

# Grantee Performance Report Submission

1/15/92

MEMORANDUM FOR: Sam R. Moseley, Regional Administrator- Regional Housing Commissioner, 6S

ATTENTION: R. D. Smith, Regional Director, Office of  
Community Planning and Development, 6C

FROM: Anna Kondratas, Assistant Secretary for  
Community Planning and Development, C

**SUBJECT: Waiver Request - GPR Submission  
Community Development Block Grant Program  
City of Sherman, Texas**

This is in response to your memorandum dated December 27, 1991, forwarding a request from the City of Sherman, Texas for a waiver of the Community Development Block Grant (CDBG) program regulations at 24 CFR 570.507(a)(2)(i)(A). This regulation requires grantees to submit a performance and evaluation report (Grantee Performance Report [GPR]) no later than 90 days after the completion of its most recent program year.

The City has requested a 30 days extension beyond the regulatory 90 day period to submit its GPR. The City's submission due date for its GPR was December 31, 1991.

In requesting the waiver, the City cited the reason that the Community Development Planner had been reassigned and the staff replacement was due to start work on January 2, 1992. The City's letter did not state when the previous staff had left.

It is noted that the City's request for the extension beyond the December 31, 1991 due date was dated December 23, 1991. Your memorandum forwarding the request to us was dated December 27, 1991, and was not received here until December 31, the date the GPR in question was due. The City did not forward its request early enough to allow the Department a reasonable opportunity for review. The end result is that by the time the request was received, the December 31, 1991 deadlines had arrived and so we could not consider the waiver request prior to the deadline for the GPR submission.

Assuming, for discussion purposes, that the request had been provided to us in sufficient time to provides us a reasonable opportunity to review, another problem should be noted. Before HUD can authorize a waiver of the CDBG program regulations pursuant to 24 CFR 570.5, it must determine that application of the requirement would result in undue hardship and would adversely affect the purposes of the Act. Based upon the information submitted, the City did not demonstrate that such a hardship would result, or that application of the 90 day GPR submission requirements would adversely affect the purposes of the Act. The GPR is not a new requirement, and the City is responsible for structuring its administrative processes to meet the established deadlines.

For reasons outlined herein, the request for a waiver of 24 CFR 570.507(a)(2)(i)(A) to extend the date for the submission of the City's GPR was not granted. If the GPR was not submitted on or before the required deadline, the Fort Worth Office should make a finding and ensure that the appropriate corrective or remedial action is taken to prevent recurrence of the violation.

Should there be any questions or concerns relative to this action, please contact the Entitlement Communities Division on FTS 458-1577.

cc: Linda Marston, SC