

# CDBG Eligibility of the Sheephead Bay Beautification Program

March 18, 1991

Honorable Bob Graham  
United States Senator  
P.O. Box 3050  
Tallahassee, FL 32315

Dear Senator Graham:

Thank you for your letter of March 26, 1991, on behalf of your constituents, Ms. Charlotte Raybrook and Mr. Nat Rubin, of the Beaches Council for Disabled Persons, Inc., in Ponte Vedra Beach, Florida. The Council has requested your assistance in resolving a question of whether Federal regulations prohibit the use of the facilities of the Huguenot Park Senior Citizens Center in Jacksonville Beach, Florida, by handicapped persons in addition to those persons who are 62 years of age or older.

Activities that are assisted through the Community Development Block Grant (CDBG) Program must meet one of three program national objectives: benefit persons of low- and moderate-income; aid in the prevention or elimination of slums or blight; or meet other community development needs of a particular urgency. Activities considered to meet the objective of benefit to low- and moderate-income persons are divided into four categories: area benefit activities; limited clientele activities; housing activities; and job creation or retention activities.

The Senior Citizens Center is considered a limited clientele activity, which is described in the CDBG regulations at 24 CFR 570.208(a)(2)(i) as "an activity which benefits a limited clientele, at least 51 percent of whom are low or moderate income persons. . ." To qualify as a limited clientele activity, the activity must meet one of four tests. The Senior Citizens Center meets the test defined at ½570.208(a)(2)(i)(A):

"Benefit a clientele who are generally presumed to be principally low and moderate income persons. The following groups are presumed by HUD to meet this criterion: abused children, battered spouses, elderly persons, handicapped persons, homeless persons, illiterate persons, and migrant farm workers; . . ."

Both senior citizens and handicapped persons are included in the groups that are presumed by HUD to be principally low- and moderate-income. The CDBG regulations, therefore, do not preclude them from participating in the activities offered at the Senior Citizens Center. However, the community determines locally the criteria for who may participate in activities designed for a certain segment of its population, provided there is no violation of federal requirements. As just mentioned, the federal regulations would not be violated by the inclusion or exclusion of non-elderly handicapped persons in the activity in question.

Because the CDBG funds for Huguenot Park were provided by the City of Jacksonville, for more information, we suggest the Council contact:

Mr. Andre Martin, Chief of  
Community Development  
City of Jacksonville  
Department of Housing and Urban  
Development  
1300 Broad Street  
Jacksonville, FL 32202-3901

Telephone: (904) 630-3840

Thank you for your interest in the Community Development Block Grant Program. I hope this information addresses your concerns.

Very sincerely yours,

Ivan A. Ransopher  
Assistant Secretary (Acting)

cc:  
CGBE: Miller 7282 CGBE: Buell 7282  
CGBE: Broughman 7282 CGBE: Chron/files 7282  
CGB: Patch 7286 CU: 7233  
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