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# PRINCE GEORGE'S COUNTY ANNUAL ACTION PLAN, AS AMENDED FISCAL YEAR 2022 (FFY 2021) – DRAFT



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**Prince George’s County, Maryland**

**FY 2022 Annual Action Plan for  
Housing and Community Development**

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## The Process

### AP-05 Executive Summary – 24 CFR 91.200 (c), 91.200(b)

#### Introduction

Prince George’s County is qualified as an urban county entitled to receive grant funds from four (4) federal programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). Entitlement funds are appropriated by the U.S. Congress each year and distributed on a formula basis to local jurisdictions.

The Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, require the submission of a Consolidated Plan to undertake a program and activities to meet housing and community development needs and priorities principally for low to moderate-income residents.

On March 2016, the Prince George’s County Council adopted a Resolution, CR-13-2016, to establish a Comprehensive Housing Strategy (CHS) Ad Hoc Subcommittee to develop a Comprehensive Housing Strategy (CHS) for the County, *Housing Opportunity for All*<sup>1</sup>. Decent housing, suitable living and economic opportunities, plays a pivotal role in the County’s future and *Housing Opportunity for All* provides a roadmap to addressing a variety of County-wide and neighborhood-specific housing conditions, with communities of choice and opportunity as drivers of the County’s strategic direction.

Prince George’s County’s Consolidated Plan for FY 2021 – 2025<sup>2</sup> builds on the analysis presented in *Housing Opportunity for All*, the County’s first 10-year CHS, and directly supports implementation of more than seventeen (17) actions from the CHS. The FY 2022 Annual Action Plan supports Prince George’s County’s implementation of the FY 2021-2025 Consolidated Plan by leveraging the annual allocations of CDBG, HOME, ESG, and HOPWA entitlement fund resources to develop viable communities of choice. To ensure long-term sustainable investment, the County has established a strategic approach that supports implementation of *Housing Opportunity for All*, with intersections for broader community development goals.

#### Objectives and Outcomes Identified in the Annual Action Plan

In developing the FY 2022 Annual Action Plan, the County focused on how to use over \$36 million in federal funds and financing to achieve outcomes articulated in *Housing Opportunity for All*, among other local and regional planning efforts. The table below shows four (4) outcomes that will be achieved by addressing the six (6) priority needs identified in the County’s Consolidated Plan for FY 2021 – 2025 Consolidated Plan and to implement the actions detailed in *Housing Opportunity for All*.

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<sup>1</sup> <https://www.princegeorgescountymd.gov/2803/Comprehensive-Housing-Strategy>

<sup>2</sup> <https://www.princegeorgescountymd.gov/1039/Plans-Reports>

**Table 1 – Objectives and Outcomes**

Priority need	Anticipated outcomes			
	Expanded partnerships and capacity	Increased access to jobs, goods, and services	Additional supports for vulnerable residents	Increased housing stability
Connections between residents and businesses to services	●	●	●	-
Accessible homes and facilities	●	-	●	●
Affordable rental and homeownership opportunities	●	●	●	●
Quality/condition of housing	●	●	●	-
Housing instability among residents experiencing a housing crisis		-	●	●
Loss of existing affordable housing opportunities	●	-	-	●

Source: FY 2021 – 2025 Consolidated Plan for Housing and Community Development

The County is leveraging two additional tools to supported related goals and strategies:

- The Section 108 Loan Guarantee Program (Section 108) provides CDBG recipients with the ability to leverage their annual grant allocation to access low-cost, flexible financing for catalytic housing and/or economic development projects. Through this financing mechanism, Prince George’s County can access up to \$25 million in fixed-rate, long-term financing to support acquisition, rehabilitation for mixed-use and mixed-income housing, and catalytic economic development projects.<sup>3</sup>
- Neighborhood Revitalization Strategy Area (NRSA) is a designation under the CDBG program that encourages a coordinated approach to revitalizing a targeted neighborhood through comprehensive place-based efforts, leveraging additional flexibilities under the CDBG program. This targeted approach supports public services, economic development and housing rehabilitation activities. Potential target areas may include the Purple Line and Blue Line Corridors.

<sup>3</sup> The County has five years to expend its Section 108 authorization; figure represents maximum amount.

### **Response to Coronavirus Disease 2019 (COVID-19) Pandemic**

As part of the County's response to the Coronavirus Disease 2019 (COVID-19) pandemic, the County will leverage COVID Relief funding made available under the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) (CARES Act) and program income to support broader emergency rental assistance activities and provide funding for non-profit service providers to expand foreclosure counseling, housing counseling, eviction prevention, food pantry, as well as other activities. Priority activities may include:

- Emergency Rental Assistance;
- Mortgage Assistance/Foreclosure Prevention Counseling;
- Supportive Services for Seniors; Food Pantry and Service Delivery to Seniors (countywide); and
- Emergency Assistance for Families.

### **Evaluation of Past Performance**

The Federal Fiscal Year 2019 (County FY 2020) Consolidated Performance and Evaluation Report (CAPER)<sup>4</sup> highlights the Department of Housing and Community Development's (DHCD's) achievements in providing decent housing, suitable living environments, and expanding economic opportunities for low to moderate-income residents. The following provides a summary of accomplishments in meeting outlined goals.

- **Goal:** To increase access to affordable owner housing for 470 low and moderate-income households by FY 2020. In FY 2020, the County assisted 23 new households. To date, the County has met 39 percent of its five-year goal by serving 183 households.
- **Goal:** To increase supply of new, affordable rental housing for 75 low and moderate-income households by FY 2020. To date, the County has met 95 percent of its five-year goal by serving a total of 71 renters.
- **Goal:** To preserve existing affordable rental housing for 1,305 low and moderate-income households by FY 2020. To date, the County assisted 645 renters; meeting 49 percent of its five-year goal.
- **Goal:** To provide housing and supportive services for 1,455 families at risk of homelessness by FY 2020. To date, the County has met 47 percent of its five-year goal by serving 686 individuals/families.
- **Goal:** To provide housing, healthcare and support services for 925 individuals living with HIV/AIDS and their families by 2020. To date, the District of Columbia, Department of Health, HIV/AIDS Administration, Hepatitis, STD and TB Administration (HAHSTA) has met 77 percent of the County's goal by assisting 708 individuals living with HIV/AIDS and their families.
- **Goal:** To provide job training and economic development assistance for 795 low and

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<sup>4</sup> <https://www.princegeorgescountymd.gov/1039/Plans-Reports>

moderate-income individuals and 635 business by 2020. To date, the County has created and/or retained 873 jobs and assisted 155 businesses.

- **Goal:** To provide new and/or improved public services for 84,575 low and moderate-income persons by 2020. To date, the County has met 50 percent of its five-year goal by assisting 42,879 individuals.
- **Goal:** To provide rehab of owner-occupied housing for 250 low and moderate-income households by 2020. To date, the County has met 123 percent of its five-year goal by assisting 307 households.
- **Goal:** To provide new and/or improved public facilities and infrastructure for 183,830 low and moderate-income persons by 2020. To date, the County has met 71 percent of its five-year goal by assisting 131,315 individuals.

### **Summary of the Citizen Participation Process and Consultation Process**

The County's citizen participation process plan is largely centered on community forums, public hearings, and public comment periods.

The FY 2022 Annual Action Plan was developed in accordance with the Prince George's County's "Citizen Participation Plan". See Appendix A. Residents, nonprofit organizations, municipalities, and County agencies express their concerns, seek additional County resources and provide suggestions or solutions to address housing and community development needs.

The primary goals for the citizen participation process are:

- To solicit viewpoints and concerns affected by the Consolidated Plan, Annual Action Plan or Consolidated Annual Performance and Evaluation Report;
- To invite participation by persons interested in helping identify needs and develop applicable strategies;
- To collect data that accurately describes and quantifies housing and community development needs and to suggest workable solutions;
- To obtain comments on proposals for allocating resources; and
- To ensure citizens have an opportunity to participate throughout the planning process.

### **Public Notice and Availability**

Prince George's County publishes in one or more newspapers a summary of the proposed Annual Action Plan for public comment. The summary describes the context and purpose of these documents, and sites the locations where copies of the entire document may be examined. Copies are available at government offices, libraries, on the County's website, and by mail upon request.

A reasonable number of free copies of the proposed Annual Action Plan are made available for citizens and groups of interest upon request. When proposed versions of the Annual Action

Plan are released for comment, they are made available for comment for not less than 30 days.

The final or amended Annual Action Plan is distributed upon request and to those actively involved in developing these documents. Copies are provided to the local libraries and posted on the County's website.

### **Public Hearing**

Prince George's County holds at least two public hearings on the Annual Action Plan. DHCD sponsors an informal public hearing, the Housing and Community Development Needs Community Forum, at the beginning of the Annual Action Plan development process. The Forum gives citizens an opportunity to identify and describe needs for consideration, and to provide the scope, urgency and financing requirements for proposals to address those needs. The County Council schedules the second, formal public hearing at the time a proposed Plan is transmitted from the County Executive to them for consideration and adoption.

The time, date, location and subject of the hearings are announced in newspapers of general circulation within the County, notifying the public with adequate advanced notice, typically no less than fourteen (14) days before the hearing. Hearings are held at handicap-accessible sites, convenient to potential and actual beneficiaries. The advertisements include TTY phone numbers so hearing-impaired people can arrange for interpreters at the hearing. Those who need sign language interpretation are requested to contact the Department of Housing and Community Development at the phone number in the notice. Non-English speakers can also plan for language translation provided courtesy of a CDBG- supported, nonprofit organization. Interpreted comments are incorporated within the Annual Action Plan as appropriate.

### **Comments and Complaints**

Comments and complaints regarding the Annual Action Plan are accepted through all stages of document preparation until the closing of the formal comment period. Written complaints and comments are referred to the Department of Housing and Community Development (DHCD). DHCD responds to written complaints within 30 days.

### **Consultations**

The Department of Housing and Community consults with County departments, community stakeholders, and beneficiaries of entitlement programs to introduce and develop the priorities and strategies contained within the FY 2022 Annual Action Plan.

Face-to-face and phone interviews are conducted with agencies as listed below providing health services and social and housing services, including those focusing on services to children,

elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons.

**PR-05 Lead and Responsible Agencies – 24 CFR 91.200(b)**

The Department of Housing and Community Development (DHCD) is the lead agency responsible for the administration of federal entitlement programs on behalf of HUD – including CDBG and HOME. DHCD subcontracts with Prince George’s County Department of Social Services (DSS) to implement the ESG program. The HOPWA program is administered by the District of Columbia, Department of Health, HIV/AIDS Administration, Hepatitis, STD and TB Administration (HAHSTA) on behalf of the Washington, D.C. Eligible Metropolitan Area (EMA) and submits an Annual Action Plan to HUD each year to receive HOPWA funds for Prince George’s County. In addition to administering the programs, DHCD is responsible for the preparation of the Consolidated Plans, Annual Action Plans (AAPs), and Consolidated Annual Performance and Evaluation Reports (CAPERs).

**Table 2 – Responsible Agencies**

Agency Role	Name	Department/Agency
Community Development Block Grant (CDBG) Administrator	Prince George's County	Department of Housing and Community Development
HOME Investment Partnerships (HOME) Administrator	Prince George's County	Department of Housing and Community Development
Emergency Solutions Grants (ESG) Administrator	Prince George's County	Department of Social Services
Housing Opportunities for Persons with AIDS (HOPWA) Administrator	Washington D.C.	D.C. Department of Health

**Annual Action Plan Public Contact Information**

Questions or comments regarding the 2022 Annual Action Plan may be directed to:

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#### **AP-10 Consultation – 24 CFR 91.100(b), 91.215(I)**

##### **Overview**

DHCD launched a comprehensive and collaborative effort to consult with County departments, community stakeholders, and beneficiaries of entitlement programs to introduce and develop the priorities and strategies contained within the FY 2022 Annual Action Plan. The County utilized the Citizen Participation Plan to facilitate outreach to public and assisted housing providers, private and governmental health, mental health and service agencies, and stakeholders that utilize funding for eligible activities, projects and programs.

Face-to-face and phone interviews were conducted with agencies as listed below providing health services and social and housing services, including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons.

- Department of Social Services
- Housing Authority of Prince George's County
- District of Columbia Department of Health, HIV/AIDS Administration
- Redevelopment Authority of Prince George's County

##### **Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness**

Prince George's County's Continuum of Care (CoC) has more than 100 partners comprised of public, private, non-profit, faith and citizen representatives. Its services are provided through a combination of street outreach, prevention, diversion, rapid re-housing, hypothermia and emergency shelter, transitional housing, permanent supportive housing and permanent housing interventions. All CoC services are coordinated through a central intake system (the "Homeless Hotline") which is accessible 24 hours, 7 days a week, and 365 days a year.

In 1994, the Homeless Advisory Board was renamed the Homeless Services Partnership (HSP) and became the official advisory body to the County Executive. HSP's primary purpose is to identify gaps in homeless services, establish funding priorities, and pursue an overall systematic approach to address homelessness. HSP is responsible for implementing the County's Ten-Year Plan to Prevent and End Homelessness (2012 – 2021), which began in Prince George's County's Fiscal Year 2013.

The County's Ten-Year Plan to Prevent and End Homelessness is based upon six core strategies:

1. Coordinated entry;
2. Prevention assistance;
3. Shelter diversion;
4. Rapid re-housing;
5. Permanent supportive housing; and
6. Improved data and outcome measures.

The Plan also addresses housing for the County's special needs populations including the chronically homeless, unaccompanied homeless youth, veterans, and domestic violence survivors, as well as incorporating the 2009 federal legislation in the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act.

**Describe consultation with the Continuum of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS**

Through the Consolidated Plan process, the Prince George's County Department of Social Services was instrumental in collecting necessary data and in working with the CoCs.

The Prince George's County Continuum of Care (CoC) for homeless persons is coordinated through the County's Homeless Services Partnership (HSP); a coalition of more than 100 organizations inclusive of representation from the Department of Housing and Community Development (DHCD) and the Housing Authority of Prince George's County (HAPGC) that meets monthly and works collaboratively to establish strategic priorities, assess progress, and oversee full implementation of the County's Plan to prevent and end homelessness. The HSP serves as the County Executive's advisory board on homelessness and is responsible for needs assessments, gaps analysis, service coordination, resource development, policies and procedures for access, data collection (HMIS) and system performance evaluation of all homeless services.

DHCD frequently presents at HSP meetings and solicits feedback and guidance from its membership regarding County housing priorities, including but not limited to: the development and implementation of the 5 year Consolidated Plan, annual ESG allocations, home ownership and other housing grant opportunities, Family Unification Program (FUP) and other subsidized voucher policies, and predatory lending practices. In addition, as a member of the HSP, DHCD actively participated in development of the County's 10-year Plan to Prevent and End Homelessness and is currently involved in its last year of implementation. The strategies are carefully designed to achieve purposeful and intentional reduction in the incidents of homelessness and collectively they form a plan that aligns County efforts with federal goals, shifts system focus from "shelter" to "housing", prioritizes programming for special populations, enhances system accountability, builds on current success, and provides new flexibility and opportunity. Funding priorities for on-going services are determined using several factors: (1) Priority areas identified in the County's Ten Year Plan, (2) Alignment with the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) and ESG regulations, (3) Level of need documented in HMIS (annual CAPER report), and (4) Funds currently available for similarly situated activities.

Policies, procedures, and performance measurements used by the County in the administration of ESG and other housing program activities impacting the effort to prevent, and end homelessness have been developed by DHCD in partnership with the HSP and the local Department of Social Services (PGCDSS.) PGCDSS serves as the Lead Administering Agency for the CoC to ensure alignment with the County's 10-Year Plan and Section 427 of the McKinney-Vento Act as amended by the HEARTH Act. Performance measures are universal across all members of the Continuum of Care, thereby ensuring that all members are working toward the same goals. Different program types (i.e. ES, TH, RRH, and Outreach) have different performance benchmarks but the goals for all programs are the same and are informed by HUD identified system performance measures. All efforts are routinely coordinated and reviewed to ensure:

1. Consistent evaluation of individual and family eligibility for assistance in accordance with the definitions of homeless and at risk of homelessness (24 C.F.R. § 576.2) as well as with recordkeeping requirements;
2. Coordinated and integrated service delivery among all impacted providers;
3. Clear and distinct eligibility requirements in place for homelessness prevention versus rapid re-housing assistance;
4. Single mechanism for prioritizing applicants who are eligible for assistance;
5. Matrix that identifies what percentage and / or amount (or range thereof) each participant must pay, if any, while receiving assistance, how long a single participant may receive assistance (including maximum number of months or times a participant may receive assistance), and adjustments in percentage and / or amount (or range thereof) the participant must pay (including the maximum amount of assistance a participant may receive), if any; and

6. Compliance with all rules and regulations.

Finally, PGCDSS serves as the County’s HMIS Lead Agency and is responsible for hosting and maintaining all HMIS data, ensuring data quality, reporting, training, technical user support, custom report design, and other HMIS data activities. The HMIS Policy and Procedures Manual cover general operational protocols and privacy, security and data quality; and policies are updated annually by the HMIS lead. Significant changes are discussed with the CoC membership during regular plenary sessions and implemented uniformly system wide.

**Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities**

Throughout the process, several groups, organizations, agencies and residents were involved. The list below outlines the different organizations and agencies involved in this process.

**Table 3 – Agencies, groups, organizations who participated**

Agency/Organization	
Department of Social Services	Homeless Needs
Housing Authority of Prince George’s County	Public Housing Needs and Non-Homeless Special Needs
Redevelopment Authority of Prince George’s County	Housing and Economic Development Needs
District of Columbia Department of Health	Non-homeless Special Needs
DHCD – Community Planning and Development	Housing and Non-housing Community Development Needs and Resources

**Table 4 – Other local / regional / federal planning efforts**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Housing Opportunity for All	DHCD	HOFA provided the strategic framework for the development of the Consolidated Plan
Plan 2035	MNCPPC	Priorities in the Consolidated Plan support Plan 2035 goals
Purple Line Corridor Housing Action Plan	PLCC	Actions presented in this plan will inform housing investments in the PLC

### **AP-12 Participation – 24 CFR 91.105, 91.200(c)**

HUD requires entitlement jurisdictions to provide for citizen participation in developing the Annual Action Plan. The County's citizen participation process plan is largely centered on community forums, public hearings, and public comment periods.

#### **Public Hearings/Community Forums**

To encourage citizen participation Annual Action Plan process, the County holds at least two (2) public hearings (informal and formal) each year. The public hearings provide an opportunity for all Prince George's County residents, non-profit organizations, and other community stakeholders to communicate their views and needs to the County.

A community forum was held during the development of the Annual Action Plan on January 14, 2021 in a virtual platform. The purpose of the forum is to give citizens an opportunity to address housing and community development needs, the development process for proposed activities, and program performances.

A public hearing will be held in a virtual platform on April 12, 2021. This public hearing will solicit public comments on the Annual Action Plan.

#### **Technical Assistance Workshops**

Prince George's County makes technical assistance available to participating municipalities, nonprofit organizations, community groups, special interest groups and citizens developing proposals for Community Development Block Grant funding. DHCD's Community Planning and Development Division (CPD) can assist with needs identification, proposal concept development, budget development, underwriting and feedback, and general project and financial management. Technical assistance can be arranged by contacting CPD at (301) 883-5540.

DHCD held three (3) Community Development Block Grant (CDBG) technical assistance sessions/workshops in a virtual platform, as listed below:

- Notice of Funding Availability (NOFA) Application/Proposal Workshop – October 22, 2020
- Two (2) Sub-recipient Workshops – Session I: October 13, 2020 and Session II: October 14, 2020
- Technical Assistance and Pre-construction virtual meetings were held with Sub-recipients and Contractors to review information including, but not limited to: Labor Standards, Davis-Bacon Wage Rate, Section 3 businesses and employment opportunities, Minority Business Enterprise (MBE) Participation, Equal Employment Opportunity Commission (EEOC) and the Copeland Act, as required by federal rules governing the specific activity.

**Public Notices**

Public notices were published at least 14 days prior to the public hearings in two (2) local newspapers, Enquirer Gazette, and Prince George's Post. A Spanish version of the public notice was also posted on the Prince George's County Department of Housing and Community Development's website.

In addition to the public notices published in two (2) local newspapers, email notifications were sent to the County's network of service delivery providers inviting them to attend. Those included network providers that provide services to LMI persons, minorities, non-English speaking persons and persons with disabilities.

The proposed FY 2022 Annual Action Plan was posted on the County's website, distributed to organizations that provide services to LMI persons and areas, provided upon request.

As referenced above, a copy of the FY 2022 Annual Action Plan was made available at the Department of Housing and Community Development (DHCD) at 9200 Basil Court, Suite 500, Largo, Maryland 20774, the County's website at:

[www.princegeorgescountymd.gov/sites/dhcd/resources/plansandreports/](http://www.princegeorgescountymd.gov/sites/dhcd/resources/plansandreports/), or was made available upon request.

**Public Comments**

A comment period of no less than 30-days will be provided for citizens and other interested parties to solicit comments on the proposed Consolidated and Annual Action Plans. The 30-day comment period begin in March 2021. Prior to submitting the final Annual Action Plan to HUD, the County gave consideration, incorporated necessary changes and provided responses to the comments received during the public comment period. A summary of public comments can be found in Appendix G.

## **Annual Action Plan**

### **AP-15 Expected Resources – 24 CFR 91.220(c)(1,2)**

Prince George’s County is submitting this FY 2022 Annual Action Plan as the second annual action plan under the FY 2021-2025 Consolidated Plan period in accordance with Consolidated Plan regulations found at §92.220. An annual Action Plan is required by the U.S. Department of Housing and Urban Development (HUD) from all jurisdictions receiving annual entitlements of formula grants. This summary provides an overview of the goals and objectives during the FY 2021-2025 Action Plan year, including available and potential resources, funding priorities and projects, and various HUD-funded program information. The County anticipates receiving the following HUD entitlement grants during the FY 2021-2022 program year:

- Community Development Block Grant (CDBG);
- HOME Investment Partnerships Program (HOME);
- Emergency Solutions Grants (ESG); and
- Housing Opportunity for Persons with AIDS (HOPWA)

The Annual Action Plan for FY 2022 details the County’s strategy to use over \$36 million of federal entitlement funds to address the six (6) priority needs and four (4) outcomes. In addition to federal entitlement funds, the County is applying for Section 108 Loan Guarantee Funds to establish a loan pool and will leverage our locally funded Housing Investment Trust Funded (HITF) to support development efforts throughout the County. The District of Columbia, Department of Health, HIV/AIDS Administration, Hepatitis, STD and TB Administration (HAHSTA) is the Regional Grantee on behalf of the Washington, D.C. Eligible Metropolitan Area (EMA) and submits an Annual Action Plan to HUD each year to receive HOPWA funds for Prince George’s County.

This Annual Action Plan outlines activities that will be undertaken during the program year beginning July 1, 2021 and ending June 30, 2022. By addressing these priorities, the County strives to meet local objectives identified in the 2021-2025 Consolidated Plan. All proposed activities and projects are intended to principally benefit citizens of Prince George’s County who have extremely low-, low-, and moderate-incomes and populations that have special needs, such as the homeless, elderly, disabled persons, and other special needs populations.

### **Expected Resources**

The following table identifies the entitlement allocations and program income anticipated to address priority needs, goals and specific objectives during for FY 2022.

**Table 5 – Expected Resources**

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 5				Expected Amount Available Remainder of Con Plan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
<b>CDBG</b>	public-federal	Acquisition Admin and Planning Housing Economic Development Public Improvements Public Services	\$5,206,526	\$344,311	-	\$5,550,834	\$16,445,754	The expected amount available for all years is based on a three-year average of prior federal allocations and Program Income
<b>HOME</b>	public-federal	Acquisition Homebuyer Assistance Homeowner Rehabilitation Multifamily Rental Rehab	\$2,094,756	\$1,072,095	-	\$3,166,851	\$12,363,411	The expected amount available for all years is based on a three-year average of prior federal allocations and Program Income
<b>ESG</b>	public-federal	Rapid Re-housing Rental Assistance Transitional Housing	\$440,276	-	-	\$440,276	\$1,324,140	The expected amount available for all years is based on a three-year average of prior federal allocations.

**Leverage from additional resources (private, state and local funds) including matching requirements:**

Community Development Block Grant (Dollar-for-Dollar Match) – The CDBG Program operates on a reimbursement basis. The prospective applicant uses CDBG funds as leverage when seeking other funding sources in efforts to successfully carry out their project. CDBG funds are leveraged dollar-for-dollar.

HOME Investment Partnerships Program (25% Match Requirement) - The County uses multi-family bond proceeds, State funds, and waivers and/or deferment of State and local taxes, charges or fees, as contributions to housing total development costs pursuant to matching requirements.

Emergency Solutions Grants Program (100% Match Requirement) - The ESG Program requires the County to provide a match of not less than 100 percent of the ESG funds. Other funds include Local (General Funds), State (Emergency & Transitional Housing Services), Department of Family Services Special Funds, and private funds.

Neighborhood Stabilization Program (NSP) – Upon approval from the U.S. Department of Housing and Urban Development (HUD), DHCD may convert any program income received from the NSP1 program to Community Development Block Grant (CDBG) program income.

Response to COVID-19 Pandemic - The Coronavirus Aid, Relief, and Economic Security (CARES) Act provides for payments to governments navigating the impact of COVID-19.

- Coronavirus Relief Fund (CRF) – During FY 2021, the Department of Housing and Community Development (DHCD) will receive \$27 million in Coronavirus Relief Funds (CRF) to provide economic support to tenants suffering from income loss due to the pandemic.
- Community Development Block Grant – COVID (CDBG-CV) – During FY 2021, DHCD was awarded \$7,123,178 in CDBG-CV funds. DHCD plans to use the funds in FY 2021 and FY 2022 to provide emergency rental assistance, health care, housing counseling, street outreach and emergency food distribution benefitting primarily low to moderate-income individuals and families impacted by the pandemic.
- Emergency Solutions Grants – COVID (ESG-CV) – During FY 2021, DHCD was awarded \$6,468,822 in ESG-CV funds. DHCD plans to use the funds in FY 2021 and FY 2022 to provide emergency shelter, street outreach, rapid re-housing (tenant-based rental assistance) for homeless individuals and families and homeless prevent (tenant-based rental assistance) for individuals and families at risk of homelessness impacted by the pandemic.

## **Other Resources:**

Other CDBG Resource: Section 108 – The County is applying to HUD to establish a \$25 million Section 108 Loan Guarantee Pool to support housing rehabilitation, economic development, and mixed-use and mixed-income housing development. Section 108 provides communities with a source of financing for economic development, housing rehabilitation, public facilities, and large-scale physical development projects. Local governments may borrow funds, guaranteed by HUD, through the Section 108 program and must pledge current and future CDBG allocations as security for the loan. The County will use approximately \$12 to \$14 million of the requested amount, initially.

### Housing Opportunities for Persons with AIDS (HOPWA) -

HUD distributes HOPWA Program funds using a statutory formula based on AIDS statistics from the Center for Disease Control and Prevention (CDC). Three quarters of HOPWA formula funding is awarded to qualified states and metropolitan areas with the highest number of AIDS cases. One quarter of the formula funding is awarded to metropolitan areas that have a higher-than-average per capita incidence of AIDS. Prince George's County is eligible to receive approximately \$1,880,000 under the formula allocation for FY 2022.

The District of Columbia, Department of Health, HIV/AIDS Administration, Hepatitis, STD and TB Administration (HAHSTA) is the Regional Grantee on behalf of the Washington, D.C. Eligible Metropolitan Area (EMA). The Washington, D.C. EMA comprises the District of Columbia and neighboring counties, suburban and rural Maryland, Northern Virginia, and rural West Virginia.

HAHSTA serves as the administrative agent for Suburban Maryland. This region includes Prince George's County, Calvert County, and Charles County.

All rental units in Suburban Maryland are available to individuals with HIV/AIDS provided the rents are reasonable as defined by the HUD Fair Market Rents (FMRs) and as required by federal HOPWA regulations. The most common type of housing units available for rent in Suburban Maryland are in apartment buildings, single family homes, and townhomes.

## **Non-entitlement resources include:**

- Low-Income Housing Tax Credits (LIHTC): The federal Low-Income Housing Tax Credit Program (LIHTC) is the principal funding source for the construction and rehabilitation of affordable rental homes. The County currently projects a total of 199 units will be built utilizing this federal source in 2022, totaling approximately \$28,500,000 in LIHTC financing; and 405 units in 2024 totaling approximately \$41,100,000. Based on the average of these two years, the County projects an additional 604 units utilizing approximately \$69,600,000 in LIHTC funding over the three - year span of 2022 - 2024.
- Housing Investment Trust Fund (HITF): Local funds through the Housing Investment Trust Fund (HITF) will provide gap financing loans of up to \$3 million per project for the

new construction of rehabilitation of projects of scale. The County currently anticipates a total of 306 workforce units in 2022 that will be reserved for residents with household incomes between forty percent (40%) and eighty percent (80%) of AMI.

- Housing Choice Voucher Program (HCV) The Housing Authority of Prince George's County administers the Housing Choice Voucher Program for the County which provides rent subsidies up to 5,837 low income households. The HUD anticipated budget for the Housing Choice Voucher in FY 2022 is \$85,995,214.
- Public Housing: The U.S. Department of Housing and Urban Development provides funding to support management of the County's public housing sites: Owens Road (123 units); Marlborough Towne (63 units); Kimberly Gardens (50 units); Rollingcrest Villages (40 units); and Cottage City (100 units). Based on the Capital Fund Program (CFP) averaging over the last three years, the Housing Authority anticipates approximately \$512,268 through HUD's CFP allocations on an annual basis throughout the remainder of the Consolidated Plan period.

**If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

**Development Project for Low-Income and Market Rate Senior Community at 1313 Southern Avenue, Oxon Hill, MD.**

This development concept will transform the former McGuire House site into a robust, thriving contemporary mixed-income senior housing community including a retail component that will serve the greater community. The property will be a major component for the revitalization of the Southern Avenue Green Line area. The developer has a proven history of creating and preserving high quality affordable housing communities which enhance resident services and programs.

The 163-unit mixed-income community will be age-restricted to households in which one member is 62 years and older. The apartment mix will consist of 20% market-rate apartments with the remaining apartments restricted to 50% of Statewide Median Income in accordance with the Partnership Rental Housing Program regulations, and 60% Area Median Income. There will also be 24 (15%) fully accessible units for persons with disabilities that will comply with Uniform Federal Accessibility Standards. The proposed design allows the structure to create separate outdoor spaces, offering a variety of uses and amenities for residents. The building shape also helps create conditions where resident activities will be offered, including a community room and a centrally located lobby.

## **Develop or Dispose of Authority Owned Property**

- Plan to submit a Repositioning Application for five (5) Public Housing developments to the Special Application Center (SAC), for the conversion of public housing properties using one or a combination of HUD's Repositioning options (Rental Assistance Demonstration (RAD), Demolition and Disposition (Section 18), Streamline Voluntary Conversion); to establish eligibility for Tenant Protection Vouchers (TPV) and achieve long-term viability of affordable housing.
- Issue Request for Qualifications (RFQ) to develop/redevelop public housing owned sites.
- Strategically sell surplus properties held in the inventory with the intent to use acquisitions towards various repositioning strategies to develop a plan to move the Housing Authority towards a Demolition and/or Disposition housing portfolio transition; or proceeds may be used for public housing renovations/operations.

## **AP-20 Annual Goals and Objectives – 24 CFR 91.220(c)(3) & (e)**

### ***Goals Summary Information***

Consistent with the Consolidated Plan, through its 2022 Annual Action Plan activities Prince George's County aims to accomplish the following goals:

1. Increase supply of affordable rental homes
2. Stabilize and improve rental properties
3. Increase homeownership opportunities
4. Increase supply of accessible and affordable homes
5. Prevent displacement of long-time residents
6. Support independent living for seniors and persons living with disabilities
7. Prevent homelessness
8. Increase access to job training and economic development assistance
9. Improve quality of life/livability
10. Support high-quality public infrastructure improvements
11. Improve communications and information-sharing

Having more affordable and accessible rental and homeownership opportunities; stabilizing existing residents and properties; and improving quality of life and critical connections to services will help achieve the overarching goals of Housing Opportunity for All: 1) support existing residents; 2) attract new residents; and 3) build on strategic investments. The following chart summarizes FY 2022 goals and outcomes:

**Table 6 – Goals and Objectives**

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator*
1	Increase supply of affordable rental homes	FY2021	FY2025	New Unit Production	Countywide	Diverse, affordable rental and homeownership opportunities	HOME	Number of rental units constructed: 21 units
2	Stabilize and improve rental properties	FY2021	FY2025	Rehabilitation  Acquisition, including preservation	Targeted	Diverse, affordable rental and homeownership opportunities  Quality/condition of housing  Loss of existing affordable housing opportunities	HOME CDBG	Number of rental units rehabilitated: 52 units
3	Increase homeownership opportunities	FY2021	FY2025	New Unit Production	Countywide	Diverse, affordable rental and homeownership opportunities	HOME	Number of households receiving direct financial assistance: 72 households
4	Increase supply of accessible and affordable homes	FY2021	FY2025	Rehabilitation	Countywide	Accessible homes and facilities  Diverse, affordable rental and homeownership opportunities	HOME CDBG	Number of households served: 60 households
5	Prevent displacement of long-time residents	FY2021	FY2025	Rehabilitation  Tenant Based Rental Assistance (TBRA)  Emergency Rental Assistance (in response to the Covid-19 pandemic)		Accessible homes and facilities  Diverse, affordable rental and homeownership opportunities  Quality/condition of housing  Housing instability among residents experiencing a housing crisis  Loss of existing affordable housing opportunities	HOME CDBG	Number of rental units rehabilitated: 52 units  Number of households assisted: 150 households

**Table 6 – Goals and Objectives**

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator*
6	Support independent living for seniors and persons living with disabilities	FY2021	FY2025	Rehabilitation	Countywide	Connections between residents and businesses to services  Accessible homes and facilities  Diverse, affordable rental and homeownership opportunities	HOME CDBG	Number of households served: 60 households
7	Support persons experiencing homelessness	FY2021	FY2025	Homelessness	Countywide	Housing instability among residents experiencing a housing crisis	ESG CDBG	Persons or households assisted: 177 persons or households  Persons or households assisted with rental assistance: 40 persons or households
8	Increase access to job training and economic development assistance	FY2021	FY2025	Non-Housing Community Development	Targeted	Connections between residents and businesses to services	CDBG	Number of jobs created: 9 jobs  Number of businesses assisted: 4 businesses
9	Improve quality of life/livability	FY2021	FY2025	Rehabilitation  Non-Housing Community Development	Targeted	Connections between residents and businesses to services  Quality/condition of housing	CDBG	Persons assisted via public improvements: 22,800  Number of infrastructure projects: 3
10	Support high-quality public infrastructure improvements	FY2021	FY2025	Non-Housing Community Development	Targeted	Connections between residents and businesses to services	CDBG	Persons assisted via public improvements: 22,800

**Table 6 – Goals and Objectives**

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator*
11	Improve communications and information-sharing	FY2021	FY2025	Non-Housing Community Development	Countywide	Connections between residents and businesses to services	CDBG	Participation in federally funded programs: 2-3% increase (compared with FY2016–FY2020)

\*Note that some goal indicators overlap

**AP-35 and AP-38 Projects Summary – 24 CFR 91.220(d)**

**The County will support the following CDBG, HOME, and ESG projects in FY 2022:**

**Table 7 - Projects**

<b>Community Development Block Grant (CDBG)</b>		
<b>1</b>	<b>Project Name</b>	DHCD - Housing Rehabilitation Assistance Program
<b>2</b>	<b>Project Name</b>	DHCD - Housing Rehabilitation Assistance Program Administration
<b>3</b>	<b>Project Name</b>	Housing Authority - Infrastructure Improvements
<b>4</b>	<b>Project Name</b>	HIP - Homes Single-Family Acquisition
<b>5</b>	<b>Project Name</b>	HIP - Homes Single-Family Rehabilitation
<b>6</b>	<b>Project Name</b>	Mission First Housing Development Corporation
<b>7</b>	<b>Project Name</b>	RAPGC - Homeowners Assistance Program Operating Support
<b>8</b>	<b>Project Name</b>	UCAP – Flag Harbor Rehabilitation Project
<b>9</b>	<b>Project Name</b>	UCAP – Rehabilitation of Acquired Properties Admin.
<b>10</b>	<b>Project Name</b>	Hyattsville CDC - Econ Dev/Organizational Capacity Building Program
<b>11</b>	<b>Project Name</b>	Micro-Enterprise Assistance in Mt. Rainier
<b>12</b>	<b>Project Name</b>	Export Business Technical Assistance
<b>13</b>	<b>Project Name</b>	DHCD - CDBG Administration
<b>14</b>	<b>Project Name</b>	HSC - Nonprofit Capacity Building Initiative
<b>15</b>	<b>Project Name</b>	NDC - Community Design and Planning Services
<b>16</b>	<b>Project Name</b>	Town of Cheverly – Sidewalk Improvements
<b>17</b>	<b>Project Name</b>	City of College Park – Cherokee Street Sidewalk Construction
<b>18</b>	<b>Project Name</b>	Affordable Accessible Living
<b>19</b>	<b>Project Name</b>	Town of Edmonston - Sidewalk Construction
<b>20</b>	<b>Project Name</b>	City of Greenbelt - Franklin Park Street Improvements
<b>21</b>	<b>Project Name</b>	Landover Hills Road Reconstruction, Sidewalk, Curb and Gutter Restoration
<b>22</b>	<b>Project Name</b>	Town of Riverdale Park – Oglethorpe Street, 54 <sup>th</sup> Ave, and Spring Lane Sidewalk Improvements
<b>23</b>	<b>Project Name</b>	CASA de MD - SOMOS Langley Park Housing Program
<b>24</b>	<b>Project Name</b>	Catholic Charities - Primary Health Care for Low-Income, Uninsured Adults & Children

25	Project Name	Centro De Apoyo Familiar (CAF) - Housing Financial Literacy Program
26	Project Name	Community Builders - Bldg. Scholars Summer & After/Out of School Educ. & Outreach Youth
27	Project Name	Court Appointed Special Advocate/Prince George's County – Improving Outcomes and Reducing Homelessness for Youth Aging out of Foster Care
28	Project Name	Employ Prince George's Inc. – Career Pathways for All
29	Project Name	Employ Prince George's Inc. – Knowledge Equals Youth Success (KEYS)
30	Project Name	End Time Harvest Ministries, Inc. – Pathways to Career Success Program
31	Project Name	First Generation College Bound, Inc. – Homework Club and College Success
32	Project Name	City of Greenbelt – Mental Health and Financial Wellness Program
33	Project Name	HomeFree-USA – Mortgage Help for Homeowners
34	Project Name	HOPE - Home Keepers Plan: Teach & Coach Financial Capabilities
35	Project Name	LARS - Eviction Prevention and Community Support
36	Project Name	Legal Aid Bureau, Inc. - General Operating Support for the Metropolitan Maryland Office
37	Project Name	Prince George's Child Resource Center, Inc. - Family Literacy Program
38	Project Name	SEED - Education, Counseling and Capability Program
39	Project Name	UCAP - Housing Counseling
<b>HOME Investment Partnerships (HOME)</b>		
40	Project Name	DHCD - Multi-Family Rental Housing Construction & Rehabilitation
41	Project Name	DHCD - CHDO Set-Aside Activities
42	Project Name	DHCD - CHDO Operating Assistance
43	Project Name	DHCD - HOME Administration
<b>Emergency Solutions Grants (ESG)</b>		
44	Project Name	DSS - ESG PY 34

**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

In developing the FY 2022 Annual Action Plan, Prince George's County focused on how to use its federal entitlement funds to achieve outcomes articulated in *Housing Opportunity for All*, among other local and regional planning efforts. The four (4) outcomes that will be achieved by addressing the six (6) priority needs discussed in more detail in Consolidated Plan

are: expanded partnerships and capacity; increased access to jobs, goods, and services; additional supports for vulnerable residents; and increased housing stability. The activities and programs funded detailed in this first annual action plan are designed to address these needs and achieve these outcomes, and to implement the actions detailed in *Housing Opportunity for All*.

This Annual Action Plan outlines activities that will be undertaken during the program year beginning July 1, 2021 and ending June 30, 2022. By addressing these priorities, the County strives to meet local objectives identified in the 2021-2025 Consolidated Plan. All proposed activities and projects are intended to principally benefit citizens of Prince George's County who have extremely low-, low-, and moderate-incomes and populations that have special needs, such as the homeless, elderly, disabled persons, and other special needs populations.

### **Project Summary Information**

Below is a detailed description of each project or activity planned for FY 2022 with the use of CDBG, HOME and ESG funding, including national objective and output targets.

**Table 8 – Project Summary**

<b>1</b>	<b>Project Name</b>	DHCD - Housing Rehabilitation Assistance Program
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Prevent displacement of long-time residents
	<b>Needs Addressed</b>	Quality/condition of housing, Housing Instability among residents experiencing a housing crisis
	<b>Funding</b>	CDBG Program Income: \$240,071
	<b>Description</b>	The Department of Housing and Community Development will use CDBG Program Income to provide approximately four (4) income-qualified households with an affordable rehabilitation loan for the purpose of upgrading the quality of deteriorated dwellings to contemporary minimum property standards, including the elimination of all housing code violations. The majority of the applicants are households with special needs (seniors, disabled, etc), on a fixed-income, who cannot afford the upkeep of their property. The rehabilitation entails in most cases, roofing, plumbing, electrical, carpentry, window replacements, interior and exterior painting, doors, etc.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	4 - Households
	<b>Location Description</b>	Agency: Prince George's County Department of Housing and Community Development 9200 Basil Ct, Suite 306, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: AH-1-5-47 Type of Recipient: Local Government Agency HUD Matrix Code: 14A - Rehab, Single-Unit Res. CDBG National Objective: LMH
<b>2</b>	<b>Project Name</b>	DHCD - Housing Rehabilitation Assistance Program Administration
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Prevent displacement of long-time residents
	<b>Needs Addressed</b>	Quality/condition of housing, Housing Instability among residents experiencing a housing crisis
	<b>Funding</b>	CDBG: \$477,787

	<b>Description</b>	The Department of Housing and Community Development will use CDBG funds to provide administrative oversight of a third-party entity administering the Housing Rehabilitation Assistance Program. This Program provides income-qualified residents with an affordable rehabilitation loan for the purpose of upgrading the quality of deteriorated dwellings to contemporary minimum property standards, including the elimination of all housing code violations, and to physically revitalize declining neighborhoods and communities. The Program anticipates rehabilitating four (4) housing units which will be funded with CDBG Program Income in FY 2022. Up to twenty percent (20%) of the Housing Rehab Assistance Program Income can be used to support the Housing Rehab Assistance Administration project.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	4 - Households
	<b>Location Description</b>	Agency: Prince George's County Department of Housing and Community Development 9200 Basil Court, Suite 306, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: AH-2-5-47 Type of Recipient: Local Government Agency HUD Matrix Code: 14A - Rehab; Single-Unit Res. CDBG National Objective: LMH
<b>3</b>	<b>Project Name</b>	Housing Authority - Infrastructure Improvements
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Stabilize and improve rental properties
	<b>Needs Addressed</b>	Quality/condition of housing
	<b>Funding</b>	CDBG: \$119,999
	<b>Description</b>	The Housing Authority of Prince George's County will use CDBG funds for infrastructure improvements at the following public housing sites: Kimberly Gardens, Marlboro Towne, and Rollingcrest Village. Approximately 75 households will benefit from this project.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	75 - Households
	<b>Location Description</b>	Agency: Housing Authority of Prince George's County 9200 Basil Court, Suite 208, Largo, MD 20774

	<b>Planned Activities</b>	Local ID: AH-3-2-47 Type of Recipient: Local Government Agency HUD Matrix Code: 14C - Public Housing Modernization CDBG National Objective: LMH
<b>4</b>	<b>Project Name</b>	HIP - Homes Single-Family Acquisition
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Increase supply of accessible and affordable homes
	<b>Needs Addressed</b>	Diverse, affordable rental & homeownership opportunities
	<b>Funding</b>	CDBG: \$430,430
	<b>Description</b>	Housing Initiative Partnership, Inc. (HIP) will use CDBG funds to support the direct costs associated with the acquisition of four (4) vacant, distressed or foreclosed single-family houses. The houses will be substantially renovated using local and minority contractors and vendors and then sold to qualified first-time homebuyers.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	4 - Households
	<b>Location Description</b>	Agency: Housing Initiative Partnership, Inc. 6525 Belcrest Rd, Suite 555, Hyattsville, MD 20782
	<b>Planned Activities</b>	Local ID: AH-4-4-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 14G - Acquisition for Rehabilitation CDBG National Objective: LMH
<b>5</b>	<b>Project Name</b>	HIP - Homes Single-Family Rehabilitation
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Increase supply of accessible and affordable homes
	<b>Needs Addressed</b>	Diverse, affordable rental & homeownership opportunities
	<b>Funding</b>	CDBG: \$241,997
	<b>Description</b>	Housing Initiative Partnership, Inc. (HIP) will use CDBG funds to support the direct costs associated with the rehabilitation of four (4) vacant, distressed or foreclosed single-family houses. HIP utilizes local and minority contractors and vendors to rehab each house in accordance with the CDBG Rehab Standards and CDBG Green Addendum.
	<b>Target Date</b>	12/31/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	4 - Households
	<b>Location Description</b>	Agency: Housing Initiative Partnership, Inc. 6525 Belcrest Rd, Suite 555, Hyattsville, MD 20782
	<b>Planned Activities</b>	Local ID: AH-5-4-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 14F - Energy Efficiency Improvements CDBG National Objective: LMH
<b>6</b>	<b>Project Name</b>	Mission First Housing Development Corporation
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Support Independent living for seniors and persons living with disabilities
	<b>Needs Addressed</b>	Diverse, affordable rental & homeownership opportunities
	<b>Funding</b>	CDBG: \$65,000
	<b>Description</b>	Mission First Housing Development Corporation will use CDBG funds to add security measures on the property perimeter to deter trespassers from entering the property. Perimeter fencing along St. Barnabas Road as well as lighting along adjacent commercial properties and additional key fob access points on exterior doors are proposed. Approximately 122 households will benefit from this project. All of the units are below 80% AMI.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	122 - Households
	<b>Location Description</b>	Agency: Mission First Housing Development Corporation 1330 New Hampshire Ave, NW #116, Washington, DC 20036
	<b>Planned Activities</b>	Local ID: AH-6-6-47 Type of Recipient: Non-Profit Organization HUD Matrix Code: 14B – Rehab; Multi-Unit Res. CDBG National Objective: LMH
<b>7</b>	<b>Project Name</b>	RAPGC - Homeowners Assistance Program Operating Support
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Increase homeownership opportunities
	<b>Needs Addressed</b>	Diverse, affordable rental & homeownership opportunities

	<b>Funding</b>	CDBG: \$375,000
	<b>Description</b>	The Redevelopment Authority of Prince George's County will use CDBG funds to cover operating expenses, including staff cost to administer the HOME-assisted project "Pathway to Purchase". Pathway to Purchase provides loans to low and moderate-income first-time homebuyers. Approximately fifty (50) households will benefit from this project.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	50 - Households
	<b>Location Description</b>	Agency: Redevelopment Authority of Prince George's County 9200 Basil Court, Suite 504, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: AH-7-3-47 Type of Recipient: Local Government Agency HUD Matrix Code: 14J - Housing Services, excluding Housing Counseling CDBG National Objective: LMH
<b>8</b>	<b>Project Name</b>	UCAP – Flag Harbor Rehabilitation Project
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Increase supply of accessible and affordable homes
	<b>Needs Addressed</b>	Diverse, affordable rental and homeownership opportunities
	<b>Funding</b>	CDBG: \$240,000
	<b>Description</b>	United Communities Against Poverty, Inc. (UCAP) will use CDBG funds to rehab two (2) vacant properties in District Heights. Upon completion, the properties will be sold to first-time low to moderate-income homebuyers.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	2 - Households
	<b>Location Description</b>	Agency: United Communities Against Poverty, Inc. 1400 Doewood Lane, Capitol Heights, MD 20743
	<b>Planned Activities</b>	Local ID: AH-8-4-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 14A – Rehab; Single Family Unit – Res. CDBG National Objective: LMH
<b>9</b>	<b>Project Name</b>	UCAP – Rehabilitation of Acquired Properties Admin.
	<b>Target Area</b>	County-Wide

	<b>Goals Supported</b>	Increase supply of accessible and affordable homes
	<b>Needs Addressed</b>	Diverse, affordable rental and homeownership opportunities
	<b>Funding</b>	CDBG: \$60,000
	<b>Description</b>	United Communities Against Poverty, Inc. will use CDBG funds for rehab admin costs associated with its Flag Harbor Rehabilitation Project. Approximately two (2) households will benefit from this project.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	2 - Households
	<b>Location Description</b>	Agency: United Communities Against Poverty, Inc. 1400 Doewood Lane Capitol Heights, MD 20743
	<b>Planned Activities</b>	Local ID: AH-9-4-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 14H – Rehabilitation Administration CDBG National Objective: LMH
<b>10</b>	<b>Project Name</b>	Hyattsville CDC - Econ Dev/Organizational Capacity Building Program
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Increase access to job training & economic dev. assistance
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$100,000
	<b>Description</b>	Hyattsville Community Development Corporation (CDC) will use CDBG funds to provide one-on-one small business consultation resource development, and project management. The organization also work in tandem with developers to rehabilitate and tenant floundering properties to stoke investment and interest in the region. Approximately thirty (30) jobs and twenty (20) businesses will be assisted.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	30 - Jobs will be created and/or retained for low to moderate-income individuals 20 - Low to moderate-income small businesses
	<b>Location Description</b>	Agency: Hyattsville CDC 4314 Farragut Street, Hyattsville, MD 20781

	<b>Planned Activities</b>	Local ID: ED-1-8-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 18B - Economic Development - Technical Assistance CDBG National Objective: LMJ
<b>11</b>	<b>Project Name</b>	Micro-Enterprise Assistance in Mt. Rainier
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Increase access to job training & economic dev. assistance
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$53,663
	<b>Description</b>	The City of Mt. Rainier will use CDBG funds to provide business assistance to thirty (30) small businesses and entrepreneurs in Mt. Rainier. The assistance will include website and e-commerce development, one-on-one small business consultations, and entrepreneurial development with technical assistance. Approximately twenty-five (25) jobs will be created and/or retained.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	30 - New and existing businesses 25 - Jobs created and/or retained
	<b>Location Description</b>	Agency: City of Mt. Rainier One Municipal Place, Mt. Rainier, MD 20712
	<b>Planned Activities</b>	Local ID: ED-2-8-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 18C - Economic Development - Micro-Enterprise Assistance CDBG National Objective: LMC
<b>12</b>	<b>Project Name</b>	Export Business Technical Assistance
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Increase access to job training & economic dev. assistance
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$250,000
	<b>Description</b>	Prince George's County Economic Development Corporation will use CDBG to provide technical assistance to twenty (20) export-ready businesses in the County and anticipate fifteen (15) jobs created that will provide employment opportunity for low to moderate-income residents.
	<b>Target Date</b>	6/30/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	20 - New and existing businesses 15 - Jobs created and/or retained
	<b>Location Description</b>	Agency: Prince George's County Economic Development Corp. 1801 McCormick Drive, Ste 350, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: ED-3-8-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 18B - Economic Development - Technical Assistance CDBG National Objective: LMJ
<b>13</b>	<b>Project Name</b>	DHCD - CDBG Administration
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	N/A
	<b>Needs Addressed</b>	N/A
	<b>Funding</b>	CDBG: \$821,504
	<b>Description</b>	The Department of Housing and Community Development administers the CDBG program (including oversight, monitoring, compliance and technical assistance). The Department coordinates and prepares the County's 5-Year Consolidated Plans, Annual Action Plans, and Consolidated Annual Performance and Evaluation Reports as required by HUD to receive federal funds. The CDBG funds will cover reasonable administrative and planning costs. In addition, twenty percent (20%) of CDBG Program Income received from Multi-family and Commercial Loans and Lead Identification Field Testing program will be used for training, staff development, and other program enhancements.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	N/A - Planning activity
	<b>Location Description</b>	Agency: Department of Housing and Community Development 9200 Basil Court, Suite 306, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: PA-1-CDBG-47 Type of Recipient: Local Government Agency HUD Matrix Code: 21A - General Program Administration CDBG National Objective: N/A - Planning activity
<b>14</b>	<b>Project Name</b>	HSC - Nonprofit Capacity Building Initiative
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information-sharing

	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$106,937
	<b>Description</b>	Human Services Coalition of Prince George's County dba Nonprofit Prince George's will use CDBG funds to improve the capacity of nonprofit organizations in the County who serve low to moderate-income households by providing training and development, advocacy, and networking and collaboration opportunities.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	175 - Organizations
	<b>Location Description</b>	Agency: Human Services Coalition dba Nonprofit Prince George's 10201 MLK Jr., Hwy, Suite 270, Bowie, MD 20720
	<b>Planned Activities</b>	Local ID: PA-3-CDBG-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 21C - Public Information CDBG National Objective: N/A - Planning activity
<b>15</b>	<b>Project Name</b>	NDC - Community Design and Planning Services
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information-sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$112,864
	<b>Description</b>	The Neighborhood Design Center, Inc. will use CDBG funds to provide planning and design assistance to approximately twenty-six (26) projects serving low to moderate-income residents of the County. The organization will provide highly trained design staff to manage ethical community engagement, project timelines, quality of deliverables, meeting coordination, and client relationship management.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	26- Organizations
	<b>Location Description</b>	Agency: The Neighborhood Design Center, Inc. 4318 Gallatin St, Hyattsville, MD 20781

	<b>Planned Activities</b>	Local ID: PA-4-CDBG-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 20 - Planning CDBG National Objective: N/A - Planning Activity
<b>16</b>	<b>Project Name</b>	Town of Cheverly – Sidewalk Improvements
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Support high-quality public infrastructure improve
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$81,400
	<b>Description</b>	The Town of Cheverly will use CDBG funds for installation and repair locations in the northwest part of town, specifically on Newton Street, Monroe Street and 57 <sup>th</sup> Avenue. Approximately 3,755 individuals will benefit from this project.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	3,755 - Individuals
	<b>Location Description</b>	Agency: Town of Cheverly 6401 Forest Road, Cheverly, MD 20785
	<b>Planned Activities</b>	Local ID: PF-1-10-47 Type of Recipient: Local Government Agency HUD Matrix Code: 03L - Sidewalks CDBG National Objective: LMA CT: 8043.00
<b>17</b>	<b>Project Name</b>	City of College Park – Cherokee Street Sidewalk Construction
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Support high-quality public infrastructure improve
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$237,203
	<b>Description</b>	The City of College Park will use CDBG funds to construct new ADA-compliant sidewalk at pedestrian and bicyclist connection next to a popular trail and park in a low and moderate-income area. Approximately 5,235 individuals will benefit from this project.
	<b>Target Date</b>	12/31/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	900 - Individuals
	<b>Location Description</b>	Agency: City of College Park 4500 Know Rd, College Park, MD 20740
	<b>Planned Activities</b>	Local ID: PF-2-10-47 Type of Recipient: Local Government Agency HUD Matrix Code: 03L - Sidewalks CDBG National Objective: LMA CT: 8070 / BG: 1
<b>18</b>	<b>Project Name</b>	Affordable Accessible Living
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Support Independent living for seniors & disabled Improve quality of life/livability
	<b>Needs Addressed</b>	Accessible Homes and Facilities Quality/condition of housing
	<b>Funding</b>	CDBG: \$178,475
	<b>Description</b>	Compass, Inc. will use CDBG funds for phase 2 of the renovation of a basement apartment in Camp Springs that will accommodate one (1) person with severe behaviors and to complete a renovation for a home in Bowie, providing ADA accommodations for up to four (4) people.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	5 - Persons with Disabilities
	<b>Location Description</b>	Agency: Compass, Inc. 12400 Kiln Court, Suite A, Beltsville, MD 20705
	<b>Planned Activities</b>	Local ID: PF-3-6-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 03B - Facilities for Persons with Disabilities CDBG National Objective: LMC
<b>19</b>	<b>Project Name</b>	Town of Edmonston - Sidewalk Construction
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Support high-quality public infrastructure improve
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$91,120

	<b>Description</b>	The Town of Edmonston will use CDBG funds for the removal of four (4) blocks of paving on Crittenden Street and repaving the street with a asphalt overlay. Approximately 880 individuals will benefit from this project.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	880 - Individuals
	<b>Location Description</b>	Agency: Town of Edmonston 5005 52nd Ave, Edmonston, MD 20781
	<b>Planned Activities</b>	Local ID: PF-4-10-47 Type of Recipient: Local Government Agency HUD Matrix Code: 03K – Street Improvements CDBG National Objective: LMA CT: 8063.00 / BG: 2
<b>20</b>	<b>Project Name</b>	City of Greenbelt - Franklin Park Street Improvements
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Support high-quality public infrastructure improve
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$154,570
	<b>Description</b>	City of Greenbelt will use CDBG funds for reconstruction of a portion of Springhill Drive from Cherrywood Lane to Springhill Lane.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	6,640 - Individuals
	<b>Location Description</b>	Agency: City of Greenbelt 25 Crescent Rd, Greenbelt, MD 20770
	<b>Planned Activities</b>	Local ID: PF-5-10-47 Type of Recipient: Local Government Agency HUD Matrix Code: 03K - Street Improvement CDBG National Objective: LMA CT: 8067.13 / BG:1 & 2; CT: 8067.14 / BG: 1 & 2
<b>21</b>	<b>Project Name</b>	Landover Hills Road Reconstruction, Sidewalk, Curb and Gutter Restoration
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Support high-quality public infrastructure improve

	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$115,543
	<b>Description</b>	The Town of Landover Hills will use CDBG funds for resurfacing of 71 <sup>st</sup> Avenue and Webster Court including replacing curbs, gutters, sidewalks and driveway aprons. Approximately 1,385 individuals will benefit from this project.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1,385 - Individuals
	<b>Location Description</b>	Agency: Town of Landover Hills 6904 Taylor Street, Landover Hills, MD 20784
	<b>Planned Activities</b>	Local ID: PF-6-10-47 Type of Recipient: Local Government Agency HUD Matrix Code: 03K – Street Improvements CDBG National Objective: LMA CT: 8037.00 / BG: 2
<b>22</b>	<b>Project Name</b>	Town of Riverdale Park – Oglethorpe Street, 54 <sup>th</sup> Ave, and Spring Lane Sidewalk Improvements
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Support high-quality public infrastructure improve
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$150,000
	<b>Description</b>	The Town of Riverdale Park will use CDBG funds to provide new sidewalks, curbs, and accessibility ramps on the 4700 to 4800 block of Oglethorpe and on the 5400 to 5500 block of 54 <sup>th</sup> Avenue and Spring Lane. Approximately 1,015 individuals will benefit from this project.
	<b>Target Date</b>	12/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1,015 - Individuals
	<b>Location Description</b>	Agency: Town of Riverdale Park 5008 Queensbury Rd, Riverdale, MD 20737

	<b>Planned Activities</b>	Local ID: PF-7-10-47 Type of Recipient: Local Government Agency HUD Matrix Code: O3L – Sidewalks CDBG National Objective: LMA CT: 8065.01 / BG: 2
<b>23</b>	<b>Project Name</b>	CASA de MD - SOMOS Langley Park Housing Program
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$39,867
	<b>Description</b>	CASA de Maryland, Inc. will use CDBG funds to support the continuation of the SOMOS Langley Park Housing Program which provides coalition building, monitoring of development opportunities, tenant-engaged code enforcement, and policy changes-addressing the urgent need for support and retention of sustainable and high-quality housing options for approximately 1,000 low-income immigrants and working families.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1,000 - Individuals
	<b>Location Description</b>	Agency: CASA de Maryland, Inc. 8151 15th Avenue, Langley Park, MD 20783
	<b>Planned Activities</b>	Local ID: PS-1-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05K – Tenant/Landlord Counseling CDBG National Objective: LMC
<b>24</b>	<b>Project Name</b>	Catholic Charities - Primary Health Care for Low-Income, Uninsured Adults & Children
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	Catholic Charities of the Archdioceses of Washington will use CDBG funds to provide access to critical health services including primary care, preventive care, and health education to approximately 900 low-income, uninsured County residents.
	<b>Target Date</b>	6/30/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	900 - Individuals
	<b>Location Description</b>	Agency: Catholic Charities of the Archdiocese of Washington, Inc. 924 G Street NW Washington, DC 20001
	<b>Planned Activities</b>	Local ID: PS-2-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05M - Health Services CDBG National Objective: LMC
<b>25</b>	<b>Project Name</b>	Centro De Apoyo Familiar (CAF) - Housing Financial Literacy Program
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$39,203
	<b>Description</b>	Centro De Apoyo Familiar will use CDBG funds to assist approximately 700 low to moderate-income Latino and immigrant households in the County will building assets opportunities through pre-purchase, rental and post purchase housing counseling and education, financial coaching, credit rebuilding, and foreclosure prevention.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	700 - Individuals
	<b>Location Description</b>	Agency: Centro De Apoyo Familiar 6901 Kenilworth Avenue, Suite 110, Riverdale, MD 20737
	<b>Planned Activities</b>	Local ID: PS-3-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05U - Housing Counseling Only CDBG National Objective: LMC
<b>26</b>	<b>Project Name</b>	Community Builders - Bldg. Scholars Summer & After/Out of School Educ. & Outreach Youth
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$29,720

	<b>Description</b>	Community Builders Ltd. will use CDBG funds for education and life skills intervention with 150 elementary/middle school youth identified by area schools or parents for intervention, support and academic enrichment.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	150 - Youth
	<b>Location Description</b>	Agency: Community Builders Ltd. 1220 Swan Harbour Circle, Ft. Washington, MD 20744
	<b>Planned Activities</b>	Local ID: PS-4-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05D - Youth Services CDBG National Objective: LMC
<b>27</b>	<b>Project Name</b>	Court Appointed Special Advocate/Prince George's County – Improving Outcomes and Reducing Homelessness for Youth Aging out of Foster Care
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	Court Appointed Special Advocate (CASA)/Prince George's County will use CDBG funds to assist 125 foster care youth who are at risk of becoming homeless when they emancipate by providing specialized services, by connecting them to appropriate businesses and community resources and by ensuring they have employment or education leading to employment and can obtain affordable housing.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	125 - Youth
	<b>Location Description</b>	Agency: Court Appointed Special Advocate (CASA)/Prince George's County 6811 Kenilworth Avenue, Suite 402, Riverdale, MD 20737
	<b>Planned Activities</b>	Local ID: PS-5-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05N - Abused and Neglected Children Services CDBG National Objective: LMC
<b>28</b>	<b>Project Name</b>	Employ Prince George's Inc. – Career Pathways for All

	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	Employ Prince George's Inc. will use CDBG funds provide career assessments, planning and readiness services, followed by CNAGNA occupational skills training (provided by Heritage Care), internships and connections to employment opportunities with local businesses. Approximately twelve (12) persons who are immigrants, refugees, or English language learners will benefit from this project.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	12 - Individuals
	<b>Location Description</b>	Agency: Employ Prince George's Inc. 1801 McCormick Drive, Ste 400, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: PS-6-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05H – Employment Training CDBG National Objective: LMC
<b>29</b>	<b>Project Name</b>	Employ Prince George's Inc. – Knowledge Equals Youth Success (KEYS)
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	Employ Prince George's Inc. will use CDBG funds to provide career assessments, career planning, job coaching, math and reading tutoring, wrap-around services, and six weeks of job readiness training prior to entering an internship or occupational skills training. Approximately sixty (60) at-risk and low-income young adults, ages 18-24, who are not in school and unemployed will benefit from this project.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	60 - Individuals
	<b>Location Description</b>	Agency: End Time Harvest Ministries, Inc. 5808 Harland Street, New Carrollton, MD 20784

	<b>Planned Activities</b>	Local ID: PS-7-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05H – Employment Training CDBG National Objective: LMC
<b>30</b>	<b>Project Name</b>	End Time Harvest Ministries, Inc. – Pathways to Career Success Program
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	End Time Harvest Ministries, Inc. will use CDBG funds to provide: 1) Academic success, on-time graduation, and case management; 2) Character and leadership development sessions; 3) Workforce readiness through a summer youth employment program; and 4) College access with college tours and college preparation for 150 at-risk students at Bladensburg High School.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	150 - Youth
	<b>Location Description</b>	Agency: End Time Harvest Ministries, Inc. 5808 Harland St, New Carrollton, MD 20784
	<b>Planned Activities</b>	Local ID: PS-8-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05D – Youth Services CDBG National Objective: LMC
<b>31</b>	<b>Project Name</b>	First Generation College Bound, Inc. – Homework Club and College Success
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	First Generation College Bound, Inc. will use CDBG funds to conduct two (2) programs: The Homework Club and College Success. Students from Kimberly Gardens public housing community will be assisted with their homework and seniors from six (6) high schools will attend the College Success Program to overcome barriers to matriculate successfully to college. Approximately 180 youth will benefit from this project.

	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	180 - Individuals
	<b>Location Description</b>	Agency: First Generation College Bound, Inc. 8101 Sandy Spring Road, Ste 230, Laurel, MD 20707
	<b>Planned Activities</b>	Local ID: PS-9-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05D – Youth Services CDBG National Objective: LMC
<b>32</b>	<b>Project Name</b>	City of Greenbelt – Mental Health and Financial Wellness Program
	<b>Target Area</b>	County-wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$47,655
	<b>Description</b>	The City of Greenbelt will use CDBG funds to provide one-on-one and group counseling to sixty (60) low income residents. Mental health and resource connection services will be offered.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	60 - Individuals
	<b>Location Description</b>	Agency: The City of Greenbelt 25 Crescent Road, Greenbelt, MD 20770
	<b>Planned Activities</b>	Local ID: PS-10-11-47 Type of Recipient: Local Government Agency HUD Matrix Code: 05Z – Other Public Services Not Included CDBG National Objective: LMC
<b>33</b>	<b>Project Name</b>	HomeFree-USA – Mortgage Help for Homeowners
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$38,640

	<b>Description</b>	HomeFree-USA will use CDBG funds to provide financial counseling and foreclosure prevention services to approximately seventy-five (75) low to moderate-income homeowners.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	75 - Individuals
	<b>Location Description</b>	Agency: HomeFree-USA 6200 Baltimore Ave, Riverdale, MD 20737
	<b>Planned Activities</b>	Local ID: PS-11-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05U - Housing Counseling CDBG National Objective: LMC
<b>34</b>	<b>Project Name</b>	HOPE - Home Keepers Plan: Teach & Coach Financial Capabilities
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$39,210
	<b>Description</b>	Housing Options and Planning Enterprises, Inc. (H.O.P.E.) will use CDBG funds to provide housing counseling and coaching services to approximately 350 low to moderate-income individuals and households, which includes renters and those at risk of homelessness.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	350 - Individuals
	<b>Location Description</b>	Agency: Housing Options and Planning Enterprises, Inc. 6188 Oxon Hill Road, Oxon Hill, MD 20745
	<b>Planned Activities</b>	Local ID: PS-12-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05U - Housing Counseling CDBG National Objective: LMC
<b>35</b>	<b>Project Name</b>	LARS - Eviction Prevention and Community Support
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Prevent displacement of long-time residents

	<b>Needs Addressed</b>	Housing instability among residents experiencing a housing crisis
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	Laurel Advocacy and Referral Services, Inc. will use CDBG funds to assist approximately 70 low-income individuals and families who are facing eviction or in need of first month's rent or security deposit to maintain or secure permanent housing.
	<b>Target Date</b>	6/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	70 - Individuals
	<b>Location Description</b>	Agency: Laurel Advocacy and Referral Services, Inc. 311 Laurel Avenue, Laurel, MD 20707
	<b>Planned Activities</b>	Local ID: PS-13-5-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05Q - Subsistence Payments CDBG National Objective: LMC
<b>36</b>	<b>Project Name</b>	Legal Aid Bureau, Inc. - General Operating Support for the Metropolitan Maryland Office
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	Legal Aid Bureau, Inc. will use CDBG funds to provide free, civil legal services to approximately 800 low-income County residents.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	800 - Individuals
	<b>Location Description</b>	Agency: Legal Aid Bureau, Inc. 500 E. Lexington Street, Baltimore, MD 21202
	<b>Planned Activities</b>	Local ID: PS-14-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05C - Legal Services CDBG National Objective: LMC
<b>37</b>	<b>Project Name</b>	Prince George's Child Resource Center, Inc. - Family Literacy Program
	<b>Target Area</b>	County-Wide

	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$30,000
	<b>Description</b>	Prince George's Child Resource Center, Inc. will use CDBG funds to provide free year-round adult education classes like English as a Second Language (ESL), English literacy, High School Equivalency (HSE), computer literacy, and employment readiness. Approximately 220 low to moderate-income individuals will benefit from this project.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	220 - Individuals
	<b>Location Description</b>	Agency: Prince George's Child Resource Center, Inc. 9475 Lottsford Road, Suite 202, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: PS-15-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05Z – Other Public Services Not Included CDBG National Objective: LMC
<b>38</b>	<b>Project Name</b>	SEED - Education, Counseling and Capability Program
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$39,538
	<b>Description</b>	Sowing Empowerment and Economic Development, Inc. (SEED) will use CDBG funds to educate approximately 150 low-income consumers by providing financial counseling and homeownership preparation and education.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	150 - Individuals
	<b>Location Description</b>	Agency: Sowing Empowerment and Economic Development, Inc. 6201 Riverdale Road, Suite 200, Riverdale, MD 20737

	<b>Planned Activities</b>	Local ID: PS-16-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05U - Housing Counseling CDBG National Objective: LMC
<b>39</b>	<b>Project Name</b>	UCAP - Housing Counseling
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Improve communications and information sharing
	<b>Needs Addressed</b>	Connections btw residents & businesses to services
	<b>Funding</b>	CDBG: \$39,201
	<b>Description</b>	United Communities Against Poverty, Inc. will use CDBG funds to provide approximately 155 first-time homebuyers with English and Spanish speaking housing counseling education, foreclosure or mediation services.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	155 - Individuals
	<b>Location Description</b>	Agency: United Communities Against Poverty, Inc. 1400 Doewood Lane, Capitol Heights, MD 20743
	<b>Planned Activities</b>	Local ID: PS-17-11-47 Type of Recipient: Non-profit Organization HUD Matrix Code: 05U - Housing Counseling CDBG National Objective: LMC
<b>40</b>	<b>Project Name</b>	DHCD - Multi-Family Rental Housing Construction & Rehabilitation
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Increase supply of affordable rental homes Stabilize and improve rental properties Support independent living for seniors and persons living with disabilities
	<b>Needs Addressed</b>	Diverse, affordable rental & homeownership opportunities Quality/condition of housing Loss of existing affordable housing opportunities
	<b>Funding</b>	HOME: \$1,466,329

	<b>Description</b>	The Department of Housing and Community Development will use HOME entitlement funds as gap financing to enhance the financial feasibility of multi-family projects funded with local or state issued tax-exempt bond financing, federal low-income housing tax credits, and private financing. Applications are accepted on a "rolling basis". Approximately eleven (11) households will benefit from each project.  DHCD will also use HOME Program Income for new multi-family construction, rehabilitation of affordable, workforce housing opportunities, and/or homebuyer activities.
	<b>Target Date</b>	6/30/2026
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	11 - Households
	<b>Location Description</b>	Agency: Department of Housing and Community Development 9200 Basil Court, Suite 306, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: AH-1-2-6-30 Type of Recipient: Local Government Agency HUD Matrix Code: N/A CDBG National Objective: N/A
<b>41</b>	<b>Project Name</b>	DHCD - CHDO Set-Aside Activities
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Increase supply of affordable rental homes Stabilize and improve rental properties Increase homeownership opportunities
	<b>Needs Addressed</b>	Diverse, affordable rental & homeownership opportunities Quality/condition of housing Loss of existing affordable housing opportunities
	<b>Funding</b>	HOME: \$314,213
	<b>Description</b>	The Department of Housing and Community Development (DHCD) sets aside a minimum of 15 percent (15%) of the HOME allocation for housing development activities in which qualified Community Housing Development Organizations (CHDOs) are the owners, developers and/or sponsors of the housing project(s). Eligible activities include technical assistance; acquisition, rehabilitation, and new construction of rental housing; acquisition, rehabilitation, and new construction of homeowner properties; and direct financial assistance to purchasers of HOME-assisted housing sponsored or developed by a CHDO. Approximately two (2) households will benefit from a CHDO project.
	<b>Target Date</b>	6/30/2026

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	2 - Households
	<b>Location Description</b>	Agency: Department of Housing and Community Development 9200 Basil Court, Suite 306, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: AH-1-2-3-4-30 Type of Recipient: Local Government Agency HUD Matrix Code: N/A CDBG National Objective: N/A
<b>42</b>	<b>Project Name</b>	DHCD - CHDO Operating Assistance
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	N/A
	<b>Needs Addressed</b>	N/A
	<b>Funding</b>	HOME: \$104,738
	<b>Description</b>	Five percent (5%) of the HOME allocation provides general operating assistance to Community Housing Development Organizations (CHDOs) receiving set-aside funds.
	<b>Target Date</b>	6/30/2026
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	N/A
	<b>Location Description</b>	Agency: Department of Housing and Community Development 9200 Basil Court, Suite 306
	<b>Planned Activities</b>	Local ID: AH-5-7-8-9-10-30 Type of Recipient: Local Government Agency HUD Matrix Code: N/A CDBG National Objective: N/A
<b>43</b>	<b>Project Name</b>	DHCD - HOME Administration
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	N/A
	<b>Needs Addressed</b>	N/A
	<b>Funding</b>	HOME: \$209,476

	<b>Description</b>	The Department of Housing and Community Development (DHCD) uses the HOME allocation for reasonable administrative and planning costs. In addition, up to ten percent (10%) of all program income is deposited into the HOME account during the program year and is used for administrative and planning costs.
	<b>Target Date</b>	6/30/2026
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	N/A
	<b>Location Description</b>	Agency: Department of Housing and Community Development 9200 Basil Court, Suite 306, Largo, MD 20774
	<b>Planned Activities</b>	Local ID: PA-HOME-30 Type of Recipient: Local Government Agency HUD Matrix Code: N/A CDBG National Objective: N/A
<b>44</b>	<b>Project Name</b>	DSS - ESG PY 34
	<b>Target Area</b>	County-Wide
	<b>Goals Supported</b>	Support persons experiencing homelessness
	<b>Needs Addressed</b>	Housing instability of residents experiencing a crisis
	<b>Funding</b>	ESG: \$440,276
	<b>Description</b>	The Department of Social Services (DSS) will use ESG funds to implement the following ESG Programs in Program Year (PY) 34: Shelters Operation and Essential Services, Street Outreach, HMIS, Rapid Re-housing, and Homelessness Prevention. The Department uses up to 7.5% of its HESG funds for administrative costs. Approximately, 1,035 individuals and families will be assisted.
	<b>Target Date</b>	6/30/2023
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1,035 - Homeless and at-risk homeless individuals and families
	<b>Location Description</b>	Agency: Department of Social Services 805 Brightseat Road, Landover, MD 20785
	<b>Planned Activities</b>	Local IDs: Shelter (HP-1-7-34), Street Outreach (HP-2-7-34), HMIS (HP-3-7-34), RRH (HP-4-7-34), HP (HP-5-7-34), and Administration (PA-HESG-6-34) Type of Recipient: Local Government Agency HUD Matrix Code: 03T - Homeless/AIDS Patients Programs, 21A - General Program Administration

## **AP-50 Geographic Distribution – 24 CFR 91.220(f)**

### **Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

#### **Minority Concentration**

Areas with concentrations of Black residents are most common along the east-west Central Avenue corridor. Areas with concentrations of White residents tend to fall on the periphery of the County around and outside Route 301 (Crain Highway). Areas with concentrations of Hispanic residents are clustered in the inner-ring of North County, adjacent to Montgomery County (See Appendix C – Minority Concentration Maps). Areas with concentrations of Asian American residents are largely clustered in the northern corner of this edge.<sup>5</sup>

#### **Geographic Areas for Investment**

Prince George's County will consider the following two factors when prioritizing its federal investments for FY 2022: 1) areas with concentrations of at least 51 percent low-or-moderate-income persons; and 2) target areas from Housing Opportunity for All. (See Appendix C – Geographic Distribution Maps)

Alignment with target areas in Housing Opportunity for All will result in an explicit emphasis on building access to opportunity through the County's use of federal funds and assist with broader local and regional goals to increase affordability near high-frequency transit.

The following factors will be considered when prioritizing investments geographically over the next five years:

- **Access to jobs, goods, and services** – Index score that measures walkability, transit access, and commute times by car and transit
- **Social capital** – Index score that measures overall economic indicators, such as household income, poverty status, educational attainment, and labor market engagement
- **Community institutions** – Index score that measures educational indicators related to performance on standardized tests and poverty status of students
- **Proximity to Metrorail stop** – ½-mile radius around Metrorail stops that have been prioritized by the County for transit-oriented development
- **Proximity to Purple Line light rail stop** – ½-mile radius around Purple Line light rail stops
- **Opportunity Zones** – Census Tracts eligible for the Opportunity Zones Program
- **Neighborhood Revitalization Strategy Areas (NRSAs)** – targeted areas for

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<sup>5</sup> ibid

comprehensive revitalization.

**Priority Need: Connections between residents and businesses to services**

- Geographic Priorities – Access to jobs, goods, and services, including areas where households are underserved by current transit service; proximity to transit stops; opportunity zones; NRSAs

**Priority Need: Accessible homes and facilities**

- Geographic Priority – Countywide

**Priority Need: Diverse, affordable rental and homeownership opportunities**

- Geographic Priority – Countywide; opportunity zones

**Priority Need: Quality/condition of housing**

- Geographic Priority – Countywide

**Priority Need: Housing instability among residents experiencing a housing crisis**

- Geographic Priority – Countywide

**Priority Need: Loss of existing affordable housing opportunities**

- Geographic Priorities – Access to jobs, goods, and services; social capital; community institutions; proximity to transit stops

**Table 9 - Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
County-Wide	100%

**Rationale for the priorities for allocating investments geographically**

It should be noted that the emphasis on access to opportunity does not mean that Prince George’s County will only make investments in areas with lower access to opportunity (those areas with scores below the regional score) or higher access to opportunity (those areas with scores above the regional score).

Instead, these geographic priorities will inform the level and type of investment needed to improve opportunities in areas where existing access is not as strong relative to the rest of the Washington, D.C. region and expand housing opportunities in areas where access to

opportunity is stronger relative to the region as a whole.

**AP-55 Affordable Housing – 24 CFR 91.220(g)**

According to Title II of the Cranston - Gonzalez National Affordable Housing Act, as amended, Prince George’s County must describe the projected number of households that meet the Section 215 Qualifications as Affordable Housing requirements with federally-funded programs (CDBG, HOME, and ESG). The accepted definition of affordability for a household is generally described as spending no more than 30 percent of annual income on housing (including rental and owner housing).

In FY 2022, the annual goal is to assist 1,205 LMI individuals/families (homeless, non-homeless, and with special needs) in the production of new units, rehabilitation of existing units, homebuyer assistance, and/or rental assistance.

The following tables provide the projected number of households the County expects to serve with the use of CDBG, HOME, ESG funds, including CDBG-CV and ESG-CV funds.

**Table 10 – Affordable Housing Goals**

<b>One Year Goals for the Number of Households to be Supported</b>	
Homeless	270
Non-Homeless	935
Special-Needs	0
<b>Total</b>	<b>1,205</b>
<b>One Year Goals for the Number of Households Supported Through</b>	
Rental Assistance	1,070
The Production of New Units	21
Rehab of Existing Units	104
Acquisition of Existing Units	10
<b>Total</b>	<b>1,205</b>

The County plans to use CDBG, HOME, and ESG funds in FY 2022 to provide affordable housing options to LMI households utilizing the following strategies:

- Rental Assistance – The County anticipates ESG and ESG-CV funds will assist in providing rental assistance benefiting approximately 270 homeless families and 650 families at risk of homelessness. Additionally, the County will provide emergency rental assistance using CDBG-CV funds to support approximately 150 households experiencing a housing crisis as a result of the Covid-19 pandemic.
- Production of New Units – The County does not anticipate any HOME projects will be completed during FY 2022 to assist persons with special needs (i.e., seniors).
- Rehab of Existing Units – The County anticipates CDBG funds will assist in the rehabilitation of existing single-family homes and rental units, benefiting approximately 170 LMI families.

- Acquisition of Existing Units – The County anticipates CDBG funds will be used to acquire and/or rehabilitate homes to preserve affordable housing for approximately 10 LMI families. All 10 units are for non-homeless individuals/families.

## **AP-60 Public Housing – 24 CFR 91.220(h)**

### **Introduction**

#### **Actions planned during the next year to address the needs to public housing**

Activities that will be undertaken by the jurisdiction to address the housing and supportive services needs identified in accordance with 24 C.F.R. §91.215 (e) are as follows:

- Provide housing for 185 persons with HIV/AIDS;
- Provide HIV/AIDS operational services for 185 persons;
- Provide TBRA/Rapid Re-housing assistance for 61 homeless persons;
- Provide homeless prevention services to 230 persons;
- Provide financial assistance to 94 homebuyers; and
- Provide various public services to support seniors, persons with disabilities (mental, physical, and developmental), persons with alcohol or other drug addictions and public housing residents.
- Evaluate repositioning of Public Housing alternatives provided by HUD for the Conversion of Public Housing over the next three (3) to five (5) years;
- Develop a 163-unit multifamily/mixed-income dwelling for families and individuals age 62 and above as redevelopment for the 1313 Southern Avenue property (formerly known as McGuire Housing; and
- Provide Housing Authority goals and objectives consistent with the 2021 – 2025 Consolidated Plan, to include, the Voluntary Compliance Agreement (VCA) and the Disability Rights Maryland (DRM) Settlement Agreement.

#### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

The Housing Authority of Prince George’s County (HAPGC) will continue to address all compliance findings, as identified by HUD under the VCA and DRM Agreement to satisfy Section 504 Program requirements. The HAPGC will continue to execute the following actions in FY 2022:

- Hire technical assistance staff to aid with policy and compliance concerns;
- Update existing Administrative Plan and Admissions and Continue Occupancy Policies;
- Subject to approval of its Reasonable Accommodation Policy, posted a copy of the policy and provided notice to tenants;
- Provide exterior accessible routes at Public Housing developments, where applicable;
- Perform a self-evaluation of current policies and practices, and execute corrective steps to remedy any discrimination, as appropriate;
- Provide a copy of complaint and grievance procedures to tenants, subject to approval;
- Provide training to all employees with direct contact with tenants, including maintenance staff, regarding the federal Fair Housing Act, Section 504 of the

- Rehabilitation Act, and the Americans with Disabilities Act; and
- Display fair housing posters in all locations where business is conducted.

### **Activities to Increase Resident Involvement**

The HAPGC executes the following actions to increase resident involvement:

#### **Resident Boards & Councils**

- Provide periodic Board meetings at public housing properties as a mechanism for increasing resident involvement;
- Provide virtual access to monthly board meetings; and
- Monthly Resident Advisory Board and Resident Council meetings are held by the residents.

#### **Resident Services**

- Provide a comprehensive network or supportive services through collaboration with County agencies and community-based organizations for resident services. Services are targeted for at-risk seniors and individuals with disabilities at four (4) public housing properties.
- Operate as Family Resource Academies, in public housing converted community spaces used for effective enrichment activities, primarily geared to school-age children. Major projects include: computer classes with trained certified instructors, youth councils, and structured leisure and recreational activities.

### **Is the public housing agency designated as troubled, under 24 C.F.R. part 902?**

The HAPGC is designated as a standard performer.

### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

Not applicable

## **AP-65 Homeless and Other Special Needs Activities – 24 CFR 91.220(i)**

The Prince George's County Ten Year Plan to Prevent and End Homelessness is designed to:

- Prevent homelessness whenever possible and when it is not possible, to ensure that episodes are brief and one time only;
- Ensure easy access to communitywide, culturally competent, safe and effective housing and homeless services;
- Ensure people exit homelessness as quickly as possible;
- Connect people to communities and the resources needed to thrive; and
- Build and sustain the political will and community support needed to permanently end homelessness.

As part of the County's Consolidated Plan, the CoC is focusing on six (6) key strategies that have proven to be effective in reducing homelessness: 1. coordinated entry, 2. prevention assistance, 3. shelter diversion, 4. rapid re-housing, 5. permanent housing, and 6. improved data collection and performance measures. These strategies are carefully designed to achieve purposeful and intentional reduction in the incidents of homelessness and collectively they form a plan that aligns County efforts with federal goals, shifts system focus from "shelter" to "housing", prioritizes programming for special populations, enhances system accountability, builds on success, and provides flexibility and opportunity.

Meeting people where they are—geographically, philosophically, and emotionally—is the first step in actively engaging people experiencing homelessness and creating the relationships needed to allow them to trust, understand and accept help. To streamline that connection, the County has two primary methods of outreach – an in-person system of street outreach and a centralized homeless hotline which operates 24/7/365.

**Street Outreach:** Outreach workers are often the first and only point of contact for people who might otherwise be disconnected and there are several ways in which the County currently engages its homeless - the annual Point in Time (PIT) Count, the Veterans Stand Down and Homeless Resource Day (VSDHRD), the SOAR team, Crisis response teams, faith ministries, Warm Nights (the County's hypothermic church based shelter), Soup kitchens and other individual outreach to known encampments. These efforts are crucial to developing trust among many of the CoC's unsheltered and stable funding is essential to long term sustainability of this effort. Of particular concern to the CoC, is the lack of immediate behavioral health crisis beds with intensive treatment services available for those unsheltered persons experiencing a crisis. Development of these resources which has proven so successful in other parts of the Country, is – and remains - a CoC funding priority.

**Centralized intake and assessment / Homeless Hotline:** The County's Homeless Hotline provides additional opportunities for identification of those who are homeless or at imminent risk of becoming homeless. This process, available 24/7/365, has standardized the intake and assessment process for accessing homeless assistance and housing services, creates a faster

match between a household's needs and the program that fits those needs best, and moves households quickly from a state of housing crisis to permanent housing whenever possible. The hotline is staffed by trained workers capable of conducting an initial intake, connecting callers (clients and providers), and entering initial data into HMIS. Staff are trained on a regular basis to ensure they are aware of all the resources available for callers' needs and can act quickly to resolve crisis situations (e.g., for households fleeing domestic violence). The hotline also provides 2-1-1 diversion and prevention services.

Once a person has entered the homeless system, shelter personnel are responsible to develop rapid exit strategies designed to move individuals and families into stable housing as quickly and efficiently as possible. In the event these efforts are unsuccessful, the CoC then relies on its Coordinated Entry system to engage in a higher level of acuity testing and prioritization to ensure that those with the highest intervention needs are served first when more permanent system resources become available. The CoC's Coordinated Entry Team provides an in-depth and individualized analysis of each homeless household and establish a uniform way for the CoC to evaluate them based on actual level of need, with referrals and admissions to more intensive services and programs being reserved for those who present with the highest mortality risk and/or greatest barriers to permanent housing. The process also helps evaluate the system's ability to serve consumers properly by tracking where households were sent and whether the selected intervention was successful. This data is vital to the CoC's ability to identify and address potential system gaps in services and programming and to find the fastest path out of homelessness with the lowest level intervention possible for each and every person.

Finally, the CoC is working on a plan to open one or more drop-in centers that will provide one-stop access to resources for individuals and families experiencing homelessness with the aim of quickly ending their homelessness. This provides a critical physical location for providing 1-on-1 assessments that will enhance the "warm hand-off and referral" process. The primary purpose of this effort will be to triage and facilitate the quickest route to permanency for all consumers. It is important to note that the County currently has very limited non COVID prevention and diversion resources as well as a severe lack of funding for Rapid Re-housing efforts where the subsidy lasts for more than one month; both of which are widely recognized as the most cost-effective solution to homelessness for most individuals. In addition, there are currently no funds set aside for a housing bonus or landlord mitigation fund – both of which have proven successful elsewhere in encouraging local landlords to partner with the CoC on rapid exit strategies and to incentivize landlords to support the housing needs of persons experiencing homelessness, particularly those with poor credit or eviction histories. This is a challenge that will need to be addressed in order to fully reap the benefits of a coordinated entry and assessment system and ensure these particular goals in the County's 10-year plan are reached.

### **Addressing the emergency and transitional housing needs of homeless persons**

The County currently operates 386 regular emergency shelter beds (162 for families, 154 for individuals, 20 for unaccompanied youth, 15 for veterans and 35 overflow for individuals and families during the hypothermic season), 43 domestic violence survivor emergency shelter beds (all for families), 153 transitional shelter beds (85 for families, 12 for individuals, and 56 for

unaccompanied youth), and 190 rapid re-housing beds (150 for families, 31 for singles and 9 for veterans). Unfortunately, while this network is strong, it is insufficient to meet the daily demands of persons in crisis; sheltering less than 40% in any given year, and while there is clearly a place within the Continuum of Care for emergency and transitional sheltering, they are not universally necessary in everyone's journey from homelessness to permanent housing. Rather they are seen as one of many possible system responses to homelessness and deployment is entirely dependent on individual circumstances. It is hoped that as additional alternative housing responses are implemented, some shelter savings will occur which can be reallocated to service gaps that remain in the system.

There are several efforts underway to reframe this segment of the County's response system to add bed space and more effectively meet the changing dynamics of the County's current homeless population. These efforts include, but are not limited to: 1. Funding in the County's capital improvement budget for replacement and redesign of two older emergency facilities as well as a new building for homeless youth which provides the CoC with a unique opportunity to design emergency shelters that are highly flexible, aligned with the 10-Year Plan, and eliminate design barriers currently inhibiting certain services and/or population mixes inherent in the older facilities; 2. A strategic focus on lower cost and often more effective alternatives to traditional shelter including prevention, diversion, rapid re-housing and housing first strategies as well as housing solutions targeted to special populations presenting unique challenges to the Continuum; 3. Increase in deeply affordable permanent housing opportunities, particularly for the CoC priority sub-populations; and 4. Increased access to housing vouchers to support CoC move on strategies from its' PSH programs.

Under the current CoC system, the shelter pathway is no longer linear. The household is now at the center of the response system and the initial intervention identified is intended to be their last whenever possible. The CoC uses a combination of tools including the locally developed Housing Prioritization Tool and composite scoring structure and the Vi-SPDAT as a part of the assessment process for anyone requesting housing assistance in the County. These tools help the CoC identify which intervention(s) are most likely to produce results in the least amount of time for the least amount of money. For those that score into a permanent supportive housing response, an additional vulnerability index is calculated that prioritizes within that subset by level of risk and likelihood of imminent mortality.

The CoC relies on three strategic priorities to ensure long term success: 1. Centralized triage to facilitate timely assessment and placement in the quickest route to permanency ; 2. Significantly increased funding for prevention and rapid re-housing that provide decreasing subsidies on a medium to long term basis (up to 24 months) and creation of strong trusting relationships with landlords willing to provide second chance leases that are so vital to households whose debt history is either non-existent or severely compromised; and 3. Expansion of permanent housing options for persons with significant challenges to long term stability.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.**

Shelters of any kind are never a replacement for a home and homelessness is not limited to a unique place or class of people. It is an outward symptom of a wide array of socio-economic, episodic factors that result in people facing the loss of shelter. Since “one size does not fit all”, the County’s plan contains a range of options that are needed – some of which are in place and others which are targeted for development – to reduce the amount of time a household remains homeless, expedite their transition to permanent housing and independence, and prevent recidivism.

Using best practices learned from communities nationwide, this part of the County’s plan focuses on three key strategies; diversion/prevention, rapid re-housing (RRH) and permanent housing (PH). In addition, accommodations are made for six subpopulations that are identified by the CoC as presenting unique challenges under these three strategies: Unaccompanied youth; Veterans; Chronically homeless and persons with severe somatic and behavioral health challenges; Survivors of Domestic violence, human trafficking and sexual assault; Vulnerable elderly and disabled; and Returning residents. To that end, the CoC has created subcommittees for each of these populations and each subcommittee is charged with designing and implementing additional sustainable strategies that address the unique barriers to permanent housing for their particular sub-population. Finally, the County has a small housing retention initiative (2 Resident Advocates) that follow up with households for up to 18 months after a diversion or prevention intervention has been used to help ensure newly stabilized households remain housed and expansion of this team has been targeted as essential to the continued reduction in recidivism.

**Rapid Re-Housing:** Recognizing that RRH is a national best practice with a high level of success at a lower cost than traditional shelter-based interventions and bolstered by experience gained during the CoC’s implementation of a stimulus funded RRH program (963 households were diverted at an average per household cost of \$2,580 with a recidivism of less than 1%), the County’s plan contains strategies for significant expansion of funding for its current RRH response including:

- Identification of new or expansion of existing funding opportunities including but not limited to the Emergency Solutions Grant (ESG), Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Housing Trust Fund (HTF) and Housing Opportunities for Persons with AIDS (HOPWA) funding;
- Evaluation of current sheltering funds for potential re-allocation;
- Improved utilization of the County’s Community Benefits Agreement (CBA) legislation;
- Targeted landlord outreach and partnerships, including a damage mitigation fund; and

- Reunification when possible (in certain cases, the best PH solution may be reunification with a family member, friend, or other person; especially in the case of an unaccompanied youth);

Keys to the success of this approach include, but are not limited to: a well-developed housing barrier assessment process, good relationships with landlords, the presence of staff skilled in negotiation, housing location, and case management, and the availability of funds for short-to-medium rental and utility subsidies, landlord mitigation, and other costs associated with moving to – and sustaining – stable housing.

**Permanent Housing:** The longer a household remains in a state of homelessness, the less likely they are to prevent the cycle from re-occurring and the greater their risk for recidivism so timely and appropriate intervention is critical. While all housing solutions are important, the County’s plan focuses on two priority areas of permanent housing - subsidized housing and permanent supportive housing (PSH) - both of which are designed to address the complex needs of those identified as least likely to be successful without a long-term sustainable housing solution and for whom multiple RRH interventions have failed. These solutions are yet one more way to “open the back door” of the homeless assistance system and have proven very successful in providing a permanent solution to homelessness for chronically homeless households and other households with very high barriers. By pairing a housing subsidy with wraparound services as long as it’s necessary for the household, these solutions provide a supportive setting for these households while significantly reducing the costs to other systems (i.e.; jails and emergency rooms). To ensure these housing solutions are targeted appropriately and are as effective as possible, the County’s plan includes:

- Administration of a vulnerability test and case review by a centralized multi-disciplinary team that targets deeply, ensuring higher-barrier and chronically homeless households are prioritized for vacant units and the highest risk is served first;
- Creation of new units including: Expansion of voucher set asides and/or priorities, property owner tax credits and landlord incentives, and application for new vouchers including mainstream, 811, FUP, FUP-Y, Section 202, Pay for Success, and other federal opportunities; and
- Utilization of Medicaid reimbursable activities to fund PSH activities and expand units.

**Special Populations:** Permanent Housing for these populations presents a unique set of barriers that further complicate services to persons who are homeless and require additional strategies that are customized to remove these challenges and facilitate transition to permanency.

- *Unaccompanied youth and young adults:* The County has identified unaccompanied young people ages 13-24 as deserving of separate attention and development of a single integrated system of care that is based upon meeting their immediate needs, connecting them with appropriate support systems, and supporting their personal

development along their transition to adulthood is essential to reducing the numbers of youth and young adults experiencing homelessness. The County began development of this system in FY 2012 and since that time, has conducted 6 annual housing instability counts, created 24 beds of emergency shelter and 56 beds of transitional housing, participated on a statewide task force to study housing and supportive services for unaccompanied homeless youth and make recommendations for action by the Maryland General Assembly and State executive agencies<sup>6</sup>, helped pass legislation that resulted in Youth REACH MD - a statewide enumerative effort to count this sub-population - as well as adding homeless youth to the list of those eligible for tuition waivers and Maryland's Ending Youth Homelessness Act of 2018. Additional strategic targets include closing gaps in housing for youth who identify as Lesbian, Gay, Bi-sexual, Transgender and Questioning (LGBTQ), are attending college and need more than 2 years of housing assistance to achieve independence, and / or cannot live independently without long-term housing subsidies and wrap around supportive services. The County was selected in Round 3 as a federal Youth Homeless Demonstration Program site, has completed the Coordinated Community Plan (the goals, programs and strategies of which are incorporated here by reference as County recognized priorities in the 2020-2025 consolidated plan), and is in the implementation phase with 6 separately funded UHY programs including street outreach, a drop in center, two transitional –rapid rehousing programs, a TH crisis program and a permanent supportive housing program.

- *Chronically homeless and persons with severe somatic and behavioral health challenges:* Studies show that although chronically homeless people represent a small share of the overall homeless population, their effect on the homeless system and the community is considerable. Emergency shelters are not designed to address the extensive needs of people with serious mental illness or other disabilities and they tend to be difficult to place in permanent housing without supportive services. The result is they stay homeless in shelters for long periods of time and use a disproportionate amount of shelter resources. Further, many individuals in these subpopulations do not access emergency shelter because they are not willing or cannot comply with the shelter regulations. Strategic efforts to provide permanent housing for this subpopulation include: Development of a registry of all homeless individuals who are chronic and/or experiencing a behavioral health crisis that prevents them from maintaining housing stability without intense intervention and support; County-wide implementation of the vulnerability index and multidisciplinary review panel to determine placement prioritization; Creation of crisis beds (medical and psychiatric); and Development of high acuity housing options for high system utilizers (i.e.; Pay for Success).
- *Veterans:* Prince George's County has the largest number of veterans in the State and yet few access the homeless services system. Out of nearly 70,000 veterans living in the County only 28 were identified as homeless during the FY 2019 Point in Time count.

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<sup>6</sup> Report of the SB764/HB823 Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth, Governor's Office for Children, November 1, 2013.

There is a national commitment to end homelessness among veterans and the County's plan includes strategies designed to help achieve this goal, including: Collaborative relationships with the VA, community colleges, workforce organizations, housing developers and service providers which put the County in position to take advantage of upcoming funding opportunities; A single point of access to veteran service providers - including Supportive Services for Veteran Families (SSVF), Homeless Veterans' Reintegration program (HVRP) and Grants Per Diem (GPD) grantees - that enable veterans to easily access supportive and housing support services and link simultaneously to multiple service organizations; Application for new Veterans Affairs Supportive Housing Program (VASH) vouchers and other housing subsidies; landlord approved leasing discounts for veterans; and expansion of private donations supporting rapid re-housing assistance specifically for veterans.

- *Re-Entry*: Approximately 4,000 inmates are released from the Department of Corrections each year and when this occurs without a structured reentry plan, they place additional stress on communities and service systems that are ill-equipped and/or lack funding to support them. Many do not go back to family or friends, resulting in homelessness and/or an increased risk for returning to a life of crime. The County's plan calls for a collaboration of criminal justice agencies, community organizations and service providers to promote successful re-integration of returning citizens facing homelessness and includes strategies that include: A structured and coordinated re-entry process that prioritizes planning for returning citizens whose were identified as homeless at the time of arrest and who are likely to remain in a County facility (many of those who are incarcerated will be sentenced to a facility outside of the County); Establishment of a County discharge plan that ensures returning citizens are not discharged into homelessness; Applications for new funding opportunities focused on this sub-population; Creation of a step down criminogenic transition program with supports, and Development of relationships with an increased number of landlords willing to offer second chance housing to residents with a criminal history typically precluded from traditional housing resources.
- *Survivors of domestic violence, human trafficking and sexual assault*: There is a significant lack of emergency shelter beds for domestic violence survivors in general and a complete lack of specialized shelter for survivors who meet the following criteria: human trafficking, sexual assault, undocumented immigrant populations, domestic violence by a non-partner and LGBTQ domestic violence survivors. In fact, in FY 2020 the specialized shelter was only able to serve 158 survivor households while the regular shelter system served an additional 192 survivor households in the same reporting period demonstrating the significant need for additional resources for these residents. The County's plan includes strategies designed to address those challenges and ensure every person trying to flee domestic violence has a safe, secure place to stay regardless of their family configuration, and include: Simplified access to services and housing; Re-design of existing shelter facilities to include un-served populations; Trauma-informed training for housing providers to create competency within the regular homeless system

to address the unique needs of survivors; Application for new CoC funding and/or other housing subsidies for survivors; and a collaboration with the National Alliance for Safe Housing to develop a Countywide strategic plan for a comprehensive survivor response system, the goals, programs and strategies (incorporated herein by reference) as County recognized priorities in the 2020-2025 consolidated plan.

- *Vulnerable Elderly and Aging:* Elderly and aging accounts for the largest subpopulation growth in the County's homeless population (a 72% increase in 2020 alone which is significantly above the national average of 30%) and the oldest unsheltered person identified by the street outreach team last year was 83 years old. Elderly persons experiencing homelessness face unique vulnerabilities due to health or mobility limitations. They may also have more significant health concerns not typically seen in homeless services systems, such as Alzheimer's disease or cancer causing significant system challenges related to supporting aging in place within a traditional homeless shelter setting and leading to a significant surge in cost increases associated with health care and housing needs (estimated at more than 5 billion dollars a year). It's important to note that older adults experiencing homelessness already have medical ages that exceed their biological ages. Multiple studies have demonstrated that older adults experiencing homelessness have age-related medical conditions, such as decreased mobility and cognitive decline, on par with housed counterparts who are 20 years older. The average life expectancy of a person experiencing homelessness is estimated between 42 and 52 years, compared to 78 years in the general U.S. population. While relatively new, this local trend is not unique to Prince George's. National demographic trends suggest that there will be a dramatic increase in the number of people age 65 or older as the Baby Boomer generation reaches retirement age and the National Alliance to End Homelessness projects that homelessness among the elderly may "more than double between 2010 and 2050, when over 95,000 elderly persons are projected to be homeless." To combat this, the CoC is pursuing a number of housing interventions—including home modification funding, Section 202, permanent supportive housing and rapid re-housing—which could offset issues of homelessness, declining health statuses, and excessive health care spending.

**Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs**

The first defense against homelessness is prevention and/or diversion both of which are highlighted as priorities in the County's strategic plan. It is much more cost effective for many households to keep them housed rather than take them into the homeless emergency system and then re-house them. The County has a very strong system of prevention and intervention but unfortunately does not have the funding necessary to fully realize its potential in the fight to end homelessness. Currently, individuals and families at risk of becoming homeless can

request help and receive support 24/7/365 through the County's 211 hotline. Trained counselors work with individuals and families to mediate family and/or landlord disputes, link to them to mainstream resources, and solve short-term challenges that can eliminate the emergency. In the event diversion is not possible, direct case management and financial assistance can often be provided (rental arrears and utility assistance) to resolve the crisis and prevent homelessness from occurring.

**Shelter diversion:** The goal of this strategy is to help at-risk households seeking shelter to identify alternative housing options (avoiding entry into a shelter) and to offer support and services that will help them stabilize until a permanent housing opportunity becomes available. Shelter diversion is handled through the coordinated intake process and is used in cases where it is a safe and practical alternative to shelter. Intake workers identify all possibilities that might exist to help prevent unnecessary shelter entry, including staying with friends, relatives, or coworkers and where possible and practical, to permanently re-house the household into a more affordable or appropriate unit. Households needing funds or services to make an alternate housing solution work are provided with financial assistance (when available), case management, mediation, and other services as needed.

**Prevention:** Prevention assistance, usually in the form of immediate and short-term rental and/or utility assistance, provides a means of preserving permanent housing situations and saving households from having to enter the homeless assistance system. Prevention and diversion programs are of critical importance to keeping people from ever becoming homeless in the face of a personal crisis and the County's plan includes creation of a publicly and privately funded and coordinated intervention system focused on preventing homelessness in a way that maximizes the effectiveness of this limited pool of resources. Strategies to support this include an intentional focus on performance measurement, careful targeting of resources to the households most at risk of homelessness, and coordination with mainstream agencies that may be able to provide financial support to homeless households.

Prince George's County envisions a comprehensive housing crisis response system through which homelessness can be prevented, and when this is impossible, episodes of homelessness can be quickly ended. The plan is designed to identify and align homeless support systems to meet the distinct needs of people at risk of, or experiencing homelessness, make additional affordable housing resources available either through development and/or subsidy programs, realign existing resources with prevention and rapid re-housing initiatives, and target permanent supportive housing for those deemed most vulnerable.

### **Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:**

Based on data from the Maryland Department of Health and Mental Hygiene, there were 311 persons diagnosed with HIV in Prince George's County in 2018. Of the 311 HIV diagnoses in 2018, 34.7% were among adults ages 20-29 years old, 25.7% were among those ages 30-39, and

15.1% were among those ages 40-49 years old.

The supply of affordable rental units is very limited. Declines in vacancy rates and increases in average rents create an affordability barrier for residents. Individuals who do not receive rent subsidy have difficulty finding appropriate places to live. Apartments are generally too expensive for many low-income residents. Renters in this region often incur housing cost burdens.

It is projected that the need for services will continue to increase as the life span of persons living with HIV/AIDS continues to improve. Every effort must be made to stabilize adequate living conditions to prevent homelessness and premature placement of dependent children into foster care. Through the HOPWA Program, tenant-based rental assistance and housing related short-term assistance are offered to individuals and families living in shelters or who are in imminent danger of becoming homeless. HOPWA provides ongoing housing assistance to households with family members affected by the virus. It also provides emergency assistance on a case-by-case basis for HIV/AIDS-affected households.

As stated, the HAHSTA is the administrative agent for Suburban Maryland. This region includes Prince George's County, Calvert County, and Charles County. Suburban Maryland jurisdictions operate HOPWA programs in collaboration with nonprofit organizations that help clients meet their daily needs for housing, mental health, substance abuse treatment, and other supportive services. Each HOPWA agency assists participants toward self-sufficiency by providing referrals to job training and rehabilitation programs. All HOPWA agencies in Suburban Maryland participate in their respective County's Continuum of Care (CoC) Plan. The priorities and allocations of the Suburban Maryland region correlate with those of the Washington, D.C. Eligible Metropolitan Statistical Area.

All rental units in Suburban Maryland are available to individuals with HIV/AIDS as long as the rents are reasonable as defined by the HUD Fair Market Rents (FMRs) and as required by federal HOPWA regulations. The most common type of housing units available for rent in Suburban Maryland are in apartment buildings, single-family homes, and townhomes.

It is anticipated in FY 2022 with the use of available HOPWA funds, 175 individuals and families will receive housing assistance. Approximately 115 individuals and families will receive tenant-based rental assistance and 60 individuals and families will receive housing related short-term assistance (short-term rent, mortgage, and utility assistance). Currently, Suburban Maryland does not use HOPWA funds for supportive services due to funding availability. However, Suburban Maryland provides a link to supportive services.

Currently, there are over 200 clients on the waiting list for housing. The housing gaps are emergency housing, transitional housing, long-term housing facilities, and supportive services. The County considers this need a "high priority". Therefore, the five-year goal is to provide housing opportunities for 212 additional persons with HIV/AIDS and their families and to

provide supportive services for existing and new clients.

HAHSTA subcontracts with the Housing Counseling Services, Inc. (HCS). HCS administers the Metropolitan Housing Access Program (MHAP), the centralized source for housing services and housing information for persons living with HIV/AIDS (PLWHA) in the District of Columbia, Prince George's County, and Charles County. MHAP services differ depending on where you live. Find out which MHAP services are available in Prince George's County, Maryland: <http://housingetc.org/metropolitan-housing-access-program-mhap-prince-georges-county-md/> or contact the Housing Counseling Services, Inc. at 202-667-7006 for more information.

## **AP-75 Barriers to affordable housing – 24 CFR 91.220(j)**

### **Introduction:**

Introduction:

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

### **Introduction:**

Prince George’s County conducted an Analysis of Impediments to Fair Housing Choice (AI) in alignment with the County’s FY 2021-2025 Consolidated Plan cycle.<sup>7</sup> The AI requires that the County consider how funds by the U.S. Department of Housing and Urban Development will “affirmatively further fair housing” as required under the Fair Housing Act of 1968 and the Housing and Community Development Act of 1974, as amended.

The AI analyzes the disparities in access to housing as well as policies, practices, and procedures that limit housing choice to protected classes. The Fair Housing Act ensures that no person will be denied the sale or rental of housing because of their race, color, religion, sex, familial status, and persons with disabilities (protected classes). The County also includes protection for: age, occupation, political opinion, personal appearance, and most recently, source of income. The AI includes a market analysis, and a review of policies, practices, and procedures that impede or limit housing choice. Some examples of topics that are barriers to housing and impede housing choice include:

- Racial and ethnic segregation especially concentrated areas of poverty;
- Gentrification and displacement of residents from their communities;
- Access to communities with high quality schools, good jobs, and public transportation;
- Access barriers for people with disabilities;
- Zoning regulations that limit housing types;
- Fair housing rights and enforcement; and
- Seniors, families with children, Housing Choice Voucher holders, and persons with disabilities face unique housing challenges.

The County has identified the following barriers to fair housing choice:

### **Demographics**

The AI includes an analysis of demographic, economic, and housing information for Prince George’s County and the City of Bowie, along with comparisons with the Washington DC metropolitan area and the State of Maryland. The demographic analysis is designed to describe the underlying conditions that shape housing market behavior and access to housing opportunities in Prince George’s County and the City of Bowie. This analysis is also intended to help the County and City plan for where there are likely to be growing housing needs in the future.

Among the key findings from the demographic analysis:

### **Population**

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<sup>7</sup> Adopted by the Prince George’s County Council on November 10, 2020 through Council Resolution CR-092-2020.

- Since 2000, the Black population in Prince George’s County has stayed relatively stable, while the White population has continued to decline. The biggest change in the racial/ethnic composition of both Prince George’s County and the City of Bowie has been the dramatic growth of the Hispanic population.
- An estimated one of out of ten Prince George’s County residents age five and older speak English less than “very well,” with Spanish being, by far, the most common language spoken. The number of non-English speakers has increased dramatically since 2000.
- Nearly one in 10 County and City residents has a physical or cognitive disability, comparable to rates in the Washington DC region and the State of Maryland. Because disability status and age are highly correlated, the disabled population likely will increase significantly in the next two decades as the population ages.

### **Income and Poverty**

- In Prince George’s County and the City of Bowie, Black households have a higher median household income than the overall median. In addition, poverty rates for Black residents in Prince George’s County are lower than for other racial and ethnic groups. Rates of poverty among Hispanic residents are higher in Prince George’s County, but are lower in the City of Bowie.

### **Employment**

- Since 2015, job growth in Prince George’s County has outpaced growth in both Montgomery County and the State of Maryland. However, the County’s economy continues to be more highly concentrated in public sector employment and lower-wage industries.

### **Housing Market**

- Prince George’s County felt the effects of the 2006 to 2009 housing market downturn more acutely than most of the rest of the Washington DC metropolitan area, and the County took longer to recover. However, home prices have been up strongly in recent years, which is a positive for current homeowners, but is making it more difficult for first-time buyers.
- In both Prince George’s County and the City of Bowie, there has been a substantial decrease in the number of rental units with rents below \$1,000. At the same time, new high-rent units have been added to the stock, often with rents of \$2,000 or more. Rising rents have created significant affordability challenges for individuals and families with low and moderate incomes.

### **Segregation/Integration**

Measures of racial segregation are important for understanding how historic residential settlement patterns have had an impact on the ability for individuals and families in Prince George’s County and the City of Bowie to access opportunity. This section uses segregation indices and mapping to evaluate patterns of segregation and integration within the County and City. Key findings from the segregation/integration analysis include the following:

- There remains persistently high racial and ethnic segregation in Prince George’s County, with residential segregation levels virtually unchanged over the past two decades. Across the region, levels of Black-Hispanic segregation are highest in the District of Columbia and Prince George’s County. The Hispanic-White segregation measure is higher in Prince George’s County than in other Washington DC area jurisdictions.
- The residential locations of the foreign-born population are strongly associated with the locations of the County’s Hispanic population, with high concentrations of foreign-born residents in Langley Park, Chillum, and Adelphi. These are neighborhoods where Limited English Proficient (LEP) residents also are highly concentrated.
- There are more than 83,000 residents in Prince George’s County with one or more disabilities, including about 5,350 residents of the City of Bowie. There are neighborhoods with large populations of disabled persons in many parts of the County, including many areas with relatively high levels of poverty.

### **Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs)**

Analyzing the locations and population characteristics of R/ECAPs in Prince George’s County can help to better understand entrenched patterns of segregation and poverty, which is critical in assessing where public- and private-sector investments are most needed, and whether local policies and programs are helping to alleviate—or, alternatively, have the effect of increasing—income and racial segregation.

- Only four Census tracts in Prince George’s County, fewer than 2% of all Census tracts, meet HUD’s definition of racially and ethnically concentrated areas of poverty. There are no R/ECAPs located in the City of Bowie.
- Hispanic residents and Asian residents make up disproportionately high shares of individuals living in the County’s R/ECAPs. Black Prince George’s County residents are less likely than residents of other races/ethnicities to live in racially and ethnically concentrated areas of poverty.
- Persons with a disability in Prince George’s County are modestly more likely to reside in a R/ECAP than are residents without a disability.

### **Disparities in Access to Opportunity**

There is a broad set of research that has documented the important links between health, education, and economic outcomes of individuals and families and the quality of the neighborhoods in which they live. Access to a wide range of education, employment, transportation, and health services and amenities is critical for ensuring successful outcomes for families and children. When segments of the population do not have access to these opportunities, then the entire community is negatively impacted.

The AI examined access to various types of opportunities—education, employment, transportation, low-poverty neighborhoods, and environmentally healthy neighborhoods. The analysis included a synthesis of the barriers faced by members of protected classes in accessing opportunities in Prince George’s County and the City of Bowie.

## **Education**

Access to education is critical for ensuring opportunities for economic mobility and success. There are indicators that patterns of residential segregation in Prince George’s County have left some individuals, children, and families with a lack of access to high-quality education, while others benefit from high-quality educational opportunities.

## **Employment**

When individuals have good access to jobs, there is a wide range of beneficial outcomes, including family and housing stability, dismantling of intergenerational poverty, and opportunities for upward economic mobility. In Prince George’s County, there remain disparities in employment opportunities and outcomes.

- Neighborhoods in Prince George’s County with higher shares of Black residents tend to have access to fewer jobs, based on HUD’s Jobs Proximity Index, compared to neighborhoods with lower shares of Black residents. By contrast, neighborhoods in the County with relatively high concentrations of Hispanic residents, who tend to reside in a handful of close-in neighborhoods near major transportation routes, tend to have higher employment access.
- There is an on-going need for greater job skills training, especially among protected classes and public housing residents. The City of Bowie is focusing its attention on City youth, especially those disengaged from work or school, through its Life Skills and STEM program that prepares youth for higher-paying professional jobs in industries such as information technology, cybersecurity, aeronautics, science, and the medical field. Expanding access to employment centers also remains essential. Construction of the Purple Line from New Carrollton to Bethesda is supposed to improve access to job opportunities; however, much will depend on the fare and operating hours, as well as future redevelopment along the Purple Line corridor.

## **Transportation**

Disparate access to transportation options can often be a major impediment to economic mobility. In fact, a comprehensive study of economic mobility found that “the relationship between transportation and social mobility is stronger than that between mobility and several other factors, like crime, elementary-school test scores, or the percentage of two-parent families in a community.”

- In Prince George’s County and the City of Bowie, lower-income residents and non-White residents are more likely than more affluent residents and White residents to rely on public transportation and to have longer commutes. Transportation opportunities depend on both household income and place of residence within the County or City. Disparities in these opportunities can exacerbate gaps in economic mobility.

## **Low-Poverty Exposure**

Researchers, advocates, educators, health care professionals, and others all know how neighborhood environments—particularly the presence of poverty—has long-lasting impacts on children’s eventual success in adulthood.

- There are significant variations in poverty rates across the County. Census tracts with higher shares of Black residents have a somewhat lower average poverty rate than the overall rate for the County. By contrast, neighborhoods with relatively high shares of Hispanic residents tend to have more concentrated poverty.

### **Environmentally Healthy Neighborhoods**

Environmentally healthy neighborhoods are defined as places with healthy physical environments, free from pollutants, with limited exposure to crime, and availability of healthy options. However, lower-income families, persons of color, and disabled individuals are often disproportionately negatively impacted by unhealthy neighborhoods. Research has demonstrated important links between environmentally healthy environments and individual health outcomes. For example, one study found that exposure to health hazards accounts for up to 60% of racial disparities in intergenerational inequality.

### **Disproportionate Housing Needs**

The AI included assessments of housing challenges in Prince George’s County and the City of Bowie, including housing cost burden, evictions, homelessness, and housing vacancies, which are important issues to evaluate, particularly as members of protected classes are routinely more severely impacted by these challenges. In addition, the evaluation includes an analysis of homeownership and access to home mortgages.

### **Disability and Access**

Based on the data, interviews, and focus groups analyzed, it was determined that the protected class with the most underserved needs in Prince George’s County are disabled persons.

### **Summary of Fair Housing Goals and Strategies**

The AI Fair Housing report identified the following top fair housing issues based on the Analysis of Fair Housing Issues, Disparities in Access to Opportunity, and Disproportionate Housing Needs:

1. Inadequate Fair Housing Enforcement
2. Limited Housing Choices for Persons with Disabilities
3. Persistent Housing Challenges Among Hispanic Residents
4. Insufficient Funding for Nonprofit Organization
5. Limited Homeownership Options for Subgroups of County and City Residents
6. Need for Affordable Housing for Vulnerable Populations
7. Limited Access to High-Quality Neighborhoods for Residents of Many Parts of the County

### **Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing:**

The County continues to reduce the barriers identified in its 2019 AI update by assigning specific tasks and recommended actions to address each identified impediment. Additionally, the County is in the process of developing a Language Access Plan (LAP), which will help address the goal to better reach persons with Limited English Proficiency (LEP). Currently, the DHCD has taken steps to broaden its outreach with translation of its public notices from English to Spanish, as well as providing translation

services as public meetings.

The following are the fair housing goals and actions that address the fair housing issues and impediments listed above.

**Goal 1: Complete steps to create a fair housing enforcement ecosystem for Prince George’s County**

**Action Taken:**

- Attain Fair Housing Assistance Program (FHAP) status for the HRC and amend Division 12 to allow HRC to investigate cases.
- Identify and fund a nonprofit partner as a certified fair housing organization able to conduct fair housing testing.
- Increase training on fair housing, the Americans with Disabilities Act, Section 504, and other applicable laws and regulations.
- Share data and findings with Washington metro region’s Regional Analysis of Impediments effort.

**Goal 2: Address deficiencies related to the Ripley settlement**

**Action Taken:**

- Expand the capacity of the County’s 504 Coordinator by adding resources.
- Prioritize the County’s Housing Rehabilitation Assistance Program (HRAP) for persons with disabilities and seniors.
- Create a Visitability Advisory Board to ensure that that all CDBG and HOME-assisted units comply with visitability standards.
- Consider developing an online tools to assist in the identification of accessible housing units.

**Goal 3: Prioritize programs and funding for persons with disabilities, homeless individuals and families, and seniors**

**Action Taken:**

- Convert HOME funding to Tenant-Based Rental Assistance Program (TBRA) to prioritize disabled persons, seniors, and single-headed households in danger of homelessness.
- Add priority points in the CDBG grant selection process for organizations that provide public services that serve disabled, Latino, and senior communities.
- Prioritize Housing Trust Fund dollars for the construction of affordable housing for individuals and families at 30% AMI and below, especially persons with disabilities and seniors.
- Develop new senior housing developments with greater access to transportation, retail, and services.

**Goal 4: Ensure language access especially for the county’s Spanish speaking population**

**Action Taken:**

- Complete the four-factor analysis to determine whether programs are adequately accessible to those with limited English proficiency (LEP).
- Identify and fund a HUD-certified nonprofit housing counseling partner that can increase the number of bilingual counselors and provide education on tenant rights and rental counseling.
- Increase and improve code enforcement efforts.

**Goal 5: Balance investments in revitalizing distressed communities (including R/ECAPs) with investments to expand affordable housing options in neighborhoods of opportunity**

**Action Taken:**

- Support Plan 2035's vision by targeting funds identified in the plan's Growth Policy
- Engage in transportation equity issues.
- Consider environmental justice concerns in the siting and location of new affordable housing developments, as well as opportunities for the relocation of affected lower-income residents, particularly seniors and children with health concerns.
- Fully launch Right of First Refusal Program (ROFR).
- Establish clearer standards for the County's Payment in Lieu of Taxes (PILOT) program.
- Reconsider adoption of an Accessory Dwelling Unit (ADU) policy.

**AP-85 Other Actions – 24 CFR 91.220(k)**

**Introduction:**

**Actions planned to address obstacles to meeting underserved needs**

Households with extremely low-income (0-30) percent of their median family income) and who spend more than half of their income on housing, are considered under-served and have the “worst-case needs.” Most of these households are renters. Funding remains the largest obstacle to meeting these under-served needs. To address this issue, County leverages limited HUD funds by encouraging and forming partnerships with nonprofit organizations, local government agencies, municipalities, and for-profit organizations for housing projects that will serve households at or below 30 percent of the area median income (AMI). The following are CDBG, HOME, ESG, HOPWA, Public Housing, and Housing Choice Voucher projects that will serve under-served households during FY 2022.

**Table 11 – FY 2022 Projects Serving Households at or below 30 Percent of the AMI**

Resource	Project Types	Income Limits	Proposed Number of Households Served
CDBG and CDBG-CV	Homeowner Rehab Rental Assistance	0 – 80% AMI	170 - Households
HOME	Multi-Family Housing Rental Rehab and Construction	0 – 80% AMI	21 - Seniors, Persons with Disabilities and/or Low to Moderate Income Households
ESG and ESG-CV	Rental Assistance	0 – 50% AMI	920 - Individuals and Families experiencing homelessness or at risk of homelessness
HOPWA	Rental Assistance	0 – 80% AMI	235 - Persons living with HIV/AIDS and their Families
Public Housing	Rental Assistance	0 – 30% AMI	376 - Households
Housing Choice Voucher	Rental Assistance	0 – 30% AMI	5,837 – Households
Coronavirus Relief Fund (CRF)	Rental Assistance	0 – 80% AMI	2,450 - Households

Note: Extremely Low (0-30% AMI), Very Low (31-50% AMI), and Low (51-80% AMI)

**Actions planned to foster and maintain affordable housing**

Through Housing Opportunity for All, the County is taking a dual approach to housing investments over the next 10 years. First, it will remove regulatory barriers and other hurdles to make development easier across the board. Second, it will use public policy and resources to help produce new housing options, especially for lower income households that the private market may not serve. The Housing Opportunity for All working group prioritized exploring increases to the HITF (Cross-cutting Action 3.1), establishing stronger, market informed inclusionary housing requirements (Cross-cutting Action 1.5), strengthening the right-of-first refusal provisions (Targeted Action 2.6) and establishing a land bank to support redevelopment

of abandoned residential properties (Targeted Action 3.2).

### **Actions planned to reduce lead-based paint hazards**

The State of Maryland's approach to reducing and eliminating childhood lead poisoning was significantly revised with the October 2015 update of the "Maryland Targeting Plan for Areas at Risk for Childhood Lead Poisoning" (Targeting Plan). The Executive Summary of the Plan describes its key recommendations as:

- Testing of all Maryland children ages 12 and 24 months: For a period of three years, all Maryland children under the age of 6 years should be tested for lead exposure at 12 and 24 months of age, based on a determination by DHMH that all ZIP codes and census tracts in the State should be considered "at risk" under the requirements of Maryland Code Annotated, Health-General Article, § 18- 106, and Code of Maryland Regulations (COMAR) 10.11.04;
- Re-evaluation of recommendations based on surveillance findings: At the end of three years, DHMH will re-evaluate these recommendations, based on the analysis of blood lead testing data developed over the three-year period; and
- Clinical management: Like children with higher blood lead levels, children with blood lead levels of 5 to 9 micrograms per deciliter (mcg/dL) should have a confirmatory test, an assessment of possible sources of lead exposure, an assessment of other vulnerable individuals in the home, and a repeat blood test until it is clear that they do not have ongoing lead exposure.

The second element of the State Elimination Plan is to identify children who may be at risk of lead exposure. The State of Maryland requires testing children at the ages of one and two.

### **Actions planned to reduce the number of poverty-level families**

The 2013-2017 ACS data shows Prince George's County poverty level is 9.3%. The chart breaks down the total population for whom poverty status is determined based on race and Hispanic or Latino origin, the general population with any disability, and veterans. The Hispanic or Latino population for whom poverty status is determined is 155,904. Of which, 13.3% are living below the poverty level. Of the White population for whom poverty status is determined, 10% are living below the poverty level. The population with the largest population for whom poverty status is determined is the Black or African American population, 565,323. Of which, 8.2% are living below the poverty level. The poverty rate for any persons with a disability is far higher than the County's rate – 13.8%. Looking at the veteran population for whom poverty status is determined, there are 56,520 veterans. Four percent (2,260/4%) have incomes in the past 12 months below poverty level.

The previous Consolidated Plan was amended to include a Section 3 Action Plan that addresses policies and procedures for all HUD covered activities such as: 1) programs that may include multiple contracts, contracts with parts of HUD funding of public or residential construction projects; 2) services and professional service activities generated by construction, such as roads, sewers, sidewalks, community centers, etc.; and 3) all public housing authority covered

activities such as maintenance, development, modernization, and operations.

The purpose of the County's Section 3 Action Plan is to ensure that local low- and very low-income residents and local businesses, to the "greatest extent feasible," are beneficiaries of Section 3 covered projects administered by the County, specifically the Department of Housing and Community Development, the Housing Authority of Prince George's County and the Redevelopment Authority of Prince George's County.

The County may demonstrate compliance with the "greatest extent feasible" requirement of Section 3 by meeting the following HUD numerical goals:

1. Employ qualified Section 3 residents, as thirty percent (30%) of aggregate number of new hires resulting from contracts and subcontracts on a covered activity;
2. Award to Section 3 business concerns at least ten percent (10%) of the total dollar amount of all Section 3 covered contracts for building trades work; and
3. Award to Section 3 business concerns at least three percent (3%) of the total dollar amount of all Section 3 covered contracts for non-construction work.

The County and its partners implement a variety of programs to eliminate poverty through increasing the affordability of housing, increasing the wherewithal of residents to afford more house in relation to their income, stemming neighborhood decline and blight, thus helping residents grow value in their owned or rented real estate assets, and by protecting vulnerable populations and minority communities from predatory financial lending practices and discrimination. These programs meet the various needs of individuals and families as they progress toward financial self-sufficiency.

#### **Actions planned to develop institutional structure**

Cross-cutting Action 2.8 in Housing Opportunity for All helps to increase internal capacity to support implementation of CHS goals and strategies, by assessing the existing delivery systems and organizational structures, and aligning them to support strategy implementation. This effort will be ongoing during the FY 2021-2025 Consolidated Plan.

#### **Actions planned to enhance coordination between public and private housing and social service agencies**

Cross-cutting Action 2.1 in Housing Opportunity for All supports cross-departmental coordination and communication. By implementing this action, the County will establish a cross-departmental team to coordinate on housing development and capital improvement and related planning projects, geographic targeting and priorities, evaluating the impact of policies and leveraging cross-sector resources, capacity and tools, including social service providers.

## **AP-90 Program Specific Requirements – 24 CFR 91.220(l)(1,2,4)**

### **Community Development Block Grant Program (CDBG)**

Reference 24 CFR 91.220(l)(1)

DHCD administers the CDBG program. The federal CDBG program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for LMI persons. Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table.

The following identifies program income that is available for use that is included in projects to be carried out.

The County anticipates it will earn \$344,311 in CDBG Program Income, which must be disbursed before any new entitlement funds are used. Up to twenty percent (20%) of the program income received may be, as allowed under the regulations, deposited into DHCD's account(s) for administrative related costs.

The County anticipates program income will be generated from the following sources in FY 2022:

- **Housing Rehabilitation Assistance Program (HRAP):** The County anticipates \$240,071 in program income will be generated from the Housing Rehabilitation Program;
- **Multi-family and Commercial Loans:** The County anticipate receiving \$20,848 in program income will be generated from CDBG commercial loans. The program income will be used for CDBG training, staff development, and other program enhancements; and
- **Lead Identification Field Testing (LIFT):** The County anticipates \$83,392 in program income will be generated from any CDBG commercial loans and will be used for eligible affordable housing, economic development, public facilities and infrastructure, planning and administration and public services activities.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$344,311
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	N/A
3. The amount of surplus funds from urban renewal settlements.	N/A
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	N/A
5. The amount of income from float-funded activities	N/A
<b>Total Program Income</b>	<b>\$344,311</b>

Other CDBG Requirements

1. The amount of urgent need activities	N/A
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**HOME Investment Partnership Program (HOME)**

Reference 24 CFR 91.220(l)(2)

**1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:**

Prince George's County does not use HOME funds in any other manner than those described in 24 C.F.R. § 92.205.

**2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:**

DHCD administers one HOME funded homebuyer program, the Pathway to Purchase Program (formerly known as My HOME Program), which assists income-eligible first-time homebuyers to purchase eligible residential properties by providing homeownership assistance.

The Program offers zero percent (0%) interest, deferred payment of up to the maximum of \$10,000 as needed, for mortgage principle reduction, and/or down payment and/or closing costs. To be eligible, applicants must comply with monthly housing costs burden and total debt ratio requirements set administratively by the Department of Housing and Community Development. All properties must pass a Housing Quality Standards (HQS) Inspection.

When using HOME funds in any County program involving homebuyer activities, the County will incorporate the following provisions as appropriate:

### **Recapture Provision**

For all programs providing a direct HOME subsidy to enable the homebuyer to buy a housing unit, the recapture provision will be enforced. Direct HOME subsidy includes down payment, closing costs, interest subsidies, or other HOME assistance provided directly to the homebuyer. In addition, direct subsidy includes any assistance that reduces the purchase price from fair market value to an affordable price.

If the HOME recipient decides to sell the house within the affordability period, based upon the direct HOME subsidy provided to the homebuyer which enabled the homebuyer to purchase the unit, the County will recapture all or a portion of the direct HOME subsidy. However, the amount recaptured by the County cannot exceed what is available from net proceeds. Net proceeds are defined as the sales price minus superior loan repayments (other than HOME funds) and any closing costs. Under no circumstances will the County recapture more than is available from the net proceeds of the sale.

The County enforces the recapture provision with a HOME Regulatory Agreement, Declaration of Covenants and Deed of Trust to be recorded in the County's land records. For all homebuyer assistance programs providing a direct HOME subsidy, the County will execute and record similar legal documents to enforce the recapture provision.

DHCD also administers the Prince George's County Purchase Assistance Program (PGCPAP) funded by the Prince George's County Housing Investment Trust Fund (HITF). PGCPAP will assist income-eligible, up to 120% of the Area Median Income (AMI), first-time homebuyers to purchase eligible residential properties by providing homeownership assistance. PGCPAP homeownership assistance will be zero percent (0%) interest, deferred payment of up to the maximum of \$15,000 with an optional \$5,000, as needed, for down payment and/or closing costs. Applicants must comply with monthly housing costs burden and total debt ratio requirements set administratively by the Department of Housing and Community Development.

**NOTE: Exception: Development subsidies (i.e., the difference between the cost of producing the unit and the fair market value of the unit) are not subject to recapture as the homebuyer does not realize a direct benefit from these funds. For properties that receive development subsidies only, and there is no direct financial assistance to the homebuyer, the resale requirements below will apply.**

### **Resale Provision**

Subject to underwriting, certain County programs, specifically those involving newly constructed or substantially rehabilitated HOME-assisted units must remain affordable over the entire affordability term, and therefore those units will be designated as "affordable units." If a

unit is so designated, and is sold during the affordability period, the sale must meet the following criteria:

- The new purchaser must be low-income, defined as a family at seventy to eighty percent (70% to 80%) of area medium income paying no more than thirty percent (30%) of income for principal, interest, property taxes and insurance.
- The new purchaser must use the property as the family's principal residence and agree to assume the remainder of the original affordability period.
- The sales prices will be controlled by the County so as to be "affordable" to the new purchaser.
- The original homebuyer, now the home seller, must receive a "fair return" on their investment, as defined by the County.
- Fair return will be measured by the percentage change in the Consumer Price Index (CPI) over the period of ownership.
- The basis for calculating fair return will include a return on: 1) the HOME-assisted buyer's original investment, plus 2) capital improvements made by the original buyer based on the actual costs of the improvements as documented by the homeowner's receipts.
- These improvements will include: window and roof replacements; electrical and plumbing systems upgrades; infrastructure improvements; kitchen and bathroom remodels; finishing of basement and energy efficient upgrades.
- In some instances, it may be necessary for the County to provide HOME assistance to the subsequent purchaser to ensure that the original buyer receives a fair return and the unit is affordable to the low-income population, as defined.
- The County will use applicable deed restrictions and land covenants to enforce the resale restrictions.

**3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:**

The County will enforce the recapture/resale guidelines during the applicable affordability with a deed restrictions and land covenants to be recorded in the County's land records.

**4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:**

Prince George's County does not use HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds.

**Emergency Solutions Grant (ESG)**

Reference 91.220(l)(4)

DHCD is the administering agency of the Emergency Solutions Grants (ESG) program. DHCD subcontracts with the Prince George's County Department of Social Services (DSS) to implement the ESG program.

**1. Include written standards for providing ESG assistance (may include as attachment)**

Written standards to be used in administering ESG activities have been developed in partnership with DHCD, DSS, and the CoC (HSP) and ensure:

- Consistent evaluation of individual and family eligibility for assistance in accordance with the definitions of homeless and at risk of homelessness (24 C.F.R. §576.2) as well as with recordkeeping requirements;
- Coordinated and integrated service delivery among all impacted providers;
- Clear and distinct eligibility requirements in place for homelessness prevention versus rapid rehousing assistance;
- Single mechanism for prioritizing applicants who are eligible for assistance;
- Matrix that identifies what percentage and/or amount (or range thereof) each participant must pay, if any, while receiving assistance, how long a single participant may receive assistance (including maximum number of months or times a participant may receive assistance), and adjustments in percentage and/or amount (or range thereof) the participant must pay (including the maximum amount of assistance a participant may receive), if any; and
- Compliance with all ESG rules and regulations.

See Appendix F – ESG-CV Written Standards.

**2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.**

The Prince George's County Continuum of Care (CoC) for homeless persons is coordinated through the County's Homeless Services Partnership (HSP) which includes over one hundred (100) public and private agencies, faith-based organizations, service providers, mainstream programs, consumers and concerned citizens which meet monthly and work collaboratively to establish strategic priorities, assess progress, ensure compliance with HUD and other funder requirements and oversees full implementation of the County's Ten Year Plan to Prevent and End Homelessness.

The CoC is fully compliant with HUD's requirements for centralized intake and assessment. The CoC operates a 24-hour hotline for calls related to housing instability and homelessness. Entrance to all County emergency shelters, as well as diversion and prevention measures, are accessed through this hotline. The central point of entry allows homeless persons to gain services and shelter without having to navigate several different systems and application

procedures. Residents are screened, assessed and linked to a prevention/diversion program or an appropriate emergency shelter based on gender, family composition, need, and bed availability. This centralized process includes system wide coordinated entry protocols for prioritizing and customizing homeless services based on the identified needs of the individual. These protocols create a prioritization code for all those currently in or entering the system which is used to help determine which response – RRH, Emergency Shelter, Transitional Shelter, or PSH is best suited to the household and will help reduce the time spent in homelessness as well as reducing the cost per successful placement. As part of this approach, the CoC also maintains a registry of all known chronically homeless persons and uses a vulnerability index to prioritize those most in need of long-term subsidies and support. The centralized assessment team meets weekly to review all cases.

**3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).**

Through direct operations, as well as publicly procured contracts with private non-profit agencies in the County, DSS currently uses ESG funds to provide emergency shelter, street outreach, HMIS, and homeless prevention and rapid re-housing services. Services are provided through the HSP provider network and all financial assistance funds are issued by DSS. Funding priorities for services are determined using several factors: (1) priority areas identified in the County Ten Year Plan to prevent and end homelessness, (2) alignment with HEARTH and ESG regulations, (3) level of need documented in HMIS (annual CAPER report), and (4) funds currently available for similarly situated activities.

**4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.**

The County meets the homeless participation requirement. Several members of the HSP are individuals who were homeless or formerly homeless.

**5. Describe performance standards for evaluating ESG.**

Written standards to be used in administering ESG activities have been developed in partnership with DHCD, DSS, and the CoC (HSP) and ensure:

- Consistent evaluation of individual and family eligibility for assistance in accordance with the definitions of homeless and at risk of homelessness as well as with recordkeeping requirements;
- Coordinated and integrated service delivery among all impacted providers;
- Clear and distinct eligibility requirements in place for homelessness prevention versus rapid

- rehousing assistance;
- Single mechanism for prioritizing applicants who are eligible for assistance;
- Matrix that identifies what percentage and/or amount (or range thereof) each participant must pay, if any, while receiving assistance, how long a single participant may receive assistance (including maximum of months or times a participant may receive assistance), and adjustments in percentage and/or amount (or range thereof) the participant must pay (including the maximum amount of assistance a participant may receive), if any; and
- Compliance with all ESG rules and regulations.

DHCD also uses monitoring standards governing activities set forth in HUD’s monitoring guidebook for the ESG program for making judgments about the program effectiveness and management efficiency; which includes performance expectations (i.e., number of persons in overnight shelter, number of beds created, etc.).

### **Monitoring**

Monitoring is an integral management control technique and a Government Accountability Office (GAO) standard. It is an ongoing process that assesses the quality of a program participant’s performance over a period of time. Monitoring provides information about program participants that is critical for making informed judgments about program effectiveness and management efficiency. It also helps in identifying instances of fraud, waste, and abuse.

Prince George's County's Consolidated Plan for Housing and Community Development was implemented through County departments and agencies, municipalities, private nonprofit organizations and for-profit entities using Federal, State, County and private financing. The following describes the complex undertaking, policies and procedures for the regular monitoring of the performance of operating agencies and their compliance with the federal laws and CPD program regulations.

#### *Monitoring Objectives*

The County's Monitoring and Compliance objectives are to ensure:

- Compliance with Federal statutory and regulatory requirements for the Community Development Block Grant (CDBG) Program, HOME Investment Partnerships (HOME) Program, and the Emergency Solutions Grants (ESG) Program;
- Consolidated Plan funds are used for the purposes for which they were made available; and
- General administrative and financial management capabilities by providing a mixture of training, orientation and technical assistance to grantees.

#### *Monitoring Standards*

Standards governing activities listed in the *Consolidated Plan* shall be those set forth in HUD's monitoring guidebooks for each covered program (CDBG, HOME, and ESG). Basic monitoring

will address the following:

- National objectives/eligibility
- Program progress
- Overall management systems
- Personal property management
- Sub-recipients and third-party contractors
- Financial management/audits
- Allowable costs/cost principles
- Program income/program disbursements
- Records maintenance and activity status reporting
- Davis-Bacon Wage Rates
- Reversion of assets
- Real property inventory and reporting
- Matching, level of effort and earmarking requirements
- Anti-discrimination, affirmative action, and equal employment opportunity
- Religious and political activity
- Conflict of interest
- Procurement standards and methods
- Environmental compliance
- Lead-based paint abatement
- Confidentiality
- Terms applicable to assistance over time

Specific emphasis will be placed on assurance of compliance with certifications submitted with the *Consolidated Plan* to the U.S. Department of Housing and Urban Development. These include, but are not limited to, the following:

- Affirmatively furthering fair housing
- Acquisition, anti-displacement and relocation assistance
- Drug-free workplace
- Section 3
- Excessive force
- Anti-lobbying
- Program-specific certifications for CDBG, HOME, HOPWA and ESG

#### *Sub-recipient Monitoring Procedures*

The County's approach to Sub-recipient monitoring involves several areas of focus through a scheduling process as follows:

1. Orientation, Training, and Technical Assistance

- Orientation: A sub-recipient orientation workshop is held prior to the commencement of each program year, and after adoption of each Annual Action Plan to provide sub-recipients with an overview of the County's expectations for their performance in carrying out activities under contract. The workshop includes a briefing on basic rules and requirements, panel presentations by sub-recipient peers on issues and solutions, and separate roundtable discussions for review of more specific programmatic requirements under CDBG, HOME, and ESG. The intent is to ensure full awareness and understanding of performance expectations, especially by new discussion and peer-interaction.
- Training: Training of sub-recipients is conducted throughout the program year and will address technical matters such as eligible costs and compliance with the Office of Management and Budget (OMB) circulars. Its purpose will be to enhance sub-recipient performance, encourage capacity building, and increase sub-recipient effectiveness and efficiency in delivering benefits to the community.
- Technical Assistance: Technical assistance is offered to sub-recipients to correct specific weaknesses identified through monitoring the particular funded activity, or through review of required reports.
- Further risk assessments will be conducted early in the program year to assist sub-recipients detect potential problems before they occur and offer workable solutions. Technical assistance is also available in response to sub-recipient requests.

## 2. Program and Records Management

The maintenance of the documentation on sub-recipient performance in implementing activities under contract is the cornerstone of the County's Consolidated Plan monitoring efforts. The file documentation to be maintained on site is specified in the contract provisions. The following describes the type of documentation maintained in the project files:

- Project Files: Separate six-sided files are maintained on each funded activity per program year and program. These files include:
  - Approved applications for CDBG, HOME, or ESG funding;
  - Award notifications, grant agreements, and contracts executed between the County and its sub-recipients, and between sub-recipients and their contractors;
  - Correspondence between the County and its sub-recipients concerning questions they have about eligible costs, substantial changes in the uses of CDBG, HOME, or ESG funds. Such correspondence may address amendments, eligible costs, and qualifying basis;
  - Financial and audit reports;
  - Reports requested from sub-recipients concerning activities undertaken with CDBG, HOME and ESG funds;
  - Copies of requests for payment or reimbursement submitted by sub-recipients or their contractors; and
  - Any records pertaining to monitoring reviews and follow-up.
- Program Management: A tracking system, using a data base compatible with HUD's

IDIS software may be used to record the current status of each funded activity as it moves through the contract development and approval process, as well as all financial transactions up to project close out. The tracking system will permit retrieval of beneficiary characteristics including numbers of persons served, race and ethnicity, socio-economic data, and others as appropriate and required by HUD for reporting purposes.

### 3. On-Site Comprehensive Monitoring

An on-site monitoring schedule is developed annually upon HUD's formal release of the County's entitlement funds associated with each program (CDBG, HOME, and ESG). In addition, a risk assessment will be conducted at the outset to identify sub-recipients for onsite monitoring which are most likely to encounter problems in complying with program requirements. A risk assessment is a methodology used to identify and analyze the relative risk that program participants pose to the Department.

Priority in selections will be afforded as follows:

- Sub-recipients new to the covered Federal programs, who may not be familiar with their compliance and performance requirements;
- Sub-recipients experiencing turnover in key staff positions performing functions relating to funded activities;
- Sub-recipients with previous compliance or performance problems, where follow-up monitoring is expected;
- Sub-recipients with high-risk activities, such as economic development projects requiring extensive reporting and file management; and
- Sub-recipients presenting evidence that funds allocated are not being obligated or expended in a timely or appropriate fashion consistent with Federal performance guidelines.

### 4. Compliance and Monitoring Procedures for DHCD Programs

The Monitoring and Compliance Unit monitors all of the programs administered by DHCD for Prince George's County. The purpose of the onsite monitoring visit is to ensure program activities are carried out in compliance with applicable federal laws and DHCD program regulations. Areas reviewed include: meeting national objectives, financial management systems, and general program administration. The Monitoring Unit also reviews compliance with Fair Housing and Equal Employment Opportunity, Section 504 of the Rehabilitation Act/ADA Labor standards, and Section 3 of the Housing and Urban Development Act of 1968, as amended.

Program monitoring involves reviewing the scope of services and onsite records to ensure compliance with eligible activities meeting a national objective and program beneficiaries are low- and moderate-income. The monitoring team reviews the level of accomplishment, remaining balance of funds and monthly activity reports to ensure the activity is progressing timely. The team reviews onsite project records and interviews staff to determine if the activity is progressing as described in the operating agreement.

Financial monitoring consists of reviewing accounting policies and procedures, systems for internal control and reimbursement requests for allowable costs. Financial monitoring also involves maintaining complete and accurate files on each activity. DHCD staff reviews the recordkeeping systems to determine if each activity is eligible, the program beneficiaries are low and moderate-income and project files support the data provided in the monthly activity reports. When problems are identified in a monitoring report an action plan is requested to cure the concerns/ and or findings.

The following is the proposed on-site monitoring schedule for FY 2022.

**Table 12 - FY 2022 Proposed On-site Monitoring Schedule**

Federal Program	Number of Visits	Proposed Month/Year
HOME Development Projects	35	7/1/2021 thru 6/30/2022
HOME CHDOs	2	7/1/2021 thru 6/30/2022
CDBG	20	7/1/2021 thru 6/30/2022
ESG	6	7/1/2021 thru 6/30/2022

**Appendices**

Appendix A: Modified FY 2021 – 2025 Citizen Participation Plan

Appendix B: Section 108 Loan Pool Summary

Appendix C: Geographic Distribution Maps

Appendix D: CB-17-2011 – Economic Development and Local Employments Preferences and Participation

Appendix E: CB-112-2012 – County’s Con Plan, AAP, and Section 3 Provisions

Appendix F: ESG-CV Written Standards

Appendix G: FY 2022 Annual Action Plan Citizen Comments Summary

Appendix H: HOME Project – Hill House at Beechfield

Appendix I: 2021-2025 Section 3 Action Plan

Appendix J: CDBG Reprogrammed Activities

Appendix K: HOME Project – Birchwood

Appendix L: Prince George’s County Maryland Income Limits

### **Modified FY 2016 – 2020 Citizen Participation Plan**

The Prince George's County "Citizen Participation Plan" is a mechanism for managing the development of the County's Consolidated Plan, Annual Action Plan (AAP) and the Consolidated Annual Performance and Evaluation Report (CAPER). Residents, nonprofit organizations, municipalities, and County agencies express their concerns, seek additional County resources and provide suggestions or solutions to address housing and community development needs.

The primary goals for the citizen participation process are:

- To solicit viewpoints and concerns affected by the Consolidated Plan, Annual Action Plan or Consolidated Annual Performance and Evaluation Report;
- To invite participation by persons interested in helping identify needs and development applicable strategies;
- To collect data that accurately describes and quantifies housing and community development needs and to suggest workable solutions; and
- To obtain comments on proposals for allocating resources.

The County ensures citizens have an opportunity to participate throughout the planning process.

### **Public Notice and Availability**

Prince George's County publishes in one or more newspapers a summary of the proposed Consolidated Plan, Annual Action Plan, and Consolidated Annual Performance and Evaluation Report for public comment. The summary describes the context and purpose of these documents, and sites the locations where copies of the entire document may be examined. Copies are available at government offices, libraries, on the County's website, and by mail upon request.

A reasonable number of free copies of the proposed Consolidated Plan and Annual Action Plan and the draft of the CAPER are made available for citizens and groups of interest upon request. When proposed versions of the Consolidated Plan are released for comment, they are made available for comment for not less than 30 days. The draft CAPER is available for not less than 15 days before submission to the U.S. Department of Housing and Urban Development (HUD).

The final or amended Consolidated Plan, Annual Action Plan, and Consolidated Annual Performance and Evaluation Report is distributed upon request and to those actively involved in developing these documents. Copies are provided to the local libraries and posted on the County's website.

### **Access to Records**

A list of all projects using CDBG, HOME, ESG, and HOPWA funds is made available upon request. This list includes the sub-recipient's name, allocation amount, a brief description of the activity, and the fiscal year in which the funds were distributed. DHCD maintains records and reports on all activities financed, and upon request, makes these materials available to the public.

### **Technical Assistance**

Prince George's County makes technical assistance available to participating municipalities, non-profits, community groups, special interest groups and to citizens developing proposals for CDBG funding. The Community Planning Development Division and the Housing Development Division can assist with needs identification, proposal concept development, budget development and general program questions by contacting the DHCD at (301) 883-5540.

## **Public Hearing**

Prince George's County holds at least two public hearings on the Consolidated Plan and the Annual Action Plan. DHCD sponsors an informal public hearing, the Housing and Community Development Needs Community Forum, at the beginning of the Consolidated Plan and Annual Action Plan development process. The Forum gives citizens an opportunity to identify and describe needs for consideration, and to provide the scope, urgency and financing requirements for proposals to address those needs. The County Council schedules the second, formal public hearing at the time a proposed Plan is transmitted from the County Executive to them for consideration and adoption.

The time, date, location and subject of the hearings are announced in newspapers of general circulation within the County, notifying the public no less than fourteen (14) days before the hearing. Hearings are held at handicap-accessible sites, convenient to potential and actual beneficiaries. The advertisements include TTY phone numbers so hearing-impaired people can arrange for interpreters at the hearing. Those who need sign language interpretation are requested to contact the Community Planning and Development Division and the Housing Development Division at the phone number in the notice. Non-English speakers can also make arrangements for language translation provided courtesy of a CDBG-supported, nonprofit organization. Interpreted comments are incorporated within the Consolidated Plan and Annual Action Plan as appropriate.

The public notices include instructions on how to receive a free copy of the proposed, final, or amended Consolidated Plan and Annual Action Plan. A minimum of 30 days is provided for comments on each Plan before submission to HUD.

## **Comments and Complaints**

Comments and complaints regarding the Consolidated Plan, Annual Action Plan, or Consolidated Annual Performance and Evaluation Report are accepted through all stages of document preparation until the closing of the formal comment period. Written complaints and comments are referred to the Department of Housing and Community Development (DHCD). DHCD responds to written complaints within 30 days.

## **Criteria for Amendments to a Plan**

Prince George's County revises and submits to HUD, amendments to the final Consolidated Plan or Annual Action Plan whenever a "substantial change" is planned or actual activities require such an amendment. Revised or amended Plans are made available for public comment and the same public notice and 30-day public comment period observed as required under this Citizen Participation Plan. The County Council shall hold a public hearing for public input on any substantial revision or amendment to the Plans, and approve the amendment by resolution pursuant to Section 15A-106 of the County Code.

The Prince George's County Consolidated Plan or Annual Action Plan is only amended for a "substantial change" whenever it makes the following decisions:

- A change in the allocation priorities or a change in the method of distribution of funds;
- The addition of an eligible activity not originally funded or described in the Annual Action Plan;
- A change in the location, description, regulatory reference, national objective citation, and status of an activity originally described in the Annual Action Plan;

- A change in the use of CDBG, Program Income, or ESG funds, exceeding at least \$250,000 from one existing activity to another existing eligible activity in any category within the applicable Program. All activities must have been in an approved Annual Action Plan. The CDBG categories include Affordable Housing, Economic Development, Public Facilities and Infrastructure Improvements, Public Services and Planning and Administration. The ESG categories include Emergency Shelter, Street Outreach, HMIS, Rapid-Rehousing, Homeless Prevention and Administration; and
- A change in the proposed uses of HUD 108 Loan Guarantee and Section 108 Program Income.

### **Emergency Amendments**

In the event of a pandemic, natural disaster, catastrophic occurrence, or the County's receipt of disaster recovery funding, Prince George's County establishes expedited procedures to draft, propose, or amend its Consolidated plans and Annual Action Plans. Where the County need to make a Substantial Amendment to the Consolidated Plan and current Annual Action Plan to address the unforeseen needs of the community. The County will determine the necessary changes, prepare the proposed amendment and provide citizens with reasonable notice of and an opportunity to comment on the proposed amendment.

Pursuant to any published waivers or upon request by the County to HUD for a waiver of the required 30 days public comment, the County will proceed with an expedited process for giving the public reasonable notice and a reasonable opportunity to comment. In such situations, the County will provide a timeframe of no less than 5 days for public comments on a substantial amendment and dictate lesser or no public hearings. The County may choose to suspend the need for in-person public hearings and otherwise meet the public hearing requirements with use of a virtual public hearing if the following conditions are met:

- National/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and
- Virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

The time, date, location and subject of the hearings will be announced in newspapers of general circulation within the County, notifying the public with reasonable advanced notice, as permitted, but no less than 5 days.

However, if HUD dictates a shorter comment period and/or fast turnaround times and lesser (or no) hearings, the County will comply with federal requirements.

### **Non-Substantial Amendments for CDBG, Program Income and ESG Reprogramming Authorized**

The County authorizes a "non-substantial amendment" process for CDBG, Program Income and ESG through the County Department of Housing and Community Development (DHCD) subject to the process, below, when there is a change in the use of CDBG, Program Income and ESG entitlement funds less than a total of \$250,000 in the County's fiscal year [July 1 – June 30], from one existing activity to another existing eligible activity in any category within the applicable program.

### **Process to Identify Community Development Block Grant (CDBG) Funds for Reprogramming:**

The CDBG categories eligible to reprogram funds include Affordable Housing, Economic Development, Public Facilities and Infrastructure Improvements, Public Services, and Planning and Administration. The identification of funds for the purpose of reprogramming includes the following:

- **Voluntary Reprogrammed Funds:** Voluntary reprogramming represents those CDBG funds acquired when the sub-recipient has completed the originally funded activity and the DHCD staff has closed the activity in the HUD Integrated Disbursement and Information System (IDIS). DHCD will take actions pertaining to voluntary reprogramming subject to a sub-recipient's request and/or recommendation. However, when the eligible activity is completed and closed with a remaining balance, this represents funds available for another approved eligible activity. A sub-recipient is not permitted to maintain any portion or a remaining balance for a completed and closed activity.

Under the voluntary reprogramming, the sub-recipient provides written notification to DHCD stating: 1) the project is complete and provides closeout documentation, as required; 2) the remaining balance dollar amount; and 3) a recommendation to reprogram the remaining balance into the CDBG Program to another eligible activity.

- **Involuntary Reprogrammed Funds:** Involuntary reprogramming represents when a CDBG activity is generally flagged as "At Risk", under the HUD IDIS system, when the activity has required no draw down of funds for a year or more. The DHCD will take actions pertaining to involuntary reprogramming subject to the specific circumstances that are consistent with HUD's IDIS system, which is used to provide administrative oversight of each entitlement jurisdiction.

In the case of involuntary reprogramming, the DHCD will issue a written letter specifying a sixty (60) calendar day intensive technical assistance period to the sub-recipient with a copy to the Prince George's County Council. If the intense technical assistance period does not address the deficiency, DHCD will issue a written letter to the sub-recipient stating that funds will be reprogrammed, thirty (30) calendar days from the date of the letter based on the aforementioned "At Risk" condition subject to approval of the Prince George's County Council.

- **Program Income:** Program Income (PI) is defined as the gross income received by the grantee and its sub-recipient directly generated from the use of CDBG funds pursuant to 24 C.F.R. § 570.504. As required, the DHCD's Annual Action Plan lists anticipated CDBG program income each year. As program income is receipted, it is applied to an eligible and funded sub-recipient activity, resulting in "available" entitlement funds. The application of program income does not affect a sub-recipient's original allocation award.

### **Criteria for Eligible CDBG Activities to Receive Reprogramming Funds:**

County approved CDBG activities in prior program years that are eligible to receive reprogrammed funds include Affordable Housing, Economic Development, and Public Facilities and Infrastructure Improvements, Public Services, and Planning and Administration.

These activities must meet one or more of the following conditions:

- 1) must have submitted an application and received an approved funding allocation in a previously approved Annual Action Plan;
  - 2) demonstrates evidence of a need for additional CDBG funding;
  - 3) have a HUD approved environmental review on file;
  - 3) show evidence of being ready to proceed in a timely manner;
- 4) DHCD agrees that the activity meets a **priority** in the approved 2016 – 2020 Consolidated Plan;  
or
- 5) DHCD had determined that the recommended activity and sub-recipient demonstrates the ability to expend funds in a timely manner.

### **Timeframe for Reprogramming**

The DHCD may exercise its right to reprogram voluntary and involuntary CDBG, ESG and Program Income funds each during the County fiscal year (July 1 – June 30). These reprogrammed funds will be reported by DHCD in the annual CAPER submitted to HUD.

### **Reprogramming Notification and Approval Process**

DHCD shall place a notice pertaining to the proposed allocations of reprogrammed funds on the DHCD/County's website at least thirty (30) calendar days prior to the proposed actions to be executed by the Director pertaining to reprogrammed funds. The notice shall contain information regarding the proposed reprogramming, including total amount, opportunity to comment and subject to County Council approval.

DHCD shall provide written notification thirty (30) calendar days prior to the proposed actions to be executed by the Director pertaining to reprogrammed funds to the Prince George's County Council, except when the County Council is in recess in August and December, including:

- Identification of where reprogramming funds are transferred from, specifically the program year, sub-recipient's name, project title, remaining balance amount, and the summation of facts pertaining to the DHCD action (i.e. voluntary or involuntary reprogrammed funds or program income).
- Identification of where reprogrammed funds will be transferred to, specifically, the program year, the sub-recipient's name, project title, scope, location, budget, term of performance and amount of reprogrammed funds.

DHCD shall timely provide any public comments or referrals received in response to the proposed reprogramming to the County Council prior to the expiration of the thirty (30) review period.

The County Council shall provide written notification to DHCD prior to the expiration of the thirty (30) calendar days whether the Council approves, disapproves or amends the reprogrammed funds. Failure by the County Council to provide the written notification within the thirty (30) calendar day time period shall be deemed an approval of the proposed reprogramming.

DHCD shall provide written notification of all final actions executed by the Director pertaining to reprogrammed funds to the Prince George's County Council and HUD. In all cases, DHCD shall place a

notice pertaining to the final allocations of reprogrammed funds in three (3) local newspapers and update the DHCD/County's website.

#### **Adoption of the Citizen Participation Plan**

Prince George's County makes the Citizen Participation Plan available for public comment for 30 days in conjunction with the distribution of the Consolidated Plan. The Citizen Participation Plan is adopted along with the Consolidated Plan of which it is a part.

#### **Countywide Public Meeting**

Public meetings are held to provide information on the Consolidated Plan and to solicit feedback on the data analysis and ideas conceived by the focus groups. The County Council will hold two public hearings, one to obtain comments on the draft document and one to obtain final comments prior to the adoption of the Plan. Summaries of comments received during the development and completion of the Consolidated Plan will be attached.

#### **Public Notices**

Flyer and meeting invitations are sent to participants for focus group meetings. Flyers, email announcements, and advertisements in local newspapers are used to advertise the community-wide meetings. Also, DHCD advertises the Consolidated Plan activities on its website, cable television and through radio interview. Notices are posted in all County libraries and community centers.

## Appendix B:

### **Section 108 Loan Pool Summary**

Prince George's County's population is growing. This puts a strain on the local housing market and creates a shortage of decent, safe and quality housing that is affordable to very low-income persons. Additionally, the County's housing stock is concentrated in a few price points (rental options are generally priced for households earning between 31 and 80 percent of area median income) and few building types (predominantly single-family housing). Where there are different housing options (e.g., townhomes or larger multi-family buildings), they tend to be clustered in a few areas of the County, primarily inside the Beltway and in the north central areas of the County. The County intends to apply for the maximum amount of Section 108 Loan Guarantee financing under existing authority, approximately \$25 million, to establish a loan pool to support development projects. The County initially intends to use about \$12 to \$14 million of this funding. By leveraging Section 108 financing the County can support mixed-income and mixed-use developments, as well as economic development projects.

The County intends to submit a Generic Application to establish a Loan Pool. A Generic Application identifies a program, targeted areas for concentrated efforts of delivery, Eligible Activities and National Objectives the Loan Pool will fund. The application will enumerate specific Underwriting Guidelines governing credit and risk evaluation. As staff identifies prospective transactions, it will screen projects for compliance with eligibility and conformance to the low-to-moderate risk profile the Section 108 thresholds require. For projects surviving the screening process, staff will assemble an Eligibility Determination that documents program eligibility and credit and submit to the Area Office for approval.

Specifically, the purpose of the Section 108 Loan Pool is to assist with economic, housing, and community development activities in targeted areas. This will foster job creation and community and housing revitalization in these communities. Goals of the Section 108 Loan Pool include acquiring land for redevelopment and directly assisting businesses, nonprofits, and real estate development projects that produce a public benefit. Individual projects are proposed to be evaluated by a loan and investment committee involving County and subrecipient staff, as applicable, led by the County's Department of Housing and Community Development (DHCD). The Section 108 Loan Pool will be leveraged as a tool to bring real estate and community development projects to fruition in the County.

#### *Section 108 National Objectives and Public Benefit Criteria*

There are specific National Objectives, as defined by HUD, which this loan pool will address. Title 24 of the U.S. Code of Federal Regulations (CFR), Section 570.208, defines the criteria under which an activity may meet Section 570.200(a)(2), National Objectives. Section 570.200(a)(2) requires that all CDBG activities meet one of three national objectives. These objectives are to: 1) benefit low- and moderate-income families, 2) aid in the prevention or elimination of slums or blight, and 3) meet other urgent community development needs that pose a serious and immediate threat to the health or welfare of the community. Each project funded through the Section 108 Loan Pool will meet one of these National Objectives as detailed in Section 570.208. The primary national objective for Prince George's County's

Section 108 Loan Pool will be the benefit of low- and moderate-income families using the housing occupancy criteria. Use of the urgent need national objective is not anticipated. Section 108 loans will also benefit the public directly and indirectly by allocating funds for redevelopment projects that would not occur in their absence.

### Loan Activities

Section 108 funded projects will benefit residents of Prince George's County as they will either provide opportunities for low and moderate-income residents to access permanent residential housing or will permit other economic development activity to take place. Other economic development activity must be targeted either to citizens in a geographic area where at least 51 percent of residents are of low or moderate income or to groups of citizens residing anywhere within the County in which at least 51 percent of beneficiaries are of low or moderate income. The last possible usage of the loan pool is to provide jobs for individuals, of which at least 51 percent of said jobs employ persons of low or moderate income.

The Section 108 Loan Pool is intended to utilize three primary eligible activities:

- Special Economic Development (24 CFR 570.703(i) and 24 CFR 570.203/204)
- Acquisition of Real Property (24 CFR 570.703(a))
- Housing Rehabilitation (24 570.703(h))
- Public Facilities (570. 201(c))

As required by Title 24 of the CFR, Section 570.209, one of the underwriting objectives for the Section 108 Loan Pool is to avoid substituting CDBG funds for non-Federal financial support. Additionally, the creation of Prince George's County's Section 108 Loan Pool will create jobs for low- and moderate-income persons, provide services to a low-income area and/or eliminate conditions of blight in the County. The specific hiring parameters for jobs created or retained through Section 108 funds may not exceed \$50,000 per full-time permanent job created by the CDBG assistance, or \$1,000 per low- and moderate-income person aided by the creation of the activity. The goal of using Section 108 loan pool to lend to businesses that invest in real estate activities is to create net new jobs in County, especially on behalf of individuals meeting the low to moderate income criteria.

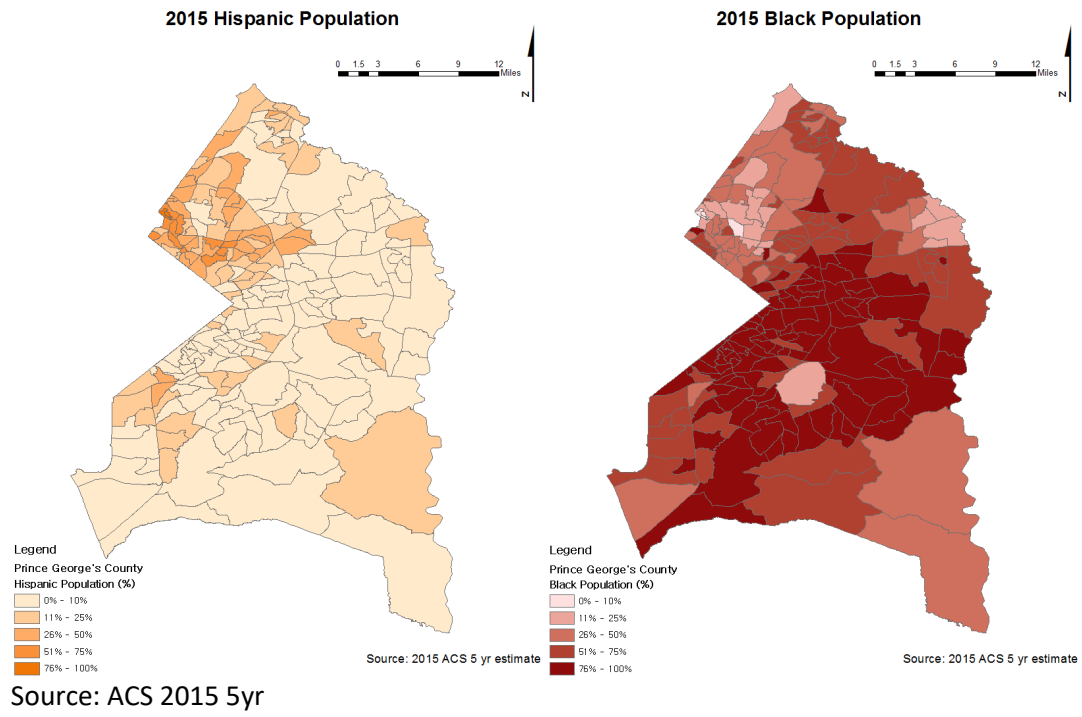
Section 108 loans will be used for traditional lending, in addition to short-term financing. An example of the type of loans that the Section 108 Loan Pool may provide is short-term monies dedicated to bridging a financial gap for economic development projects that will utilize local and state investments in the future, but which need immediate assistance in gathering initial financing.

### Financial Guarantees, Reporting, and Usage

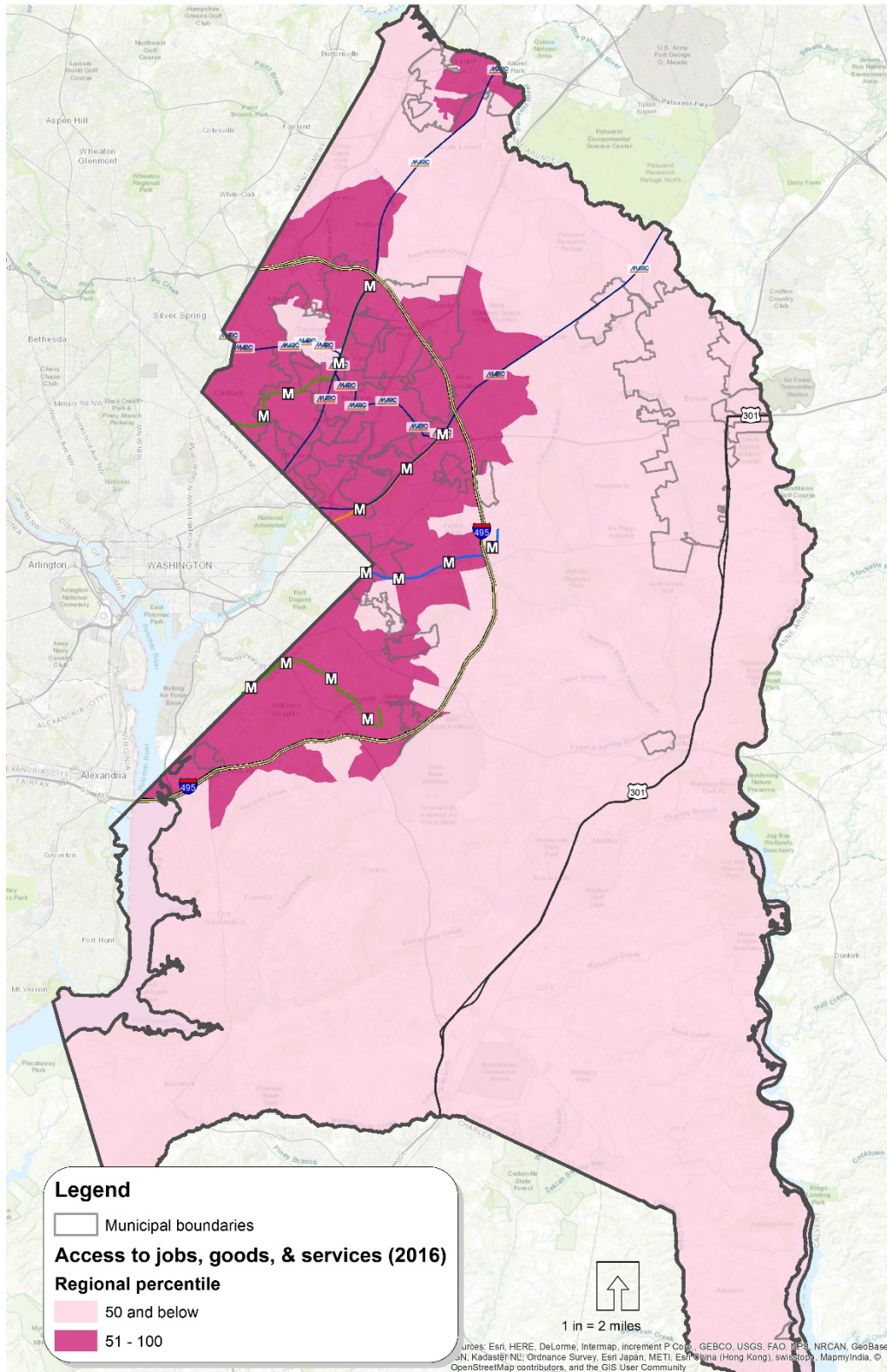
If the Section 108 Loan Pool is approved, any potential borrowers will be obligated to send quarterly reports to the County detailing job creation resulting from Section 108 Loan Pools. Collateral needed to secure a loan through the Section 108 Loan Pool includes real property assets, personal and/or corporate guarantees, and pledge of future CDBG allocation. However, the County anticipates that all loans, individual and collectively, will be self-supporting. In the event loan pool funds are used to support Public Facilities or infrastructure projects, the County may pledge other assets or income to secure the transaction.

For transactions (primarily economic development projects) subject to the Appropriateness Criteria (24 CFR 570.209), the Eligibility Determinations for individual projects will document conformance to the provisions of Appendix A (24 CFR 570.209(a)) and the Public Benefit standards (24 CFR 570.209(b)). Moreover, the County will establish a “systems” approach regarding delivery. Consequently, staff will set up “subsystems” for marketing, screening, packaging, approving, closing, disbursing and servicing loans.

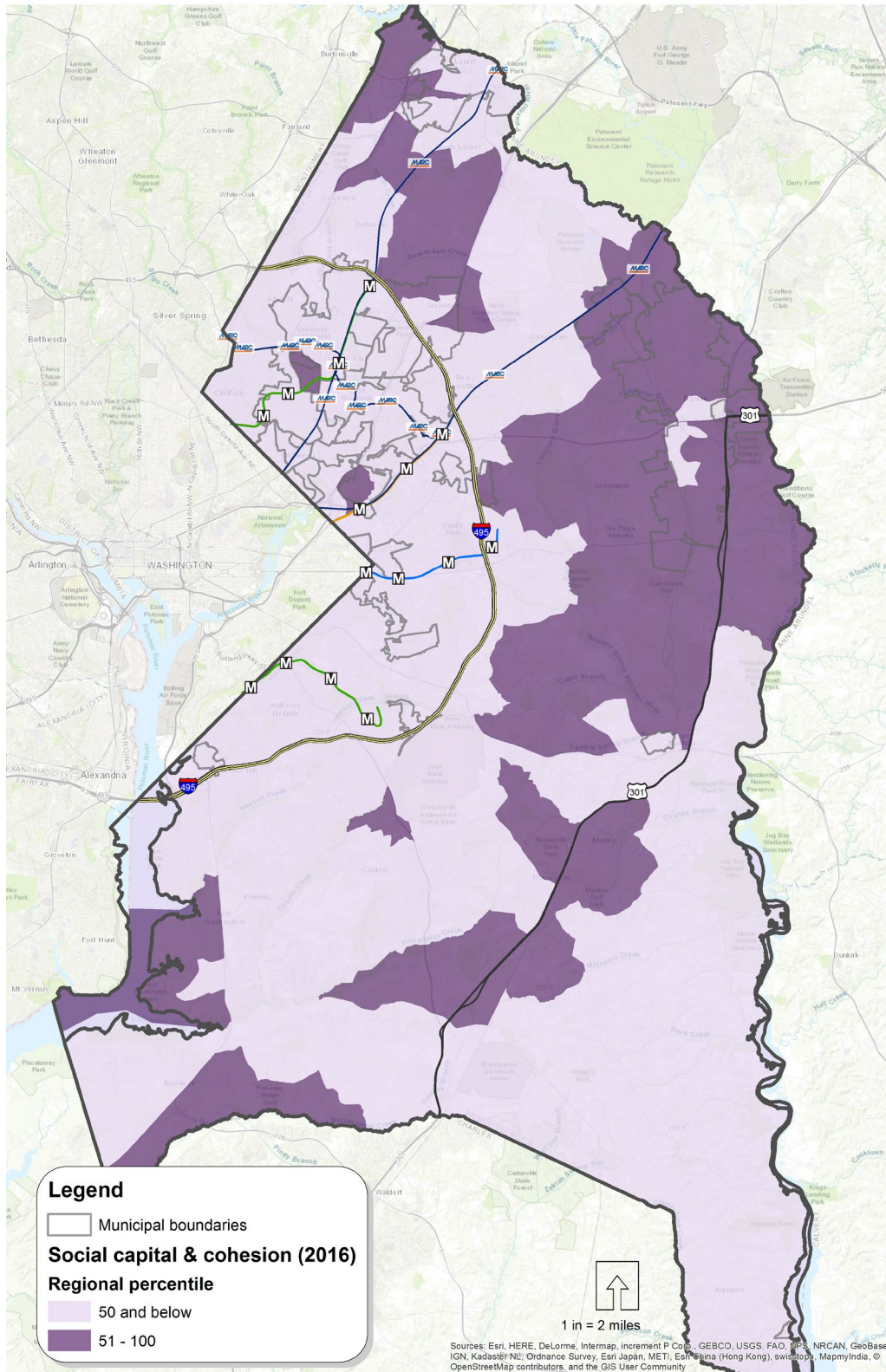
**Figure AP-1. Areas of Racial and Ethnic Minority Concentration**



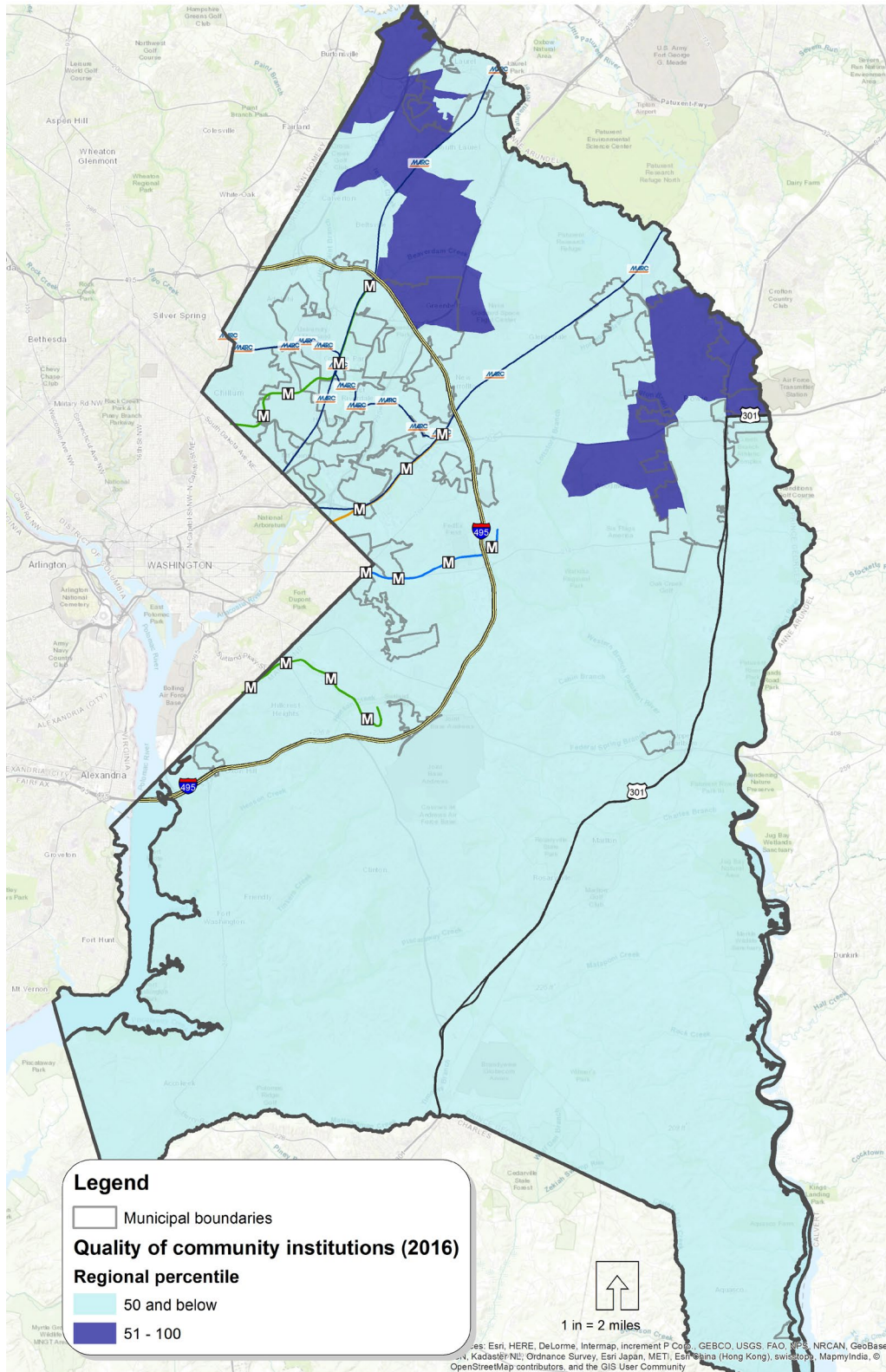
**Figure AP-2 Access to jobs, goods, and services, Prince George's County, MD (2016)**



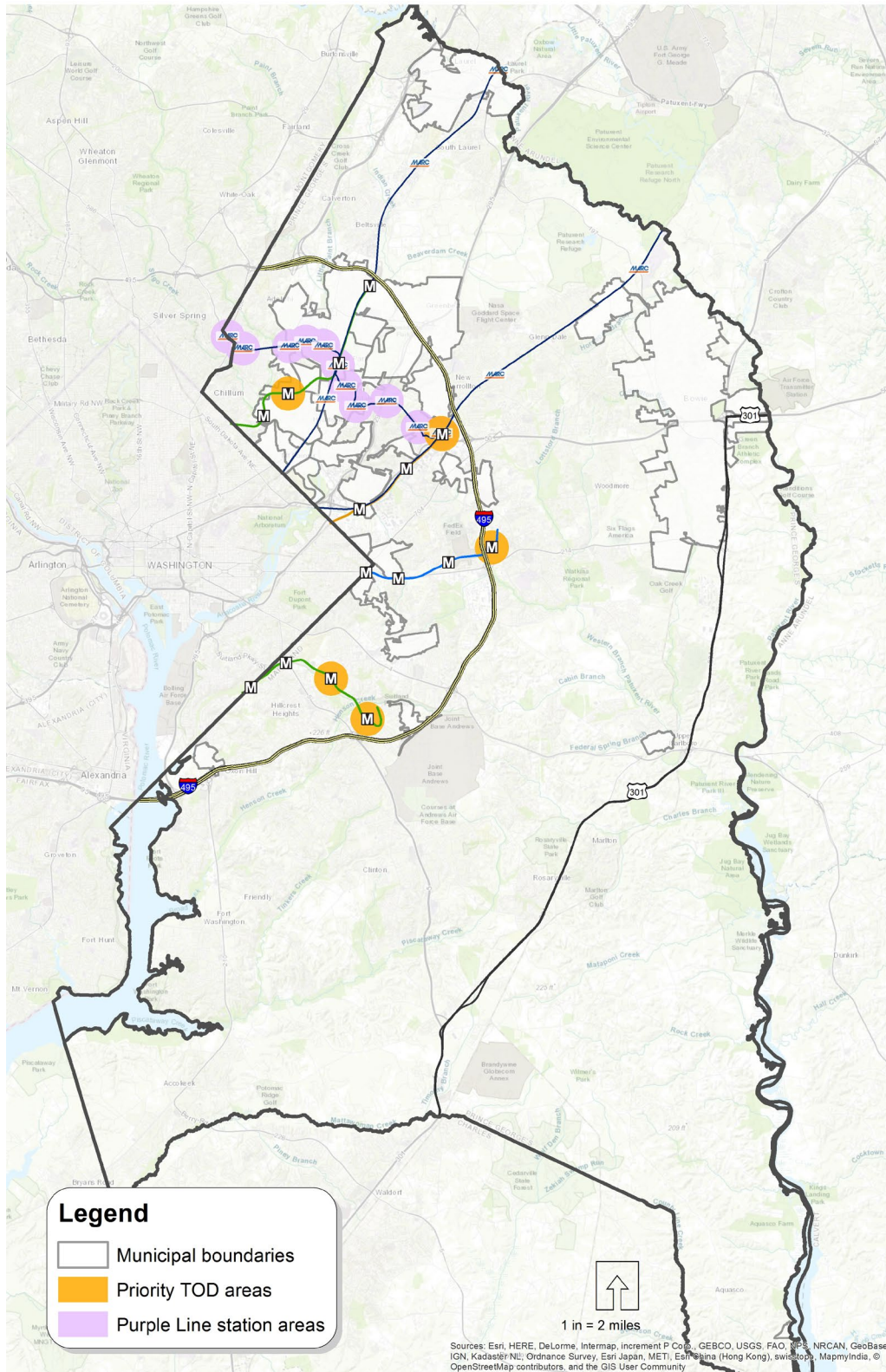
**Figure AP-3. Social capital, Prince George's County, MD (2016)**



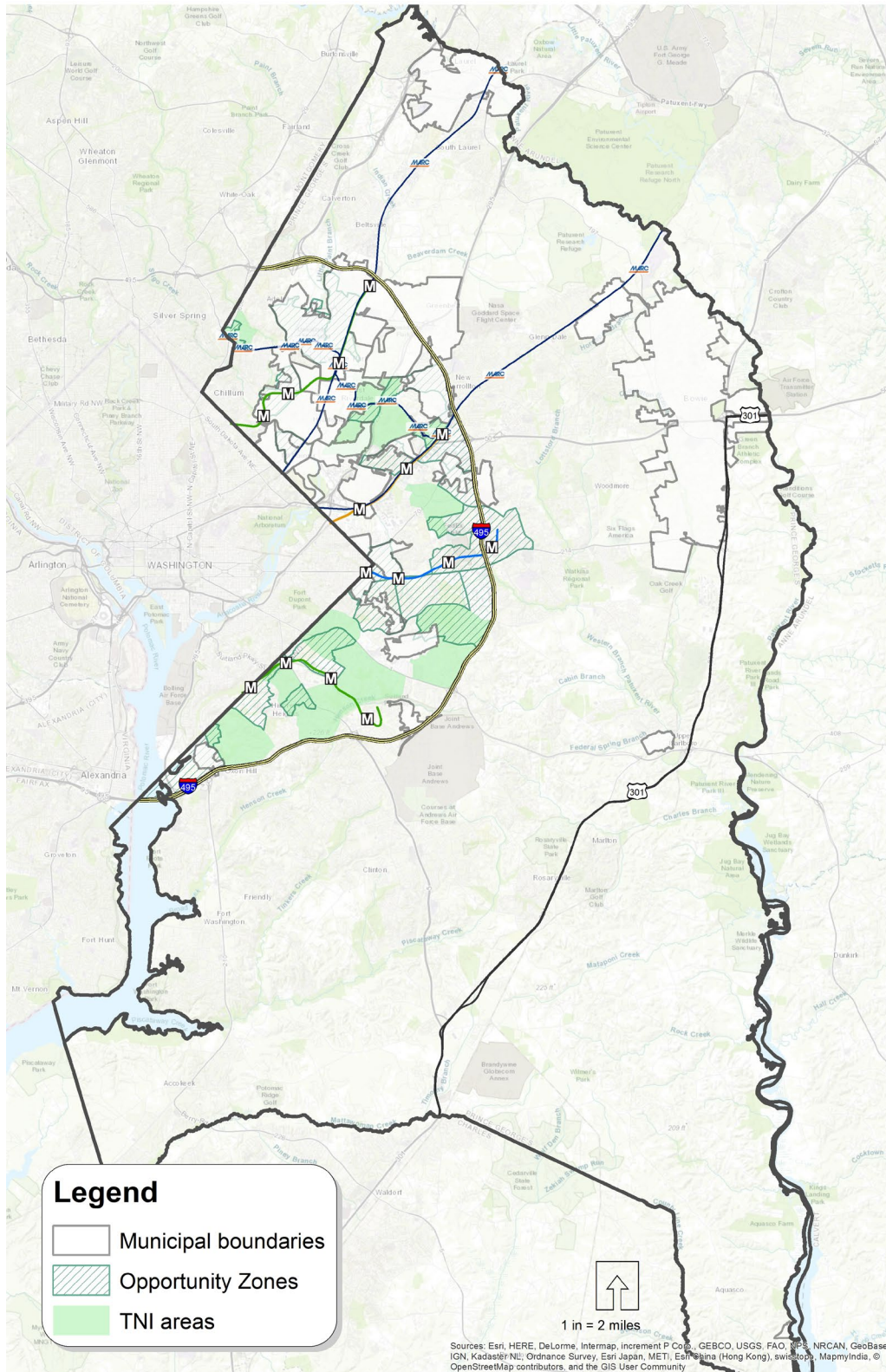
**Figure AP-4. Community institutions, Prince George's County, MD (2016)**



**Figure AP-5. Existing and planned transit stops, Prince George's County, MD**



**Figure AP-6. Opportunity Zones, Prince George's County, MD**



**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**2011 Legislative Session**

Bill No. CB-17-2011

Chapter No. 37

Proposed and Presented by Council Members Franklin and Harrison

Introduced by Council Members Franklin, Harrison, Turner, Patterson, Olson and Lehman

Co-Sponsors \_\_\_\_\_

Date of Introduction October 18, 2011

**BILL**

1 AN ACT concerning

2 Economic Development and Local Employment

3 For the purpose of enhancing the County's economic development by creating bidding  
4 preferences and participation requirements for County-based businesses and County-based small  
5 businesses on certain procurement contracts for goods and services with the County; establishing  
6 a First Source Hiring Program; requiring "best efforts" for meeting a certain local hiring  
7 percentage goal for positions on certain procurement projects funded by the County; requiring  
8 submission of quarterly audit reports, maintaining a first source registry, providing for penalties  
9 and exemptions to the program; authorizing the use of Community Benefit Agreements on  
10 County assisted developments that receive a public benefit of a value greater than \$3,000,000  
11 with certain exceptions; authorizing Labor Peace Agreements for developments receiving a  
12 public benefit of a value greater than \$1,000,000 with certain exceptions; giving priority to  
13 County-based Minority Business Enterprises in all Minority Business Enterprise goals for  
14 minority contracting and purchasing; requiring subcontracting plans for certain contracts and  
15 generally relating to economic development in the County.

16 BY repealing and reenacting with amendments:

17 SUBTITLE 10A. PURCHASING.

18 Sections 10A-101, 10A-136,

19 The Prince George's County Code

20 (2007 Edition, 2010 Supplement).

21 BY adding:

SUBTITLE 10. FINANCE AND TAXATION.

Sections 10-283, 10-284, 10-285, 10-286,

The Prince George's County Code

(2007 Edition, 2010 Supplement).

BY adding:

SUBTITLE 10A. PURCHASING.

Sections 10A-157, 10A-158, 10A-159, 10A-160, 10A-

161, 10A-162, 10A-163, 10A-164, 10A-165, 10A-

166, 10A-167, 10A-168, 10A-169, and 10A-170

The Prince George's County Code

(2007 Edition, 2010 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 10A-101 and 10A-136 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 10A. PURCHASING.

DIVISION 1. ADMINISTRATIVE PROCEDURES.

Sec. 10A-101. Definitions.

(a) The words defined in this Section shall have the meanings set forth below whenever they appear in this Subtitle unless the context in which they are used clearly requires a different meaning or a different definition is prescribed for a particular provision.

\* \* \* \* \*

(4.1) Certified County-based business participation means the percentage of the total contract dollars paid to businesses certified as County-based businesses.

(4.2) Certified County-based small business participation means the percentage of total contract dollars paid to businesses certified as County-based small businesses.

(4.3) Certified sheltered workshop means an agency that is:

(A) Organized under the laws of the United States or the State of Maryland;

(B) Certified as a sheltered workshop by the Wage and Hour Division of the United States Department of Labor;

1 (C) Accredited by the Division of Vocational Rehabilitation of the Maryland  
2 Department of Education;

3 (D) Operated in the interest of individuals who have a mental or physical disability,  
4 including blindness, that constitutes a substantial handicap to employment and prevents the  
5 individual from engaging in normal competitive employment; and

6 (E) The net income of which does not inure wholly or partially to the benefit of any  
7 shareholder or other non-disabled individual.

8 \* \* \* \* \*

9 (13) **County-based business** means a business whose principal place of operation is  
10 located within Prince George's County, that meets the requirements of Section 10A-161(a), and  
11 whose application for certification as a County-based business is approved by the Purchasing  
12 Agent. Principal place of operation shall be determined by factors as set forth in the regulations.

13 (13.1) **County-based business preference** means a business preference given to a bid or  
14 proposal pursuant to Section 10A-158.

15 (13.2) **County-based small business** means a business that meets the requirements of  
16 Section 10A-161(b) and whose application for certification as a County-based small business is  
17 approved by the Purchasing Agent.

18 (13.3) **County or The County** means Prince George's County, Maryland.

19 (13.4) **County agency** means any department, office, division, administrative unit, or  
20 agency of the Prince George's County government or any other entity created or authorized to be  
21 created, whether expressed or implied, by the Charter or the Code, including any council, board,  
22 bureau, commission, institution, tribunal, government corporation, public authority, or other  
23 instrumentality thereof or thereunder.

24 \* \* \* \* \*

25 (14.1) **County resident** means a person whose domicile is located in Prince George's  
26 County, Maryland, as determined by standards set forth by the Purchasing Agent, and who  
27 either:  
28

29 (A) Filed a Maryland state income tax return that establishes a Prince George's  
30 County domicile for the most recent full calendar year;

31 (B) Is claimed as a dependent on a Maryland state income tax return that establishes

1 a Prince George's County domicile for the most recent full calendar year filed by the person's  
2 parent, legal guardian, or spouse; or

3 (C) Was not required to file a federal or Maryland state income tax return for the  
4 most recent calendar year because the person was not legally liable for income tax pursuant to  
5 Section 10-809, Tax-General Article, Annotated Code of Maryland, but was legally domiciled in  
6 Prince George's County for the most recent full calendar year, and signs an attestation under oath  
7 to this effect on a form provided by the Purchasing Agent.

8 The County Executive, the County Executive's designee, and the Purchasing Agent  
9 are authorized to verify a person's County residency status pursuant to this definition in relation  
10 to Division 7 of this Subtitle.

11 \* \* \* \* \*

12 (16.2) **Domicile** means the place of a person's true, fixed, permanent home, without any  
13 present intention of completely abandoning that home, and to which the person has the intention  
14 of returning whenever absent. **Domicile** does not include a temporary dwelling unless there is a  
15 present intention to abandon permanently or indefinitely the former domicile.

16 \* \* \* \* \*

17 (30) **Procure** means to buy, rent, lease, lease-purchase, or otherwise obtain any supplies,  
18 services, or construction. **Procurement** (or a **procurement**) is the noun form of this term. It  
19 includes all functions that pertain to the obtaining of any public procurement, including  
20 description of requirements, selection and solicitation of sources, and preparation, [and] award  
21 and execution of contract. The term does not include the making of any grant or donation.

22 \* \* \* \* \*

23 (32.1) **Public benefit** means contracts, grants, conditional loans, tax abatements, land  
24 transfers for public redevelopment, or tax increment financing from a County agency or the  
25 County government. This definition also includes grants or conditional loans from a third party  
26 that receives more than 50% of its annual budget in the most recent fiscal year from funds  
27 received from or administered by a County agency or the County government and indirect grants  
28 or conditional loans from a County agency or the County government that are facilitated by a  
29 third party. This definition does not include funds from the Community Development Block  
30 Grant ("CDBG") program or tax credits awarded under Subtitle 10 of the Code. The application  
31 of this definition is subject to the restrictions of federal and state law.

1 \* \* \* \* \*  
 2 (35) **Purchasing Agent** means the Director of Central Services or the Director of Central  
 3 Services' designee.

4 \* \* \* \* \*

5 **DIVISION 6. SPECIAL PROVISIONS.**

6 **Subdivision 1. Minority Business Opportunities Program.**

7 **Sec. 10A-136. Assistance to minority business enterprises; certification and decertification.**

8 (a) The Purchasing Agent shall structure the procurement procedures and activities of the  
 9 County to facilitate and encourage the award of at least thirty percent (30%) of the total dollar  
 10 value of all County contracts awarded, directly or indirectly, to County-based minority business  
 11 enterprises or minority business enterprises. The value of subcontracts with County-based  
 12 minority business enterprises or minority business enterprises shall be included in the  
 13 computation of the above total dollar value.

14 (b) In all bids for the construction of public works, if the work is to be subcontracted by  
 15 the bidder, every bidder, in order to be considered a responsive bidder, shall be required to  
 16 subcontract with County-based minority business enterprises or minority business enterprises for  
 17 at least twenty percent (20%) of the total dollar volume of the contract price unless such bidder is  
 18 itself a minority business enterprise or County-based minority business enterprise.

19 (c) In determining the lowest responsible and responsive bidder, for contracts valued at  
 20 One Million Dollars (\$1,000,000) or less, the Purchasing Agent shall adjust the bid price(s)  
 21 submitted by a County-based Minority Business Enterprise or a minority business enterprise, for  
 22 the purposes of evaluation and award only, by reducing the bid price(s) of such firm by the  
 23 application of bonus factors according to the following schedule:

BID OF LOWEST RESPONSIVE BIDDER	MINORITY BUSINESS ENTERPRISE	PRINCE GEORGE'S BASED MINORITY BUSINESS ENTERPRISE BONUS FACTOR
Factored by:	.05	[.10] .15

24 (d) For contracts valued greater than One Million Dollars (\$1,000,000), the Purchasing  
 25 Agent shall adjust the bid price submitted by a County-based Minority Business Enterprise or a  
 26 Minority Business Enterprise for the purpose of evaluation and award only by reducing the bid  
 27 price(s) of such firm by the application of an Evaluation Bonus according to the following  
 28 schedule:

	MINORITY BUSINESS ENTERPRISE	PRINCE GEORGE'S BASED MINORITY BUSINESS ENTERPRISE BONUS FACTOR
Bid Price Subtracted by:	\$50,000.00	[\$100,000.00] <u>\$150,000.00</u>

1  
2 (e) Bids or proposals are entitled to receive the greater of the preference points or  
3 percentages allowed under either this Section or Section 10A-158, as applicable. The  
4 preferences allowed under this Section and Section 10A-158 shall not be applied cumulatively.

5 (f) [(e)] The Purchasing Agent shall, for all contracts, consult with the Minority  
6 Business Development Division in order to determine whether subcontracting is appropriate. If  
7 subcontracting is determined to be appropriate, the Purchasing Agent [may] shall include a  
8 mandatory minority business enterprise and County-based minority business enterprise  
9 subcontract clause that requires up to twenty percent (20%) of the contract's total value be  
10 performed by one or more minority business enterprises[.] or County-based minority business  
11 enterprises. A contract with a total value of \$500,000 or greater that includes a mandatory  
12 minority business enterprise and County-based minority business enterprise subcontract clause  
13 shall also include compliance with a mandatory subcontracting plan as a condition of the  
14 contract, the requirements of which shall be determined by the Purchasing Agent, and which  
15 applies for the full term of the contract. The Purchasing Agent shall require that the mandatory  
16 subcontracting plan, at a minimum, provides verification of the percentage of the contract's total  
17 value that is subcontracted to County-based minority business enterprises or minority business  
18 enterprises throughout the full term of the contract. Any change to the mandatory subcontracting  
19 plan must be approved by the Purchasing Agent and notice of such a change shall be given by  
20 the Purchasing Agent to the MBE Compliance Officer of the County Council within seven (7)  
21 calendar days after the date the change is approved. The Purchasing Agent may include a  
22 mandatory minority business enterprise and County-based minority business enterprise  
23 subcontracting goal that is less than (20%) of the contract's total value only;

24 (1) After consultation with the Minority Business Development Division;

25 (2) Upon a determination that a twenty percent (20%) mandatory minority business  
26 enterprise and County-based minority business enterprise subcontracting goal is not able to be  
27 obtained at a reasonable price; and

1 (3) Upon a determination that the public interest is served.

2 (g)[(f)] In making the determinations that the public interest is served, under Subsection  
3 [(e)] (f), the Purchasing agent shall obtain the concurrence of the Executive Director and may  
4 consider engineering estimates, the general market availability of minority business enterprises  
5 to provide the services requested, other bids and offers, the cost of the contract, and any other  
6 relevant factor.

7 (h)[(g)] If, for any reason, a bidder is unable to achieve a subcontract goal for Minority  
8 Business Enterprise and County-based Minority Business Enterprise participation as required by  
9 the Purchasing Agent, the bidder may request, in writing, a waiver of the goal with justification  
10 to include the following:

11 (1) A detailed statement of the efforts made to select portions of the work proposed to  
12 be performed by minority business enterprises and County-based minority business enterprises in  
13 order to increase the likelihood of achieving the stated goal;

14 (2) A detailed statement of the efforts made to contact and negotiate with minority  
15 business enterprises and County-based minority business enterprises including:

16 (A) The names, addresses, and telephone numbers of minority business  
17 enterprises and County-based minority business enterprises and the dates such minority  
18 businesses and County-based minority business enterprises were contacted, and

19 (B) A description of the information provided to minority business enterprises  
20 and County-based minority business enterprises regarding the plans, specifications, and  
21 anticipated time schedule for portions of the work to be performed;

22 (3) As to each Minority Business Enterprise or County-based Minority Business  
23 Enterprise that placed a subcontract quotation or offer which the bidder considered not to be  
24 acceptable, a detailed statement of the reasons for this conclusion; and

25 (4) A list of Minority Business Enterprise and County-based Minority Business  
26 Enterprise subcontractors found to be unavailable to perform under the contract.

27 The Purchasing Agent may grant the waiver only upon a reasonable demonstration by  
28 the bidder that the Minority Business Enterprise or County-based Minority Business Enterprise  
29 participation goal is unable to be obtained at a reasonable price and if the Purchasing Agent  
30 determines that the public interest will be served.

1       (i)(h) Whenever the County procures goods or services in accordance with Section  
 2 10A-113 of this Code and weighted evaluation points are used, up to 15% of the total scored  
 3 evaluation points shall be [awarded] given for Minority Business Enterprise[s] or County-based  
 4 Minority Business Enterprise participation unless the Purchasing Agent elects to restrict the  
 5 procurement pursuant to Subsection (i) of this Section. [below.]

6       (j)(i) The Purchasing Agent may, after consultation with the Minority Business  
 7 Development Division, require that the competitive bidding of contracts be restricted to minority  
 8 business enterprises or County-based minority business enterprises owned by minority  
 9 individuals as defined in Section 10A-101(a), provided there are at least three (3) minority  
 10 business enterprises or County-based minority business enterprises that are providers in the trade  
 11 of goods or services for which the contract is advertised. No contract shall be awarded pursuant  
 12 to this provision if the resultant low bid exceeds by fifteen percent (15%) the most recent unit  
 13 price for the same or most recently comparable goods or services, unless the Minority Business  
 14 Development Division determines that prices in the relevant market have increased for all  
 15 vendors without regard to minority status beyond fifteen percent (15%) since the last time similar  
 16 goods or services were procured.

17       (k)(j) The Purchasing agent shall consider the following criteria in determining whether  
 18 to utilize a procurement method authorized by either Subsections (c), (d), (h)(g), (i)(h), and  
 19 (j)(i) of this Section or Section 10A-113:

20       (1) Whether the procedure selected is likely to increase the number of minority  
 21 business enterprises or County-based minority business enterprises responding to the County's  
 22 procurement requirements;

23       (2) Whether the procedure selected is likely to increase the dollar value of  
 24 procurement awards to minority business enterprises or County-based minority business  
 25 enterprises;

26       (3) Whether the procedure selected is likely to further the County's goals under this  
 27 Division 6 of the Code without unnecessarily interfering with the efficient operation of the  
 28 County government; and

29       (4) Whether the procedure selected is the most effective alternative available which  
 30 will further the goals stated in this Section.

1 (l) The Purchasing Agent shall require that a bidder uses its "best efforts" to first use  
2 County-based minority business enterprises to fulfill any of the minority business enterprise  
3 goals and requirements of this Section. If not enough County-based minority business  
4 enterprises are demonstrated to be available after "best efforts" are exercised in the judgment of  
5 the Purchasing Agent, the Purchasing Agent may then allow the bidder to meet any of the  
6 minority business enterprise goals and requirements of this Section with minority business  
7 enterprises, if available. In this Section, the term "best efforts" means efforts to the maximum  
8 extent practicable have been made to meet the goal or requirement.

9  
10 \* \* \* \* \*

11 SECTION 2. BE IT ENACTED by the County Council of Prince George's County,  
12 Maryland, that Sections 10-283, 10-284, 10-285, and 10-286 of the Prince George's County Code  
13 be and the same are hereby added:

14 **SUBTITLE 10. FINANCE AND TAXATION.**

15 **DIVISION 16. COMMUNITY BENEFIT REQUIREMENTS.**

16 **Sec. 10-283. Definitions.**

17 (a) The words defined in this Section shall have the meanings set forth below whenever  
18 they appear in this Division unless the context in which they are used clearly requires a different  
19 meaning or a different definition is prescribed for a particular provision.

20 (1) **Community Benefit Agreement** means a project-specific, negotiated agreement  
21 between one or more developers and a community coalition selected pursuant to Section 10-284  
22 that outlines the project's "community benefits" or commitments to the community.

23 (2) **Community Coalition** means a group of stakeholder representatives selected by  
24 eligible community stakeholders pursuant to Section 10-284.

25 (3) **County assisted development** means a development or project that is awarded a  
26 public benefit of a value greater than One Million Dollars (\$1,000,000) in any twelve (12) month  
27 period.

28 (4) **Eligible community stakeholder** means

29 (a) a homeowners or civic organization registered with the Maryland-  
30 National Capital Park and Planning Commission;

31 (b) a tax-exempt entity under Section 501(c) of the United States Internal

1 Revenue Code;

2 (c) a parent teacher organization ("PTO"), parent-teacher association  
 3 ("PTA"), or parent-teacher-student association ("PTSA") affiliated with the Prince George's  
 4 County Public Schools ("PGCPS"); or

5 (d) an incorporated municipal government.

6 An eligible community stakeholder under 4(a) or 4(b) of this Section must be  
 7 incorporated at an address or represent homeowners or tenants living at an address that is within  
 8 a three (3) mile distance of the County assisted development (as measured from the outer  
 9 boundary of the development site in any direction) for at least twelve (12) consecutive months  
 10 immediately prior to the County Council's selection of the eligible stakeholders by resolution  
 11 under Section 10-284. An eligible community stakeholder under 4(c) of this Section must be  
 12 affiliated at a school that is within a three (3) mile distance of the County assisted development  
 13 (as measured from the outer boundary of the development site in any direction).

14 (5) Labor Peace Agreement means an agreement as defined by Section 10-285(c)(1).

15 (6) Public benefit means contracts, grants, conditional loans, tax abatements, land  
 16 transfers for public redevelopment, or tax increment financing from a County agency or the  
 17 County government. This definition also includes grants or conditional loans from a third party  
 18 that receives more than 50% of its annual budget in the most recent fiscal year from funds  
 19 received from or administered by a County agency or the County government and indirect grants  
 20 or conditional loans from a County agency or the County government that are facilitated by a  
 21 third party. This definition does not include funds from the Community Development Block  
 22 Grant ("CDBG") program or tax credits awarded under Subtitle 10 of the Code. The application  
 23 of this definition is subject to the restrictions of federal and state law.

24 (7) Stakeholder representative means a person selected by an eligible community  
 25 stakeholder to represent the stakeholder in the community coalition.

26 **Sec. 10-284. Community Benefit Agreements authorized.**

27 (a) On a case by case basis, as a condition of a public benefit, the County Executive may  
 28 require the developer(s) of a County assisted development that is awarded a total public benefit  
 29 of a value greater than Three Million Dollars (\$3,000,000) to enter into a Community Benefit  
 30 Agreement with the County.

31 (b) A community coalition, comprised of stakeholder representatives of eligible

1 community stakeholders selected by a resolution proposed by the County Executive to the  
2 County Council, shall negotiate a recommendation to the County Council for a Community  
3 Benefit Agreement with the developer(s) of a County assisted development. A recommended  
4 Community Benefit Agreement may be amended and must be approved by resolution of the  
5 County Council, signed by the County Executive, and signed by the developer(s) of a County  
6 assisted development in order to become a legally binding Community Benefit Agreement  
7 between the County and the developer(s).

8 (1) An eligible community stakeholder selected by County Council resolution under  
9 this Subsection is entitled to select only one (1) individual to be a stakeholder representative and  
10 member of the community coalition on its behalf. The eligible community stakeholder may  
11 replace or remove this stakeholder representative from the community coalition at any time.

12 (2) A stakeholder representative shall only have one vote on any decision or action  
13 made by a community coalition.

14 (3) Any vote or other action taken by a community coalition must be made at a public  
15 meeting of the community coalition, which shall not occur unless public notice of the meeting  
16 has been posted for at least five (5) calendar days.

17 (4) An agreement between the developer(s) of the County assisted development and a  
18 majority of the community coalition shall be required in order to make a recommendation for a  
19 Community Benefit Agreement to the County Council.

20 (5) A community coalition is a public body under the applicable laws of Prince  
21 George's County, Maryland.

22 (6) Other procedures for the operation and function of a community coalition, including  
23 the selection and authority of officers of the community coalition, may be set forth in regulations  
24 as authorized in Section 10-286.

25 (c) A community coalition and the developer(s) with whom the coalition is negotiating  
26 under this Section shall recommend a Community Benefit Agreement within ninety (90) days of  
27 the effective date of the County Council resolution establishing the coalition's community  
28 stakeholders pursuant to Subsection (b) of this Section. In the event a community coalition and  
29 the developer(s) of a County assisted development subject to this Section do not recommend a  
30 Community Benefit Agreement to the County Council within this ninety (90) day period, the  
31 County Council may adopt a resolution establishing and approving the terms of the Community

1 Benefit Agreement. Such an agreement must be signed by the County Executive and signed by  
 2 the developer(s) of the County assisted development subject to this Section in order to become a  
 3 legally binding Community Benefit Agreement between the County and the developer(s).

4 (d) The aggregate monetary value of the community benefits required to be proffered in a  
 5 Community Benefit Agreement by the developer(s) of a County assisted development subject to  
 6 this Section shall be no greater than ten percent (10%) of the total value of the public benefit  
 7 awarded to the developer(s) for the County assisted development, as valued by the County's  
 8 Office of Management and Budget.

9 (e) A violation of a Community Benefit Agreement by the developer(s) of a County  
 10 assisted development subject to this Section may result in a fine of up to five percent (5%) of the  
 11 monetary value of the received public benefit for each violation or, for repeated violations, a  
 12 complete refund of the value of the received public benefit and cancellation of the remaining  
 13 public benefit award, as determined by the County Executive or the County Executive's  
 14 designee. Compliance with this Section shall be included as a condition of the Community  
 15 Benefit Agreement or the agreement shall be void.

16 (f) Nothing in this Section shall be interpreted to preclude the inclusion of a Community  
 17 Benefit Agreement for a development or project not covered by the requirements of this  
 18 Division.

19 (g) Any County Council resolution enacted to establish a Community Benefit Agreement  
 20 under this Section shall be proposed and adopted on the public record at a public hearing in  
 21 compliance with Section 15-807 of the State Government Article of the Annotated Code of  
 22 Maryland.

23 **Sec. 10-285. Labor Peace Agreements authorized.**

24 (a) Legislative findings and policy.

25 (1) In the course of managing real property that it owns or in otherwise carrying out its  
 26 functions in the public interest, the County may participate in real property developments as a  
 27 property owner, lessor, proprietor, lender, or guarantor, facing similar risks and liabilities as  
 28 other business entities participating in such ventures. As a result, the County has an ongoing  
 29 proprietary interest in these developments and a direct interest in their financial performance.

30 (2) The County must make prudent management decisions, similar to any private  
 31 business entity, to ensure efficient management of its business concerns and to maximize

1 benefits and minimize risks. One risk is the possibility of labor-management conflict.

2 (3) A major potential outcome of labor-management conflict is economic action by  
 3 labor unions against employers. Experience of municipal and other investors demonstrates, for  
 4 example, that organizing drives pursuant to the formal and adversarial union certification process  
 5 often deteriorate into protracted and acrimonious labor-management conflict. Labor-  
 6 management conflict can result in construction delays, work stoppages, picketing, strikes,  
 7 consumer boycotts, and other forms of adverse economic pressure. Such conflict may adversely  
 8 affect the County's financial or other proprietary business interests by causing delay in the  
 9 completion of a project, reducing the revenues or increasing the costs of the project, and by  
 10 generating negative publicity.

11 (4) One method of reducing the risk to the County's proprietary interests is to require,  
 12 when reasonable and prudent, as a condition of the County's investment or other economic  
 13 participation in a development project, that employers taking part in the development project  
 14 seek agreements with labor organizations in which the labor organizations agree to forbear from  
 15 adverse economic action against the employers' operations.

16 (b) Determination of need for labor peace agreement.

17 (1) For each development project, the County Executive shall determine whether  
 18 Prince George's County has a proprietary interest in the development project and whether a  
 19 Labor Peace Agreement would be appropriate. The factors to be taken into account when  
 20 determining the existence of a proprietary interest will include:

21 (A) Through a lease of real property that is owned by Prince George's County  
 22 and used for the development project, receives ongoing revenue, excluding government fees, tax  
 23 revenue, or assessment revenue, or similar fees and revenues, except for tax revenue under the  
 24 circumstances specified in Subparagraphs (B) and (C) of this Paragraph;

25 (B) Receives ongoing revenue from the project to repay loans provided by the  
 26 County to assist in the development of the project, including incremental tax revenues generated  
 27 by the project;

28 (C) Receives ongoing revenue from the project to pay debt service on bonds  
 29 provided by the County to assist in the development of the project, including incremental tax  
 30 revenues generated by the project;

31 (D) Has significant assets at risk because it has agreed to underwrite or guarantee

1 the development of the project or loans related to the project; or

2 (E) Has a significant ongoing economic and nonregulatory interest at risk in the  
 3 financial success of a project which is likely to be adversely affected by labor-management  
 4 conflict, except that no interest shall be considered economic and nonregulatory if it arises from  
 5 the exercise of regulatory or police powers such as taxation (except as set forth in Subparagraphs  
 6 (B) and (C) of this Paragraph), zoning, or the issuance of permits or licenses.

7 (2) (A) If the County Executive determines that the County has a proprietary interest  
 8 at risk in a development, the County Executive shall require that the developer(s) of the project,  
 9 including the developer(s)' tenants, subtenants, contractors, or subcontractors; demonstrate that  
 10 they have entered into a labor peace agreement with the labor organization(s) which seek to  
 11 represent, or might seek to represent, workers on the project, prior to, and as a condition  
 12 precedent of, the County's award of a public benefit to the development project.

13 (B) For the purposes of this Section:

14 (i) Contract means a written agreement, including a management  
 15 agreement, service agreement, loan, bond, guarantee, or other similar agreement, to which the  
 16 County is a party and in which the County has a proprietary interest;

17 (ii) Employer means any person, corporation, company, association,  
 18 limited or general partnership, joint venture, contractor, subcontractor, or other entity that  
 19 employs individuals at the site of a development project; provided, that the term "employer"  
 20 shall not include the United States, Prince George's County, a wholly owned government  
 21 corporation, a Federal Reserve Bank, or a state or other political subdivision;

22 (iii) Labor organization shall have the same meaning as under 29 U.S.C.,  
 23 §152(5).

24 (iv) Labor peace agreement means a written agreement between an  
 25 Employer and a Labor Organization, enforceable under Section 301 of the Labor Management  
 26 Relations Act, 29 U.S.C. § 185, that contains, at a minimum, (1) a provision prohibiting the  
 27 Labor Organization and its members from engaging in any picketing, work stoppage, boycott, or  
 28 other economic interference with the employer's operations in which the County has a  
 29 proprietary interest, for the duration of the interest; and (2) provides that any services to be  
 30 performed by employees of the employer's tenants, subtenants, contractors, or subcontractors  
 31 will also be done under agreements containing the same labor peace assurance.

1                   (v) Services means construction, janitorial, security (but not national  
2 security), building and grounds maintenance, warehousing and distribution, mechanics and truck  
3 services, hotel (and any restaurant connected thereto), and grocery sales.

4           (c) Exceptions.

5           The requirements to enter into a labor peace agreement shall not apply to:

6           (1) An employer at the development project that meets the definition of a "small  
7 business" pursuant to the Code of Maryland Regulations ("COMAR") 21.01.02.01(80);

8           (2) A development project that is not awarded a total public benefit of a value greater  
9 than One Million Dollars (\$1,000,000);

10          (3) A residential development project;

11          (4) A development project that receives only conduit bond financing from the County,  
12 in which the County does not retain a proprietary interest; or

13          (5) A development project involving a historically designated building.

14          (e) Limitations.

15          (1) Nothing in this Section requires an employer to recognize a particular labor  
16 organization.

17          (2) Nothing in this Section requires an employer to enter into a collective bargaining  
18 agreement establishing the substantive terms and conditions of employment.

19          (3) This Section is not intended to, and shall not be interpreted to, enact or express any  
20 generally applicable policy regarding labor-management relations or to regulate those relations  
21 in any way.

22          (4) This Section is not intended to favor any particular outcome in the determination  
23 of employee preference regarding union representation.

24          (5) Nothing in this Section permits or requires the County or any employer to enter  
25 into any agreement in violation of the National Labor Relations Act of 1935, approved July 5,  
26 1935 (49 Stat. 449; 29 U.S.C.S. § 151 et seq.).

27          (f) Requirement of County notice.

28          A request for proposals or invitation to bid or similar document regarding a development  
29 project subject to this Section shall include a summary description of and reference to the  
30 requirements of this Section. Failure to include a description or reference to this Section in the  
31 document shall not exempt an employer otherwise subject to the requirements of this Section.

1 **Sec. 10-286. Regulations authorized.**

2 The County Executive may promulgate regulations to govern the implementation of this  
 3 Division, provided that such regulations are consistent with the provisions of this Division. Any  
 4 such regulations must be approved by the County Council.

5 SECTION 3. BE IT ENACTED by the County Council of Prince George's County,  
 6 Maryland, that Sections 10A-157, 10A-158, 10A-159, 10A-160, 10A-161, 10A-162, 10A-163,  
 7 10A-164, 10A-165, 10A-166, 10A-167, 10A-168, 10A-169, and 10A-170 of the Prince George's  
 8 County Code be and the same are hereby added:

9 **SUBTITLE 10A. PURCHASING.**

10 **DIVISION 7. ECONOMIC DEVELOPMENT.**

11 **Sec. 10A-157. Legislative findings and policy.**

12 (a) The County government finds that the public interest will be served by encouraging  
 13 businesses to locate and remain in Prince George's County through the provision of local bid and  
 14 proposal preferences and participation requirements for County-based businesses and County-  
 15 based small businesses in the award of contracts in direct government procurement.

16 (b) The County government finds that the local bid and proposal preferences and local  
 17 participation requirements in direct government procurement prescribed in Subdivision 1 of this  
 18 Division will serve the public interest because the resulting growth and development of County-  
 19 based businesses and County-based small businesses will have a significant, positive impact on  
 20 the economic health of the County by, among other things, increasing the County's commercial  
 21 tax revenue and improving access to good paying careers for local residents. This will help  
 22 achieve the public interest objective of diversifying and enlarging the County's tax base that  
 23 funds vital public services, which is currently overly reliant on residential property taxes.

24 (c) The County government finds that the local bid and proposal preferences and local  
 25 participation requirements in direct government procurement prescribed in Subdivision 1 of this  
 26 Division will serve the public interest objective of rewarding those businesses which contribute  
 27 the most to the County's economy, especially County-based small businesses, which are the  
 28 most likely businesses to create jobs for County residents.

29 (d) The County government finds that because of the lack of local career opportunities for  
 30 County residents, only forty percent (40%) of the jobs in the County are held by County  
 31 residents (sixty percent (60%) are held by non-County residents) and approximately sixty percent

1 (60%) of the County's resident workforce works outside of the County on a daily basis, the  
2 highest percentage of out-migration of a local workforce of any jurisdiction in the Washington  
3 DC Metropolitan Statistical Area (MSA), which:

4 (1) Leads to insufficient and inconsistent daytime consumer spending in local  
5 businesses, including retail and professional services, which hurts the County's commercial tax  
6 base; and

7 (2) Causes longer commute times for local residents and contributes to worsening  
8 traffic congestion, which is among the worst in the nation; expensive road repair and  
9 maintenance costs to county taxpayers; and reduced time for parental supervision of county  
10 school-aged children by working parents.

11 (e) The County government finds that the lack of local career opportunities for County  
12 residents contributes to the County having the highest poverty and unemployment rates among  
13 suburban jurisdictions in the Washington DC MSA and having the highest foreclosure and  
14 uninsured rates of any jurisdiction in the State of Maryland. The lack of nearby career  
15 opportunities limits access to employment for low-to-moderate income County residents who  
16 have more limited transportation options.

17 (f) The County government finds that too few of the existing career and business  
18 opportunities related to government funded projects benefit County residents, which contributes  
19 in part to the overall lack of employment and business opportunities in the County for County  
20 residents, particularly low-to-moderate income residents, County-based businesses, and County-  
21 based small businesses. Further, the County government finds that from 2000 to 2011, there was  
22 little to no new net job creation in the County, despite nearly an 8% increase in the County's  
23 population.

24 (g) The County government finds a substantial reason and basis for the County resident  
25 hiring goals prescribed in Subdivision 2 of this Division, including the goal that at least fifty-one  
26 percent (51%) of the work hours on direct government procurement, be worked by County  
27 residents, because the County resident hiring goals will serve the County's public and proprietary  
28 interest by:

29 (1) Reducing the out-migration of the local workforce, which will increase local  
30 consumer spending in county businesses and increase the County's commercial tax base;

31 (2) Helping reduce the County's worsening traffic congestion, road repair costs, and

1 commute times for working parents; and

2 (3) Increasing access to nearby career opportunities for County residents with jobs  
 3 paying a prevailing wage and likely to include health and other benefits, which will reduce the  
 4 County's unemployment, uninsured, foreclosure, and poverty rates and assist County residents in  
 5 affording the high cost of living in the Washington DC MSA.

6 (h) The County government finds that the County resident hiring goals prescribed in  
 7 Subdivision 2 of this Division, including the goal that at least fifty-one percent (51%) of the  
 8 work hours on direct government procurements be worked by County residents, will not unduly  
 9 burden or unreasonably restrict access to employment in the County for out of state residents.  
 10 Because Subdivision 2 of this Division only requires a demonstration of "best efforts" to meet  
 11 the local hiring goals (rather than requiring employers to meet the local hiring percentages  
 12 themselves), in addition to including the appropriate exceptions, the provisions of Subdivision 2  
 13 of this Division are not unnecessarily broad and are sufficiently flexible and tailored to achieve  
 14 the public interest objectives outlined in this Section.

15 **Subdivision 1. County-Based Business Assistance.**

16 **Sec. 10A-158. County-based business preferences.**

17 (a) On any procurement for which a County agency or the County government secures  
 18 competitive bids or proposals, including, but not limited to, competitive bids secured pursuant to  
 19 Section 10A-112 or competitive proposals pursuant to Section 10A-113, the Purchasing Agent  
 20 shall:

21 (1) Apply a bid or proposal preference of ten percent (10%) to any County-based  
 22 business that submits an approved certification as set forth in Section 10A-161(a) and fifteen  
 23 (15%) percent to any County-based small business that submits an approved certification as set  
 24 forth in Section 10A-161(b).

25 (2) For bids or proposals that are not made entirely by County-based businesses,  
 26 apply a bid or proposal preference at an increasing rate of one percent (1%) for every ten percent  
 27 (10%) increment of certified County-based business participation. Bids or proposals with one  
 28 hundred percent (100%) certified County-based business participation shall receive the  
 29 maximum ten percent (10%) bid preference.

30 (3) For bids or proposals that are not made entirely by County-based small  
 31 businesses, apply a bid or proposal preference at an increasing rate of one and a half percent

1 (1.5%) for every ten percent (10%) increment of certified County-based small business  
 2 participation. Bids or proposals with one hundred percent (100%) certified County-based small  
 3 business participation shall receive the maximum fifteen percent (15%) bid preference.

4 (4) Bids or proposals are entitled to receive the greater of the preference points or  
 5 percentages allowed under either this Section or Section 10A-136, as applicable. The  
 6 preferences allowed under this Section and Section 10A-136 shall not be applied cumulatively.

7 (b) The Purchasing Agent may determine not to apply a bid or proposal preference under  
 8 this Section if the Purchasing Agent certifies that such a preference would result in the loss of  
 9 federal or state funds, subject to the approval of the County Executive. The Purchasing Agent  
 10 shall transmit a copy of any such determination to the County Council no later than thirty (30)  
 11 calendar days following the date of the procurement award.

12 (c) The requirements of this Section shall apply to the procurement of vendors retained  
 13 by a County agency or the County government to assist in the financing and sale of County  
 14 government debt. The requirements of this Section shall also apply to the procurement of  
 15 brokerage firms, investment banking firms, investment management firms, consultants, and other  
 16 vendors retained to manage or invest funds controlled or administered by a County agency or the  
 17 County government. The application of this Subsection is subject to the requirements and  
 18 restrictions of federal and state law.

19 (d) A business may opt to not receive a County-based preference under this Section.

20 (e) For the purposes of this Division, the term "competitive bids or proposals" means any  
 21 bids or proposals for procurement funded or administered by a County agency or the County  
 22 government except for procurement awards made pursuant to Section 10A-114.

23 **Sec. 10A-159. County-based business participation requirements.**

24 (a) For any procurement that is greater than One Hundred Thousand Dollars (\$100,000)  
 25 in total value for which a County agency or the County government secures competitive bids or  
 26 proposals, including, but not limited to, competitive bids secured pursuant to Section 10A-112 or  
 27 competitive proposals pursuant to Section 10A-113, the Purchasing Agent shall require the  
 28 following:

29 (1) At least forty percent (40%) certified County-based business participation;  
 30 provided, that the costs of materials, goods, and supplies shall not be counted towards the 40%  
 31 participation requirement, unless such materials, goods, and supplies are purchased from County-

1 based businesses; and

2 (2) A bid or proposal responding to a solicitation shall be deemed nonresponsive  
3 and shall be rejected by the Purchasing Agent if it fails to meet the forty percent (40%) minimum  
4 certified County-based business participation requirement in Paragraph (1) of this Subsection,  
5 unless the participation requirement is waived and adjusted pursuant to Subsection (b) of this  
6 Section.

7 (3) Any existing procurement contract or agreement for which a County agency or  
8 the County government secured competitive bids or proposals, including, but not limited to, any  
9 procurement contract that was awarded pursuant to Section 10A-112 or Section 10A-113, and  
10 including any existing multiyear contract or extended contract, which does not include at least  
11 forty percent (40%) certified County-based business participation as prescribed in this  
12 Subsection at the time of any contemplated exercise of an option, extension, or renewal,  
13 including automatic extensions or renewals (e. g. "evergreen" contracts or agreements), shall not  
14 be renewed or extended.

15 (b) If the Purchasing Agent determines that there are insufficient responsible County-  
16 based businesses to completely fulfill the requirement of Paragraph (1) of Subsection (a) for a  
17 particular procurement or if the requirement would result in the loss of federal or state funds or  
18 grants, the Purchasing Agent may waive the requirement and adjust the minimum participation  
19 percentage, subject to the approval of the County Executive. For procurement contracts or  
20 agreements subject to approval by legislative act under Section 819 of the Charter, a waiver  
21 and/or percentage adjustment authorized by this Subsection must also be approved by the County  
22 Council. For procurement contracts or agreements not subject to approval by legislative act  
23 under Section 819 of the Charter, notice of a waiver and/or percentage adjustment authorized by  
24 this Subsection must be sent to the County Council by the Purchasing Agent by no less than  
25 fourteen (14) calendar days prior to the decision being made to waive the requirement and adjust  
26 the minimum participation percentage in Paragraph (1) of Subsection (a).

27 (c) Failure to apply the applicable provisions of Section 10A-158 and this Section to a  
28 procurement award, subject to the waivers and adjustments authorized by this Division, shall  
29 render the procurement award and/or contract or agreement void.

30 (d) On a case by case basis, for any procurement subject to the requirements of  
31 Subsection (a) of this Section, the Purchasing Agent may require more than forty percent (40%)

1 certified County-based business participation if the Purchasing Agent determines that there is a  
2 sufficient number of County-based businesses to justify a higher certified County-based business  
3 participation requirement.

4 **Sec. 10A-160. County agency local procurement goals**

5 (a) Each County agency, including, but not limited to, each County agency that procures  
6 in whole or in part through the Office of Central Services, shall use its "best efforts" to exercise  
7 its procurement authority so as to meet, on an annual basis, the goal of procuring at least fifty  
8 percent (50%) of the dollar volume of its goods and services, including, but not limited to,  
9 construction goods and services, to County-based businesses and at least thirty percent (30%) to  
10 County-based small businesses; and

11 (b) The dollar volume referenced in Subsection (a) of this Section shall be based on the  
12 expendable budget of the County agency.

13 (c) For any procurement with a total value equal to or less than One Hundred Thousand  
14 Dollars (\$100,000) for which a County agency secures competitive bids or proposals, including,  
15 but not limited to, competitive bids pursuant to Section 10A-112 or competitive proposals  
16 pursuant to Section 10A-113, each County agency shall set-aside the procurement only for bids  
17 or proposals from County-based small businesses, subject to Paragraphs (1) – (4) of this  
18 Subsection.

19 (1) A County agency shall not be required to set aside a procurement for County-  
20 based small businesses under this Subsection if there are not at least two (2) County-based small  
21 businesses that can sufficiently provide the services or goods which are the subject of the  
22 procurement. A County agency may also refuse to set aside a procurement for County-based  
23 small businesses under this Subsection if the agency determines, after applying any applicable  
24 preferences, that the lowest County-based small business bid or proposal price is believed to be  
25 twelve percent (12%) or more above the likely price on the open market. An agency shall not  
26 make such a determination unless the County-based small business with the lowest bid or  
27 proposal price has been given the opportunity to win the procurement by offering a bid or  
28 proposal price less than twelve percent (12%) higher than the likely price on the open market  
29 identified by the agency. If the County agency makes a determination under this Paragraph not  
30 to set aside a procurement for County-based small businesses, then the County agency must  
31 adhere to the requirements of Paragraph (2) of this Subsection.

1           (2) If there are not at least two (2) County-based small businesses that can  
2 sufficiently provide the services or goods which are the subject of a procurement under  
3 Paragraph (1) of this Subsection, the County agency shall set-aside the procurement only for bids  
4 or proposals from County-based businesses, unless there are not at least two (2) County-based  
5 businesses that can sufficiently provide the services or goods which are the subject of the  
6 procurement. A County agency may also refuse to set aside a procurement for County-based  
7 businesses under this Paragraph if the agency determines, after applying any applicable  
8 preferences, that the lowest County-based business bid or proposal price is believed to be twelve  
9 percent (12%) or more above the likely price on the open market. A County agency shall not  
10 make such a determination unless the County-based business with the lowest bid or proposal  
11 price has been given the opportunity to win the procurement by offering a bid or proposal price  
12 less than twelve percent (12%) higher than the likely price on the open market identified by the  
13 agency.

14           (3) Only if a County agency satisfies the requirements of both Paragraphs (1) and (2)  
15 of this Subsection and receives approval from the Purchasing Agent may the County agency  
16 thereafter issue the procurement in the open market, subject to all of the other applicable  
17 preferences and participation requirements prescribed in this Subdivision. If a County agency,  
18 after receiving approval of the Purchasing Agent, makes a determination not to set aside a  
19 procurement under either Paragraphs (1) and (2) of this Subsection and opts to issue the  
20 procurement in the open market, the County agency must transmit in writing its determination  
21 and the reasons for the determination to the County Executive and County Council no later than  
22 fourteen (14) calendar days after the date of the determination's approval by the Purchasing  
23 Agent.

24           (4) Any existing contract or agreement, including any existing multiyear contract or  
25 extended contract, for a procurement funded by a County agency or the County government with  
26 a total value equal to or less than One Hundred Thousand Dollars (\$100,000) that was not set-  
27 aside for County-based small businesses or County-based businesses pursuant to the  
28 requirements of this Section, and for which a County agency or the County government secured  
29 competitive bids or proposals, including, but not limited to, any procurement contract that was  
30 awarded pursuant to Section 10A-112 or Section 10A-113, at the time of any contemplated  
31 exercise of an option, extension, or renewal, including automatic extensions or renewals (e. g.

1 "evergreen" contracts or agreements), shall not be renewed or extended. This Paragraph shall  
2 not apply to a contract or agreement for a procurement with fifty percent (50%) or greater  
3 certified County-based business participation.

4 (d) The Purchasing Agent may waive the requirements of Subsection (c) of this Section  
5 for a procurement if the Purchasing Agent certifies that such a requirement would result in the  
6 loss of federal or state funds, subject to the approval of the County Executive. The Purchasing  
7 Agent shall transmit a copy of any such determination to the County Council no later than seven  
8 (7) calendar days following the date of the procurement award.

9 (e) Each County agency shall submit a written report to the Purchasing Agent and to the  
10 County Auditor within thirty (30) calendar days after the end of each quarter after the beginning  
11 of the fiscal year that provides:

12 (1) The percentage and U.S. dollar value of certified County-based business  
13 participation and certified County-based small business participation in the most recent three (3)  
14 month period from the County agency's procurements, including reporting the percentage and  
15 U.S. dollar value of certified County-based business participation and certified County-based  
16 small business participation for the period from the beginning of the fiscal year to the reporting  
17 date;

18 (2) The name and principal place of operation of each business receiving payment  
19 under a procurement from the County agency in the most recent three (3) month period,  
20 including the U.S. dollar value and percentage of the total procurement dollars paid in the most  
21 recent three (3) month period to each business; and

22 (3) For the 4th Quarter of the fiscal year only, the expected percentage and U.S.  
23 dollar value of certified County-based business participation and certified County-based small  
24 business participation in the next twelve (12) month period.

25 (f) If a County agency fails to meet any of the goals set forth in Subsection (a) of this  
26 Section, the County Executive, or the County Council by resolution, may require that a portion  
27 of the agency's procurements be made part of a set-aside program for County-based businesses  
28 and/or County-based small businesses.

29 (g) As a condition of receiving funding from the County government, a non-County  
30 agency or entity that receives more than fifty percent (50%) of its annual budget in the most  
31 recent fiscal year from funds received from or administered by a County agency or the County

1 government shall comply with the same goals and requirements as a County agency under  
 2 Subsections (a), (b), (e), and (f) of this Section, unless the non-County agency or entity certifies  
 3 in writing to the County Council and the County Executive that such compliance would violate  
 4 federal or state law.

5 **Sec. 10A-161. County-based business certification requirements.**

6 (a) A business that seeks to be certified as a County-based business shall make  
 7 application to the Purchasing Agent on a form provided by the Purchasing Agent. Such an  
 8 application shall not be approved by the Purchasing Agent unless the business:

9 (1) Requires that its chief executive officer and the highest level managerial  
 10 employees of the business maintain their offices and perform their managerial functions in the  
 11 County;

12 (2) Files a written certificate that the business is not delinquent in the payment of  
 13 any County taxes, charges, fees, rents or claims;

14 (3) Files a tax return filed with the State of Maryland establishing that the business  
 15 has operated within the County within the preceding twelve (12) months;

16 (4) Files documentation showing that during the preceding twelve (12) months the  
 17 business has continuously maintained a valid business license or permit;

18 (5) Files documentation showing that during the preceding twelve (12) months the  
 19 business has continuously occupied an office within the County, as its principal place of  
 20 operation; and

21 (6) Files documentation showing that:

22 (i) More than fifty percent (50%) of the business' full-time employees are  
 23 County residents; or

24 (ii) The owners of more than fifty percent (50%) of the business are County  
 25 residents; or

26 (iii) More than (fifty percent) 50% of the assets of the business, excluding  
 27 bank accounts, are located in the County; or

28 (iv) More than (fifty percent) 50% of the total sales or other revenues of the  
 29 business are derived from transactions of the business in the County.

30 (b) A business that seeks to be certified as a County-based small business shall make an  
 31 application to the Purchasing Agent on a form provided by the Purchasing Agent. Such an

1 application shall not be approved by the Purchasing Agent unless:

2 (1) The business meets the requirements of Section 10A-161(a); and

3 (2) The business meets the definition of "small business" pursuant to the Code of  
4 Maryland Regulations ("COMAR") 21.01.02.01(80); or

5 (3) For a business classified as being in the construction industry by Sector 23 of  
6 the current edition of the NAICS, the business meets the federal definition of "small business  
7 concern" in Part 121 of Title 13 of the Code of Federal Regulations.

8 (c) Once an application for certification is approved under this Section by the Purchasing  
9 Agent, a copy of the approved application shall be expeditiously transmitted to the County  
10 Auditor.

11 (d) A business whose application is approved for certification as a County-based small  
12 business is automatically certified as a County-based business.

13 (e) Nonprofit entities that satisfy the applicable requirements of this Section are eligible  
14 to be certified as County-based businesses and County-based small businesses.

15 (f) A business that is certified as a County-based business or County-based small  
16 business shall meet the requirements of certification under this Section continuously after the  
17 date the business's application for certification is approved by the Purchasing Agent or the  
18 business's certification shall be void. In such instances, the business must re-apply pursuant to  
19 the requirements of this Section to be certified as a County-based business or a County-based  
20 small business.

21 **Sec. 10A-162. Enforcement of County-based business assistance.**

22 (a) For the entire duration of the procurement contract or agreement, any vendor given a  
23 County-based business preference under Section 10A-158 or subject to the County-based  
24 business participation requirements under Section 10A-159 shall maintain no less than the  
25 percentage of certified County-based business participation or certified County-based small  
26 business participation stated in the winning bid or proposal. At the discretion of the Purchasing  
27 Agent, failure to comply with this Section may subject any vendor given a business preference  
28 under Section 10A-158 or subject to the County-based business participation requirements under  
29 Section 10A-159 to a penalty, to include monetary fines of up to five percent (5%) of the value  
30 of the contract for each violation, or a cancellation of the contract or agreement.

31 (1) A vendor may request a waiver of the requirements of this Subsection by the

1 Purchasing Agent. On a case by case basis, such a waiver request may be granted by the  
 2 Purchasing Agent with the approval of the County Executive, if "best efforts" by the vendor to  
 3 comply have been demonstrated as prescribed in Subsection (e) of this Section.

4 (2) For procurement contracts or agreements subject to approval by legislative act  
 5 under Section 819 of the Charter, a waiver and/or percentage adjustment authorized by this  
 6 Subsection must be approved by the County Council. For procurement contracts or agreements  
 7 not subject to approval by legislative act under Section 819 of the Charter, notice of such a  
 8 waiver and/ or percentage adjustment, including the information provided to the Purchasing  
 9 Agent pursuant to Paragraphs (1) -- (4) of Subsection (e) of this Section, must be sent to the  
 10 County Council by the Purchasing Agent by no less than fourteen (14) calendar days prior to the  
 11 date of the County Executive's approval of the Purchasing Agent's decision.

12 (b) Any vendor given a County-based business preference under Section 10A-158 or  
 13 subject to the County-based business participation requirements of Section 10A-159 shall submit  
 14 a quarterly report within thirty (30) calendar days after the end of each quarter to the Purchasing  
 15 Agent, the County Auditor, and a compliance manager designated by the County Council that  
 16 provides:

17 (1) The percentage and U.S. dollar value of certified County-based business  
 18 participation and certified County-based small business participation in the most recent 3 month  
 19 period, including reporting the percentage and U.S. dollar value of certified County-based  
 20 business participation and certified County-based small business participation for the period  
 21 from the beginning of the calendar year to the reporting date;

22 (2) The name and principal place of operation of each business receiving payment  
 23 under the procurement in the most recent 3 month period, including the U.S. dollar value and  
 24 percentage of the total contract dollars paid in the most recent 3 month period to each business;  
 25 and

26 (3) The expected percentage and U.S. dollar value of certified County-based  
 27 business participation and certified County-based small business participation in the next 12  
 28 month period.

29 (c) At the discretion of the Purchasing Agent or the County Auditor, any vendor given a  
 30 County-based business preference under Section 10A-158 or subject to the County-based  
 31 business participation requirements of Section 10A-159 shall be subject to an audit of documents

1 or other information deemed necessary by the Purchasing Agent or the County Auditor to verify  
 2 compliance with this Section upon thirty (30) calendar days written notice, including, but not  
 3 limited to, copies of any contracts with subcontractors or other vendors.

4 (d) The Purchasing Agent shall make compliance with this Subdivision a condition of  
 5 any contract or agreement for a procurement funded by a County agency or the County  
 6 government or any such contract or agreement shall be void. This requirement does not apply to  
 7 procurements awarded pursuant to Section 10A-114.

8 (e) In this Subdivision, the term "best efforts" means efforts to the maximum extent  
 9 practicable have been made to meet the requirement. A vendor given a County-based business  
 10 preference under Section 10A-158 or subject to the County-based business participation  
 11 requirements under Section 10A-159 shall not be deemed to have demonstrated "best efforts"  
 12 under Subsection (a) of this Section where there is a sufficient number of County-based  
 13 businesses or County-based small businesses to enable the vendor to meet the requirements of  
 14 Subsection (a) of this Section. The Purchasing Agent shall not grant a waiver authorized by  
 15 Paragraph (1) of Subsection (a) of this Section unless the vendor seeking the waiver:

16 (1) Provides a detailed written statement of the reasons the vendor is unable to  
 17 maintain its percentages of County-based business or County-based small business participation;

18 (2) Provides a detailed written statement of its efforts to maintain its percentages of  
 19 County-based business or County-based small business participation, including its efforts to  
 20 contact and negotiate with County-based businesses or County-based small businesses including:

21 (A) The names, addresses, and telephone numbers of the County-based  
 22 businesses or County-based small businesses that were contacted and the dates such County-  
 23 based businesses were contacted, and

24 (B) A description of the information provided to County-based businesses or  
 25 County-based small businesses regarding the descriptions of services or goods sought for the  
 26 procurement, including plans, specifications and anticipated time schedule for any portions of the  
 27 work to be performed, where applicable;

28 (3) As to each County-based business or County-based small businesses that placed a  
 29 subcontract or other quotation or offer which the vendor considered not to be acceptable, a  
 30 detailed written statement that includes sufficient reasons for this conclusion; and

1           (4) A written list of County-based businesses or County-based small businesses found  
2 to be unavailable to perform under the procurement.

3           Based on an analysis of the information provided by the vendor seeking a waiver  
4 authorized by Paragraph (1) of Subsection (a) of this Section and an analysis by the Purchasing  
5 Agent of the availability of County-based businesses or County-based small businesses that  
6 provide services or goods that are the subject of the procurement, the Purchasing Agent shall  
7 determine whether "best efforts" to comply have been demonstrated by the vendor and whether  
8 to grant the vendor's request for a waiver authorized by Paragraph (1) of Subsection (a) of this  
9 Section, subject to the approvals and notice required by this Section. If the Purchasing Agent  
10 does grant a waiver authorized by Paragraph (1) of Subsection (a) of this Section, the Purchasing  
11 Agent shall select a new minimum percentage requirement for County-based business  
12 participation or County-based small business participation for the vendor's procurement based  
13 on the availability of County-based businesses or County-based small businesses that provide  
14 services or goods that are the subject of the procurement, subject to the approvals and notice  
15 required by this Section.

16 **Sec. 10A-163 Unbundling required.**

17           The County Executive or the County Executive's designee shall establish procedures to  
18 ensure that solicitations are subdivided and unbundled and that smaller procurements are created  
19 to the extent feasible and fiscally prudent.

20 **Sec. 10A-164 Compliance of Existing Contracts at Renewal or Extension**

21           At the time of any contemplated exercise of an option, extension, or renewal, including  
22 automatic extensions or renewals (e. g. "evergreen" contracts or agreements), the Purchasing  
23 Agent shall require that any existing contract or agreement for a procurement funded by a  
24 County agency or the County government, including any existing multiyear contract or extended  
25 contract, be amended to comply with the requirements of this Subdivision or the contract or  
26 agreement shall not be renewed or extended by the County government or County agency. This  
27 requirement does not apply to procurements awarded pursuant to Section 10A-114.

28 **Sec. 10A-165. Regulations authorized.**

29           The County Executive may promulgate regulations to govern the implementation of this  
30 Subdivision, provided that such regulations are consistent with the provisions of this  
31 Subdivision. Any such regulations must be approved by the County Council.

1        **Subdivision 2. First Source Hiring Program and Local Hiring Requirements.**

2        **Sec. 10A-166. First Source Registry created.**

3        (a) The Prince George's County Economic Development Corporation's Workforce  
 4        Services Division shall maintain a First Source Registry. The First Source Registry shall consist  
 5        of the names of veterans, unemployed, low-to-moderate income (defined as being within three  
 6        hundred percent (300%) of federal poverty guidelines), and general job-seeking individuals who  
 7        are County residents. The Registry shall be the first source for hiring all new hire positions on  
 8        procurement projects funded by a County agency or the County government. The Prince  
 9        George's County Economic Development Corporation's Workforce Services Division may  
 10       require from residents seeking to be listed in the First Source Registry such documentation that it  
 11       deems necessary to verify unemployment, income, veteran-status, and residency information  
 12       (pursuant to the requirements set forth in Section 10A-101(14.1)) for the purposes of this  
 13       Subdivision. The Prince George's County Economic Development Corporation's Workforce  
 14       Services Division shall give the Purchasing Agent constant access to the information in the First  
 15       Source Registry and access upon request to any information provided by residents pursuant to  
 16       this Subsection.

17       (b) In compiling and maintaining the First Source Registry, the Prince George's County  
 18       Economic Development Corporation's Workforce Services Division shall contact community  
 19       organizations, organized labor locals, civic and citizens associations, and nonprofit institutions  
 20       for names and other relevant contact information of unemployed, low-to-moderate income, and  
 21       general job seeking County residents. Only County residents are eligible to be listed or included  
 22       in the First Source Registry.

23       **Sec. 10A-167. First Source and Local Hiring Agreements required; local hiring**  
 24       **requirement.**

25       (a) The Purchasing Agent shall include for every government-assisted project, including as  
 26       a condition of any contracts or agreements for procurements funded by a County agency or the  
 27       County government, at the time of initial contract execution or, effective as of January 1, 2014,  
 28       at the time of any exercise of contract renewal, option, or extension (including automatic renewal  
 29       or extension), a requirement that the business enter into a First Source and Local Hiring  
 30       Agreement with the County which states that:

31       (1) The first source for finding employees to fill all jobs created by the government-

1 assisted project shall be the First Source Registry;

2 (2) The first source for finding employees to fill any vacancy occurring in all jobs  
 3 covered by a First Source and Local Hiring Agreement will be the First Source Registry; and

4 (3) Compliance with this Section is a condition of the First Source and Local Hiring  
 5 Agreement.

6 (b) In selecting qualified County residents from the First Source Registry for interviews or  
 7 other consideration for employment for all jobs covered by each First Source and Local Hiring  
 8 Agreement, the Prince George's County Economic Development Corporation's Workforce  
 9 Services Division shall give first priority to referring veterans who are County residents, second  
 10 priority to referring unemployed County residents, third priority to referring County residents  
 11 within three hundred percent (300%) of federal poverty guidelines, and then fourth priority to  
 12 referring other job-seeking County residents.

13 (c) Each business that is a signatory to a First Source and Local Hiring Agreement under a  
 14 procurement contract shall submit to the Prince George's County Economic Development  
 15 Corporation's Workforce Services Division and the Purchasing Agent, by the fifth business day  
 16 of every month following the execution of the First Source and Local Hiring Agreement, an  
 17 agreement compliance report for the project that includes the:

18 (1) Number of employees needed;

19 (2) Number of current employees transferred;

20 (3) Number of new job openings created;

21 (4) Number of jobs openings listed with the Prince George's County Economic  
 22 Development Corporation's Workforce Services Division;

23 (5) (A) For the reporting period (during the previous calendar month), the total  
 24 number of County residents employed, including new County resident hires, and total hours  
 25 worked by County residents, and

26 (B) For the calendar year, the cumulative total number of County residents  
 27 employed, including cumulative new County resident hires, and cumulative work hours by  
 28 County residents; and

29 (6) (A) For the reporting period (during the previous calendar month), the total  
 30 number of employees employed, including new hires, and total employee hours worked, and

31 (B) For the calendar year, the cumulative total number of employees hired,

1 including cumulative new hires, and cumulative employee hours worked, including, for each  
2 employee:

3 (A) Name;

4 (B) Job title;

5 (C) Hire date;

6 (D) Residence; and

7 (E) Referral source for all new hires.

8 (d) At least ten (10) calendar days prior to announcing an employment position, a business  
9 that is a signatory to a First Source and Local Hiring Agreement under a procurement contract  
10 shall notify the Prince George's County Economic Development Corporation's Workforce  
11 Services Division of the available positions. If the County resident interviewed or otherwise  
12 considered for the position is not hired, the business shall provide reasons why the referred  
13 County resident was not hired. A good faith effort is required to hire the referred County  
14 resident, if sufficiently qualified for the available position.

15 (e) The requirements of Section 10A-166 and Subsections (a) through (d) of this Section,  
16 except for the reporting requirements of Paragraphs (5) and (6) of Subsection (c) of this Section,  
17 on a form provided by the Purchasing Agent, shall not apply to procurement contracts in the  
18 construction industry, as defined by Sector 23 of the current edition of the North American  
19 Industry Classification System ("NAICS"), for procurements funded by a County agency or the  
20 County government if the procurement contract or agreement is governed by a project labor  
21 agreement. The remaining requirements of this Subdivision shall apply to such procurement  
22 contracts, agreements, or awards.

23 (f) The Purchasing Agent shall require "best efforts" to reach a minimum goal that at least  
24 fifty-one percent (51%) of the annual man/woman hours (work hours), on both a total work hour  
25 and trade by trade basis, be worked by County residents as a condition of any contract or  
26 agreement for a procurement funded by a County agency, including requiring "best efforts" to  
27 reach a minimum goal that at least fifty-one percent (51%) of the annual apprenticeship work  
28 hours on such contracts or agreements be worked by apprentices who are County residents. The  
29 requirements of this Subsection extend to hiring by contractors and subcontractors on  
30 procurements funded by a County agency under the supervision or control of the contractors and  
31 subcontractors.

1           (1) In procurements funded by a County agency or the County government,  
2 competitive bids or proposals responding to a bid or proposal solicitation, including, but not  
3 limited to, competitive bids pursuant to Section 10A-112 or competitive proposals pursuant to  
4 Section 10A-113, may be deemed nonresponsive and rejected by the Purchasing Agent if the bid  
5 or proposal fails to demonstrate adequate capacity to meet the annual County resident hiring  
6 goals of this Subsection in the judgment of the Purchasing Agent.

7           (2) If a procurement subject to this Subsection fails to reach the minimum goal that at  
8 least fifty-one percent (51%) of the annual man/woman hours (work hours) or fifty-one percent  
9 (51%) of the annual apprenticeship work hours be worked by County residents, a waiver must be  
10 granted pursuant to Subsection (h) of this Section or the procurement is subject to the penalties  
11 of Subsection (i) of this Section.

12           (3) In order to meet the "best efforts" requirements of this Subsection, an employer  
13 required to comply with the annual County resident hiring goals of this Subsection shall require  
14 any worker it employs that it deems to be a County resident for the purposes of meeting the  
15 annual County resident hiring goals to submit documentation by the end of the calendar year to  
16 the employer necessary to establish the worker's County residency pursuant to the requirements  
17 set forth in Section 10A-101(14.1), including a copy of a filed Maryland state income tax return  
18 as prescribed in Section 10A-101(14.1)(A) – (B) or an attestation as prescribed in Section 10A-  
19 101(14.1)(C) establishing a Prince George's County domicile for the worker for the most recent  
20 full calendar year, unless the worker has already submitted such documentation during the  
21 calendar year to the Prince George's County Workforce Services Division pursuant to Section  
22 10A-166(a). The employer shall transmit the documentation required by this Paragraph  
23 submitted by its workers during the calendar year to the Prince George's County Workforce  
24 Services Division and the Purchasing Agent by the tenth (10<sup>th</sup>) business day of the subsequent  
25 calendar year or the employer shall be in noncompliance with the "best efforts" requirements of  
26 this Subsection and subject to the penalties of Subsection (i) of this Section.

27           (g) For procurements funded by a County agency or the County government, including,  
28 but not limited to, procurements awarded pursuant to Section 10A-112 or Section 10A-113, the  
29 Purchasing Agent shall require compliance with this Subdivision as a condition of the  
30 procurement contract or agreement or any such contract or agreement shall be void.

31           (h) On a case by case basis, at the request of an employer required to comply with

1 Subsection (f) of this Section, the Purchasing Agent may waive the annual County resident  
 2 hiring goals of Subsection (f) of this Section if the Purchasing Agent finds that "best efforts" to  
 3 comply with the annual County resident hiring goals by the employer requesting the waiver have  
 4 been demonstrated as prescribed in Paragraph (2) of this Subsection. An employer is only  
 5 allowed to request and the Purchasing Agent is only allowed to grant a waiver authorized by this  
 6 Subsection after the end of the calendar year for which the employer seeks the waiver and the  
 7 waiver, if granted, shall only apply for that calendar year.

8 (1) For procurement contracts or agreements subject to approval by legislative act  
 9 under Section 819 of the Charter, a waiver authorized by this Subsection must be approved by  
 10 the County Council. For procurement contracts or agreements not subject to approval by  
 11 legislative act under Section 819 of the Charter, notice of such a waiver, including the  
 12 information provided to the Purchasing Agent pursuant to Subparagraphs (A) – (D) of Paragraph  
 13 (2) of this Subsection, shall be sent to the County Council by the Purchasing Agent by no less  
 14 than fourteen (14) calendar days prior to the date of the County Executive's approval of the  
 15 Purchasing Agent's decision to waive the provisions of Subsection (f) of this Section.

16 (2) The term "best efforts" in this Subdivision means efforts to the maximum extent  
 17 practicable have been made to meet the requirement. "Best efforts" by an employer required to  
 18 comply with Subsection (f) of this Section shall not be found and a waiver authorized by this  
 19 Subsection shall not be granted unless the employer provides written documentation to the  
 20 Purchasing Agent demonstrating that:

21 (A) Whenever employment opportunities became available during the calendar  
 22 year, the employer made good faith efforts to hire each County resident who applied or was  
 23 referred for employment;

24 (B) The employer sent written notifications during the calendar year to the  
 25 Prince George's County Workforce Services Division and community, labor, and workforce-  
 26 related organizations and institutions identified by the County Executive or the County  
 27 Executive's designee whenever employment opportunities became available;

28 (C) For each County resident who applied or was referred for employment  
 29 during the calendar year, but was not hired, the employer maintained written documentation that  
 30 includes a sufficient explanation of the reason(s) the County resident was not hired; and

31 (D) The employer met other requirements during the calendar year determined

1 by the Purchasing Agent.

2 Based on an analysis of the information provided by the employer seeking a  
 3 waiver authorized by this Subsection and an analysis by the Purchasing Agent of the sufficiency  
 4 of the County's labor market, the Purchasing Agent shall determine whether "best efforts" to  
 5 comply have been demonstrated by the employer and whether to grant the employer's request for  
 6 a waiver authorized by this Subsection, subject to the approvals and notice required by this  
 7 Subsection. An employer must be in compliance with Paragraph (3) of Subsection (f) of this  
 8 Section in order to receive a waiver authorized by this Subsection. A waiver decision by the  
 9 Purchasing Agent authorized by this Subsection must be approved by the County Executive.

10 (i) Failure to comply with this Section, for a procurement funded by a County agency or  
 11 the County government, may subject a signatory to a First Source and Local Hiring Agreement  
 12 or any other entity required to comply with this Subdivision to a penalty, to include monetary  
 13 finances of up to twenty percent (20%) of the value of the direct and indirect labor costs of the  
 14 contract, as determined by the Purchasing Agent. For repeated violations of this Section, a  
 15 signatory to a First Source and Local Hiring Agreement or any other entity required to comply  
 16 with this Subdivision may be subject to a cancellation of the procurement contract or agreement,  
 17 as determined by the Purchasing Agent.

18 (j) At the discretion of the Purchasing Agent or the County Auditor, any business that is a  
 19 signatory to a First Source and Local Hiring Agreement or any other entity required to comply  
 20 with this Subdivision shall be subject to an audit of documents or other information deemed  
 21 necessary by the Purchasing Agent or the County Auditor to verify compliance with this Section  
 22 upon thirty (30) calendar days written notice.

23 (k) Immediately upon execution, the Purchasing Agent shall expeditiously transmit a paper  
 24 or electronic copy of any signed First Source and Local Hiring Agreement to the Prince George's  
 25 County Economic Development Corporation's Workforce Services Division.

26 **Sec. 10A-168. Compliance of existing contracts at renewal or extension.**

27 For any existing contract or agreement for a procurement funded by a County agency or the  
 28 County government, including any existing multiyear contract or extended contract, the  
 29 Purchasing Agent shall require the inclusion of a condition in the contract or agreement requiring  
 30 best efforts to meet the annual County resident hiring goals of Subsection (f) of Section 10A-167  
 31 and requiring compliance with the other applicable provisions of this Subdivision, at the time of

1 any contemplated exercise of an option, extension, or renewal, including automatic extensions or  
2 renewals (e. g. "evergreen" contracts or agreements), or the contract or agreement shall not be  
3 renewed or extended by the County government or County agency.

4 **Sec. 10A-169. Reports.**

5 The Prince George's County Economic Development Corporation's Workforce Services  
6 Division shall submit quarterly reports to the County Auditor, the Purchasing Agent, and a  
7 compliance manager designated by the County Council verifying the requirements in Section  
8 10A-167. The reports shall also detail the number of government-assisted projects for which  
9 First Source and Local Hiring Agreements were executed, the number of jobs that result from the  
10 First Source and Local Hiring Agreements, the number of County residents actually employed in  
11 government-assisted projects, and the number of unemployed County residents on the First  
12 Source Registry. The format of the reporting under this Section shall be determined by the  
13 County Executive or the County Executive's designee.

14 **Sec. 10A-170. Regulations authorized.**

15 The County Executive may promulgate regulations to govern the implementation of this  
16 Subdivision, provided that such regulations are consistent with the provisions of this  
17 Subdivision. Any such regulations must be approved by the County Council.

18 SECTION 4. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
19 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
20 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
21 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
22 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
23 Act, since the same would have been enacted without the incorporation in this Act of any such  
24 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.  
25

1 SECTION 5. BE IT FURTHER ENACTED that Sections 10-283, 10-284, 10-285, 10-286,  
2 10A-101, and 10A-161 of this Act shall take effect on January 1, 2013, with the remainder of  
3 this Act taking effect on July 1, 2013, except for Sections 10A-159(a)(3), 10A-160(a) and (b),  
4 10A-160(c)(4), 10A-164, and 10A-168, which shall take effect on January 1, 2014.

Adopted this 15th day of November, 2011.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: Ingrid M. Turner  
Ingrid M. Turner  
Chair

ATTEST:

Redis C. Floyd  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: December 7, 2011 BY: Rushern L. Baker, III  
Rushern L. Baker, III  
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.

**Prince George's County Council**  
**Agenda Item Summary**

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**Meeting Date:** 11/15/2011  
**Reference No.:** CB-017-2011  
**Draft No.:** 4  
**Proposer(s):** Franklin, Harrison  
**Sponsor(s):** Franklin, Harrison, Turner, Patterson, Olson, Lehman  
**Item Title:** An Act concerning Economic Development and Local Employment enhancing the County's economic development by creating bidding preferences and participation requirements for County-based businesses and County-based small businesses on certain procurement contracts for goods and services with the County; establishing a First Source Hiring Program; requiring "best efforts" for meeting a certain local hiring percentage goal for positions on certain procurement projects funded by the County, requiring submission of quarterly audit reports, maintaining a first source registry, providing for penalties and exemptions to the program; authorizing the use of Community Benefit Agreements on County assisted developments that receive a public benefit of a value greater than \$3,000,000 with certain exceptions; authorizing Labor Peace Agreements for developments receiving a public benefit of a value greater than \$1,000,000 with certain exceptions; giving priority to County-based Minority Business Enterprises in all Minority Business Enterprise goals for minority contracting and purchasing; requiring subcontracting plans for certain contracts and generally relating to economic development in the County.

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**Drafter:** Colette R. Gresham, Legislative Officer  
**Resource Personnel:** Brendon Laster, Legislative Aide District 9

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**LEGISLATIVE HISTORY:**

<b>Date Presented:</b> 5/17/2011	<b>Executive Action:</b> 12/7/2011 S
<b>Committee Referral:</b> 5/17/2011 - PSFM	<b>Effective Date:</b> 1/1/2013

**Committee Action:** 10/12/2011 - FAV(A)

**Date Introduced:** 10/18/2011

**Public Hearing:** 11/15/2011 - 10:00 AM

**Council Action (1)** 11/15/2011 - ENACTED

**Council Votes:** WC:A, DLD:A, MRF:A, AH:A, LJ:-, ML:A, EO:A, OP:A, IT:A, KT:A

**Pass/Fail:** P

**Remarks:** Secs. 10-283, 284, 185, 286, 10A-101, 161 effective 1/1/2013  
Secs. 10A-136, 157, 158, 160(c)(1)(2)(3)(d)(e)(f), 162, 163, 165, 166, 167, 169, 170 effective 7/1/2013  
Secs. 10A-159 (a)(3), 160(a)(b), 160(c)(4), 164 effective 1/1/2014

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**AFFECTED CODE SECTIONS:**

10-283, 10-284, 10-285, 10-286, 10A-101, 10A-136, 10A-157, 10A-158, 10A-159, 10A-160, 10A-161, 10A-162, 10A-163, 10A-164, 10A-165, 10A-166, 10A-167, 10A-168, 10A-169, 10A-170, 10A-171, 10A-172, 10A-173, 16-102, 16-150.01, 16-150.02

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**COMMITTEE REPORTS:****Public Safety and Fiscal Management****Date 10/12/2011**

Committee Vote: Favorable as amended 3-0 (In Favor: Council Members Campos, Franklin, and Patterson)

This bill will create new County-based procurement assistance by establishing a 10% preference for County-based businesses and a 15% preference for County-based small businesses; an escalating 1% preference (10% maximum) for bids or proposals for each additional 10% increment of County-based business participation; and an 1.5% preference (15% maximum) for bids or proposals for each additional 10% increment of County-based small business participation. The legislation increases County-based business participation by requiring a 40% minimum for bids or proposals on procurements above \$100,000 and a 50% minimum goal for each County Agency for annual procurement awards. The bill would also increase County-based small business participation by creating a Local Small Business Reserve Program; require new County resident hiring goals for County funded projects; establish a First Source Hiring Program; require a community benefit agreement between developers and community stakeholders as a condition of any development receiving \$1 million or more in County assistance; require labor peace agreements to prohibit work stoppages; and strengthen the County Minority Business Enterprise (MBE) Program by utilizing County-based MBEs with goals increased from 30% to 35% and per contract goal from 20% to 25%.

The Committee met on July 6th and was given a brief overview of the legislation. During the worksession the sponsor of the bill noted that there would be amendments forthcoming and requested the bill be held. The Committee met again on October 5th and October 12th to discuss possible amendments to the bill based on public input and conversations with the County Executive's Office. The amendments discussed consisted of the following: the meaning of and process for determining "best efforts" to meet local hiring and procurement goals; strengthening the definition of "County resident"; ensuring that requirements apply at the time of any renewal or extension; incorporating a "Significant Economic Opportunities" clause that allows, on a case by case basis, the County Executive, with Council approval, to waive or adjust requirements; removal of County assisted development; more attention to how the Community Benefit Agreement process works and incorporating municipalities; and revising bill effective dates for certain Sections. During the worksession there was testimony in support of the bill including representatives from the United Food Workers and the Human Services Coalition. A representative from Associated Builders and Contractors spoke in opposition. Brad Frome from the County Executive's Office stated the Administration supports the bill as amended.

The Office of Law has reviewed this legislation and finds it to be in proper legislative form with no legal impediments to its enactment.

There should be an overall positive fiscal impact on the County as a result of enacting CB-17-2011 by providing opportunities for County business expansion and employment for County residents. County commercial base revenues and personal income tax revenues should increase with these opportunities. The overall positive fiscal impact cannot be determined at this time due to unknown factors regarding business expansion, the number of residents gaining employment and the level of any penalties imposed from non-compliance.

**BACKGROUND INFORMATION/FISCAL IMPACT:**

(Includes reason for proposal, as well as any unique statutory requirements)

The proposed legislation will enhance job creation in the County and put in place incentives over the long-term that would utilize County tax dollars as an economic engine for wealth creation. The legislation would create a local hiring preference, a first source hiring program, an apprenticeship program, require community benefit agreements, require County agency local hiring goals, and require County-based MBE goals for minority contracting and purchasing.

11/15/2011: CB-17-2011 (DR-3) was amended on the floor as follows:

1. On page 4, line 30 and page 10, line 22, after "credits" delete "or benefits".
2. On page 19, line 21, after "funded" insert "or administered"
3. On page 29, line 27, delete "July 1, 2013" and insert "January 1, 2014"
4. On page 35, delete lines 25 through 28 and insert "SECTION 5. BE IT FURTHER ENACTED that Sections 10-283, 10-284, 10-285, 10-286, 10A-101, and 10A-161 of this Act shall take effect on January 1, 2013, with the remainder of this Act taking effect on July 1, 2013, except for Sections 10A-159(a)(3), 10A-160(a) and (b), 10A-160(c)(4), 10A-164, and 10A-168, which shall take effect on January 1, 2014."

CB-17-2011 (DR-4) was subsequently enacted.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**2012 Legislative Session**

Bill No. CB-112-2012

Chapter No. 94

Proposed and Presented by Council Member Franklin

Introduced by Council Member Franklin

Co-Sponsors \_\_\_\_\_

Date of Introduction October 23, 2012

**BILL**

1 AN ACT concerning

2 Five-Year Consolidated Housing and Community Development Plan

3 For the purpose of amending the provisions of the County's Five-Year Consolidated Housing  
4 and Community Development and Annual Action Plans by adding requirements under Section 3  
5 of the Housing and Urban Development Act of 1968; as amended; and generally relating to  
6 housing and community development in the County.

7 BY repealing and reenacting:

8 SUBTITLE 15A. CONSOLIDATED HOUSING  
9 AND COMMUNITY DEVELOPMENT PLAN.

10 Sections 15A-103, 15A-104, 15A-105 and 15A-106

11 The Prince George's County Code

12 (2007 Edition, 2010 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
14 Maryland, that Section 15A-103, 15A-104, 15A-105 and 15A-106 of the Prince George's County  
15 Code be and the same is hereby repealed and reenacted:

16 SUBTITLE 15A. CONSOLIDATED HOUSING  
17 AND COMMUNITY DEVELOPMENT PLAN.

18 \* \* \* \* \*

1 **Sec. 15A-103. Five-Year Consolidated Housing and Community Development Plan, [and]**  
2 **Annual Action Plan and Section 3 Action Plan.**

3 (a) Pursuant to applicable Federal regulations the County Executive shall prepare on  
4 behalf of Prince George's County and submit to the County Council for approval:

5 (1) A Five-Year Consolidated Housing and Community Development Plan,  
6 commencing in July 1995 and each fifth year thereafter; and

7 (2) An annual Action Plan and Statement of Community Development Objectives  
8 and Projected Use of Funds, which shall constitute the County's Housing and Community  
9 Development Program and activities to address the needs of the homeless, and applications for  
10 securing federal funds under the terms of the Housing and Community Development Act of  
11 1974, as amended, the Cranston-Gonzalez National Affordable Housing Act of 1990, and the  
12 Stewart B. McKinney Homeless Assistance Act of 1988.

13 (3) A Section 3 Action Plan, to implement Section 3 of the Housing and Urban  
14 Development Act of 1968 as amended, (12 U.S.C. 1701u and implementing regulations at 24  
15 CFR 135), which shall establish the strategies and goals to be followed to ensure that the  
16 objectives of Section 3 are met in the use of applicable federal funds in the County, including the  
17 objectives of promoting local economic development, neighborhood economic development,  
18 local hiring and employment, local procurement opportunities and individual self-sufficiency.  
19 The purpose of Section 3 is to ensure that employment and other economic opportunities  
20 generated by certain HUD financial assistance shall, to the greatest extent feasible, and  
21 consistent with existing Federal, State and local laws and regulations, be directed to very low,  
22 low and moderate income persons living in Prince George's County, particularly those who are  
23 (1) recipient of government assistance for housing, and (2) to business concerns which provide  
24 economic opportunities to very low and low income persons. The mission of Section 3 is to  
25 utilize existing federal programs to maximize economic for very low, low and moderate income  
26 persons. A Section 3 Action Plan when properly crafted at the grantee level can help address  
27 unemployment, underemployment, and economic poverty. Section 3 as national policy addresses  
28 issues such as housing affordability, employment status, and individual earnings. Section 3  
29 requirements apply to HUD grantees and applies to all contractors and subcontractors performing  
30 work in connection with projects and activities funded by federal community development  
31 assistance covered by Section 3. The enactment of a Section 3 Action Plan is not a requirement

1 of Section 3 of the Housing and Urban Development Act of 1968, but is a tool to assist  
2 jurisdictions in facilitating its implementation.

3 **Sec. 15A-104. Consolidated Housing and Community Development Plan -- content.**

4 (a) The Five-Year Consolidated Housing and Community Development Plan shall include,  
5 but is not limited to, the following:

6 (1) A comprehensive assessment of housing and community development needs  
7 within appropriate subareas of the County (such as neighborhoods, census tracts, or other  
8 convenient statistical areas), including consideration of such factors as the distribution of  
9 residents with limited incomes (as defined by Federal regulations), over-crowded housing  
10 conditions, and substandard housing units, as well as areas of racial and ethnic concentration;  
11 and

12 (2) A comprehensive strategy for meeting the neighborhood revitalization, housing,  
13 and economic development needs including:

14 (A) A housing and homeless needs assessment that addresses the needs of  
15 households that are of low and moderate income, and homeless households and individuals with  
16 special needs;

17 (B) A housing market analysis that describes the number and type of housing  
18 units available to persons of limited income, as well as the homeless and special needs  
19 populations;

20 (C) Strategic plans for adequate housing, homeless households, persons with  
21 special needs, persons living in public housing;

22 (D) Strategic plans for community development including criteria for  
23 establishing priority needs and rationale for selecting priority projects in the areas of public  
24 facilities improvements, economic development, and public service activities; and

25 (E) The priorities for the use of federal entitlement funds under such programs  
26 as Community Development Block Grant, HOME Investment Partnerships, Emergency  
27 Solutions Grant, Housing Opportunities for Persons with Aids, Neighborhood Stabilization  
28 Grant Program, and HUD Section 108 Loan Guarantee Program.

29 (3) An identification, by name and geographical boundaries, of the areas  
30 recommended for concentrated improvement efforts, together with statements of justification for  
31 each of the areas recommended for improvement;

1 (4) Legible maps that shall show such information as:

2 (A) The distribution of low and moderate income households;

3 (B) Extent and location of households experiencing housing cost burdens;

4 (C) The location of all [proposed block grant funded] federal community  
 5 development assistance projects and other federally-funded projects which show a coordinated  
 6 use of federal funds;

7 (D) Geographic targeting of federal funds in neighborhood strategy areas.

8 (b) Beginning in 2015 the Five-Year Consolidated Housing and Community Development  
 9 Plan shall include a Section 3 Action Plan that addresses policies and procedures for all HUD  
 10 covered activities such as: (1) programs that may include multiple contracts, contracts with parts  
 11 of HUD funding of public or residential construction projects; (2) services and professional  
 12 services activities generated by construction, such as roads, sewers, sidewalks, community  
 13 centers, etc; and (3) all public housing authority covered activities such as maintenance,  
 14 development, modernization, and operations.

15 **Sec. 15A-105. Annual Housing and Community Development Action Plan -- content.**

16 (a) The annual Housing and Community Development Action Plan shall be generally  
 17 consistent with the Strategic Plans contained in the Five-Year Consolidated Housing and  
 18 Community Development Plan and the Annual Statement of Community Development  
 19 Objectives and shall include:

20 (1) A detailed description of recommended housing and community development  
 21 activities proposed for implementation during the succeeding program year;

22 (2) The estimated cost of each project proposed in the subject program year, and the  
 23 total cost to bring the project to completion if it is a multiyear project, together with an  
 24 identification of the sources of such funds;

25 (3) The geographical boundaries, locations, and targeting where applicable;

26 (4) Identification of the agency or combination of agencies responsible for  
 27 administering and/or implementing the recommended activities;

28 (5) Identification of priority housing activities and federal resources to address the  
 29 needs of low and moderate income households, as well as special needs populations;

30 (6) Identification of priority activities in areas that address underserved housing needs  
 31 which include, but are not limited to: maintaining adequate housing; removing barriers to

1 adequate housing; evaluating and reducing lead-based paint hazards; reducing the number of  
 2 poverty level families; developing institutional structures; enhancing coordination between  
 3 public and private housing, and social services agencies; and fostering public housing  
 4 improvements and resident initiatives; and

5 (7) Submission of a combined application for use of federal entitlement funds for  
 6 programs such as Community Development Block Grant, HOME Investment Partnerships, and  
 7 Emergency Shelter Grant, Neighborhood Stabilization Grant Program, and HUD Section 108  
 8 Loan Guarantee Program.

9 **Sec. 15A-106. Review and approval of the Five-Year Consolidated Housing and**  
 10 **Community Development Plan and Annual Action Plan.**

11 (a) The County Executive shall forward each proposed Five-Year Consolidated Housing  
 12 and Community Development Objectives Plan, the Section 3 Action Plan, and each Annual  
 13 Action Plan and Statement of Community Development Objectives to the County Council on or  
 14 before March 15. Upon receipt, the County Council shall cause to be published, in the county  
 15 newspapers of record, notice of one or more public hearings to be held on the proposed  
 16 Consolidated Housing and Community Development Plan and each Annual Action and Section 3  
 17 Action Plan. After the public hearing(s), the County Council may amend any part of the  
 18 Consolidated Housing and Community Development Plan or Annual Action Plan and the Section  
 19 3 Action Plan and shall act by resolution on each Consolidated Housing and Community  
 20 Development Plan, each Annual Action Plan and the Section 3 Action Plan not later than sixty  
 21 (60) calendar days after receipt thereof. Following approval, the County Council shall forward  
 22 each approved Consolidated Housing and Community Development Plan and each approved  
 23 Annual Action Plan and the Section 3 Action Plan to the County Executive who shall furnish  
 24 copies thereof to all agencies of government having responsibility for administering and/or  
 25 implementing activities identified therein. In submitting the annual expense budget, capital  
 26 budget, and capital program to the County Council for the succeeding fiscal year following the  
 27 date of approval of each Annual Action Plan, the County Executive shall state to what extent  
 28 said documents implement each approved annual plan and shall identify related budgetary and  
 29 capital program items.

1 (b) Upon approval of each five-year plan, each Annual Action Plan and the Section 3  
2 Action Plan, the County Executive shall transmit them to the designated federal and state  
3 agencies for review and approval together with other necessary documentation and certifications.

4 \* \* \* \* \*

5 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
6 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
7 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
8 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
9 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
10 Act, since the same would have been enacted without the incorporation in this Act of any such  
11 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

12 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
13 calendar days after it becomes law.

Adopted this 20th day of November, 2012.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: Andrea C. Harrison  
Andrea C. Harrison  
Chair

ATTEST:

Redis C. Floyd  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: 12-6-2012 BY: Rushern L. Baker, III  
Rushern L. Baker, III  
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged

**Prince George's County Council**  
**Agenda Item Summary**

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**Meeting Date:** 11/20/2012  
**Reference No.:** CB-112-2012  
**Draft No.:** 2  
**Proposer(s):** Franklin  
**Sponsor(s):** Franklin  
**Item Title:** An Act concerning the Five-Year Consolidated Housing and Community Development Plan for the purpose of amending the provisions of the County's Five-Year Consolidated Housing and Community Development and Annual Action Plans by adding requirements under Section 3 of the Housing and Urban Development Act of 1968, as amended; and generally relating to housing and community development in the County.

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**Drafter:** Todd M. Turner, Legislative Officer  
**Resource Personnel:** Brendon Laster, Legislative Aide District 9

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**LEGISLATIVE HISTORY:**

<b>Date Presented:</b>		<b>Executive Action:</b>	12/6/2012 S
<b>Committee Referral:</b>	10/23/2012 - THE	<b>Effective Date:</b>	1/22/2013
<b>Committee Action:</b>	11/8/2012 - NR		
<b>Date Introduced:</b>	10/23/2012		
<b>Public Hearing:</b>	11/20/2012 - 10:00 AM		
<b>Council Action (1)</b>	11/20/2012 - ENACTED		
<b>Council Votes:</b>	WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A		
<b>Pass/Fail:</b>	P		
<b>Remarks:</b>			

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**AFFECTED CODE SECTIONS:**

15A-103, 15A-104, 15A-105, 15A-106

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**COMMITTEE REPORTS:**

**THE Committee Report**

**Date 11/8/2012**

November 8, 2012

Committee Vote: No Recommendation, 5-0 (Council Members Olson, Toles, Davis, Lehman and Patterson)

The Legislative Officer provided a summary of the bill and referral comments that were received. CB-112-2012 concerns the Five-Year Consolidated Housing and Community Development Plan ("Five-Year Con Plan") for the purpose of amending the provisions of the County's Five-Year Consolidated Housing and Community Development and Annual Action Plans by adding requirements under Section 3 of the Housing and Urban Development Act of 1968, as amended; and generally relating to housing and community development in the County.

The Legislative Officer review of CB-112-2012, which would amend Article 15A of the County Code to require a Section 3 Plan as part of the Five-Year Con Plan and each Annual Action Plan goals and strategies for compliance

with the requirement of Federal Law for low and very-low income persons for employment and businesses in the County that receive federal funding. The Legislative Officer and staff provided additional information to the Committee and in response to questions by members.

Council Member Franklin, bill sponsor, provided the rationale for the legislation and reviewed a Proposed Draft 2 with amendments discussed with the County Executive and the Department of Housing and Community Development (DHCD). The Legislative Officer advised that the Committee could not vote on any proposed amendments prior to the scheduled public hearing and any non-substantive amendments could be considered prior to enactment.

DHCD Director Eric Brown and Deputy Director Estella Alexander provided comments and answered questions by the members of the Committee regarding the bill. With several amendments discussed and proposed by the bill sponsor, they were supportive of the bill.

The Office of Law determined that CB-112-2012 was in proper legislative form but provided additional information and clarification on the legislative intent of the bill to be effective upon the adoption of the next Five-Year Con Plan expected in FY 2015.

The Office of Audits and Investigation indicated there should be a minimal negative fiscal impact on the County as a result of adopting CB-112-2012 because of the administrative and operational requirements for compliance.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation seeks to amend provisions of the County's Five-Year Consolidated Housing and Community Development and Annual Action Plans by adding requirements under Section 3 of the Housing and Urban Development Act of 1968, as amended.

11/20/2012: CB-112-2012 was amended on the floor; CB-112-2012 (DR-2) was enacted.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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## **Emergency Solutions Grants Written Standards – Addendum for Coronavirus Response**

The CARES Act provides flexibility and authority for HUD to issue waivers and alternatives requirements to make it easier for the County to use ESG – COVID (ESG-CV) funds for coronavirus response. The waiver for Prince George’s County is effective from June 23, 2020 to June 23, 2022, which is consistent with the date HUD signed the County’s ESG-CV Grant Agreement.

When using the ESG-CV funds, the following ESG regulations will be waived and the alternative requirements will apply:

### **Administration and General Requirements**

- The ESG-CV funds are not subject to the spending cap on emergency shelter and outreach under 24 CFR 576.100(b)(1);
- Up to 10 percent of ESG-CV funds may be used for administrative costs, as opposed to 7.5 percent as provided by 24 CFR 576.108(a);
- The ESG-CV funds are exempt from the ESG match requirements, including 24 CFR 576.201;
- That recipients may deviate from applicable procurement standards when using ESG-CV funds to procure goods and services to prevent, prepare for, and respond to coronavirus, notwithstanding 24 CFR 576.407(f) and 2 CFR 200.317-200.326; and
- While HUD encourages the County to offer treatment and supportive services when necessary to assist vulnerable homeless populations, individuals and families experiencing homelessness must be required to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or other services for which these funds are used, notwithstanding 24 CFR 576.301(e).

### **Homeless Management Information System (HMIS) Lead Activities**

The Homeless Management Information System (HMIS) Lead may use ESG-CV funds to the extent necessary to upgrade or enhance its data on ESG-CV participants and activities related to COVID-19, including 24 CFR 576.107(a)(2).

### **Street Outreach Eligible Component – 24 CFR 576.101**

Street Outreach activities in response to the coronavirus may include:

- Distribution of masks or other PPE, if available, to people who are unsheltered,
- Provision of handwashing stations and portable bathrooms, and
- Maintaining social distancing requirements during engagement.

HUD has approved the following as eligible costs under street outreach:

- Engagement: Hand sanitizer, soap, tissue packets, masks, disposable gloves, other PPE.
- Case Management: Coordinative medical care.
- Transportation: Train or bus tokens, taxi or rideshare for program participants' travel to and from medical care.
- Expanded Staffing: Hiring additional staff to support infectious disease preparedness, providing hazard pay to staff with direct participant contact.

### **Emergency Shelter Component – 24 CFR 576.102**

- Shelters funded by ESG-CV must establish referral pathways to isolation and quarantine if a client needs such services.
- Shelters funded through ESG-CV will maintain social distancing requirements established in partnership with the County's health department.
- Shelters funded by ESG-CV may not turn away eligible program participants and must establish referral pathways to other shelter or housing if the shelter is at maximum capacity.
- Shelters funded by ESG-CV are strongly discouraged from implementing a maximum length of stay when a discharge will result in program participants returning to unsheltered settings or situations putting them at a higher risk of COVID-19 infection.

### **Homeless Prevention and Rapid Re-Housing Components**

- The frequency of re-evaluations for homelessness prevention is required not less than once every six months, as opposed to once every three months by 24 CFR 576.301(b).
- The monthly case management requirement receiving homelessness prevention or rapid re-housing assistance (24 CFR 576.401(e)) has been waived. Case management is on an as-needed basis as a result of COVID-19.
- The ESG-CV funds may be used to provide homelessness prevention assistance (as authorized under 24 CFR 576.103 or subsequent HUD notices) to any individual or family who does not have income higher than 50% HUD's Very Low-Income Limit for the area and meets the criteria in paragraphs (1)(ii) and (1)(iii) of the "at risk of homelessness" definition in 24 CFR 576.3.
- Under the CARES Act ESG-CV funding, there will be no rental payment requirement for households receiving financial assistance.
- ESG-CV funds may be used to mitigate the economic impact of COVID-19 by encouraging the maximum number of rental assistance months be extended/adjusted to address unemployment, loss of income, or benefits due to COVID-19.
- ESG-CV funds may be used to pay for landlord incentives that are reasonable and necessary to obtain housing for individuals and families experiencing

homelessness and at risk of homelessness. Landlord incentives may not exceed three times the rent charge for the unit. Eligible landlord incentives include:

- Signing bonuses equal to two months of rent.
- Security deposits equal to up three months of rent.
- Costs to repair damages incurred by the program participant not covered by vendor or program participant insurance, or by the security deposit or that are incurred while the program participant is still residing in the unit.
- Paying the costs of extra cleaning or maintenance of a program participant's unit or appliances.

## **Appendix G: FY 2022 Annual Action Plan (AAP) Citizen Comments Summary**

To encourage citizen participation in the annual planning process, the County holds at least two (2) public meetings (informal and formal) each year. The public meetings provide an opportunity for residents, non-profit organizations, and other community stakeholders to communicate their views and needs to the County. The draft FY 2022 Annual Action Plan is also made available for public comment during the planning process. The following is a summary of comments expressed at the public meetings and during the public comment period.

### **Community Forum**

**Date and Time:** Thursday, January 14, 2021 at 6:00pm to 8:00pm

**Location:** Virtual Platform

The purpose of the Community Forum, held on January 14, 2021, was to give citizens an opportunity to address housing and community development needs, the development process for the annual action plan, program performances, and the selection process for proposed federally funded activities. The following is a summary of comments presented at the Community Forum.

- 1. Question/Comment:** How can a tenant purchase a home he/she is currently renting?  
**DHCD Response:** Consult with the owner of the property regarding homeownership options. In addition, contact DHCD at: 301-883-5540 for a list of CDBG-funded non-profit organizations who provide housing counseling for persons seeking to become a homeowner.
- 2. Question/Comment:** How can someone apply for the Glenarden Project?  
**DHCD Response:** Glenarden Hills is now leasing apartments for seniors aged 62 and older. For more information, contact Penrose at: 410-847-7693 or visit their website at: [Residences at Glenarden Hills \(penrose.com\)](https://www.penrose.com).
- 3. Question/Comment:** How can someone obtain assistance for mold assessment and clean up?  
**DHCD Response:** The resident would need to conduct their own Google or other search to find a certified mold assessor to conduct an inspection and write an inspection report before the contractor writes the scope of work. They would need to confirm that all mold identified in the report is addressed in the scope of work. In addition, contact the MD Department of Labor (formerly Department of Labor, Licensing, and Regulation) at <https://www.dlir.state.md.us> to find a licensed home improvement contractor to ensure that the contractor is specifically licensed to remediate mold.
- 4. Question/Comment:** Where can someone get information regarding the Pathway to Purchase Program?  
**DHCD Response:** For information regarding the Pathway to Purchase Program, contact the DHCD Homeownership Program at: 301-883-5456 or visit us at: <https://www.princegeorgescountymd.gov/2598/Pathway-to-Purchase>.

5. **Question/Comment:** Where can someone find information regarding the new Reed Temple housing development?

**DHCD Response:** The Woodlands at Reid Temple Senior Community development is located at 11600 Glenn Dale Boulevard, Glenn Dale, MD 20769, with the temporary leasing office being located in unit 2157 – this is also listed on the website. Phone number for prospective residents is 301-222-3753 and the email address is [woodlands@res1.net](mailto:woodlands@res1.net). Website for the property is [Woodlands at Reid Temple | Senior Community](#).

6. **Question/Comment:** There is a lack of affordable housing for the handicap population of Prince George's County.

**DHCD Response:** The County has developed a Comprehensive Housing Strategy, *Housing Opportunities for All*, to address affordable housing for the disabled population and all residents, of all incomes and needs. There are targeted actions identified in the strategy, such as Targeted Action 1.6, to create additional resources to make it easier for persons with disabilities to find and stay in a home. This action leverages cross-cutting actions 1.7 and 2.3 to provide a specific online inventory of accessible units, increase the availability of accessible units, and lower barriers for persons using rental assistance (like Housing Choice Vouchers or HOPWA vouchers). For more information regarding the Comprehensive Housing Strategy, visit our website at: <https://www.princegeorgescountymd.gov/2803/Comprehensive-Housing-Strategy>.

7. **Question/Comment:** Does the County have a way for the visually impaired population to complete applications for affordable housing assistance?

**DHCD Response:** DHCD has partnered with several community non-profit organizations to assist county landlords and tenants with completing the application and uploading it into the proper on-line portal. Visit our website at: <https://www.princegeorgescountymd.gov/3703/Emergency-Rental-Assistance-Program> for a list of the non-profit organizations.

8. **Question/Comment:** How are developers for housing projects selected?

**DHCD Response:** Currently, the DHCD accepts development funding applications on a rolling basis. Each application is reviewed and underwritten based on established criteria. In other words, developers come to DHCD with a project, DHCD does not select developers. For more information, contact DHCD Housing Development Division at: 301-883-5570.

9. **Question/Comment:** How was First Generation College Bound assisted with CDBG funding?

**DHCD Response:** CDBG funds support the First Generation College Bound (FGCB) programs offered to low-moderate-income students from Prince George's County to attend and succeed in college: the Homework Club (target middle and high school students) –two certified teachers assist up to 30 students from Kimberly Gardens public housing community with their homework. The second program, College Success, FGCB working with six County high schools, coaches approximately 180 low-moderate-income high school seniors to overcome barriers to matriculate successfully to college. Both programs include motivational guest speakers, college visits, and a year-end acknowledgment of academic progress in preparation to compete academically in college.

## **Public Hearing**

**Date and Time:** Monday, April 12, 2021 at 5:00pm to 7:00pm

**Location:** Virtual Platform

The purpose of the Public Hearing held on April 12, 2021, was to give citizens an opportunity to comment on County Resolution (CR-028-2021) a Resolution concerning the County's FY 2022 Annual Action Plan for Housing and Community Development. The following is a summary of comments presented at the Virtual Public Hearing.

1. **Question/Comment:** Laurel Advocacy and Referral Services, Inc. (LARS) thanked the County Council and the Department of Housing and Community Development for their commitment of \$50,000 in Program Year 47 CDBG funds. This will ensure that LARS has the capacity to meet the growing needs for a safety net services that the growing pandemic has created.

**DHCD Response:** Comment noted.

**Appendix: H-1**

**PROJECT INFORMATION SHEET**

**Hill House at Beechfield Project  
12005 Traditions Boulevard  
Bowie, MD 20720**

**COUNCILMANIC DISTRICT 6**

**PROJECT DESCRIPTION:** KCG SSP Bowie Senior Living, LP plans to acquire land and construct a one hundred fifty (150) unit affordable apartment community for seniors in Bowie, Prince George's County, Maryland.

**PROPOSED OWNER:** KCG SSP Bowie Senior Living, LP

**DEVELOPERS:** KCG Development, Inc.  
Streetscape Partners

**CONTACT:** Stacy Kaplowitz  
Vice President - Development  
KCG Development, Inc.  
(202) 744-1479

**NEIGHBORHOOD/LOCALITY:** Bowie, Prince George's County District 6

**UNIT MIX:** Eighty-nine (89) units will have one-bedroom and one-bathroom; twenty-five (25) units will have two-bedrooms and one-bathroom, and thirty-six (36) units will have two-bedrooms and two-bathrooms

**PROPOSED RENTS:** One-bedroom ranges from \$1,140 to \$1,313 to per month  
Two-bedroom ranges from \$1,361 to \$1,568 per month

## **Appendix: H-2**

### **PROJECT INFORMATION SHEET**

**Hill House at Beechfield Project  
12005 Traditions Boulevard  
Bowie, MD 20720**

### **COUNCILMANIC DISTRICT 6**

#### **PROJECT DESCRIPTION:**

KCG SSP Bowie Senior Living, LP plans to acquire land and construct a one hundred fifty (150) unit affordable apartment community for seniors in Bowie, Prince George's County, Maryland (hereinafter referred to as "Hill House") on a 4.4183-acre site. The total development cost of this senior rental project is expected to be Forty-four million, Eight thousand, three hundred twenty-four dollars (\$44,008,324.)

Hill House will be located near the intersection of Enterprise Road and Route 50. Located approximately six miles outside the Capital Beltway, Hill House's one hundred fifty (150) units will be part of an 83-acre master planned mixed-income retirement community that is being constructed by multiple developers called Traditions at Beechfield. When completed, Traditions at Beechfield will additionally feature seventy-four (74) single family attached villas, sixty (60) single family detached villas, one hundred eight (108) condominium units, and one hundred ninety-three (193) assisted living units.

Residents of the Hill House will have convenient access to major transportation corridors, well-regarded medical facilities, and retail amenities. Notable retail amenities include the Bowie Town Center which is located 7.0 miles from the site. The nearest bust stop is located 1.2 miles from the site and the New Carrollton Metro station is 6.6 miles away. There are medical offices 1.5 miles away and Doctors Community Hospital is located 4.3 miles from the site. There is also a Safeway grocery store 1.8 miles away.

Hill House is designed as a four-floor, elevator-served building. Of the one hundred fifty (150) units, eighty-nine (89) units will have one-bedroom and one-bathroom; twenty-five units (25) units will have two-bedrooms and one-bathroom; and thirty-six (36) units will have two-bedrooms and two-bathrooms. The monthly utility allowances are conservatively estimated at Sixty-nine dollars (\$69) for one-bedroom units, and Ninety dollars (\$90) for two-bedroom units.

Hill House will reserve two (2) units for households whose incomes are fifty percent (50%) of the Area Median Income (“AMI”), which translates into an income of Forty-five thousand, one hundred fifty dollars (\$45,150) for a household of one and Fifty-one thousand, Six hundred dollars (\$51,600) for a household of two, and rent of \$1,140 for the one-bedroom unit and \$1,361 for the two-bedroom unit. One hundred forty-eight (148) units will be reserved for households whose incomes are sixty percent (60%) of the AMI, which translates into incomes of Fifty-four thousand, One hundred eighty dollars (\$54,180) for households of one and Sixty-one thousand, Nine hundred twenty dollars (\$61,920) for households of two, and rents of \$1,313 for one-bedroom units and rents of \$1,568 for two-bedroom units.

Onsite amenities available to the residents include a light-filled community lounge, a state-of-the-art fitness center, and access to a large outdoor patio. The managing agent, Habitat America, will maintain an onsite management office and arrange supportive services and activities. Supportive services will include onsite medical services such as health screenings and vaccinations. Social events, such as communal meals and crafts and game nights, will be also organized. Computer classes will be provided and fitness classes, such as Zumba, will be held. Residents will also have access to shared amenities at the larger Traditions at Beechfield community that will include walking trails, a large community center, and a resort-style pool.

**Appendix H: H-3**

**PROJECT FINANCING ESTIMATE**

**Hill House at Beechfield Project  
12005 Traditions Boulevard  
Bowie, MD 20720**

**COUNCILMANIC DISTRICT 6**

<b>SOURCES</b>	<b>Amount</b>	<b>Percentage</b>
Citi Community Capital (Bond Loan)	\$21,500,000	48.85%
LIHTC Equity	\$17,387,111	39.51%
CDA Rental Housing Works Loan	\$2,500,000	5.68%
Deferred Developer Fee	\$1,621,213	3.68%
Prince George's County HOME Loan	\$1,000,000	2.28%
<b>SUM</b>	<b>\$44,008,324</b>	<b>100.00%</b>
<b>USES</b>	<b>Amount</b>	<b>Percentage</b>
Construction Costs	\$27,284,122	62.00%
Fees Related to Construction	\$3,740,575	8.50%
Financing Fees and Charges	\$3,332,500	7.57%
Acquisition Costs	\$4,000,000	9.09%
Developer's Fee	\$4,335,720	9.85%
Syndication Related Costs	\$212,257	0.48%
Guarantees and Reserves	\$1,103,150	2.51%
<b>SUM</b>	<b>\$44,008,324</b>	<b>100.00%</b>



Angela D. Alsobrooks  
County Executive



# Department of Housing and Community Development

## Fiscal Year 2021 - 2025

### Section 3 Action Plan

*"Creating Economic Opportunities for Low - and Very Low - Income Persons and Eligible Businesses"*



**Aspasia Xypolia, Director**  
**Tamika Gauvin, Deputy Director**

9200 BASIL COURT, SUITE 500  
LARGO, MARYLAND 20774  
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[www.princegeorgescountymd.gov/908/Housing-Community-Development](http://www.princegeorgescountymd.gov/908/Housing-Community-Development)



Prince George's County affirmatively promotes equal opportunity and does not discriminate on the basis of race, color, gender, religion, ethnic or national origin, disability, or familial status in admissions or access to benefits in programs or activities.

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## 1. Introduction

Prince George’s County is qualified as an urban county entitled to receive grant funds from three (3) federal programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grants (ESG). Entitlement funds are appropriated by the U.S. Congress each year and distributed on a formula basis to local and state jurisdictions.

The Prince George’s County Department of Housing and Community Development (DHCD) is the lead agency responsible for administering the following federal programs: CDBG, HOME, and ESG. The annual apportionment of the U.S. Department of Housing and Urban Development (HUD) funds received each fiscal year is approximately \$9 million and provides housing and community development assistance to primarily low- and very low-income residents of the County. A significant portion of these funds are used to carry out housing rehabilitation, housing construction, and public facilities and infrastructure projects. Whenever the total amount of HUD financial assistance provided to a project exceeds \$200,000 dollars the project is defined by HUD as “Section 3” covered project.<sup>1</sup>

The purpose of Section 3 is to ensure that economic opportunities, most importantly employment, generated by certain HUD financial assistance shall be directed to low- and very low-income persons.

In order for the Department to comply with the Section 3 Safe Harbor<sup>2</sup> requirements it shall “to the greatest extent feasible”<sup>3</sup>

1. Certify the Prioritization of Efforts:
  - a) Employment and training opportunities to Section 3 workers; and
  - b) Award contractors and subcontractors that provide economic opportunities for Section 3 workers.
2. Meet or exceed the applicable Section 3 Benchmarks established by Prince George’s County:
  - a) Thirty-five percent (35%) of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers; and

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<sup>1</sup> September 29, 2020, Section 3 Final Rule 24 C.F.R. § 75.3(2)

<sup>2</sup> September 29, 2020, Section 3 Final Rule 24 C.F.R. § 75.23

<sup>3</sup> “Greatest Extent Feasible” means that every effort shall be made to comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3) which includes the original explanation of the phrase. In sum, when properly executed the “greatest extent feasible” provision will not force a contractor to disband an organization by replacing current employees with local workers or contractors. The original definition also rejects the application of anticipated hiring preferences that have historically excluded minorities from countless employment and business opportunities. National Housing Law Project, An Advocate’s Guide to the HUD Section 3 Program: Creating Jobs and Economic Opportunity, February 2009.

- b) Five percent (5%) of the total number of labor hours worked by all workers on a Section 3 project are Targeted Section 3 workers. This means that the five percent (5%) is included as part of the thirty-five percent (35%) threshold.

The HUD Office of Fair Housing and Equal Opportunity (FHEO) is charged with oversight and monitoring of Section 3 compliance for recipients of covered funding. In accordance with Section 3 guidelines at 24 C.F.R. § 75, DHCD will report annually Section 3 activities using HUD's Integrated Disbursement and Information System (IDIS)/Consolidated Performance Evaluation Report (CAPER). Section 3 businesses are required to self-certify through HUD's Section 3 Performance Evaluation and Registry System (SPEARS) so that local recipients can notify them about the availability of HUD-funded contracting opportunities.

In efforts to utilize DHCD's federal programs to maximize economic opportunities for low and very low-income persons, the County Council enacted Council Bill (CB-112-2012)<sup>4</sup> by adding requirements under Section 3 of the Housing and Urban Development Act of 1968, as amended, generally related to housing and community development. Effective November 20, 2012, DHCD is required to prepare a Section 3 Action Plan as part of its five-year Consolidated Plans and Annual Action Plans. The enactment of a Section 3 Action Plan is not a requirement of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3); instead, it is a tool to assist the Department with facilitating its implementation.

DHCD amended the FY 2016 – 2020 Consolidated Plan and FY 2016 Annual Action Plan by including a Section 3 Action Plan. The County Council and County Executive adopted and approved Council Resolution (CR-15-2016) on May 17, 2016.

The FY 2016 – 2020 Section 3 Action Plan was prepared based on the Section 3 Proposed Rule 24 C.F.R. § 135. DHCD would amend its Section 3 Action Plan whenever HUD finalized the Section 3 regulations to reflect any revisions in the new regulations.

In September 2020, HUD finalized the Section 3 Rule, removed the implementing regulations and added the final regulation 24 C.F.R. § 75. The final rule updated HUD's Section 3 regulations to create more effective incentives for employers to retain and invest in their low- and very low-income workers, streamlined reporting requirements by aligning them with typical business practices, provided for program-specific oversight, and clarified the obligations of entities that are covered by Section 3.<sup>5</sup>

The DHCD must implement Section 3 activities pursuant to these final regulations and comply with the reporting requirements starting July 1, 2021. The following is a comparison of the

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<sup>4</sup> December 6, 2012, Prince George's County Maryland Code, Chapter No. 94, Subtitle 15A. Consolidated Housing and Community Development Plan

<sup>5</sup> September 29, 2020, Section 3 Final Rule 24 C.F.R. § 75

implementing regulations versus the final regulation 24 C.F.R. § 75 and the HUD established Section 3 benchmarks under Federal Register notice (FR-6085-N-04)<sup>6</sup>.

<b>DHCD 2016 - 2020 Section 3 Action Plan</b> Section 3 Proposed Rule 24 C.F.R. § 135	<b>DHCD 2021 - 2025 Section 3 Action Plan</b> Section 3 Final Rule 24 C.F.R. § 75 and Section 3 Benchmarks in FR-6085-N-04
<p><b>Threshold for Section 3 Covered Project</b></p> <p>The recipient, contractor and subcontractor of housing and community development assistance for a Section 3 covered project for which the amount of assistance exceeds \$200,000.</p> <p>In addition to the above threshold requirement, Section 3 applies to contractors or subcontractors with an agreement in excess of \$100,000 from HUD funds.</p>	<p><b>Threshold Section 3 Covered Project</b></p> <p>Section 3 applies to all construction related activities when the total amount of HUD financial assistance to the project exceeds a \$200,000 threshold.</p> <p>In addition to the above threshold requirement, the threshold is \$100,000 where the assistance is from the Lead Hazard Control and Healthy Homes program.</p>
<p><b>HUD Numerical Goals:</b></p> <ol style="list-style-type: none"> <li>1. Employ qualified Section 3 residents, as 30% of aggregate number of new hires resulting from contracts and subcontracts on a covered activity;</li> <li>2. Award to Section 3 business concerns at least 10% of the total dollar amount of all Section 3 covered projects for building trades work; and</li> <li>3. Award to Section 3 business concerns at least 3% of the total dollar amount of all Section 3 covered contracts for non-construction work.</li> </ol>	<p><b>Section 3 Safe Harbor Requirements:</b></p> <ol style="list-style-type: none"> <li>1. Certify that the County followed the following Prioritization Efforts:             <ol style="list-style-type: none"> <li>a. Provide employment and training opportunities to Section 3 workers; and</li> <li>b. Award contractors and subcontractors that provide economic opportunities for Section 3 workers.</li> </ol> </li> <li>2. Meet or exceed the applicable Section 3 Benchmarks established by Prince George’s County:             <ol style="list-style-type: none"> <li>a. 35% or more of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers; and</li> <li>b. 5% of the total number of labor hours worked by all workers on a Section 3 project are Targeted Section 3 workers. This means that the five percent (5%) is included as part of the thirty-five percent (35%) threshold.</li> </ol> </li> </ol>

<sup>6</sup> <https://www.federalregister.gov/documents/2020/09/29/2020-19183/section-3-benchmarks-for-creating-economic-opportunities-for-low--and-very-low-income-persons-and>

<p><b>DHCD 2016 - 2020 Section 3 Action Plan</b> Section 3 Proposed Rule 24 C.F.R. § 135</p>	<p><b>DHCD 2021 - 2025 Section 3 Action Plan</b> Section 3 Final Rule 24 C.F.R. § 75 and Section 3 Benchmarks in FR-6085-N-04</p>
<p><b>Section 3 Residents:</b></p> <ol style="list-style-type: none"> <li>1. Individuals who reside in public housing; or</li> <li>2. Low- and very low-income persons who live in the County where a Section 3 covered project for housing or community development is located.</li> </ol>	<p><b>Section 3 Workers:</b></p> <p>Any worker who currently fits or when hired within the past 5 years fit at least one of the following categories:</p> <ol style="list-style-type: none"> <li>1. The worker’s income for the previous or annualized calendar year is below the income limit established by HUD; or</li> <li>2. The worker is employed by a Section 3 business concern; or</li> <li>3. The worker is a YouthBuild participant.</li> </ol> <p>The status of a Section 3 worker shall not be negatively affected by prior arrest or conviction.</p>
	<p><b>Targeted Section 3 Workers:</b></p> <p>A Targeted Section 3 worker for housing and community development financial assistance means a Section 3 worker residing within a one-mile radius of the Section 3 project who is:</p> <ol style="list-style-type: none"> <li>1. A worker employed by a Section 3 business concern; or</li> <li>2. A worker who currently fits or when hired fit at least one of the following categories:                             <ol style="list-style-type: none"> <li>a. Living within the service area or the neighborhood of the project; or</li> <li>b. A YouthBuild participant.</li> </ol> </li> </ol>
<p><b>Section 3 Business Concerns:</b></p> <ol style="list-style-type: none"> <li>1. Businesses owned by 51% or more Section 3 residents; or</li> </ol>	<p><b>Section 3 Business Concerns:</b></p>

<b>DHCD 2016 - 2020 Section 3 Action Plan</b> Section 3 Proposed Rule 24 C.F.R. § 135	<b>DHCD 2021 - 2025 Section 3 Action Plan</b> Section 3 Final Rule 24 C.F.R. § 75 and Section 3 Benchmarks in FR-6085-N-04
2. Businesses with at least 30% permanent, full-time employees of whom are currently Section 3 residents, or within 3 years of the date of first employment with the business concern were Section 3 residents; or  3. Businesses providing evidence of a commitment to subcontract in excess of 25% of the dollar award of all subcontracts to business concerns and meeting qualifications in items (1) or (2).	A business concern meeting at least one of the following criteria, documented within the last six-month period:  1. It is at least 51% owned and controlled by low- and very low-income persons; or  2. Over 75% of the labor hours performed for the business over the three-month period are performed by Section 3 workers or;  3. It is a business at least 51% owned and controlled by current public housing residents or residents who currently living in Section 8-assisted housing.
<b>Section 3 Reporting</b>	<b>Section 3 Reporting</b>
The Grantee submits Section 3 Summary Reports annually to HUD electronically through SPEARS.	The Grantee submits annually Section 3 activities using HUD’s IDIS/CAPER.

The DHCD amended its Section 3 Action Plan to reflect the Section 3 Final Rule 24 C.F.R. § 75 regulations. Once the FY 2021–2025 Section 3 Action Plan is approved by the County Council and County Executive, DHCD will incorporate its Section 3 Action Plan in its FY 2021 -2025 Consolidated Plan and Annual Action Plans covering FY 2022 – 2025.

**2. FY 2021 – 2025 DHCD Section 3 Action Plan**

The Section 3 Action Plan outlines the Department’s policies and procedures, ensuring that both low- and very low-income persons and local businesses benefit from this resource.

The Department’s Section 3 Action Plan describes Federal requirements (i.e., responsibilities, goals and strategies, reporting, and monitoring) pertaining to DHCD.

The Section 3 Action Plan serves as a guide for sub-recipients, contractors, and subcontractors awarded HUD funds to undertake Section 3 covered projects. It includes the DHCD Section 3 Action Plan for Contractors and Subcontractors to assist awardees in achieving their Section 3 employment and contracting goals.

## Collaborative Opportunities

In April 2021, DHCD partnered with Employ Prince George’s, Inc. (EPG). This partnership aims to assist the agency with meeting its Section 3 Safe Harbor requirements and strengthens the employment and contracting outreach strategies targeted for Section 3 residents and businesses. This employment and economic opportunities partnership will help to reinforce the County’s “best efforts” for meeting the applicable Section 3 benchmarks established by HUD.

### 2.1 DHCD General Policy Statement

DHCD implements its Section 3 Policy to comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) and implementing regulations at 24 C.F.R. § 75.

Section 3 Policy shall, to the “greatest extent feasible,” result in the recruitment, employment, and contracting opportunities for Section 3 residents and business concerns for Section 3 covered contracts partially or wholly funded with Federal funds.

Section 3 applies to training, employment, contracting and other economic opportunities of projects related to housing rehabilitation, housing construction, and other public construction implemented with housing and community development assistance.

The following is a general description of DHCD programs which may include Section 3 covered activities.

- Community Development Block Grant (CDBG) - the CDBG Program is used to fund local community development activities, notably affordable housing, economic development, infrastructure, and public services, including housing rehabilitation, and public construction (i.e., street repairs, water and sewer, etc.) benefitting primarily low and very low-income persons.<sup>7</sup>
- HOME Investment Partnerships (HOME) - the HOME Program is designed to create affordable housing for low and very low-income households, expand the capacity of non-profit housing providers, strengthen the ability of State and local governments to provide housing, and leverage private sector participation in housing projects.<sup>8</sup>
- Emergency Solutions Grants (ESG) – the ESG supports outreach to and shelters homeless individuals and families as well as provide supportive programs which prevent homelessness. ESG funds may also be used for renovating buildings to be used as

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<sup>7</sup> December 15, 2015, CDBG Interim Final Rule 24 C.F.R. § 570

<sup>8</sup> July 24, 2013, HOME Final Rule 24 C.F.R. § 92

emergency shelter for homeless families and individuals, and operating emergency shelters.<sup>9</sup>

- Section 108 Loan Guarantee Program (Section 108) – The County is applying to HUD to establish a Section 108 Loan Guarantee Pool to support housing rehabilitation, economic development, and mixed-use and mixed-income housing development. Section 108 provides communities with a source of financing for economic development, housing rehabilitation, public facilities, and large-scale physical development projects. Local governments may borrow funds, guaranteed by HUD, through the Section 108 program and must pledge current and future CDBG allocations as security for the loan.<sup>10</sup>
- Lead-Based Paint Hazard Control Grant Program (LBPHC) and Lead Hazard Reduction Demonstration Grant Program (LHRD) – the LBPHC and LHRD programs identify and control lead-based paint hazards in eligible privately owned rental or owner-occupied housing. Funds may be used for activities such as: renovation, remodeling, housing rehabilitation, property maintenance, and weatherization.<sup>11</sup> Currently, DHCD does not receive any of these funds.

## 2.2 Applicability

Section 3 applies to housing rehabilitation, housing construction, and other public construction projects assisted under HUD programs that provide housing and community development financial assistance when the total amount of HUD financial assistance to the project exceeds a threshold of \$200,000. The threshold is \$100,000 where the assistance is from the Lead Hazard Control and Healthy Homes programs. HUD will update the threshold not less than once every five (5) years based on a national construction cost inflation factor through Federal Register notices.

Section 3 covered projects may include water and sewer repairs, roads, bridges or enhancements to business facades in low to moderate-income communities. The project site or sites together with any building(s) and improvements located on the site(s) that are under common ownership, management, and financing.

## 2.3 Compliance with Section 3

The Section 3 provision seeks to ensure employment and other economic opportunities generated by HUD financial assistance shall, to the “greatest extent feasible,” be directed to low and very low-income persons particularly those who are recipients of government assistance for housing and to business concerns which provide economic opportunities to low- and very low-income persons.

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<sup>9</sup> December 5, 2011, ESG Final Rule 24 C.F.R. § 576

<sup>10</sup> December 15, 2015, CDBG Interim Final Rule 24 C.F.R. § 570

<sup>11</sup> June 21, 2004 Lead-Based Paint Poisoning Prevention in Certain Residential Structures Final Rule 24 C.F.R. § 35

This also means recipients of Section 3 covered financial assistance should make every effort possible to meet the regulatory requirements. This could mean that the effort may have to go beyond the normal employment and contracting procedures by developing strategies specifically targeting Section 3 residents and businesses for these types of economic opportunities.

## 2.4 Employment and/or Contracting Opportunities

Any employment or contracting opportunities generated by the expenditure of a Section 3 covered project, including professional services, and construction, are subject to compliance with Section 3. Professional services mean non-construction services that require an advanced degree or professional licensing, including, but not limited to, contracts for legal services, financial consulting, accounting services, architectural services, and civil engineering services. The chart below lists other examples of employment opportunities.

**Examples of Employment and/or Contracting Opportunities**

▪ Accounting	▪ Electrical	▪ Marketing
▪ Architecture	▪ Elevator Construction	▪ Painting
▪ Appliance Repair	▪ Engineering	▪ Payroll Photography
▪ Bookkeeping	▪ Fencing	▪ Plastering
▪ Bricklaying	▪ Florists	▪ Plumbing
▪ Carpentry	▪ Heating	▪ Printing Purchasing
▪ Catering	▪ Iron Works	▪ Research
▪ Cement/Masonry	▪ Janitorial	▪ Surveying
▪ Computer/Information	▪ Landscaping	▪ Tile Setting
▪ Demolition	▪ Machine Operation	▪ Transportation
▪ Drywall	▪ Manufacturing	▪ Word Processing

## 2.5 Section 3 Workers and Targeted Section 3 Workers

The application of the Section 3 provision<sup>12</sup> is designed to benefit both local citizens and business concerns. The regulations define both groups as follows:

### Section 3 Workers:

Any worker who currently fits or when hired within the past five (5) years fit at least one (1) of the following categories:

1. The worker's income for the previous or annualized calendar year is below the income limit established by HUD; or
2. The worker is employed by a Section 3 business concern; or
3. The worker is a YouthBuild participant.

<sup>12</sup> September 29, 2020, Section 3 Final Rule 24 C.F.R. § 75.5

The status of a Section 3 worker shall not be negatively affected by prior arrest or conviction.

Targeted Section 3 Workers:

A Targeted Section 3 worker for housing and community development financial assistance means a Section 3 worker residing within a one-mile radius of the Section 3 project who is:

1. A worker employed by a Section 3 business concern; or
2. A worker who currently fits or when hired fit at least one of the following categories:
  - Living within the service area or the neighborhood of the project; or
  - A YouthBuild participant.

## 2.6 Section 3 Business Concerns

A business is considered Section 3 business concern if it meets at least one (1) of the following criteria, documented within the last six-month period:

1. It is at least 51 percent (51%) owned and controlled by low- or very-low-income persons; or
2. Can demonstrate that over 75 percent (75%) of the labor hours performed for the business over the three-month period are performed by Section 3 workers; or
3. It is a business at least 51 percent (51%) owned and controlled by current public housing residents or residents who currently living in Section 8-assisted housing.

Evidence of Section 3 Certification:

Contractors or subcontractors seeking Section 3 preference in the awarding of a HUD-funded contract shall self-certify compliance with one of the regulatory definitions of a Section 3 business<sup>13</sup> by completing a HUD Section 3 Business Registry Form.<sup>14</sup> The contractor or subcontractor shall provide adequate documentation as evidence of eligibility for preference under the Section 3 Program.

## 2.7 Responsibilities of DHCD and Sub-recipients

The DHCD and Sub-recipients (i.e., non-profit organizations, municipalities, local government agencies, or developers) that receive CDBG, HOME, ESG, Section 108, LBPHC, and LHRD bear the responsibility to comply with Section 3 covered assistance. Responsibilities include:

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<sup>13</sup> September 29, 2020, Section 3 Final Rule 24 C.F.R. § 75.5

<sup>14</sup> This form is available online at: <https://portalapps.hud.gov/Sec3BusReg/BRegistry/BRegistryHome>.

1. Notifying Section 3 residents about employment and training opportunities and businesses regarding contracts generated by Section 3 covered assistance;
2. Notifying potential contractors and subcontractors of the Section 3 objectives and ways in which each contractor can assist the sub-recipient to meet Section 3 benchmark; and
3. Documenting the action(s) taken by the contractor or subcontractor to comply with the Section 3 requirements, the results of the actions, and impediments, if any.

The DHCD and Sub-recipients bear the responsibility to ensure compliance of contractors and subcontractors. The DHCD and sub-recipients shall:

1. Incorporate the Section 3 Clause into contract documents;
2. Conduct compliance reviews consisting of detailed analysis and evaluation of the contractor's and subcontractor's compliance with Section 3 requirements;
3. Notify contractors and subcontractors of non-compliance and direct instructions to obtaining compliance of regulation 24 C.F.R. § 75;
4. Refrain from entering into contracts with contractors or subcontractors in violation of the regulations 24 C.F.R. § 75; and
5. Respond to complaints alleging non-compliance of regulation 24 C.F.R. § 75 by Section 3 residents or business concerns.

## **2.8 Section 3 Goals and Strategies**

In efforts to ensure the objectives of Section 3 are met in the use of applicable Federal funds in the County, DHCD established the following goals and strategies.

**Section 3 Goals**

In efforts to meet or exceed the applicable Section 3 benchmarks established by HUD, DHCD aims to accomplish the following annual goals through its Section 3 projects.

2021 – 2025 Section 3 and Local Benchmarks							
Annual Goal	Source of Funds	County FY Year	Performance Indicators	Number of Labor Hours worked by all Workers	Number of Labor Hours worked by Section 3 Workers	Number of Labor Hours worked by Targeted Section 3 Workers	Percent Met
Meet or exceed the 25% applicable Section 3 Benchmarks established by HUD:  35% of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers; and  5% of the total number of labor hours worked by all workers on a Section project are Targeted Section 3 workers.	CDBG, HOME, ESG, Section 108, LBPHC and LHRD	2022	Number of labor hours worked				
		2023					
		2024					
		2025					
		MULTI-YEAR GOAL TOTALS					

**Strategies to Achieve Section 3 Goals**

The DHCD plans to use the following strategies to achieve the Section 3 Benchmarks:

**Strategy:** DHCD shall require contractors and subcontractors to provide justification for not utilizing Section 3 workers or Targeted Section 3 workers.

Failure to submit these documents shall constitute a breach of contract and may result in termination of the contract.

**Strategy:** DHCD shall standardize Section 3 requirements in all written agreements with contractors and subcontractors.

**Strategy:** DHCD shall require sub-recipients to monitor and enforce the DHCD Section 3 Action Plans for Contractors and Subcontractors timely.

**Strategy:** DHCD shall provide updated DHCD Contractor and Subcontractor with the Section 3 Action Plan and request that sub-recipients provide it to their contractors and subcontractors.

**Strategy:** DHCD shall provide the sub-recipients, contractors, and subcontractors with a list of Section 3 business concerns interested and qualified for all proposed Section 3 covered projects.<sup>15</sup>

**Strategy:** DHCD shall require Section 3 covered sub-recipients to utilize, maintain, and monitor contractors and subcontractors using required documents in the DHCD Section 3 Action Plan for Contractors and Subcontractors.

The sub-recipient, contractors, and subcontractors are required to keep records as necessary to demonstrate Section 3 compliance and submit copies of these records to DHCD.

Failure to submit these documents shall constitute a breach of contract and may result in termination of the contract.

**Strategy:** DHCD shall include a provision notifying prospective applicants that Section 3 and the regulations in 24 C.F.R. § 75 are applicable to all funding awards during its announcements of notices of funding availability (NOFAs).

**Strategy:** DHCD shall require prospective applicants of Section 3 Covered projects to demonstrate efforts to reach the Section 3 Goals.

## 2.9 Employment and Economic Opportunities for Section 3 Workers

The Department of Housing and Community Development (DHCD) has joined the Prince George's County American Job Center Network<sup>16</sup> partnered with Employ Prince George's, Inc. (EPG) to assist the agency with meeting its Section 3 Safe Harbor requirements. Both agencies have agreed that EPG's Construction Works Program can serve as a valuable tool for job seekers and businesses to connect to DHCD's Section 3 covered projects.

Employ Prince George's Construction Works Program prepares County job seekers with the training that leads to entry to middle-skilled employment opportunities with the high growth-high demand Construction Industry. In addition, this Program connects job seekers with local businesses that participate in the Construction Works Program for employment.

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<sup>15</sup> Section 3-based Business Concerns Directory for contractors and subcontractors seeking to do business in Prince George's County: <http://www.hud.gov/Sec3Biz>.

<sup>16</sup> Prince George's County American Job Center Network: <http://pgcaic.com>

The Program partners with numerous businesses, Prince George’s County Public Schools, Prince George’s County Community College, private career schools, nontraditional educational entities, and Maryland Department of Labor Workforce Innovation and Opportunity Act (WIOA) Eligible Training Providers to provide superior construction trades training.

The EPG Construction Works Program will be staffed with a Construction Works Program Coordinator and a Construction Works Program Business Consultant. The Construction Works Program Coordinator will enroll Section 3 job seekers into the Program, provide one-on-one services to help remove barriers to employment, and assist them with achieving their employment goals. In addition, the Construction Works Program Coordinator will partner with the Construction Works Program Business Consultant to connect program graduates with Section 3 business concerns, local businesses that have employment opportunities in the Construction and Real Estate Industries.

Employ Prince George’s, Inc. will also help to market the DHCD Section 3 Action Plan for Contractors and Subcontractors by participating in DHCD subrecipient technical assistance workshops, pre-bid and pre-construction conferences.

DHCD will encourage sub-recipients, contractors, and subcontractors to participate in the EPG Construction Works Program to help ensure compliance with the Section 3 Safe Harbor requirements.

## **2.10 Monitoring**

Monitoring is an integral management control technique and a Government Accountability Office (GAO) standard. It is an ongoing process that assesses the quality of a program and participants’ performance. Monitoring provides information about program participants that is critical for making informed judgments about program effectiveness and management efficiency.

It is DHCD’s responsibility to ensure that the sub-recipients, contractors, and subcontractors meet all Section 3 requirements. If the requirements are not met, DHCD shall make a finding of noncompliance. A finding is a deficiency in program performance based on a statutory and regulatory program requirements for which sanctions or other corrective actions are authorized. Failure to comply could result in a recovery of HUD funds.

The following describes DHCD’s Section 3 monitoring checklist:

- If the sub-recipient implemented procedures to notify Section 3 residents and business concerns about employment, training, and contracting opportunities generated by its agency or covered contractors;
- If the sub-recipient notified covered contractors and subcontractors about their responsibilities pursuant to Section 3;
- If the sub-recipient included the Section 3 Clause in covered contracts;

- If the sub-recipient monitored its covered contractors and subcontractors for compliance with Section 3 and imposed penalties for noncompliance as appropriate;
- If the sub-recipient or its contractors and subcontractors met the goals for employment and contracting opportunities;
- If the sub-recipient provided an explanation if the contractors and subcontractors failed to meet the goals for Section 3; and
- If the sub-recipient’s annual Section 3 reporting requirements were met on a timely basis.

### **2.11 Section 3 Reporting Requirements**

The DHCD is required to report annually Section 3 activities using HUD’s Integrated Disbursement and Information System (IDIS)/Consolidated Performance Evaluation Report (CAPER). The CAPER highlights DHCD’s achievements in providing decent housing, suitable living environments, and expanding economic opportunities for low to moderate-income residents. The CAPER is due to HUD sixty (60) days after the program year ends. DHCD’s CAPER’s is due at the end of September each year.

The IDIS Section 3 report in the CAPER will correspond to the covered projects and activities that received Federal funding (i.e., CDBG, HOME, ESG, Section 108, etc.). Projects for which assistance or funds are committed after July 1, 2020, are subject to the new Section 3 regulations. The DHCD will include a summary of the Section 3 Summary Report(s) in its CAPERs.

### **2.12 Section 3 Workers or Section 3 Business Complaints**

Any Section 3 workers or Section 3 businesses (or authorized representatives) may file a written complaint, official title “Complaint Register Under Section 3 of the HUD Act of 1968 form HUD-958,” with the local HUD Field Office or mail it to:

The Assistant Secretary for Fair Housing and Equal Opportunity  
Attn: Office of Economic Opportunity  
U.S. Department of Housing and Urban Development  
451 Seventh Street, S.W., Room 5100  
Washington, D.C. 20410-2000

A written complaint should contain:

- Name and address of the person filing the complaint
- Name and address of subject of complaint (HUD recipient, contractor or subcontractor)
- Description of acts or omissions in alleged violation of Section 3
- Statement of corrective action sought (i.e., training, employment or contracts)

**Internal Section 3 Complaint Procedure**

Complaints generated due to non-compliance through an internal process, DHCD encourages submittal of complaints to its Section 3 Coordinator. A written complaint should be mailed to:

DHCD Office of the Director  
Attention: Senior Compliance Officer  
Prince George's County Department of Housing and Community Development  
9200 Basil Court, Suite 500  
Largo, Maryland 20774

(301) 883-5531

**Attachment:****DHCD Contractor and Subcontractor Section 3 Action Plan**

- Exhibit A: General Statement
- Exhibit A-1: Equal Employment Opportunity Agreement
- Exhibit A-2: Program Assurance of Compliance
- Exhibit A-3: Estimated Project Workforce Breakdown
- Exhibit A-4: Proposed Contracts/Subcontracts Breakdown
- Exhibit A-5: Actual Contracts/Subcontracts Breakdown
- Exhibit A-6: Section 3 Business Concern Utilization
- Exhibit A-7: Section 3 Summary Report
- Exhibit A-8: Section 3 Projects Income Limits
- Exhibit A-9: Section 3 Flyers
- Exhibit B: Regulatory Definitions
- Exhibit C: Helpful Links



Angela D. Alsobrooks  
County Executive



Aspasia Xypolia  
Director

## PRINCE GEORGE'S COUNTY, MARYLAND

### DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SECTION 3 ACTION PLAN FOR CONTRACTORS AND SUBCONTRACTORS

**FINAL**

**NAME OF CONTRACTOR:** \_\_\_\_\_

**NAME OF SUB-RECIPIENT:** \_\_\_\_\_

**PROJECT NAME:** \_\_\_\_\_

**PROJECT IDIS NO:** \_\_\_\_\_



Prince George's County affirmatively promotes equal opportunity and does not discriminate on the basis of race, color, gender, religion, ethnic or national origin, disability, or familial status in admissions or access to benefits in programs or activities.

Final: 11/16/2021

## Introduction

The Prince George's County Department of Housing and Community Development (DHCD) is the lead agency responsible for administering the following federal programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)
- Emergency Solutions Grants (ESG)
- Section 108 Loan Guarantee Program (Section 108)
- Lead-Based Paint Hazard Control Grant Program (LBPHC) and Lead Hazard Reduction Demonstration Grant Program (LHRD)

These federal funds are allocated by the U.S. Department of Housing and Urban Development (HUD) and provide housing and housing and community development assistance to primarily low and very low-income residents of Prince George's County. A significant portion of these federal funds are used to carry out housing rehabilitation, housing construction, and other public construction projects. Whenever the total amount of HUD financial assistance to a project exceeds a threshold of \$200,000 dollars it is defined by HUD as a "Section 3" covered project. The threshold is \$100,000 when the assistance is from the LBPHC and LHRD programs.

The purpose of Section 3 is to ensure that economic opportunities, most importantly employment, generated by certain HUD financial assistance shall be directed to low and very low-income persons.

The DHCD will be considered to have complied with the Section 3 Safe Harbor requirements if "to the greatest extent feasible" each Section 3 covered project is able to:

1. Certify the Prioritization of Efforts:
  - a) Employment and training opportunities to Section 3 workers; and
  - b) Award contractors and subcontractors that provide economic opportunities for Section 3 workers.
2. Meet or exceed the applicable Section 3 Benchmarks established by HUD:
  - a) Thirty-five percent (35%) of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers; and
  - b) Five percent (5%) of the total number of labor hours worked by all workers on a Section 3 project are Targeted Section 3 workers. This means that the five percent (5%) is included as part of the thirty-five percent (35%) threshold.

Section 3 covered projects include housing rehabilitation, housing construction, and other public construction such as infrastructure related projects. These projects may include water and sewer repairs, roads, bridges or enhancements to business facades in low to moderate-income communities. The project site or sites together with any building(s) and improvements located on the site(s) that are under common ownership, management, and financing.

Section 3 is not applicable when program funds are invested in direct assistance to homebuyers, acquisition, and administration, because these are not construction activities.

In efforts to utilize DHCD's federal programs to maximize economic opportunities for low and very low-income persons, the contractor and subcontractor are required to prepare a Section 3 Action Plan.

The DHCD has joined the Prince George's County American Job Center Network, partnered with Employ Prince George's, Inc. (EPG) to assist the agency with meeting its Section 3 Safe Harbor requirements. Both agencies have agreed that EPG's Construction Work Program can serve as a valuable tool for job seekers and businesses to connect to DHCD's Section 3 covered projects.

Employ Prince George's Construction Works Program prepares County job seekers with the training that leads to entry to middle-skilled employment opportunities with the high growth-high demand Construction Industry. In addition, this Program connects job seekers with local businesses that participate in the Construction Work Program for employment.

DHCD encourages sub-recipients, contractors, and subcontractors to participate in the EPG Construction Work Program to help ensure compliance with the Section 3 Safe Harbor requirements. Please contact EPG Construction Work Program at:

**Employ Prince George's Construction Work Program:**

1801 McCormick Drive, Suite 400

Largo, MD 20744

301-618-8400

Contact info for employers/contractors: [BusinessServices@co.pg.md.us](mailto:BusinessServices@co.pg.md.us)

Contact info for job seekers: [wsd@co.pg.md.us](mailto:wsd@co.pg.md.us)

The following outlines the contents of the Contractor and Subcontractor Section 3 Action Plan.

Exhibit A: General Statement

- Exhibit A-1: Equal Employment Opportunity Agreement
- Exhibit A-2: Program Assurance of Compliance
- Exhibit A-3: Estimated Project Workforce Breakdown
- Exhibit A-4: Proposed Contracts/Subcontracts Breakdown
- Exhibit A-5: Actual Contracts/Subcontracts Breakdown
- Exhibit A-6: Section 3 Business Concern Utilization
- Exhibit A-7: Section 3 Summary Report
- Exhibit A-8: Section 3 Projects Income Limits
- Exhibit A-9: Section 3 Flyers

Exhibit B: Regulatory Definitions

Exhibit C: Helpful Links

EXHIBIT A

**General Statement:**

\_\_\_\_\_, as the contractor is committed to comply with the Section 3 regulations (24 C.F.R. § 75). It is our desire to work together to ensure compliance to the “greatest extent feasible”, through awarding of contracts for work and services to Section 3 Business Concerns, and to provide employment and training to Section 3 Workers. All subcontractors interested in submitting bids for contracts will be informed of the Section 3 requirements and goals.

**Section 3 Goals:**

The \_\_\_\_\_ will be considered to have complied with the Section 3 Safe Harbor requirements if “to the greatest extent feasible” they:

- 3. Certify the Prioritization of Efforts:
  - c) Employment and training opportunities to Section 3 workers; and
  - d) Award contractors and subcontractors that provide economic opportunities for Section 3 workers.
  
- 4. Meet or exceed the applicable Section 3 Benchmarks established by HUD:
  - c) Thirty-five percent (35%) of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers; and
  - d) Five percent (5%) of the total number of labor hours worked by all workers on a Section 3 project are Targeted Section 3 workers. This means that the five percent (5%) is included as part of the thirty-five percent (35%) threshold.

**Outreach:**

We are committed to conduct an aggressive outreach campaign to make Section 3 Business Concerns and Section 3 Workers aware of contracting and hiring opportunities in connection with this Section 3 Covered Project. Efforts will include, but not limited to, publication of opportunities in the local newspapers, use of signage at the project site, flyers posted in the neighborhood, and surrounding areas, notification of local housing authorities, employment agencies, and local YouthBuild chapters.

Section 3 Covered Project Neighborhood Area:

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**Attachments:**

The following attachments are incorporated into and made a part of this Section 3 Action Plan:

- \_\_\_\_ Exhibit A-1: Equal Employment Opportunity Agreement
- \_\_\_\_ Exhibit A-2: Assurance of Compliance with HUD Regulations for Training, Employment, and Contracting Opportunities for Businesses and Lower Income Persons

\_\_\_\_ Exhibit A-3: Estimated Project Work Force Breakdown

\_\_\_\_ Exhibit A-4: Proposed Contracts/Subcontracts Breakdown

We agree to provide to the Department of Housing and Community Development the following documentations as soon as the information is available:

- Exhibit A-5: Actual Project Workforce Breakdown
- Exhibit A-6: Section 3 Business Utilization
- Exhibit A-7: DHCD Section 3 Summary Report
- Evidence of Outreach to Solicit Bids from Section 3 Business Concerns

Date: \_\_\_\_\_

Contractor: \_\_\_\_\_

(Print Name and Title)

Signature of Contractor: \_\_\_\_\_

**PRINCE GEORGE'S COUNTY  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
EQUAL EMPLOYMENT OPPORTUNITY AGREEMENT**

On behalf of \_\_\_\_\_, I hereby commit to offering equal opportunity in providing training opportunities, hiring, contracting and purchasing to all qualified job applicants, contractors, subcontractors, vendors, suppliers and other business-related providers of goods and services without regard to race, age, color, sex, religion, national origin, physical disability or mental disability. The practice of non-discrimination will include, but not be limited to assuring equal opportunity in contracting, recruitment, training, hiring, placement, promotion, rate of pay and other compensation and termination.

I/we will comply with all relevant federal, state, and local regulations, administrative and executive orders requiring non-discrimination including but not limited to:

- (1) Federal Executive Order 11246 "Goals and Timetables for Females and Minority Participation in the Construction Industry".
- (2) The Civil Rights Act of 1964 as amended.
- (3) The Americans with Disabilities Act ("ADA") of 1990.
- (4) The Equal Employment Opportunities Act of 1992 as it relates to employment opportunities for local, small, and disadvantaged businesses.
- (5) Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1992. ("Section 3")

(A) COMPLIANCE

- (1) I understand that all contracts and subcontracts, which are entered into under this agreement are to contain the Assurance of Compliance form.
- (2) My firm will require all contractors and/or subcontractors to exert their best efforts to provide low/and very low-income persons with employment and training opportunities and to provide businesses which are owned in part or wholly by persons living within the project area and who employ low and very low-income persons with contract opportunities.
- (3) I understand that failure to carry out the requirements position out herein shall constitute a breach of contract and may result in termination of the contract/funding.

- (4) My firm will fulfill our obligations to utilize Section 3 business concerns by developing and implementing an affirmative action plan.
- (5) My firm will incorporate the following "Section 3 clause" in all contracts for work on this covered project:

"The Section 3 Clause"

- (a). The work to be performed under this contract is on a project assisted under a program providing direct Federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended. Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given to lower income residents of the area of the Section 3 covered project, and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing the area of the Section 3 covered project.
- (b). The parties to this contract will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR Part 75, and all applicable rules and orders of the Department issued thereunder prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability, which would prevent them from complying with these requirements.
- (c). The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- (d). The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for or recipient of Federal Financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR Part 75. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 75 and will not let any subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

- (e). Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 75, and all applicable rules and orders of the Department issued thereunder prior to the execution of the contract, shall be a condition of the Federal financial assistance provided to the project, binding upon the applicant or recipient, its contractors and subcontractors, its successors, and assigns to those sanctions specified by the grant or loan agreement or contract through which Federal assistance is provided, and to such sanctions as are specified by 24 CFR Part 75.

(B) RECORDS AND REPORTS

- (1) My firm will keep such records as are necessary to demonstrate its compliance with the requirements of Section 3.
- (2) My firm will maintain records and submit copies of these records, which document actions taken, and the results of those actions.

I/we will faithfully and forthrightly implement all necessary and practicable steps, procedures and plans to assure achievement of the stated goals. On-going communication and solicitation of local businesses and job applicants will continue prior to, during and after completion of the project or contract work in order to achieve the stated goals. Continuous and on-going coordination prior to, during and throughout lease-up and hiring will be carried out in cooperation with the Department of Housing and Community Development and other organizations and institutions that would be useful in achieving the goals and commitments stated herein.

I/we will advertise employment, business and contractor opportunities in local and community newspapers, trade journals and other publications on a regular basis in order to assure wide distribution and knowledge of available opportunities.

The undersigned by their signatures certify that they have the authority necessary and requisite to legally bind the corporation to this agreement:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Name of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

**PRINCE GEORGE'S COUNTY COMMUNITY DEVELOPMENT  
PROGRAM ASSURANCE OF COMPLIANCE  
WITH DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REGULATIONS FOR  
TRAINING, EMPLOYMENT, AND CONTRACTING OPPORTUNITIES FOR BUSINESSES AND  
LOW- AND VERY LOW-INCOME PERSONS**

Project Title: \_\_\_\_\_

- A. The project assisted under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in or owned in substantial part by persons residing in the area of the project.
  
- B. Notwithstanding any other provision of this contract, the contractor shall carry out the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary set forth in 24 CFR Part 75 (published in 85 Federal Register 61562, September 29, 2020), and all applicable rules and orders of the Secretary issued thereunder prior to the execution of this contract. The requirements of said regulations include but are not limited to development and implementation of an affirmative action plan for utilizing business concerns located within or owned in substantial part by persons residing in the area of the project; the making of a good faith effort, as defined by the regulation to provide training, employment, and business opportunities required by section 3; and incorporation of the "section 3 clause" specified by Section 75.27 of the regulations in all contracts for work in connection with the project. The contractor certifies and agrees that it is under no contractual or other disability which would prevent it from complying with these requirements.
  
- C. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 75, and all applicable rules and orders of the Secretary issued thereunder prior to approval by the Government of the application for this contract shall be a condition of the Federal financial assistance provided to the project, binding upon the contractor, its successors and assigns. Failure to fulfill these requirements shall subject the contractor and his subcontractors, its successors, and assigns to the sanctions specified by this contract, and to such sanctions as are specified by 24 CFR Section 75.

Date \_\_\_\_\_

\_\_\_\_\_  
(Contractor)

\_\_\_\_\_  
(Contractor's Mailing Address)

BY \_\_\_\_\_  
(Authorized Official Signature)

EXHIBIT A-3

**ESTIMATED PROJECT WORK FORCE BREAKDOWN**

JOB CATEGORY	TOTAL ESTIMATED POSITIONS NEEDED FOR PROJECT	NUMBER POSITIONS OCCUPIED BY PERMANENT EMPLOYEES	NUMBER OF POSITIONS NOT OCCUPIED	NUMBER OF POSITIONS TO BE FILLED WITH SECTION 3 WORKER	NUMBER OF POSITIONS TO BE FILLED WITH A SECTION 3 TARGETED WORKER
Officer/Supervisor					
Professionals					
Technical					
Hsg. Sales/Rental Management					
Office/Clerical					
Service Workers					
Others					
TRADE:					
Journeyman					
Helpers					
Apprentices					
Trainees					
Others					
TRADE:					
Journeyman					
Helpers					
Apprentices					
Trainees					
Others					

Company: \_\_\_\_\_ Project IDIS No: \_\_\_\_\_

Persons Completing Form: \_\_\_\_\_ Project Name: \_\_\_\_\_

EXHIBIT A-4

**PROPOSED CONTRACTS/SUBCONTRACTS BREAKDOWN**

TYPE OF CONTRACT (BUSINESS OR PROFESSIONAL)	TOTAL NO.	TOTAL APPROX. DOLLAR AMOUNT	ESTIMATED NO. OF CONTRACTS TO SECTION 3 BUSINESS CONCERNS	ESTIMATED DOLLAR AMOUNT TO SECTION 3 BUSINESS CONCERNS

Company: \_\_\_\_\_ Project IDIS No: \_\_\_\_\_

Persons Completing Form: \_\_\_\_\_ Project Name: \_\_\_\_\_

EXHIBIT A-5

**ACTUAL CONTRACTS/SUBCONTRACTS BREAKDOWN**

TYPE OF CONTRACT (BUSINESS OR PROFESSIONAL)	TOTAL NO.	TOTAL APPROX. DOLLAR AMOUNT	NO. OF CONTRACTS TO SECTION 3 BUSINESS CONCERNS	DOLLAR AMOUNT TO SECTION 3 BUSINESS CONCERNS

Company: \_\_\_\_\_ Project IDIS No: \_\_\_\_\_

Persons Completing Form: \_\_\_\_\_ Project Name: \_\_\_\_\_

EXHIBIT A-6

**SECTION 3 BUSINESS CONCERN UTILIZATION**

Project No: \_\_\_\_\_ Total Dollar Amount of Contract: \_\_\_\_\_

Name of Prime Contractor: \_\_\_\_\_ Address: \_\_\_\_\_

Federal Identification No: \_\_\_\_\_

NAME OF SUBCONTRACTOR	SECT. 3 Business Concern	ADDRESS AND PHONE NO.	TRADE/SERVICE OR SUPPLY	CONTRACT AMOUNT	AWARD DATE	COMPETITIVE OR NEGOTIATED NO.	FEDERAL IDENTIFICATION NO.

**TOTAL DOLLAR AMOUNT AWARDED TO SECTION 3 BUSINESS CONCERN \$** \_\_\_\_\_



**Prince George's County, Maryland**  
**Department of Housing and Community Development**  
**Section 3 Summary Report**  
**Economic Opportunities for Low- and Very Low-Income Persons**

<b>Part II: Section 3 Labor Report</b>					
Total Labor Hours	Section 3 Labor Hours	% of Section 3 Labor Hours	Total Targeted Labor Hours	Targeted Section 3 Workers Labor Hours	% of Section 3 Workers Labor Hours
<b>Part III: Summary of Qualitative Efforts</b>					
Indicate the efforts made to direct employment and other economic opportunities generated by HUD financial assistance for housing and community development programs, to the greatest extent feasible, toward low- and very low-income persons, particularly those who are recipients of government assistance for housing. (Check all that apply.)					
<input type="checkbox"/>	Outreach efforts to generate job applicants who are Targeted Section 3 workers				
<input type="checkbox"/>	Training/apprenticeship opportunities				
<input type="checkbox"/>	Technical assistance provided to help Section 3 workers compete for jobs (resume assistance, etc.)				
<input type="checkbox"/>	Provide/connect Section 3 workers with assistance in seeking employment				
<input type="checkbox"/>	Holding job fairs				
<input type="checkbox"/>	Provided/referred Section 3 workers to services supporting work readiness and retention				
<input type="checkbox"/>	Provided assistance to apply for/attend education/vocational training				
<input type="checkbox"/>	Provide financial literacy training				
<input type="checkbox"/>	Engaged in outreach to identify and secure bids from Section 3 business concerns				
<input type="checkbox"/>	Provided technical assistance to Section 3 business concerns to help them understand Section 3 requirements				
<input type="checkbox"/>	Provided bonding assistance, guarantees, or other efforts to support viable bids from Section 3 business concerns				
<input type="checkbox"/>	Promoted use of Section 3 business registry and HUD Opportunity Portal				
<input type="checkbox"/>	Outreach, engagement, or referrals with the Employ Prince George's Construction Works Program				

**Note:** Documentation of qualitative efforts made by the Contractor and Subcontractor should be maintained. Documentation might include:

- Copies of direct mail solicitations
- Email and internet outreach efforts
- Formal advertisements
- Flyers or brochures about meetings
- Sign-in lists from job fairs and other public meetings
- Agendas and/or meeting notes from meetings with contractors

In accordance with Section 3 guidelines at 24 C.F.R. § 75, the Department of Housing and Community Development is required to report Section 3 activities using HUD's Integrated Disbursement and Information System. The information will be used to monitor program recipients' compliance with Section 3. An assurance of confidentiality is not applicable to this form. The reporting requirements do not contain sensitive questions. Data is cumulative; personal identifying information is not included.

EXHIBIT A-8

**Department of Housing and Community Development**  
**Section 3 Projects Income Limits**  
**Effective June 01, 2021**

FY 2021 Median Family Income: \$129,000

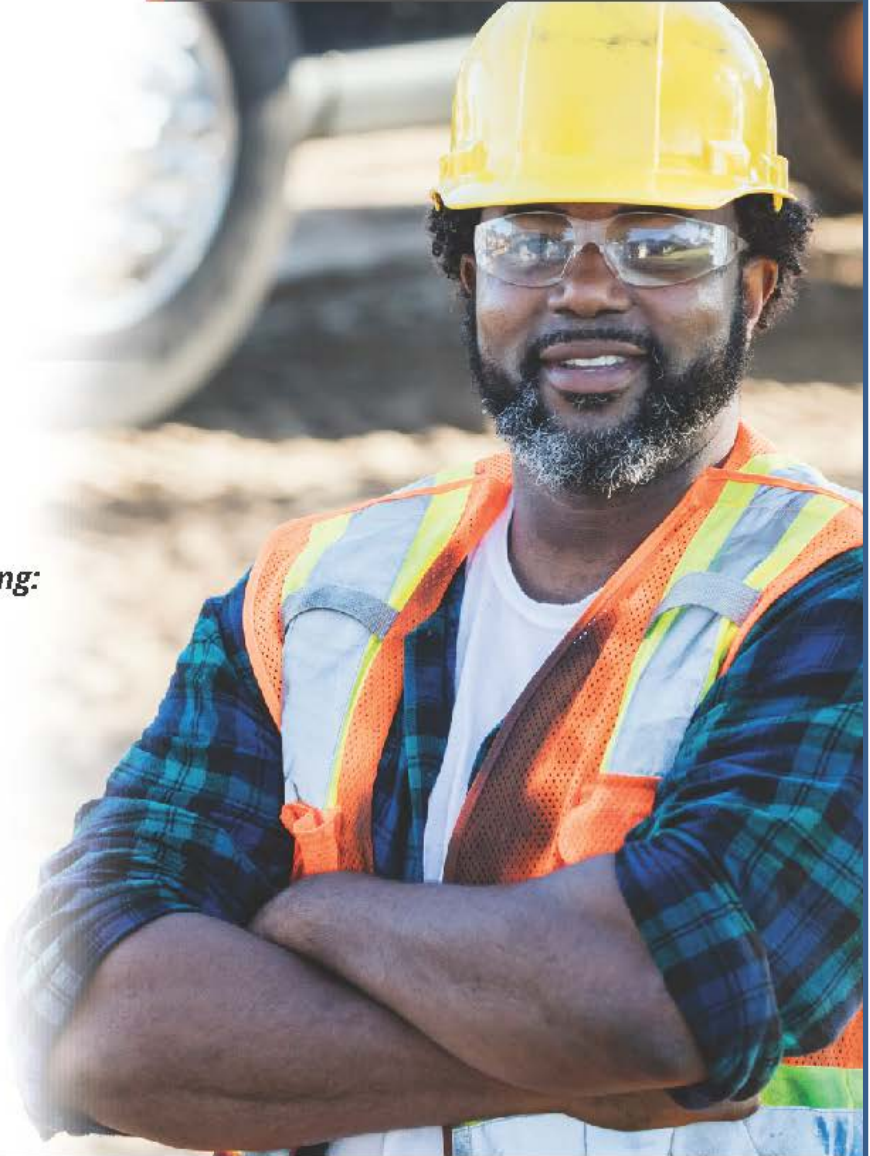
<b>Household Size</b>	<b>30% Limits (Extremely Low)</b>	<b>Very Low Income</b>	<b>60% Limits</b>	<b>Low Income</b>	<b>2020 Uncapped Income Limits</b>
1	\$27,000	\$45,150	\$54,180	\$57,650	\$72,250
2	\$31,000	\$51,600	\$61,920	\$65,850	\$82,600
3	\$34,850	\$58,050	\$69,660	\$74,100	\$92,900
4	\$38,700	\$64,500	\$77,400	\$82,300	\$103,050
5	\$41,800	\$69,700	\$83,640	\$88,900	\$111,500
6	\$44,900	\$74,850	\$89,820	\$95,500	\$119,750
7	\$48,000	\$80,000	\$96,000	\$102,100	\$128,000
8	\$51,100	\$85,150	\$102,180	\$108,650	\$136,250

*Source: U.S. Department of Housing and Urban Development (<http://www.huduser.org>)*



# WHAT WE DO

CWP is a DHCD Section 3 Workforce Support Program



- FREE Industry Certified Training
- One-on-One Career Counseling
- Job Placement Assistance
- Basic Skills Training
- Supportive Services
- Pre-Apprenticeships

### Training Programs available for the following:

- Carpentry
- Commercial Painting
- Electrician
- Heavy Equipment Operator
- Highway Maintenance/Repair Worker
- Welder
- Commercial & Residential
- Commercial Truck Driver
- General Construction Laborer



### General Eligibility Requirements:

- Proof of Residency in Prince George's County
- Proof of Family Income (Income guidelines may apply)
- Proof of eligibility to work in the U.S.
- Proof of Registration for Selective Services (males born on or after January 1, 1960)

If you are interested in enrolling in the Construction Works Program or would like more information, visit us at [www.EmployPG.org](http://www.EmployPG.org) call us at (301) 618-8445.

**[www.EmployPG.org](http://www.EmployPG.org)**

The CWP will provide eligible Prince George's County residents with everything you need to gain employment in the construction industry.



# CONSTRUCTION JOBS AVAILABLE

*Employ Prince George's announces the availability of jobs through its Prince George's County Department of Housing and Community Development Section 3 Workforce Support Program, the Construction Works Program.*

## What is the Construction Works Program?

- The Construction Works Section 3 program offers jobs for low-income individuals who are bonafide residents of public housing or who live in the area where a HUD-assisted project is located and whose household income falls below HUD's income limits.
- Jobs are available for laborers, landscapers, electricians, plumbers, carpenters, and office/clerical assistants.
- Please visit [www.EmployPG.org/CWP](http://www.EmployPG.org/CWP) to enroll in the program or attend one of our weekly information sessions via the information below.

### Information Sessions:

Zoom Link: [www.EmployPG.org/DHCD\\_CWP](http://www.EmployPG.org/DHCD_CWP)

Every Thursday - 1:00 PM

Meeting ID: 874 9732 9493 | PC: 1234567



For More Information, Contact Us Today at [WSD@co.pg.md.us](mailto:WSD@co.pg.md.us) or at **301-618-8425!**



## EXHIBIT B

### Regulatory Definitions

**Applicant** – any entity which makes an application for Section 3 covered assistance, and includes, but is not limited to, any State, unit of local government, public housing agency or other public body, public or private non-profit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. The selected vehicle is referred to as the “recipient” for purposes of Section 3.

**Business Concern** – a business entity formed in accordance with State law, and which is licensed under State, county or municipal law to engage in the type of business activity for which it was formed.

**Contractor** – any entity entering into a contract with:

1. A recipient to perform work in connection with the expenditure of public housing financial assistance or for work in connection with a Section 3 project; or
2. A subrecipient for work in connection with a Section 3 project.

**“Greatest Extent Feasible”** - means that every effort must be made to comply with the requirements of Section 3. This also means that recipients of Section 3 covered financial assistance should make every effort within their disposal to meet the regulatory requirements.

**Low-income person** – families (including single persons) with income at 80 percent (80%) of the Area Median Income (AMI) or lower.

**Neighborhood Area** - a geographical location(s) within the jurisdiction of a unit of general local government (but not the entire jurisdiction) designated in ordinances, or other local documents as a neighborhood, village, or similar geographical designation, or meets HUD community development programs meets the definition at 24 C.F.R. § 570.204 (c)(1).

**Public Housing Resident** – person meeting the requirement at 24 C.F.R. § 963.

**Recipient or Sub-recipient** – any entity which receives Section 3 covered assistance, directly from HUD or from another recipient and includes, but is not limited to, any State unit of local government, PHA, or other public body, public or private non-profit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. Recipient also includes any successor, assignee or transferee of any such entity, but does not include any ultimate beneficiary under the HUD program to which Section 3 applies and does not include contractors.

**Section 3** – Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

### **HUD Section 3 Benchmarks –**

1. Twenty-five percent (25%) of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers; and
2. Five percent (5%) of the total number of labor hours worked by all workers on a Section 3 project are Targeted Section 3 workers. This means that the five percent (5%) is included as part of the twenty-five percent (25%) threshold.

### **Prince George's County Section 3 Benchmarks –**

1. Thirty-five percent (25%) of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers; and
2. Five percent (5%) of the total number of labor hours worked by all workers on a Section 3 project are Targeted Section 3 workers. This means that the five percent (5%) is included as part of the twenty-five percent (25%) threshold.

### **Section 3 Business Concern -**

1. It is at least 51 percent (51%) owned and controlled by low- or very low-income persons; or
2. Over 75 percent (75) of the labor hours performed for the business over the prior-three-month period are performed by Section 3 workers; or
3. It is a business at least 51 percent (51%) owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

The status of a Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owner(s) or employees.

### **Section 3 Covered Assistance –**

1. Public housing development assistance provided pursuant to Section 5 of the 1937 Act;
2. Public housing operating assistance provided pursuant to Section 9 of the 1937 Act;
3. Public housing modernization assistance provided pursuant to Section 14 of the 1937 Act;
4. Assistance provided under any HUD housing or community development program that is expended for work arising in connection with housing rehabilitation, construction, or other public construction project (which includes other buildings or improvements, regardless of ownership.)

**Section 3 Clause** – the contract provisions set forth in 24 C.F.R. § 75.27.

**Section 3 Covered Contracts** – a contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project.

Section 3 covered contracts do not include contracts awarded under HUD's procurement program, which are governed by the Federal Acquisition Regulation (FAR). Section 3 covered contracts also do not include contracts for the purchase of supplies and materials. However, whenever a contract for

materials includes the installation of the materials, the contract constitutes a Section 3 covered contract.

**Section 3 Covered Project** – the construction, reconstruction, conversion or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public construction which includes buildings or improvements (regardless of ownership) assisted with housing or community development assistance.

**Section 3 Resident** – public housing resident or an individual who resides in the metropolitan area or a nonmetropolitan county in which Section 3 covered assistance is expended and who is considered to a low-to very low-income person.

**Section 3 Worker** – Any worker who currently fits or when hired within the past five (5) years fit at least one (1) of the following categories:

1. The worker’s income for the previous or annualized calendar year is below the income limit established by HUD; or
2. The worker is employed by a Section 3 business concern; or
3. The worker is a YouthBuild participant.

The status of a Section 3 worker shall not be negatively affected by a prior arrest or conviction.

**Service Area** – an area within one mile of the Section 3 project or, if fewer than 5,000 people live within one mile of a Section 3 project, within a circle centered on the Section 3 project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.

**Subcontractor** – any entity (other than a person who is an employee of the contractor) which has a contract with a contractor to undertake a portion of the contractor’s obligation for the performance of work generated by the expenditure of Section 3 covered assistance, or arising in connection with a Section 3 covered project.

**Targeted Section 3 Worker for Housing and Community Development Financial Assistance** – A Section 3 worker who is:

1. A worker employed by a Section 3 business concern; or
2. A worker who currently fits or when hired at least one of the following categories, as documented within the past five (5) years:
  - a) Living within the service area or the neighborhood of the project; or
  - b) A YouthBuild participant.

**Very low-income person** – families (including single persons) with income at 50 percent of the AMI or lower.

**YouthBuild Participant** – A participant receiving assistance under the Workforce Innovation and Opportunity Act (29 U.S.C. 3226).

## EXHIBIT C

### Helpful Links

To search the database for self-certified Section 3 businesses, register your business for inclusion, or for more information on the Business Registry, please visit <http://www.hud.gov/Sec3Biz>.

How to match residents to jobs and training opportunities, and businesses to contracting opportunities: <https://hudapps.hud.gov/OpportunityPortal/>.

#### How to file a Section 3 Complaint:

[https://www.hud.gov/program\\_offices/field\\_policy\\_mgt/section3/complaint\\_register](https://www.hud.gov/program_offices/field_policy_mgt/section3/complaint_register).

#### Frequently Asked Questions (FAQs) for Section 3:

<https://www.hud.gov/sites/dfiles/FPM/documents/Section-3-FAQs.pdf>

#### Employ Prince George's Construction Work Program:

1801 McCormick Drive, Suite 400  
Largo, MD 20744

301-618-8400

Contact info for employers/contractors: [BusinessServices@co.pg.md.us](mailto:BusinessServices@co.pg.md.us)

Contact info for job seekers: [wsd@co.pg.md.us](mailto:wsd@co.pg.md.us)

**Copies of the FY 2021 - 2025 DHCD Section 3 Action Plan:** are available on the County's website at [www.princegeorgescountymd.gov/sites/dhcd/resources/plansandreports](http://www.princegeorgescountymd.gov/sites/dhcd/resources/plansandreports). To obtain a copy of the Plan, contact the Department of Housing and Community Development at: 301-883-5570 or 301-883-5540.

Department of Housing and Community Development  
Community Planning and Development Division

Aspasia Xypolia, Director, DHCD  
Tamika Gauvin, Deputy Director, DHCD

9200 Basil Court, Suite 500  
Largo, Maryland 20774

Telephone: 301-883-5570 or TDD: 301-883-5428

HUD Table 3C  
Annual Action Plan Listing of Reprogrammed CDBG Projects

<b>1</b>	<b>Project Name</b>	<b>HIP – Single Family Rehabilitation</b>
	<b>Target Area</b>	Countywide
	<b>Goals Supported</b>	Increase supply of accessible and affordable homes
	<b>Needs Addressed</b>	Diverse, affordable rental & homeownership opportunities
	<b>Funding</b>	CDBG: \$210,426
	<b>Description</b>	Housing Initiative Partnership, Inc. (HIP) will use CDBG funds for construction costs related the redevelopment at 7013 Kent Town Rd in Landover, MD and the rehabilitation of 7609 Oxman Rd in Landover, MD. Upon the completion of both renovations, the houses will be sold to two (2) first-time homebuyers earning at or less than 80% AMI.
	<b>Target Date</b>	TBD
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	2 - Households
	<b>Location Description</b>	Agency: Housing Initiative Partnership, Inc. Location: 6525 Belcrest Rd, Suite 555, Hyattsville, MD 20782
	<b>Planned Activities</b>	Local ID: AH-2-4-46R Type of Recipient: Non-profit Organization HUD Matrix Code: 14A – Rehabilitation; Single-Family Unit CDBG National Objective: LMH
<b>2</b>	<b>Project Name</b>	<b>City of Mt. Rainier – Micro-Enterprise Assistance in Mt. Rainier</b>
	<b>Target Area</b>	Countywide
	<b>Goals Supported</b>	Increase access to job training and economic development assistance
	<b>Needs Addressed</b>	Connections between residents and businesses to services
	<b>Funding</b>	PY 47 CDBG: \$53,663 and PY 46R CDBG: \$39,862 Total: \$93,525
	<b>Description</b>	The City of Mt. Rainier will use CDBG funds to provide business assistance to small businesses and entrepreneurs located in Mt. Rainier. The assistance to be provided will include: 1) website and e-commerce development; 2) one-on-one small business consultations including resource development and project management; and 3) entrepreneurial development with technical assistance. Approximately 25 jobs will be created and/or retained and 30 businesses will be assisted.
	<b>Target Date</b>	TBD
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	25 – Jobs 30 - Businesses

HUD Table 3C  
Annual Action Plan Listing of Reprogrammed CDBG Projects

	<b>Location Description</b>	Agency: The City of Mt. Rainier Location: Mt. Rainier City Hall, One Municipal Place, Mt. Rainier, MD 20712
	<b>Planned Activities</b>	Local ID: ED-2-8-47 Type of Recipient: Local Government Agency HUD Matrix Code: 18C – Micro-Enterprise Assistance CDBG National Objective: LMJ

HUD Table 3C  
Annual Action Plan Listing of CDBG Restructured Projects

1	<b>Project Name</b>	<b>Town of Riverdale Park – Riverdale Park Street Lightings Project</b>
	<b>Target Area</b>	Targeted
	<b>Goals Supported</b>	Support High-quality Public Infrastructure Improvements
	<b>Needs Addressed</b>	Connections Between Residents and Businesses to Services
	<b>Funding</b>	\$150,000.00
	<b>Description</b>	The Town of Riverdale Park will use CDBG funds to install new lighting between the 5400 and 6200 blocks of 54 <sup>th</sup> Avenue and 6200 block of 54 <sup>th</sup> Place. The installation will include the purchase of lights and implementation of the appropriate lighting infrastructure. Appropriate infrastructure would include creating curb bump out for the light base when required and installing all necessary wiring. Approximately 5,125 individuals will benefit from this project.
	<b>Target Date</b>	TBD
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	5,125 – Individuals
	<b>Location Description</b>	Agency: Town of Riverdale Park Location: 5008 Queensbury Rd, Riverdale, MD 20737 Target Area: CT:8065.01 / BG: 1,2,3
	<b>Planned Activities</b>	Local ID: PF-14-1-46 Type of Recipient: Local Government Agency HUD Matrix Code: O3K - Street Improvements CDBG National Objective: LMA

## Appendix K-1

### PROJECT INFORMATION SHEET

**Birchwood at Upper Marlboro**  
**15402 Marlboro Pike**  
**Upper Marlboro, MD 20772**

### COUNCILMANIC DISTRICT 6

**PROJECT DESCRIPTION:** Birchwood at Upper Marlboro, LLC plans to acquire land and construct a ninety (90) unit affordable elevator rental apartment building for senior households with various income levels up to 80% of the Area Median Income (“AMI”) in Upper Marlboro, Prince George’s County

**OWNER:** Birchwood at Upper Marlboro, LLC

**DEVELOPERS:** MBID of Delaware, LLC (d/b/a/ Ingerman)  
Housing Initiative Partnership, Inc.

**CONTACT:** Brad Ingerman, President/CEO  
MBID of Delaware, LLC (d/b/a/ Ingerman)  
856-662-1730  
bingerman@ingerman.com

**NEIGHBORHOOD/LOCALITY:** Upper Marlboro, Prince George’s County, District 6

**UNIT MIX:** One Bedroom: 62 units  
Two Bedrooms: 28 units

**PROPOSED RENTS:** One-bedroom ranges from \$675 to \$1,452  
Two-bedroom ranges from \$801 to \$1,680

## **Appendix K-2**

### **PROJECT INFORMATION SHEET**

**Birchwood at Upper Marlboro  
15402 Marlboro Pike  
Upper Marlboro, MD 20772**

### **COUNCILMANIC DISTRICT 6**

#### **PROJECT DESCRIPTION:**

Lead developer MBID of Delaware, LLC (d/b/a/ Ingerman) and Housing Initiative Partnership, Inc. (together, the “Development Team”) plan to acquire land and construct the Birchwood at Upper Marlboro project, a ninety (90) unit age-restricted affordable rental community for seniors in Upper Marlboro Prince George’s County, Maryland (the “Birchwood Project”). Developments plans also call for the construction of a neighboring sixty (60) unit mixed-income rental community for families (the “Willows Project”). Through a “twinning” financial structure, the Birchwood Project and Willows Project will be separately financed, but simultaneously constructed by the Development Team. The total development cost of the Birchwood Project is expected to be approximately twenty four million, six hundred sixty three thousand, eight hundred nineteen dollars (\$24,663,819) for this four (4) story elevatored building.

The ninety (90) unit Birchwood Project will be entirely affordable. It will be occupied by senior households at various income levels up to eighty percent (80%) of the Area Median Income (“AMI”). Across the Birchwood Project, there will be sixty two (62) one-bedroom units and twenty eight (28) two-bedroom units. One-bedroom rents will range from six hundred seventy five dollars (\$675) to one thousand, four hundred fifty two dollars (\$1,452) and two-bedroom ranges from eight hundred one dollars (\$801) to one thousand, six hundred eighty dollars (\$1,680).

Exterior features of the Birchwood Project will include walkways, seating areas, and parking. Walkways and seating areas will provide passive recreation to residents and a connection to surrounding land uses. The grounds around the building will be appropriately lighted for resident safety and security. The Birchwood Project will feature many interior amenities including social spaces, a fitness center, a game rooms recreational space, and suite of

management and maintenance offices. The site is sufficiently sized to accommodate all the social programs and will not require any unusual or significant maintenance. The Birchwood Project will also meet LEED certification standards for environmental sustainability.

The Birchwood Project is conveniently located proximate to a wide variety of commercial, retail, and public uses. Nearby amenities include a grocery store, pharmacy, bank, schools, medical care, parks, post office, library, and houses of worship. Prince George's County TheBus operates Route 53 with a stop approximately 0.2 miles from the site. The mixed-use and walkable Town of Upper Marlboro is located approximately one mile to the southwest, providing easy access to civic, educational, and recreational amenities.

### Appendix K-3

#### PROJECT FINANCING ESTIMATE

**Birchwood at Upper Marlboro  
15402 Marlboro Pike  
Upper Marlboro, MD 20772**

#### COUNCILMANIC DISTRICT 6

<b>Sources</b>	<b>Amount</b>	
Permanent Mortgage - Citi	\$11,499,997	46.63%
Prince George's County HOME Loan	\$2,000,000	8.11%
Rental Housing Works	\$2,500,000	10.14%
Investor Equity - LIHTC	\$7,491,289	30.37%
Deferred Developer's Fee	\$942,533	3.82%
Return of Freddie Mac fee	\$230,000	0.93%
<b>TOTAL</b>	<b>\$24,663,819</b>	<b>100%</b>

<b>Uses</b>	<b>Amount</b>	
Construction or Rehabilitation Costs	\$15,742,076	63.83%
Fees Related to Construction or Rehabilitation	\$2,096,047	8.50%
Financing Fees and Charges	\$1,728,692	7.01%
Acquisition Costs	\$1,197,493	4.86%
Developer's Fee	\$2,500,000	10.14%
Syndication Related Costs	\$344,680	1.40%
Guarantees and Reserves	\$1,054,831	4.28%
<b>TOTAL</b>	<b>\$24,663,819</b>	<b>100.00%</b>

## Appendix L: Prince George's County, Maryland Income Limits

Effective June 1, 2021 Median Family Income: \$129,000

Household Size	30% Limits (Extremely Low)	Very Low Income	60% Limits	Low Income	2021 Uncapped Income Limits
1	\$27,000	\$45,150	\$54,180	\$57,650	\$72,250
2	\$31,000	\$51,600	\$61,920	\$65,850	\$82,600
3	\$34,850	\$58,050	\$69,660	\$74,100	\$92,900
4	\$38,700	\$64,500	\$77,400	\$82,300	\$103,050
5	\$41,800	\$69,700	\$83,640	\$88,900	\$111,500
6	\$44,900	\$74,850	\$89,820	\$95,500	\$119,750
7	\$48,000	\$80,000	\$96,000	\$102,100	\$128,000
8	\$51,100	\$85,150	\$102,180	\$108,650	\$136,250

Source: U.S. Department of Housing and Urban Development (<http://www.huduser.org>)

Prince George's County uses the "uncapped" income limits to determine applicant eligibility to participate in homeowner rehabilitation and homebuyer assistance programs administered with CDBG and/or HOME funds.

## FOR MORE INFORMATION

Copies of the FY 2022 Annual Action Plan for Housing and Community Development, as amended are available on the County's website at [www.princegeorgescountymd.gov/sites/dhcd/resources/plansandreports](http://www.princegeorgescountymd.gov/sites/dhcd/resources/plansandreports). To obtain a copy of the Plan, contact the Community Planning and Development Division at: 301-883-5570 or 301-883-5540.

Prepared by:  
Department of Housing and Community Development

Aspasia Xypolia, Director

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