



ODR DIGEST

Quarterly Newsletter

VOLUME 11: JUNE 2024



CDBG-DR Monitoring Season is in Full Swing!

The Office of Disaster Recovery (ODR) has already completed seven monitoring visits over the first half of the year and are on track to complete over a dozen more before the fiscal year ends.

The ODR monitoring schedule is established through a risk analysis process. This process evaluates each program participant's past performance and compares it against other formula and competitive program participants and programs. Program participants are then ranked from highest to lowest risk. This ranking dictates which grantees will be monitored and the total number of monitorings that will take place. Here are some resources to consider as you prepare for your next monitoring!

If you are a new CDBG-DR grantee and have never undergone a HUD monitoring, reach out to your grant manager or assigned representative to learn about the process and what to expect during a monitoring visit.

We encourage all grantees to explore the monitoring resources highlighted in the [ODR Digest Volume 10.](#)

- **[Advanced Strategies for CDBG-DR Compliance training session from the 2023 CDG-DR Problem Solving Clinic.](#)** This recording provides a high-level overview of HUD's monitoring process to ensure grantees know what to expect during future monitoring visits.
- **[CPD Monitoring Handbook to find your specific monitoring exhibit\(s\).](#)** This handbook includes the exhibits used by HUD reviewers to assess grantee compliance with program regulations, applicable federal statutes, grant requirements, and terms and conditions of the grant awards for Community Planning and Development (CPD) programs. CDBG-DR exhibits are mainly located within Chapter 6 of the handbook. Grantees will be informed, prior to monitoring, about which exhibits HUD will use, as outlined in the Monitoring Notification Letter.

What to expect in this issue:

New ODR Guidance Products and Resources

2024 CDBG-DR Problem Solving Clinic Outcomes

Crosscutting Miniseries Overview

Office of Lead Hazard Control and Healthy Homes Spotlight



New ODR Guidance Products and Resources

The Office of Disaster Recovery (ODR) is always looking for ways to help grantees implement the recovery process in their communities. One of the methods that we use to assist our grantees is by providing guidance in the form of fact sheets, Frequently Asked Questions (FAQs), Policy Bulletins, these quarterly digests, and webinars. You can view existing published products [here](#).

In the third quarter of fiscal year 2024, ODR released several guidance documents designed to assist CDBG-DR grantees with implementing their programs.

Now posted on HUD.gov:

Revised Policy for Duplication of Benefits and related FAQs

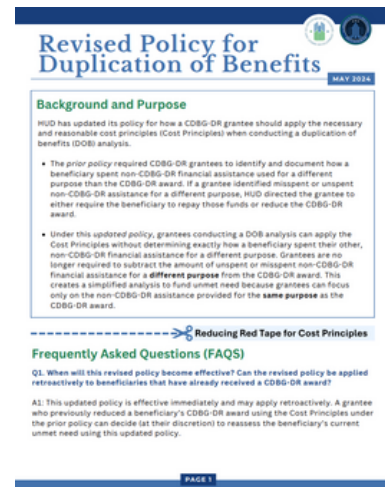
HUD has updated its policy for how a CDBG-DR grantee should apply the necessary and reasonable cost principles (Cost Principles) when conducting a duplication of benefits (DOB) analysis. Under this updated policy, grantees conducting a DOB analysis can apply the Cost Principles without determining exactly how a beneficiary spent their other, non-CDBG-DR financial assistance for a different purpose. Grantees are no longer required to subtract the amount of unspent or misspent non-CDBG-DR financial assistance for a different purpose from the CDBG-DR award. This creates a simplified analysis to fund unmet need because grantees can focus only on the non-CDBG-DR assistance provided for the same purpose as the CDBG-DR award.

Part 1: Buyout Factsheet Series: Introduction

Part one of the Buyout Factsheet series which describes buyout activities funded through HUD's CDBG-DR funds. This Factsheet describes what a buyout is, how it is different than an acquisition, the pros and cons of a buyout, and what are eligible uses of the land post-buyout.

Part 2: Buyout Factsheet Series: The Consolidated Notice

This factsheet conveys the buyout requirements as outlined in the Consolidated Notice, which is the unified policy guidance the governs CDBG-DR allocations for 2020-2023 disasters. If your funds were awarded prior to a 2020 disaster, refer to the Federal Register Notice governing those funds to view the applicable buyout requirements.





2024 CDBG-DR Problem Solving Clinic St. Louis, MO Delivered May 7-9th

The 2024 CDBG-DR Problem Solving Clinic was a huge success!

The [2024 CDBG-DR Problem Solving Clinic](#) took place at the Union Station Hotel in St. Louis, Missouri from May 7 - 9. The Clinic brought together ODR staff, HUD's crosscutting partners such as the Office of Fair Housing and Equal Opportunity (FHEO) and the Office of Environment and Energy (OEE), federal partners such as FEMA and NOAA, and most importantly, representatives from 59 CDBG-DR grantees.

This year's Clinic theme, "Reducing Administrative Burden," was explored through 26 in-person and virtual sessions. These sessions covered a range of topics, including affordable rental housing, maximizing your unmet needs assessment, and the role of flood insurance in recovery. In-person attendees also had access to five resource rooms that provided focused information on reasonable accommodations and fair housing, business recovery and revitalization programs, and climate services and research on CDBG-DR. Additionally, attendees could participate in one-on-one appointments with HUD staff to discuss specific program challenges, with 207 such appointments taking place over the three days.

For questions or comments about the Clinic, or to provide suggestions for the future CDBG-DR Problem Solving Clinics, please email the Policy Division at ODRPolicyDivision@HUD.gov.

Clinic materials from the 2024 CDBG-DR Problem Solving Clinic, along with materials from previous Clinics, will be posted in the [CDBG-DR Problem Solving Clinic Archives](#).



Crosscutting Regulations Mini Series



ODR is excited to continue our miniseries that will be featured in our upcoming ODR Digests, highlighting each of our crosscutting partners and their applicable regulations! One of the key benefits of CDBG-DR funding is the flexibility and alternative requirements that HUD can establish to ensure we’re expediting recovery. However, it is critical for grantees to understand that certain requirements, as outlined in each of the appropriations acts, cannot be waived by HUD (i.e., HUD does not have the waiver authority).

All grantees must follow all crosscutting requirements, as applicable, for all CDBG-DR funded activities including but not limited to:

Environmental
Review

Davis Bacon and
Related Acts
(DBRA)

Fair Housing and
Civil Rights

Lead Safe
Housing Rule

Uniform
Relocation Act
(URA)

Our mini series dives into each of these crosscutting requirements through the lens of other HUD offices, providing training, frequently asked questions (FAQs), and other impactful resources. The design of this content can also serve as a mini overview of the associated requirements.

This volume will focus on the Lead Safe Housing Rule, and readers are encouraged to visit the previous digest focused on environmental review [here!](#)



Office of Lead Hazard Control and Healthy Homes Spotlight

The **Office of Lead Hazard Control and Healthy Homes (OLHCHH)** provides funds to state and local governments to develop cost-effective ways to reduce lead-based paint hazards. In addition, the office enforces HUD's lead-based paint regulations, provides public outreach and technical assistance, and conducts technical studies to help protect children and their families from health and safety hazards in the home.

The OLHCHH's grant programs stand out for their impact as a resource for community resilience and recovery. The OLHCHH is designed to serve communities focusing on environmental justice reforms and other targeted areas by addressing lead-based paint hazards and other home health and safety hazards. Included in the OLHCHH Healthy Homes grant portfolio are:

- Healthy Homes Production grants
- Older Adult Home Modification Program grants
- Lead Hazard Reduction grants with Healthy Homes Supplemental Funds for addressing additional hazards
- Lead Hazard Reduction Demonstration grants
- Healthy Homes Production and Weatherization Demonstration grants

By improving housing conditions, these grants contribute to safer, healthier, more resilient communities. A full list of these Healthy Homes grant opportunities can be found [here](#).

When communities develop their disaster preparedness and recovery plans, including CDBG-DR Action Plans, it is helpful to include Healthy Homes programs if they are available locally. A list of current grantees can be found [here](#). These programs should be integrated into the community's strategy to ensure they can be mobilized effectively during emergencies. For communities that do not currently have these grants, it is important to be aware of their availability and consider including them as part of their disaster readiness and climate adaptation resilience planning.

The FY24 OLHCHH grant opportunities will be open later this summer, offering valuable opportunities for communities to enhance their preparedness, response resources, and resilience.

Even more information and resources can be found on the HUD Exchange [here](#).



The Office of Lead Hazard Control and Healthy Homes (OLHCHH) is Made up of Four Divisions:

Programs Division

- Provides program management, oversight, and technical assistance for OLHCHH's grant programs.

Programs and Regulatory Support Division

- Ensures regulatory compliance with the Lead-Based Paint Disclosure Rule and Lead Safe Housing Rule.
- Provides program and technical support to grantees and stakeholders.
- Enforcement and support for the Lead Regulations are significant functions of the group.
- Outreach, technical assistance, and guidance on lead and healthy home issues.

Policy and Standards Division

- Develops healthy homes guidelines and standards.
- Oversees research studies.
- Provides technical assistance on policy issues for OLHCHH and other HUD Program Offices.

Grant Services Division

- Provides the overall supervision of the grant's management life cycle to include the administrative, negotiation, awarding, ensuring compliance to meet federal regulations or agency policies.
- Financial audits and regulatory review.
- Award closeout for the OLHCHH's grants and cooperative agreements.

Laws, Regulations, and Federal Register Notices (FRNs)

- **The Lead-Safe Housing Rule**
- **Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing**

CPD Notices

- **CPD-15-07: Guidance for Charging Pre-Application Costs of Homeowners, Businesses, and Other Qualifying Entities to CDBG Disaster Recovery Grants**
 - *Please note this CPD Notice is only applicable for disasters that occurred between 2013 and 2019. Similar guidance is included in the CDBG-DR Consolidated Notice for disasters occurring in 2020-2023.*



Frequently Asked Questions

View the full ODR
FAQ Collection



[ODR publishes FAQs to assist current and future CDBG-DR grantees \(including CDBG-MIT and CDBG-NDR\), the public, and other stakeholders with the planning and use of the funds. This resource covers a range of topics to provide additional clarity, guidance, and support to grantees.](#)

Who is responsible for the disclosure of known lead-based paint and lead-based paint hazards in homes built before 1978?

Answer: Before ratification of a contract for housing sale or lease, sellers and landlords must disclose known lead-based paint and lead-based paint hazards and provide available reports to buyers and renters. Sellers and landlords must also give buyers and renters the Protect Your Family from Lead in Your Home pamphlet. Sales contracts and lease agreements must include notification and disclosure language. Sellers, lessors, and real estate agents share the responsibility for ensuring compliance.

Source: 24 CFR 35 subpart A

Does the lead safe housing rule apply to improvements to commercial buildings or other public facilities?

Answer: The lead safe housing rule is strictly limited to housing units built prior to 1978. There are some types of housing that are excluded from the requirement; housing exclusively designated for the elderly or people with disabilities, zero-bedroom dwellings, and unoccupied housing that will remain vacant until demolished. In addition, property that has been certified by a lead-based paint inspector that is found to be free of lead-based paint, property where all lead-based paint has been removed, and any rehabilitation or housing improvement that does not disturb a painted surface are also excluded from the lead safe housing rule.

Source: 24 CFR 35



Is lead exposure only a risk to young children?

Answer: No. Everyone is at risk if lead is inhaled or ingested, however, children under the age of 6 years absorb more lead than adults do, and their brains and nervous system are sensitive to the effects. Elevated blood lead levels in pregnant women can result in exposure to the developing baby.

Source: N/A

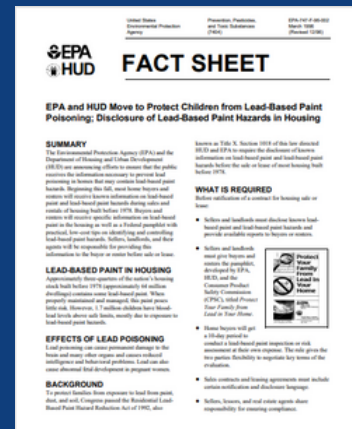
Do lead regulations apply to Housing Rehabilitation Programs funded by CDBG-DR?

Answer: The Lead Safe Housing Rule applies to any work undertaken subsequent to, or beyond, emergency actions - Repairs necessary to respond to the emergency to safeguard against imminent danger to life, health, safety or protect structure from further damage, or met another exemption such as: the housing unit was constructed on or after January 1, 1978, the rehabilitation did not disturb any painted surface; the property meets the definition of "housing for the elderly" or the residential property is designed exclusively for persons with disabilities 24 CFR 35.110; An inspection performed according to 24 CFR 35.1320(a) found the property contained no lead-based paint; or According to documented methodologies, lead-based paint has been identified and removed, and the property has achieved clearance. This exemption does not apply where enclosure or encapsulation have been used as a method of abatement.

Source: 24 CFR 35.115

Did you know that there is a Lead Safe Housing Rule Fact Sheet that grantees can reference that HUD and EPA authored together?

[View the fact sheet](#) to learn some key information about the effects of lead-based paints and its impacts on housing, children, and adults!





Resource Spotlight

CLICK EACH ITEM BELOW



OHHLHC Resources

Description

[Lead Safe Housing Rule Toolkit \(LSHR Toolkit\)](#)

The tools in the Lead Safe Housing Rule Toolkit help practitioners understand and comply with the federal lead rules. The rules apply to almost all ownership, rentals, and sales of pre-1978 housing regardless of occupants or federal assistance to keep children and families safe from lead.

[LSHR Toolkit: Screening for Exemption of Limited Exemptions](#)

A worksheet which can be used for Lead Safe Housing Requirements screenings for exemptions or limited exemptions for CDBG-DR grantee file documentation.

[Outreach Materials and Publications](#)

Informational publications, both in English and in Spanish, on topics such as home safety, lead, and post disaster resources. There are also multiple publications on implementing healthy homes concepts and practices tailored specifically for Tribal home environments as well as publications customized for the U.S. Virgin Islands and the Commonwealth of Puerto Rico.

[Post Disaster Healthy Housing Resources Page](#)

Informs users on the essentials of healthy homes for post-natural disaster restoration of homes, including the principles and technical aspects of the safe and proper response and removal of mold, asbestos, lead, and other hazards and unsafe conditions.

[Lead Rule Compliance Advisor](#) (May 2016)

A self guided tool designed to present project-specific requirements of the Lead Safe Housing Rule (LSHR).

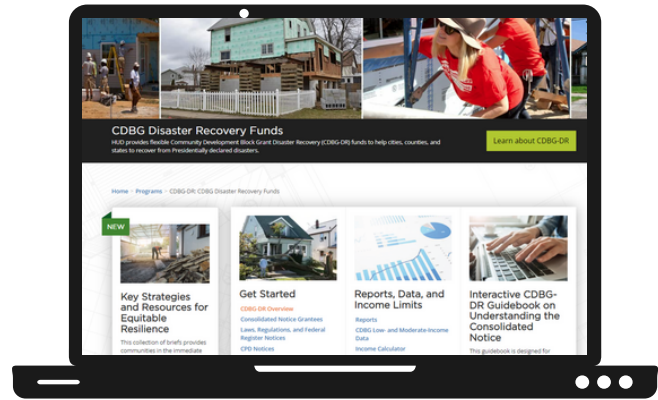
[Locate Certified Inspection, Risk Assessment, and Abatement Firms](#) (December 2023)

An EPA website which includes a search tool that allows consumers to locate certified firms in their area for inspections, risk assessments, and lead abatement services. Information is offered in both English and in Spanish.



Training Spotlight

CLICK EACH ITEM BELOW



OHHLHC Trainings

Description

[Lead Safe Housing in Disaster Recovery Housing Programs \(June 2020\)](#)

This webinar is part of the Spring 2020 CDBG-DR and CDBG-MIT CDBG-DR Trainings. This session describes the federal lead paint regulations and how they apply to disaster recovery rehabilitation programs. More information here.

[Lead Safe Housing Rule Training \(Webinar Series\)](#)

These webinars and resources help users review federal lead regulations and the Lead Safe Housing Rule (LSHR) for pre-1978 housing. The LSHR applies to all target housing that is federally owned and/or target housing receiving federal assistance.

[Evaluating Lead-Based Paint in HUD-Assisted Housing Videos](#)

These videos cover the highlights of completing key lead-based paint evaluations to meet compliance with HUD's Lead Safe Housing Rule for pre-1978 HUD-assisted housing. The videos include expertise from HUD and certified lead risk assessors/inspectors. Topics include lead-based paint inspection, risk assessment, clearance examination, family interview for environmental investigations of elevated blood lead level cases, and reports.



Stay Engaged

Thanks for reading this edition of the ODR Digest! If you have any questions, feel free to reach out directly by emailing the ODR's Policy Division, ODRPolicyDivision@hud.gov.

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