

Appendix A: Draft Amendment to the 2015-2016 Annual Action Plan Public Comments and Agency Responses

The draft of the Amendment to the 2015-2016 Annual Action Plan was made available on March 3, 2016 for a 30 day public comment period ending April 4, 2016. Once the public comment period ended a record of the public hearing transcript was made available at the website below. These comments were considered and responses provided in Appendix A of this document.

After the release of the draft Amendment to the 2015-2016 Annual Action Plan, Commerce received public comments beginning March 3, 2016 for a 30 day public comment period ending April 4, 2016. All comments received were recorded in this appendix and responses provided before final submission to HUD. This appendix is available at the website below.

<http://commerce.mt.gov/conplan/documents>

Summary of Comments Received on the Amendment to the 2015-2016 Annual Action Plan

Homeward, Inc.

Heather McMilin, Housing Development Director

Comment #1:

We appreciate being provided copies of the plans with the changes highlighted for review. And I will say, too, I love that you guys went through on the Webinar and pointed out the areas of change

Agency Response:

Thank you. In an effort to clearly identify proposed edits to the 2015-2016 Annual Action Plan Amendment, Commerce used a strikethrough (for deleted language) and underline (for added language) technique to assist those reading the proposed amendment.

Comment #2:

We support the changes to the removal of the cap regarding competitive HOME requests. The project underwriting and ability to meet HOME goals are good evaluation criteria for the amount of subsidy that can be requested.

Agency Response:

Thank you for your comment.

Cascade County

Joe Briggs, Cascade County Commission Chairman

Jane Weber, Cascade County Commissioner

Jim Larson, Cascade County Commissioner

Comment #3:

We support the proposed amendment to the Annual Action Plan allowing more flexibility regarding lead paint inspections in homes built prior to 1980. The proposed change will permit more homes for potential HOME assisted financing.

Agency Response:

Thank you for your comment.

GL Development

Gene Leuwer

Comment #4:

I support your effort to remove the current maximum amount limit from HOME grants.

Agency Response:

Thank you for your comment.

AWARE, Inc.

Michael O'Neil

Comment #5:

We appreciate the response of the HOME program in relation to the lead-based paint issue. Lead-based paint is a major concern of all of us, as it should be. The current rules as it relates to homebuyer assistance in terms of visual inspection or the previous rule which is now being readopted or...whatever we're doing there, but allowing us to just do visual inspections is very important.

One thing I would encourage is that – I'm very familiar with the EPA lead-safe rules, and I find, in trying to get it implemented, that in these rules is a requirement for any renovation, not just federally assisted housing, but any renovation on housing older than 1978 or in child care facilities, that the contractor be certified lead-safe. And when you go out trying to find contractors, who are doing renovations all over the state, it's rare to find one that says that they're lead-safe. And so I would encourage that inter-departmental and cross-departmental efforts be made with the Department of Labor on the building trades folks to encourage greater compliance with that. I think that will get more bang for our buck there. Maybe even sponsoring some of the training, certifications, so contractors will have that in place.

I think that's the remainder of my remarks. But I'll take a chance to continue reading through the documents at my leisure and reserve the right to submit some public comment. Thank you for allowing my testimony.

Agency Response:

Thank you for your comment. The Department of Commerce will help facilitate coordinated training and information sharing to better assist grantees with regulatory compliance with lead-based paint.

NeighborWorks Montana

Maureen Rude, Executive Director

Comment #6:

My second comment is also reflected in Michael's comments, but that is, in both the Amendment and the Action Plan, there's a limit of \$30,000 per unit. We encourage that limit to be raised. Right now, we do \$25,000 and then \$40,000 in high-cost areas or for households with a family member with a disability. And we don't go up to that limit unless we need to, because we do our calculations, and we only give them the amount that they need. So maybe similar to what you're doing in terms of how much entities can apply for, maybe rather than having a hard limit, it's about serving them with how much they really need in order to achieve home ownership rather than having a dollar limit. So I urge you to consider that.

Agency Response:

Thank you for your second comment, your first comment is addressed in the 2016 Annual Action Plan public comments appendix.

The Department has modified the 2015 Annual Action Plan to allow a maximum of \$40,000 per household benefit as allowed by HOME regulations and according to income calculations. The Department has proposed an alternative to the 2016 Annual Action Plan to allow greater flexibility in the HOME program regulations regarding the "no ceiling" on the per household maximum benefit for the homebuyer assistance.

Comment #7:

And then lastly, I want to comment in a positive manner about the changes made in the Amendment on the lead-based paint. We've had a lot of heartache over that and a lot of discussion. But I also think there's some opportunity there, perhaps, in working with some other entities, including a private contractor who is willing to work with us on some kind of application to the EPA or some other entity to try to obtain some funding to pay for that testing, and they're willing to reduce their charges for doing the testing. And I think that there is some opportunities to work with the private sector on that.

Agency Response:

Thank you for your comment. The Department of Commerce will help facilitate coordinated training and information sharing to better assist grantees with regulatory compliance with lead-based paint.

**District IX Human Rights Development Council
Tracy Menez, Community Development Director**

Comment #8:

We're supportive of the amendments on the lead-based paint and, you know, all the comments that have been made on lead-based paint. We've been very supportive.

Agency Response:

Thank you for your comment.

**District XI Human Rights Council
Ruth Burke, Financial Officer**

Comment #9:

We support the changes to the lead-based paint requirement and the removal of the cap of \$750,000.

Agency Response:

Thank you for your comment.