

Public Comment – Homeowner Assistance Program (HAP)

Regional Housing Guidelines

Regional Housing Guidelines were released for public comment for the Central/Golden Crescent and Coastal Bend Regions on October 13, 2018. The original public comment period ended on November 12, 2018 for the required 30-day public comment period; however, the public comment period was extended for the Central/Golden Crescent Region until November 16, 2018 to account for an inadvertent removal of the document from GLO’s website for a four-day period. The public comment period for the South East Texas, HGAC-W/Lower Colorado, Deep East Texas, and HGAC-E/Gulf Coast Regions were released on October 19, 2018, commencing the required 30-day public comment period. The GLO distributed a statewide press release announcing the availability of the Regional Housing Guidelines on the GLO website with each release of the guidelines. Additionally, the GLO’s vendors conducted stakeholder meetings in the regions announcing the public comment period. Reminder emails regarding the public comment period targeting county and local government officials, long term recovery groups, HUD-certified housing counselors, and other interested parties were sent during the public comment period.

List of those that submitted comment include:

	Name		Individual, County, City or Organization
	Last	First	
1	Cleary	Julia	Bastrop County
2	Drummond	Tyler	Galveston County
3	Scoggin	Gary	Galveston County Recovers
4	Konvicka	Stephanie	Wharton County Recovery Team
5	Lyons	Elizabeth	Lyons Built, LLC
6	Dutcher	Amy	Community Member
7	Selk	Eric	HOPE NOW Alliance
8	Zummo	Rachel	Texas Rio Grande Legal Aid
9	Pyle	Marsha	Fayette County Disaster Recovery Team
10	Sloan	Maddie	Texas Applesseed
11	Adams	Amelia	Texas Housers
12	Beard	John	Port Arthur Community Action Network
13	James	Carolyn	Community Member
14	Lacy	Glenda	SETRPC
15	Grant	Debra	Faith Lutheran Church, Dickinson, TX
16	Jimmy	Hadnott	Community Member
17	Perez	Lynda	Mainland Community Partnership

Technical corrections and clarifications were made to each of the six Regional Housing Guidelines as a result of the public comment process. The corrections and clarifications made do not materially alter the activities or beneficiaries of the Homeowner Assistance Program and, therefore, are not considered Substantial Amendments. The following is a summary of the comments received as well as their respective responses. It should be noted that some comments were received on other topics. Staff responses specifically address comments received during the

public comment period for the Regional Housing Guidelines. The following is a summary of the comments received as well as the response.

Coastal Bend Region

Commenters 1, 5, 7, 8, 10, 11

Comment 1: There is a possible discrepancy in the building standards between the required building standards set out on pg. 29 (part 4) and the methodology for undertaking Damage Assessments as presented on pg. 8 of the definitions section of the draft Guidelines for Coastal Bend. This could potentially mean that the damage assessment and the respective costs estimates would be calculated by using older standards than the standards required by the guidelines.

Staff Response: The Texas General Land Office (GLO) is working to publish the most up-to-date Damage Assessment guideline document which will be posted on the GLO's website shortly and will rectify any discrepancies addressed in this comment.

Comment 2: We request that local Floodplain Administrators be notified of applications for the repair of substantial damage (for cumulative data and floodplain management purposes) and would request the GLO to forward a copy of relevant applications to the local Floodplain Administrator as a matter of procedure.

Staff Response: GLO, through its contracted builders, will coordinate with local Floodplain Administrators for applicants to ensure all local, state, and federal law is met to include all permitting requirements.

Comment 3: I am a builder in Aransas County and am curious about how the grantees will choose their builders.

Staff Response: The GLO has completed the procurement of qualified builders for the Homeowner Assistance Program (HAP) for the rehabilitation and reconstruction of damaged homes across 48 counties including the Coastal Bend Region. As eligible households are identified, the GLO will assign homes to the builders that scored highest during the procurement process and subsequent assignments will be based on performance. The GLO encourages the commenter to monitor GLO's website for any possible future procurement opportunities.

Comment 4: It is unclear how the Regional Housing Guidelines interact with the existing network of Housing Guidelines and related documents. The GLO should clarify whether local governments, advocates, and potentially eligible individuals can rely solely on the Regional Housing Guidelines rather than checking for updates to the statewide Housing Guidelines to compare.

Staff Response: The State Housing Guidelines serve as the umbrella and base guideline for all GLO housing programs, including HAP. In developing the Regional Housing Guidelines, GLO worked to provide operational details on the eligibility requirements, housing assistance caps, construction standards, reporting requirements, and other program requirements that are specific

to HAP to ensure the program is conducted in a manner that is consistent with the program specific guidelines and all applicable federal, state, and local laws. Stakeholders can rely on the Regional Housing Guidelines for each region to cover all aspects of HAP.

Comment 5: The outreach plan for gathering more information about unmet need is poorly timed and lacks accountability.

Staff Response: The Regional Housing Guidelines provide operational detail and are not intended to provide detailed information on outreach efforts. An Affirmative Marketing and Outreach Plan (AMOP), which is a companion document to the Needs Assessment and Regional Housing Guidelines, details the plans for how targeted marketing will occur to those that have remaining unmet need and are least likely to apply in an effort to affirmatively further fair housing. The AMOP will be continuously evaluated and improved as the program progresses, and all local partners should continue to communicate with GLO and local staff to ensure a successful outcome for affected homeowners. The GLO wishes to work with all interested parties to get the word out regarding program availability. Any organization wishing to participate in outreach is encouraged to contact the GLO or the vendors administering the program locally.

Comment 6: The State should expand its outreach efforts to include groups made up of community members to ensure that the most impacted communities' input informs the recovery plans.

Staff Response: The State will administer HAP and conduct outreach detailed in a HUD-compliant Affirmative Marketing and Outreach Plan. This plan includes consultation by and through local implementing agencies including cities, counties, Councils of Government, long-term recovery groups and voluntary agencies active in disasters in an effort to ensure outreach reaches as many impacted households as possible. The State is also committed to ensuring that all CDBG-DR programs are administered in a manner that satisfies all federal public participation requirements.

Comment 7: The State's outreach efforts fail to meet the requirements of an Affirmative Fair Housing Marketing Plan (AFHM).

Staff Response: GLO remains committed to ensuring that CDBG-DR Programs are administered within the bounds of all applicable federal law. As such, the GLO has developed Regional Affirmative Marketing and Outreach Plans designed to target marketing to all potential applicants, regardless of race, ethnicity, national origin, religion, familial status, disability, special needs, or gender.

Comment 8: Utilizing FEMA verified loss to determine 'targeted blocks' is flawed and likely to result in the exclusion of communities in need of assistance.

Staff Response: GLO remains committed to utilizing the most up-to-date data available to inform CDBG-DR Program processes, policies, and procedures. The State recognizes that utilizing FEMA Verified Loss data can be improved upon through the uses of alternative data sources and

remains open to exploring any suggested alternative data sets. As such, the GLO is actively asking interested parties to assist in getting the word out regarding program availability.

Comment 9: The methodology used to evaluate the existence of targeted populations is flawed and will result in the exclusion of populations that would benefit from targeted marketing.

Staff Response: GLO remains committed to utilizing best practices in conducting all levels of program implementation. This has included attempts to mitigate some of the issues associated with utilizing FEMA data by looking at FEMA assistance registrant data and not just FEMA assistance recipients to capture the loss of low-income households as much as possible and inform targeted marketing efforts. The State recognizes the validity of this comment and shall give it adequate consideration as HAP progresses. As such, the GLO is actively asking interested parties to assist in getting the word out regarding program availability.

Comment 10: The State appears to misunderstand the term ‘Targeted Marketing’ and does not meet its obligation to develop an AFHM Plan.

Staff Response: GLO remains committed to ensuring HAP is implemented in compliance with all federal law and has worked with vendors to develop an Affirmative Marketing and Outreach Plan that satisfies all requirements of civil rights law.

Comment 11: The State and a majority of sub-recipients fail to provide Spanish language materials in its outreach and marketing efforts in violation of both the Fair Housing Act and Title VI.

Staff Response: The State must, as required under federal law, conduct all levels of public participation in a manner that ensures citizens have equal access to information about programs, including persons with disabilities and limited English proficiency. The GLO has translated the application into five languages including Spanish and has translation services available to ensure translations are made as necessary to provide assistance to and access for non-English speaking applicants as recommended by HUD.

Comment 12: We commend the Central Texas/Golden Crescent Region for recognizing that fair housing choice and civil rights requirements are not extraneous but integrated into disaster recovery programs because they are critical to ensuring an effective recovery and mitigating future disasters.

Staff Response: GLO remains committed to ensuring all CDBG-DR programs are administered in a manner that fosters fair housing choice and satisfies all requirements of civil rights law.

Comment 13: We commend the State and the Region for setting goals within the income brackets in proportion to the damaged units in the impacted areas (as opposed to dollar amount of damages).

Staff Response: GLO remains committed to the continual evaluation of programs, policies, and procedures to ensure we are fostering the most effective and efficient disaster recovery process with limited funds provided.

Comment 14: We appreciate the Region's commitment to providing high quality, mold resistant, resilient housing and prioritizing the households that are the most vulnerable to health effects of mold and other unsafe housing conditions, including families with children and elderly and disabled households.

Staff Response: GLO remains committed to rebuilding disaster impacted communities to ensure they are more resilient in the face of any future storms. This ideal includes the provision of high quality, mold resistant, and resilient housing to impacted Texans.

Comment 15: We strongly encourage the Region to implement a voluntary relocation program modeled on the Homeowner Opportunity Program (HOP) implemented after Hurricanes Ike and Dolly. This would minimize future damage and ensure compliance with Civil Rights requirements.

Staff Response: The types of programs offered by the GLO are reflected in the State of Texas Action Plan. Recognizing that these comments are related to HAP, GLO recognizes the validity of this comment and will give it adequate consideration as it works as the overseeing administrative body for each entity conducting recovery programs. Communities allocated funds under the Buyout and Acquisition program will have the ability to purchase homes with Hurricane Harvey damage using applicable incentives.

Comment 16: For any mobility program, the Region must ensure it is funding critical public services like mobility counseling and title clearing.

Staff Response: GLO, through its oversight administration of CDBG-DR Programs, remains committed to developing programs that address the needs of applicants. The GLO recognizes the validity of providing mobility counseling and title clearing for any mobility program and is committed to working with HUD-certified housing counselors and others as the needs arise.

Comment 17: We are concerned that there is a disconnect between the housing, buyout, and infrastructure programs that will result in inefficient and ineffective recovery. We are particularly concerned about what happens if, through the Cost Effectiveness Verification process, it is determined that an infrastructure project is the most cost-effective form of assistance.

Staff Response: The GLO has a network of teams that are dedicated to communication to ensure that the programs offered result in the best option available for each community. Funding in housing activities will not be moved to infrastructure activities without appropriate citizen participation.

Comment 18: Will the buyout program coordinate with and be integrated with other programs undergoing analysis under the Cost Effectiveness Verification Process?

Staff Response: The GLO is committed to coordinating with local subrecipients running Buyout and Acquisition programs when HAP is not a viable option for the applicant.

Comment 19: It is critical that each Region get input from community members who have been most directly impacted by Hurricane Harvey to inform the Needs Assessment. This translates into direct contact with the local community beyond the groups listed.

Staff Response: GLO received input from each region impacted by Hurricane Harvey, and the input informed the Regional Needs Assessment, which resulted in goals outlined in each of the Regional Housing guidelines. GLO remains committed to conducting effective affirmative outreach and citizen participation activities to adequately access the needs of each individual community. The GLO wishes to work with all interested parties to get the word out regarding program availability. Any organization wishing to participate in outreach is encouraged to contact the GLO or the vendors administering the program locally.

Comment 20: We recommend that the Region allow money to be reallocated to lower-income categories, but not to higher-income categories, at a minimum.

Staff Response: GLO recognizes the validity of this feedback and will give it adequate consideration as applicants are processed for eligibility in accordance with the approved Regional Housing Guidelines.

Comment 21: We recommend that a process for waiving response deadlines, inclusive of specific exceptions to those deadlines, be incorporated for applicants who were indisposed and unable to receive letters or phone calls.

Staff Response: The Texas General Land Office recognizes the validity of this feedback and will give it adequate consideration as applicants are processed for eligibility on a case-by-case basis to ensure that vulnerable populations are served.

Comment 22: While we appreciate that some best practices associated with Affirmatively Furthering Fair Housing have been incorporated into the Guidelines, this alone does not fulfill a jurisdiction's obligation to affirmatively further fair housing.

Staff Response: The Texas General Land Office remains committed to implementing disaster recovery programs in a manner that satisfies all federal law. The GLO will work as it implements HAP to ensure that all policies and procedures, when put into practice, fulfill the obligations presented under Affirmatively Furthering Fair Housing law.

Comment 23: Given the problems with FEMA data, we recommend tracking applicants who were denied FEMA benefits but qualified for disaster recovery assistance under the CDBG-DR program, to aid the State pinpointing inaccuracies in data sources for future disasters.

Staff Response: The Texas General Land Office recognizes the validity of this comment and is committed to the continual evaluation of program implementation to identify areas in which

improvement would benefit disaster victims. The state is keeping records on the type of verification used to prove damage occurred, which may be from sources other than FEMA.

Comment 24: The requirement that all single-family housing units in the program must meet the requirements of Section 504 of the Rehabilitation Act and the GLO's visitability guidelines is both commendable and appropriate.

Staff Response: GLO remains committed to ensuring all disaster victims have access to meaningful recovery options that are tailored to their specific needs. This ideal is fostered, in part, by requiring that all single-family housing units in HAP meet the requirements presented under Section 504 of the Rehabilitation Act and the GLO's visitability guidelines.

Comment 25: Any changes to the approved Housing Guidelines should be posted for public comment.

Staff Response: Changes to the Regional Housing Guidelines that could materially alter the activities or beneficiaries of HAP would be considered Substantial Amendments that would require an additional public comment period.

Comment 26: It is commendable that the Region shall provide case management that takes into account the barriers that specific households will have to program participation.

Staff Response: GLO remains committed to ensuring disaster victims are given the opportunity to participate in programs that foster a meaningful recovery that is tailored to their specific needs. This includes identifying and addressing barriers a household may have to program participation.

Comment 27: We appreciate the requirement that anyone who inquiries about the program will receive an application packet and that there is no pre-screening of applicants without a written application being taken for processing.

Staff Response: GLO seeks to ensure that all applicants for HAP are evaluated in a trackable and verifiable manner. By sending application packets to any disaster victim who inquiries about the program, the GLO is working to foster the highest level of participation possible and allow for proper analysis of each applicant to justify eligibility decisions.

Comment 28: The use of FEMA Verified Loss to calculate unmet need in disaster impact areas has severe limitations.

Staff Response: The GLO, in keeping with the most current practices, utilizes the most up-to-date available data in determining unmet need in disaster impact areas. To date, FEMA is the primary agency deployed into disaster zones to assess damages after a disaster. Although the GLO has recognized that there are gaps in these assessments, it has taken steps to fill those gaps and remains committed to exploring other means of assessment that would result in the most complete data set possible. GLO is actively asking interested parties to assist in getting the word out regarding program availability.

Comment 29: Although the Homeowner Assistance Program allows for up to 100% of funds to be dispersed to LMI Households, it is imperative that a detail plan and methodology as to how non-LMI households would potential qualify for and be given assistance under this program.

Staff Response: The GLO, as the primary administrator and oversight entity for HAP, recognizes the validity of this comment. The Regional Housing Guidelines include income targets to give adequate consideration for all applicants as GLO understands the importance of having solidified processes and procedures in place to govern all aspects of program implementation.

Comment 30: Each entity conducting the HAP Program should take steps to specifically target the LMI population during public outreach to ensure that all potential applicants are given the opportunity to participate.

Staff Response: Affirmative Marketing and Outreach Plans were developed for each region to include details on methods designed to ensure marketing of the program is targeted to those with unmet needs that are least likely to apply, including low to moderate income households.

Comment 31: The eligibility guidelines are unclear as they do not specify the eligibility conditions for applicants that did not have flood insurance at the time of Harvey.

Staff Response: Under federal regulations, any household that resides in a floodplain and receives assistance as a result of a federally declared disaster must obtain and maintain flood insurance coverage. As a result of these regulations, GLO cannot provide HAP assistance to applicants in floodplains that received prior disaster assistance if their flood insurance coverage was not in effect on the date of Hurricane Harvey. GLO recognizes this requirement could be more clearly stated in the Regional Housing Guidelines and will update accordingly.

Comment 31: The section titled ‘Affirmative Marketing Outreach Plan’ states that emphasis should be focused on successful outreach to LMI area and those communities with minority concentrations that were affected by the disaster. Emphasis should be placed on LMI areas equally.

Staff Response: The purpose of an Affirmative Marketing and Outreach Plan is to seek out those impacted members of the community who are least likely to apply for program participation. The AMOPs for HAP will includes methods for outreach with an emphasis on outreach to all demographics, but still maintains a base level of outreach to all LMI citizens.

Central Texas/Golden Crescent Region

Commenters 8, 9, 10, 11

Comment 1: It is safe to assume that some families will apply that are outside of the income guidelines of this program, it would be beneficial to have a referral plan available for them.

Staff Response: The GLO recognizes that not all applicants will be eligible for HAP and that funding will be insufficient to address all remaining unmet needs. GLO is committed to

providing applicants with information on available resources that become known as this program develops.

Comment 2: Could the GLO pull from prior inspections and records of other agencies to aid homeowners in providing proof of extent of damage?

Staff Response: GLO remains dedicated to implementing the most effective and efficient policies and procedures in implementing its programs. As part of the applicant's eligibility process, an inspection may be performed to document Hurricane Harvey storm damage. The inspection report will include complete photos of the damage and written assessment allows for applicants to move forward with assistance.

Comment 3: The application requirement of scheduling an appointment could be problematic and it is important to capture applicant information as quickly as possible.

Staff Response: In addition to taking applications online 24 hours a day, GLO has committed to using Applicant Coordinators to specifically identify unique barriers each applicant may encounter during the program. These barriers may include difficulty in making appointments and our Application Coordinators shall work diligently to work with applicants to ensure their needs are met. Applications will be accepted online, in person, by fax, and through the mail.

Comment 4: Technology should be used during this process along with partnering with commercial entities to connect with certain types of applicants.

Staff Response: GLO recognizes the validity of this comment and remains open to exploring the ways in which technology can be utilized in administering programs in a more effective and efficient manner. The GLO is actively asking interested parties to assist in getting the word out regarding program availability.

Comment 5: Program documents should be written in 'plain language' and avoid using acronyms to make access to program information more accessible to potential applicants.

Staff Response: GLO is committed to providing materials that are easy to understand and will work to oversee that applicant coordinators provide information necessary to make the eligibility process for homeowners manageable and easy to understand. As the program continues, the GLO plans to post a HAP-specific Frequently Asked Questions (FAQ) on line and the GLO through its staff and contractors will be available to each applicant to ensure that any ambiguities are adequately explained and all questions, comments, and concerns are addressed.

Comment 6: Business partnerships should be utilized to help improve the outreach activities and public messaging.

Staff Response: GLO and its contractors are committed to working with all regional stakeholders, to ensure outreach activities and public messaging are adequate and reach potential applicants. The GLO is actively asking interested parties to assist in getting the word out regarding program availability.

Comment 7: Application intake and counseling should use technology, like DocuSign, to streamline processes. The GLO should also consider the development of a mobile app for the same purposes.

Staff Response: The GLO has an online application process for HAP that is designed for use on computers and through mobile devices. Applicants will be able to electronically sign application documents.

Comment 8: Many residents of Fayette County lived in Manufactured Housing Units that were severely damaged during Hurricane Harvey and accepted funds from either FEMA or other sources to purchase homes. Many of these newly purchased homes are in need of repair, do these homes, not owned by these specific individuals at the time Hurricane Harvey made landfall, eligible to be considered for the HAP Program?

Staff Response: To be eligible for assistance under HAP, applicants must have owned the home that was damaged or destroyed by Hurricane Harvey, and occupied the home as their primary residence, among other eligibility factors. Any homeowners who now own a home that they did not occupy at the time of Hurricane Harvey are not eligible for HAP assistance.

Comment 27: Many commenters provided the same or similar comments on the Coastal Bend Region.

Staff Response: GLO provided staff responses to these comments under the Coastal Bend Region.

Houston-Galveston Area Council (HGAC)-East/Gulf Coast Region **Commenters 2, 3, 10, 15, 17**

Comment 1: Will there be a standalone outreach plan for our region and will it have a public notice and comment period?

Staff Response: There is an Affirmative Marketing and Outreach Plan (AMOP) for each region that was developed as a result of feedback during local community outreach meetings, among many other factors that considers how to target marketing to those that are least likely to apply in an effort to affirmatively further fair housing. The plan does not have a federally required public comment period, but rather it is anticipated that the AMOP will be updated as necessary to ensure that the program reaches the least likely to apply and the income buckets are satisfied. In addition, the GLO is actively asking interested parties to assist in getting the word out regarding program availability.

Comment 2: Since the Housing Program for Galveston County will be grouped together in a Regional setting, will the LMI for Galveston County be determined by combining the H-GAC East Region Counties?

Staff Response: The overall LMI level for the region will be based on the income levels of all households approved within in the region. In determining whether an individual household is

LMI, GLO will use the low to moderate income limits published yearly by the Office of Policy Development and Research at HUD; these income limits are specific to the county where the applicant lives.

Comment 3. Under the Housing Assistance Caps, will temporary rental assistance be available during the construction process?

Staff Response: The Regional Housing Guidelines allow for up to \$5,000 for temporary moving and relocation costs as part of participation in this voluntary program. This assistance will be approved on a case-by-case basis.

Comment 4: What are the provisions/options for homeowners that received damage who have homes constructed in a floodway?

Staff Response: HAP assistance cannot be provided to rebuild or repair homes in floodways. GLO has other assistance programs, such as Buyout and Acquisition programs that may be available if implemented by a local community.

Comment 5: Is this program open to non-citizens/non-permanent residents of the United States?

Staff Response: Citizenship is not a consideration for this HUD program. To receive HAP assistance, the applicant must provide a valid form of identification. Valid forms are indicated on GLO's [Homeowner Assistance Program Checklist](#).

Comment 6: Will Case Managers assist elderly and disabled homeowners in the application process by making home visits?

Staff Response: The GLO will accept online, paper and in-person applications at regional locations, pop-up temporary locations, and onsite with applicants. In addition, GLO and its contractors will be available to assist all applicants and will work to address any potential barriers presented to applicants because of their unique situation.

Comment 7: For disabled applicants, are mechanical lifts an option?

Staff Response: GLO will ensure that participants in HAP be offered accessibility options as necessary to accommodate the homeowner.

Comment 8: Will Windstorm Insurance be procured by the program?

Staff Response: Specific insurance requirements attach to a property if the applicant chooses to participate in the program. Those requirements could include Wind Storm or Flood Insurance and may be covered by program funds through GLO's builders for a period of 1 year. The homeowner will be responsible for continued insurance after this initial period.

Comment 9: Galveston County Recovers should be allowed to partner with the GLO and IEM to make the HAP successful in Galveston County. Galveston County Recovers is comprised of

many partners, has ready access to facilities throughout the county, has the ability to conduct thorough and effective outreach, and possesses the experience necessary to conduct effective case management.

Staff Response: GLO recognizes the value of partnering with capable and knowledgeable local entities and encourages the Galveston County Recovers group to continue working with IEM and their outreach efforts.

Comment 10: The plan overall lacks local input as the accelerated timeline leaves little opportunity for meaningful local participation.

Staff Response: GLO is dedicated to ensuring that local communities are consulted during program formation and implementation in compliance with all federal regulations. All outreach and citizen participation plans are outlined in program documents and will continue to be monitored and updated to refine outreach as necessary. The program is anticipated to start in November 2018 and will continue to be administered over the next several years.

Comment 11: The GLO's timeline for finalizing the program, performing community outreach, and starting the application intake process is extremely compressed and leaves doubts as to whether the program will be conducted properly.

Staff Response: GLO is dedicated to accomplishing an effective and efficient disaster recovery process and has worked to ensure that all programmatic timelines are formulated to foster success.

Comment 12: HAP pools of funding should be managed on a county by county basis.

Staff Response: HUD determined that the state should administer HAP directly and the GLO proposed regional pooling of funding as the most effective way in which a cohesive regional recovery can be achieved. This approach was outlined in the HUD-approved State of Texas Action Plan.

Comment 13: The GLO is lacking in its Affirmative Marketing Outreach Plan.

Staff Response: Affirmative Marketing and Outreach Plans were developed based on Regional Needs Assessment and public comments received on the Regional Housing Guidelines. These plans will be continuously evaluated and improved as the program progresses. All local partners should continue to communicate with the vendors in the regions to ensure a successful outcome for affected homeowners.

Comment 14: We strongly encourage the GLO to utilize a first come, first serve basis for application approvals. We are also concerned with the length of time it takes to gather documents that are required for program participation

Staff Response: HAP is first-come, first-served, according to income levels and regional priorities as outlined in the Regional Housing Guidelines. GLO recognizes that the collection of

program documents can take time. Application coordinators will be available to work with homeowners throughout the application process. Additionally, the GLO provided a Homeowner Document Checklist which was widely disseminated prior to program launch and is available on GLO's recovery website.

Comment 15: The GLO should use a traditional county needs assessment to get accurate a reliable data.

Staff Response: The Regional Needs Assessment criteria has been outlined for this program and is informed by all available data. GLO encourages the submission of any data relevant to assessing regional needs to GLO and its contracted vendors, and local groups including LTRGs have already provided very valuable information.

Comment 16: State procured and awarded Grant Administrators need to meet and present their recovery operation plans with local government officials.

Staff Response: GLO's contractors established regional offices to provide a local presence and work with local officials to ensure that their affected communities recover efficiently and quickly as possible. In addition, GLO has staff in the field who consistently coordinate and communicate HAP activities and information with local elected officials. The GLO will make progress reports available as the program moves forward.

Comment 17: Distribution of funds should be based on county needs and damage assessments. There should be no regional pooling of funds.

Staff Response: HUD stated that locally-implemented housing recovery programs are not possible from Hurricane Harvey CDBG-DR funds. Therefore, GLO deemed regional damage assessments and the usage of pooled funding to be the most effective method available for an efficient recovery process.

Comment 18: The GLO should work with local groups and not rely solely on state and federal data.

Staff Response: The GLO remains committed to fostering a disaster recovery process that permits localities to tap into its citizenship to determine the most pressing need. Although state and federal data serve as a starting point for programs, it is the input of local citizens that drive the recovery process.

Comment 19: Galveston County disagrees with the GLO and believes that there should be open communications to local government partners regarding any changes to Housing Guidelines.

Staff Response: GLO recognizes the validity of this comment and has staff in the field who consistently coordinate and communicate HAP activities and information with local elected officials. Any substantive changes to the Regional Housing Guidelines will be communicated with the impacted region, and any Substantial Amendments to the Guidelines will be put out for another public comment process.

Comment 20: We believe that the outline for determining the family issuance size should be updated to include all active duty, guard, and reserve service members.

Staff Response: The GLO includes all household members in determining program offerings. The Regional Housing Guidelines provide minimum size of unit based on anticipated household size of all members. This would include members who are active duty, guard and reserve service members.

Comment 21: The plan overall lacks local input as the accelerated timeline leaves little opportunity for meaningful local participation.

Staff Response: The Texas General Land Office is dedicated to ensuring that local communities are consulted during program formation and implementation in compliance with all federal regulations. All outreach and citizen participation plans are outlined in program documents and will continue to be monitored and updated to refine outreach as necessary. The program is anticipated to start in November 2018 and will continue to be administered over the next several years.

Comment 22: The program has not yet started outreach to the public.

Staff Response: Official marketing and outreach to the public will commence when the program is open for applications. Prior to that time, the GLO is dedicated to ensuring that local communities are consulted during program formation and implementation. The GLO and its vendors will conduct widespread marketing and outreach following GLO approval of the AMOP.

Comment 23: The use of a first-come, first-served process for taking applications is unfair to those who lack the resources or ability to apply for themselves.

Staff Response: The GLO is committed to ensuring that recovery occurs as quickly as possible for those affected by Hurricane Harvey. To consider those with barriers to program entry, funding is set aside for households within income brackets and by the priorities detailed in the Regional Housing Guidelines. Applicants will be able to apply according to their needs, whether in person or through a paper application, and the program is designed to provide assistance at all phases of the application process.

Comment 24: One commenter endorsed the comments of Galveston County Recovers, particularly regarding the lack of local input into the outreach plan and lack of processes for the most vulnerable in the community who need the HAP to recover.

Staff Response: The GLO is committed to ensuring that recovery occurs as quickly as possible for those affected by Hurricane Harvey while ensuring that local input is obtained. The program is designed to provide assistance at all phases of the application process, with continued opportunities for local input and partnerships with all stakeholders.

Comment 25: The GLO should add guidelines stating that modular homes cannot be utilized to replace stick-built homes.

Staff Response: GLO did not receive bids from modular home providers during the procurement process for HAP, and therefore modular homes cannot be utilized to replace any homes at this time.

Comment 26: An additional program rule should be added to permit applicants in damaged mobile home units to replace their units with stick-built homes.

Staff Response: GLO did not receive bids from manufactured housing unit providers during the procurement process for HAP, and therefore manufactured housing units cannot be utilized to replace any homes at this time.

Comment 27: Many commenters provided the same or similar comments on the Coastal Bend Region.

Staff Response: GLO provided staff responses to these comments under the Coastal Bend Region.

Houston-Galveston Area Council (HGAC)-West/Lower Colorado Region

Commenters 4, 6, 10

Comment 1: As a concerned citizen, I strongly encourage the GLO make an exception to program eligibility by permitting residents who were not compliant with their National Flood Insurance obligations.

Staff Responses: The Texas General Land Office must, in accordance with applicable federal law, exclude applicants from participation in HAP who have failed to maintain their National Flood Insurance obligation associated with the reception of federal funding for previous recovery activities. Applicants may be eligible for a locally run Buyout or Acquisition program if the home is in a Buyout or Acquisition targeted area.

Comment 2: A resident of Wharton County, with a manufactured housing unit that was damaged in multiple disaster events, indicated they have reached out for assistance and provided applications and supporting documents to several organizations. To date, assistance has not been provided or is insufficient to effect full recovery.

Staff Response: Regional HAP offices will open soon to help affected homeowners with their application for the repair or replacement of their storm damaged home. Applicant coordinators are tasked with assisting applicants through the eligibility process and available to provide the necessary tools assist with the eligibility process.

Comment 3: One commenter provided the same or similar comments on the Coastal Bend Region.

Staff Response: GLO provided staff responses to these comments under the Coastal Bend Region.

South East Texas Region

Commenters 10, 12, 14, 16

Comment 1: Commenter noted that in a prior disaster assistance program, homeowners had the option to rebuild on a lot other than the lot where the damaged structure was located, and the state-administered HAP does not have this option.

Staff Response: The GLO will work to assist affected applicants with unique lot challenges when necessary and may modify house plans so that the home can be rebuilt on the same lot as required. Additionally, the GLO has other programs such as the Homeowner Reimbursement Program and Buyouts or Acquisition Programs that may be available for these homeowners if HAP is not an option.

Comment 2: Commenter suggested approving safety features for HAP applicants, particularly for elderly or disabled households.

Staff Response: The GLO recognizes the validity of this comment and notes that the program can provide reasonable accommodations necessary or requested by program applicants.

Comment 3: Commenter requested the GLO/AECOM's action plan for the employment of LMI income persons in compliance with Subpart A, §135.1(a) and (b), and 135.3 regarding economic opportunity. Specifically, the Commenter asked whether GLO's vendor and sub-recipients will be required to adhere to Section 3, how the plan will be implemented, monitored and outreach conducted. They also requested to know who the GLO Vendor point of contact responsible for Section 3 opportunities.

Staff Response: GLO will monitor vendors for compliance with Section 3 goals to ensure to the greatest extent possible, there are employment and contracting opportunities for low- and very low-income persons. GLO's Section 3 Policy can be found at:

<http://recovery.texas.gov/files/resources/infrastructure/section-3-policy.pdf>.

Comment 4: Commenter inquired on whether AECOM and other vendors will be required to follow the specific HUB utilization goals as prescribed by the GLO, whether the requirement for HUB participation will be executed and monitored, whether the GLO's vendor, sub recipient and contractors will be required to utilize local/regional HUBs, how qualified persons will be notified or informed about HUB participation opportunities. And information on the outreach plan to assure opportunities for HUB engagement, and how will local contractors and builders be informed, involved and utilized.

Staff Response: GLO's vendors entered into partnerships with HUBs during the RFP process for HAP. At that time, Vendors contacted multiple HUBs who have the background and expertise

performing the work required. Commitments have been made to those HUBs, and the companies will be critical in providing support for the work related to the Program. GLO requires all Vendors to adhere to and report monthly on HUB goals. GLO's vendors may update HUP plans if the need arises as the program continues.

Comment 5: Commenter requested information on GLO's communication plan, how the GLO will involve local groups, non-profits and organizations in the HAP program, and how these groups may be involved in contacting potential HAP applicants and the recruitment/selection criteria and process.

Staff Response: GLO and its Vendor are committed to involving local non-profits, long term recovery groups, and Voluntary Organizations Active in Disasters (VOADs) as key stakeholders throughout the life of the program. Stakeholders were involved in the development of the program's Regional Needs Assessment, Regional Housing Guidelines, and program design phase. Stakeholder Program Design meetings were held during October and November 2018 where these groups were encouraged to provide input into the program design. These stakeholders will also be critical in sharing information about HAP with potential applicants. HAP applicants' eligibility is determined by criteria set forth in the Regional Needs Assessments and the State's Action Plan.

Comment 6: Commenter noted that given their past experiences with Hurricane RITA and IKE programs, three years is not long enough to maintain ownership of a new home. There is a concern that many will chose to move or abandon the home, or try to "flip" the home for profit. To help cities maintain a stable population and tax base, the minimum requirement should be raised to at least 7-to-10 years, or on a tiered scale of years based on the amount, type of assistance rendered. Complete rebuilds should be a minimum of 7 to 10; partial rebuilds at least 7 years.

Staff Response: A three-year ownership requirement is standard for Texas' CDBG-DR programs. This timeframe was approved by HUD in the State's Action Plan.

Comment 7: The commenter also wanted to know what happens to properties where the owner dies before the minimum ownership requirement is met. Homeowners and relatives or heirs shouldn't be allowed to "speculate" or advantage themselves by selling a home they don't own, nor have paid for.

Staff Response: Program participants will execute a 3-year deferred forgivable promissory note that will include the process used in the event that the original beneficiary or beneficiaries do not maintain the home as the primary residence for the duration of the agreement. In the event of the death of the applicant and co-applicant (if applicable), GLO may forgive any remaining loan balance. However, only LMI persons may occupy the assisted housing unit until the term of the note expires.

Comment 8: One comment was received regarding why applications are taken on a "first come/first served" basis. Help should be based on the need of the owner based on the amount of damage, and "special needs populations" given priority.

Staff Response: GLO and its Vendor have developed an Affirmative Fair Marketing and Outreach Plan. This plan outlines how vulnerable and “hard-to-reach” populations will be targeted for special outreach to ensure that these populations are aware of the program and have the opportunity to apply.

Comment 9: One commenter provided the same or similar comments on the Coastal Bend Region.

Staff Response: GLO provided staff responses to these comments under the Coastal Bend Region.

Deep East Texas Region

Commenter 10

Comment 1: One commenter provided the same or similar comments on the Coastal Bend Region.

Staff Response: GLO provided staff responses to these comments under the Coastal Bend Region.