settlement. *91.220(l)(1)(ii)(C)*

PY 2012 Action Plan CDBG # 38d response:

Not applicable.

- e. Any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan. *91.220(l)(1)(ii)(D)*

PY 2012 Action Plan CDBG # 38e response:

Not applicable.

39. If a jurisdiction intends to carry out a new CDBG float-funded activity, does the plan include the following information: *91.220(l)(ii)(E)*

- f. For the program income included in 1(b) above, the month(s) and year(s) in which the program income will be received; and which of the following options it will take for each float-funded activity to address the risk that the activity may fail to generate adequate program income:
  - i. amend or delete activities in the amount equal to any amount due from default or failure to produce sufficient income in a timely manner. (If this option is chosen, the action plan must include a description of the process it will use to select activities to be amended or deleted and how it will involve citizens in that process), OR
  - ii. obtain an irrevocable line of credit from a commercial lender for the full amount of the float-funded activity. (If this option is chosen, information on the float-funded activity in the action plan must include the lender and the terms of the irrevocable line of credit), OR
  - iii. agree to transfer general local government funds to the CDBG line of credit in the full amount of any default or shortfall within 30 days of the float-funded activity's failure to generate projected program income on schedule.

PY 2012 Action Plan CDBG # 39 response:

Not applicable.

40. Identify its priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs, public facilities, public improvements, public services and economic development. (Use of Table 2B or the Community Development Needs Table is sufficient, additional narrative is not required) *91.220(d)*

- a. For activity for which the jurisdiction has not yet decided on a specific location, such as when a jurisdiction is allocating an amount of funds to be used for making loans or grants to businesses or for residential rehabilitation, did they provide a description of who may apply for the assistance, the process by which they expect to select who will receive the assistance (including selection criteria), and how much and under what terms the assistance will be provided.

PY 2012 Action Plan CDBG # 40 response:

[See Community Development Needs Table.](#)

41. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons. (Use of Table 2B or the Community Development Needs Table and Summaries Table is sufficient, additional narrative is not required) *91.215(f), Required in Strategic Plan*

PY 2012 Action Plan CDBG # 41 response:

[See Community Development Needs Table.](#)

42. An “urgent need” activity may be included in the action plan only if the jurisdiction certifies that the activity is designed to meet other community development needs having a particular urgency because existing conditions pose a serious and imminent threat to the health or welfare of the community and other financial resources are not available. Did the jurisdiction certify the need for an urgent need activity in the action plan. *91.220(l)(1)(iii)*

PY 2012 Action Plan CDBG # 42 response:

[Not applicable.](#)

### **HOME/ American Dream Down Payment Initiative (ADDI)**

☐ NA

43. Describe other forms of investment to be used for their HOME program not described in § 92.205(b). *91.220(l)(2)(i)*

PY 2012 Action Plan HOME/ADDI # 43 response:

[Not applicable.](#)

44. Describe how HOME matching requirements will be satisfied. *91.220(c)(3)*

PY 2012 Action Plan HOME/ADDI # 44 response:

See Matching above.

45. If the PJ will use HOME or ADDI funds for homebuyers, state the guidelines for resale or recapture, as required in § 92.254 of the HOME rule. 91.220(l)(2)(ii)

PY 2012 Action Plan HOME/ADDI # 45 response:

Program	Recapture Provisions
Owner-Occupied Rehabilitation	100% of funds are recaptured no later than time of property transfer.
Purchase-Rehabilitation	100% of funds are recaptured if property transferred before year 5. 10% of the funds are forgiven from years 6 – 15.
Down Payment & Closing Cost	20% of the funds are forgiven each year for five years.
	Resale Provisions
Homebuyer New Construction and/or Rehabilitation with a subrecipient (ie. Habitat or BRI)	15 year affordability covenants are recorded with the Deed requiring that any subsequent sale be made to an income eligible homebuyer.

46. Describe actions to be taken to establish and oversee a minority outreach program within the jurisdiction to ensure inclusion, to the maximum extent possible, of minority and women, and entities owned by minorities and women, including without limitation, real estate firms, construction firms, appraisal firms, management firms, financial institutions, investment banking, underwriters, accountants, and providers of legal services, in all contracts, entered into by the PJ with such persons or entities, public and private, in order to facilitate the activities of the PJ to provide affordable housing under the HOME program or any other Federal housing law applicable to such jurisdiction. 91.230

PY 2012 Action Plan HOME/ADDI # 46 response:

There are few female or minority owned businesses/contractors in the housing sector in Monroe County. The City of Bloomington is required to following the regulations outlined by the State for solicitation of bids. CDBG Physical Improvement Projects are advertised in the newspaper to attract a wide variety of bidders. HAND projects such as Owner-Occupied Rehab, Emergency Home Repair and Purchase-Rehab are sent out to our approved contractor list. Program Managers regularly provide information to organizations such as the Monroe County Builders Association on how to become an approved contractor as well as to contractors who contact HAND for information. There are one appraisal companies that is female/minority owned and HAND regularly does business with that company. There is a MBE/WBE certified electrical contractor, but they typically do not bid on HAND projects as they primarily do commercial construction. However, the electrical contractor is contracted to do the electrical work on the LEED certified affordable housing development recently completed. HAND will continue to advertise opportunities to minority and/or female owned businesses and advertise appropriate projects in the newspaper.

47. If the PJ will use HOME funds to refinance existing debt secured by multifamily housing that is being rehabilitated with HOME funds, state its refinancing guidelines required under § 92.206(b). The guidelines should describe the conditions under which the PJ will refinance existing debt. At a minimum these guidelines must:
- Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing. *91.220(l)(2)(iii)(A)*
  - Require a review of management practices to demonstrate that disinvestments in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated. *91.220(l)(2)(iii)(B)*
  - State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both. *91.220(l)(2)(iii)(C)*
  - Specify the required period of affordability, whether it is the minimum 15 years or longer. *91.220(l)(2)(iii)(D)*
  - Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community. *91.220(l)(2)(iii)(E)*
  - State that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG. *91.220(l)(2)(iii)(F)*

PY 2012 Action Plan HOME/ADDI # 47 response:

Not applicable.

48. If the PJ is going to receive American Dream Down payment Initiative (ADDI) funds, complete the following narratives: *91.220(l)(2)(iv)*
- Describe the planned use of the ADDI funds. *91.220(l)(2)(iv)(A)*

PY 2012 Action Plan HOME/ADDI # 48a response:

Not applicable.

- Describe the PJ's plan for conducting targeted outreach to residents and tenants of public housing and manufactured housing and to other families assisted by public housing agencies, for the purposes of ensuring that the ADDI funds are used to provide down payment assistance for such residents, tenants, and families. *91.220(l)(2)(iv)(B)*

PY 2012 Action Plan HOME/ADDI # 48b response:

Not applicable.

- Describe the actions to be taken to ensure the suitability of families receiving ADDI funds to undertake and maintain homeownership, such as provision of housing counseling to homebuyers. *91.220(l)(2)(iv)(C)*

PY 2012 Action Plan HOME/ADDI # 48c response:

Not applicable.

## **Housing Opportunities for People with AIDS**

 NA

*\*If not using the CPMP Tool: Complete and submit Table 1B.*

*\*If using the CPMP Tool: Complete and submit Needs Table/HOPWA.*

49. Provide a brief description of the organization, the area of service, the name of the program contacts, and a broad overview of the range/ type of housing activities to be done during the next year.

PY 2012 Action Plan HOPWA # 49 response:

50. Specify the one-year goals for the number of low-income households to be provided affordable housing using HOPWA funds for short-term rent, mortgage, and utility payments to prevent homelessness; tenant-based rental assistance, units provided in housing facilities that are being developed, leased, or operated.

PY 2012 Action Plan HOPWA # 50 response:

51. Describe the expected trends facing the community in meeting the needs of persons living with HIV/AIDS and provide additional information regarding the administration of services to people with HIV/AIDS.

PY 2012 Action Plan HOPWA # 51 response:

52. Identify the method for selecting project sponsors (including providing full access to grassroots, faith-based and other community organizations).

PY 2012 Action Plan HOPWA # 52 response:

53. Note any evaluations, studies or other assessments that will be conducted on the local HOPWA program during the next year.

PY 2012 Action Plan HOPWA # 53 response:

## **Other Narrative**

Include any Action Plan information that was not covered by a narrative in any other section.