



# California Department of Housing and Community Development

**Community Development Block Grant-  
Disaster Recovery  
2020/2021 Action Plan –Amendment 4**

**Non-Substantial Amendment Effective date:  
August 30, 2024.**



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### I. Background and Summary of Changes

On February 3, 2022, the U.S. Department of Housing and Urban Development (HUD) allocated \$231,203,000 in Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to the State of California to support California’s unmet recovery needs related to the Federal Emergency Management Agency (FEMA) Major Disaster Declarations DR-4558 and DR-4569 through the publication of the Federal Register, Vol. 87, No. 23, February 3, 2022 ([87 FR 6364](#)). This allocation was made available through Public Law 117-43.

Additionally, under the authority of Public Law 117-43, HUD announced on May 24, 2022, through Federal Register publication [87 FR 31636](#), California would be receiving \$14,761,000 in CDBG-DR funding for the 2021 disaster, FEMA DR-4610. Then, subsequently, on November 30, 2022, HUD announced through a press release: HUD Announces \$1.447 Billion for 2021 Disaster Recovery and Mitigation | HUD.gov / U.S. Department of Housing and Urban Development (HUD), that California would be receiving an additional \$9,647,000 in CDBG-DR funding for DR-4610, for a total allocation of \$24,408,000. This additional funding is officially authorized through the January 18, 2023, Federal Register publication [88 FR 3198](#).

The California Department of Housing and Community Development (HCD) manages CDBG-DR funds in accordance with the goals and objectives set forth in the state’s initial HUD-approved Action Plan for 2020 and 2021 disasters (“2020 and 2021 DR-Action Plan”).

This is a non-substantial Action Plan Amendment (APA 4) that proposes changes to the Disaster Recovery Multi-Family Housing Program as follows.

- **Disaster Recovery Multifamily Housing Program (DR-MHP):** Language in the DR-MHP program is being added to provide update to the Prioritization Criteria and Program Affordability Period for tribal access and participation for the Multifamily Housing Program by adding the Assembly Bill (AB) 1010 Waivers to address barriers to access by modifying or waiving certain HCD program requirements through the California Indian Assistance Program (CIAP).

## II. Action Plan Amendments

Text updates inserted made in the context of the section within the action plan are listed below.

### A. List of Changes

#### 1. 2.4.7 Relevant State Laws and Programs (Page 123)

##### California State Laws

**Add: Assembly Bill (AB) 1010** (2019), Garcia. Housing programs: eligible entities.

This legislation directs HCD, to meaningfully address tribal access and participation in HCD funding programs. AB 1010<sup>1</sup> expands the definitions of “local public entities” and “non-profits” used by our funding programs to include tribal entities, clarifying tribal access to vital housing resources. It also grants HCD's Director or Designee the ability to address barriers to access by modifying or waiving certain HCD program requirements. This an important authority because Tribal Nations have varying government structures and requirements that HCD standard practices may not initially accommodate.

#### 2. 5. Program Details

##### 5.2 2020 Multifamily Housing Program – (Pages 212-213 of APA 3)

##### How Program will Promote Housing for Vulnerable Populations

###### *Prioritization Criteria*

HCD’s multifamily Universal Scoring Criteria awards points to applications that include units serving special needs populations, including one or more of the following groups who need Supportive Services to maintain and stabilize their housing: (1) people with disabilities; (2) At Risk of Homelessness, as defined in 24 CFR Part 578.3; (3) individuals with substance use disorders; (4) frequent users of public health or mental health services, as identified by a public health or mental health agency; (5) individuals who are fleeing domestic violence, sexual assault, and human trafficking; (6) individuals who are experiencing Homelessness and individuals experiencing Chronic Homelessness as defined under the federal Continuum of Care Program at 24 CFR Part 578.3; (7) homeless youth as defined in Government Code Section 12957, subdivision (e)(2); (8) families in the child welfare system for whom the absence of housing is a barrier to family reunification, as certified by a county; (9) individuals exiting from institutional settings or at risk of placement in an institutional setting; (10) Older Adults in Need of Supportive Services; or (11) other specific groups with unique housing needs as determined by the Department.

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<sup>1</sup> Assembly Bill No. 1010: Eduardo Garcia/; Housing programs: eligible entities:  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200AB1010](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1010)

STATE OF CALIFORNIA 2020/21 CDBG-DR ACTION PLAN  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**ADD: AB 1010 Waivers for Tribal Entities**

AB 1010 (HSC 50406(p)) allows HCD to modify state financing requirements to ensure program compatibility when provisions of tribal law, tribal governance, tribal charter, or difference in tribal entity or agency legal structure would cause a violation or not satisfy the requirements of any state financing. AB 1010 also allows HCD to waive state financing requirements to avoid an unnecessary administrative burden when provisions of tribal law, tribal governance, tribal charter, or difference in tribal entity legal structure or agency create minor inconsistencies with state financing requirements. Tribal Entities are encouraged to submit AB 1010 requests if provisions of tribal law, tribal governance, tribal charter, or difference in tribal entity or agency legal structure would cause the Tribal Entity to fail to satisfy any of the requirements set forth in the Program NOFA or any of the rules, standards, or criteria set forth in the DR-MHP Policies and Procedures.

**Program Affordability Period**

New construction, rehabilitation, or reconstruction of rental projects with more than five (5) units shall be deed restricted by a Regulatory Agreement for a minimum affordability period of 55 years.

**ADD:** affordability period of 50 years for tribal entities.