

Appendix D: Comments and Responses

First Public Hearing of the 2020-2024 Consolidated Plan (March 23, 2020)

For the first public hearing of the 2020-2024 Consolidated Plan, public comments and agency responses are included in meeting minutes (**Appendix C**).

Public Hearing of the HUD “Mega Waiver,” 2015-2019 Consolidated Plan and AAP Amendments, and 2020-2024 Consolidated Plan (April 14, 2020)

*North Central Independent Living Services, Inc.
Shyla Patera, IL Specialist*

Comment:

My name is Shyla Patera. I am an Independent Living Specialist employed by North Central Independent Living Services, Inc. Our agency is an Independent Living Center and disability advocacy agency that serves north central Montanans with disabilities. I wish to submit written comment regarding the Consolidated Plan/Annual Action plan.

NCILS wishes to commend the State of Montana for its housing work regarding Montanans with disabilities and others in housing crisis to find more stability in their individual housing situations. However, we feel that more needs to be done regarding physical accessibility, visit ability, and universal design both in our rental and homebuyer housing stock. Montana Housing and the Community Development Division should undertake an assessment of not only its physical housing stock, but also the programs, policies, and partnerships it is forming to ensure that all are accessible and being utilized by those with disabilities that may need the programs most. Community shelters, public housing and LIHTC units should be accessible to all including those with mobility, sensory, and chemical disabilities.

The State of Montana and potential CDBG applicants for Home CDBG funds need to focus on visit ability and universal design in new construction, but we also need to focus on financing home modifications in older homes. The State of Montana needs to work with our FUSE grant communities, Continuums of Care and other landlords, contractors, and builders, as well as policy makers to implement policies which will allow for more disability accessible rental and universally designed new housing stock to be built in and throughout Montana.

NCILS hopes that subdivision designers, CDBG applicants, and community advocates can support programs which will assist accessible parking including enforcement and modification of Montana code to include language regarding van accessible aisle ways. Advocates are also asking some clarification in definition as to what constitutes Public Rights of Way versus commercially developed or private property development occurs when sidewalks are non continuous or in need of pavement preservation repair.

NCILS would encourage the Montana Department of Transportation and the Community Development Division to partner with cities ,towns and prospective CDBG applicants to highlight accessible community planning in community MPO planning processes. I know that there has been some discussion on which standard for accessibility in Montana communities should be enforced. NCILS would recommend using PROWAG. NCILS would also hope that pedestrian and accessibility needs could be considered in the Statewide Transit Management Plan. NCILS hopes that traffic signals and timing studies are undertaken as future community roadways are repaired. Roadways need wider shoulders on our interstates,urban roads and community connector roads where possible.

Because the public health emergency for Covid 19 is still in place , the State Montana would benefit from increased housing and rental assistance.HUD managers and residents need access to PPE. Montana HUD managers should be aware of service deserts particularly in the areas regarding food and transportation insecurities,

Response:

The Montana Department of Commerce’s Community Development Division administers the HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), and Housing Trust Fund (HTF) programs. The Department of Public Health and Human Services (DPHHS) administers the Emergency Solutions Grant (ESG) and Housing Opportunities for Persons With AIDS (HOPWA) programs. Comments made regarding these programs, which are covered under this Annual Action Plan, are addressed below.

Commerce, through its housing development programs (HOME, CDBG, and HTF) gives preference to applications that benefit extremely low-income, homeless, disabled, elderly, and other disadvantaged individuals and families. Under these programs, housing development can result in either single family or multifamily activities and may include new construction, redevelopment, or rehabilitation. Commerce strongly encourages all applicants (regardless of program or activity), to the maximum extent possible, to include the three basic visitability features that increase access to friends and family for individuals with disabilities (a zero-step entrance, doors with 32 inches of clear passage space, and a wheelchair-accessible half bathroom on the main floor). Whether a project serves disabled persons and meets visitability and universal design requirements is considered during application ranking, which is Commerce’s process for prioritizing and funding projects.

Commerce and DPHHS will continue collaborating with stakeholders and partners through the Consolidated Plan processes to address identified needs. While Commerce does not currently use its program funds to support Tenant Based Rental Assistance, it does support rental construction activities to provide affordable housing options across the state. Additionally, DPHHS works with local HRDCs and the MT CoC to offer rental assistance through the ESG program and must adhere to MT CoC policies. Each HRDC works with their local coordinated entry system (CES) to operate the program. CES identifies the most appropriate housing resource to facilitate a rapid and permanent exit from homelessness, while prioritizing the most vulnerable households for housing. CES establishes a By-Name List (BNL) of people experiencing homelessness in each community. Programs/shelters/providers work together as a housing and service system, which reduces duplication. CES are community-organized groups of support agencies and community members serving persons experiencing homeless and at risk of homelessness. The goal of CES is to prioritize the most vulnerable and help them gain access to the available safe housing in the area. CES aligns with and facilitates goals for PATH and SOAR to address homelessness and increase access to permanent housing for people with mental and/or substance use disorders or

physical impairment. Individuals/households at risk of or experiencing crisis of homelessness are eligible, regardless of serious mental illness (SMI), substance use disorder (SUD), co-occurring SMI/SUD, or physical impairment. Sheltered and unsheltered individuals/households are eligible to be prioritized using the VI-SPDAT (vulnerability index measure) and placed on the BNL. Weekly case conferencing prioritizes those individuals/households at most in need of first available housing unit (usually subsidized) and assigns housing support provider/navigator to coordinate individuals/households into a unit.

Final Public Hearing of the 2020-2024 Consolidated Plan (April 14, 2021)

North Central Independent Living Services, Inc.
Shyla Patera, IL Specialist

Comment:

For the record, my name is Shyla Patera, and I represent North Central Independent Living Services in Black Eagle, Montana. We are a center for independent living that has helped people with disabilities navigate through services, including housing, for many years, and we appreciate the opportunity to submit comments. The comments we are submitting for this consolidated plan and annual action year include comments on the build environments. For housing and HOME, we encourage opportunities to construct visitable and universal designed housing which benefits many -- in fact, all Montanans with disabilities and other communities as well. For CDBG/HOME we encourage facilities to be built with contiguous sidewalks and adequate curb cuts and curb ramps, and be built in inclusive neighborhoods. And for planning for work, we encourage, like, ADA accessibility plans and inclusion of people with disabilities in the workforce. As far as other goals, we encourage Commerce and DPHHS to continue partnerships, especially when it comes to assisting Montanans with disabilities in housing, potentially those that are coming out of the state hospital and other institutions or nursing homes in Montana. We hope that this partnership through MFB and diversion continues. And for the record MFP is Money Follows the Person. We know that it has worked for quite some time if done well for our consumers and other Montanans. We are excited by the great prospects of mainstream vouchers and some support for supported living housing. Although if consumers choose not to avail themselves of the supports, we also encourage units and opportunities to do so. For sheltering and emergency shelter we encourage accessibility options as well, and we encourage shelters to find ways to ensure that Montanans with disabilities can get the services they need, such as personal support services or PCAs or Medicaid and wheelchair options in shelters. We know several different organizations have started this effort, including Consumer Direct in Missoula, but we also know that, if eligible for Medicaid, those opportunities should be available to everyone. And if I can think of anything else, I will submit written comments, but thank you for your time.

Response:

Commerce, through its housing development programs (HOME, CDBG, and HTF) gives preference to applications that benefit extremely low-income, homeless, disabled, elderly, and other disadvantaged individuals and families. Under these programs, housing development can result in either single family or multifamily activities and may include new construction, redevelopment, or rehabilitation. Commerce strongly encourages all applicants (regardless of program or activity), to the maximum extent possible,

to design for accessibility and include the three basic visitability features for residential dwellings to increase access to friends and family for individuals with disabilities (a zero-step entrance, doors with 32 inches of clear passage space, and a wheelchair-accessible half bathroom on the main floor). Additionally, planning and economic vitality activities, including ADA accessibility plans and workforce development for persons with disabilities, are eligible under Commerce's community development programs (CDBG). Whether a project is inclusive, serves disabled persons, and meets visitability and universal design requirements is considered during application ranking, which is Commerce's process for prioritizing and funding projects.

Commerce and DPHHS jointly applied for funds to administer the Mainstream Voucher Program, which serves non-elderly persons with disabilities. Commerce and DPHHS also participated in the Medicaid Innovation Accelerator Program, which seeks to identify and secure housing resources for Medicaid beneficiaries, including persons with disabilities. (See the Consolidated Plan for details.) Through these efforts and continued collaboration, the agencies aim to ensure Montanans with disabilities and special needs have adequate housing and necessary services.

Lewis and Clark County
Ann McCauley, Grants Administrator

Comment:

This is Anne McCauley with Lewis and Clark County. I do have a question regarding the previously mentioned CDBG CARES funding as part of the 2019-2020 amended plan. I went online, and I'm not able to see the final version of that 2019-2020 plan. Is that plan now finalized?

Am I correct too that there's also going to be HOME program CARES funding available through HUD or through Department of Commerce?

Response:

The State of Montana received an allocation of funds authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which was signed into law March 27, 2020, in response to the COVID-19 public health crisis. Montana's allocation includes \$10,174,175 in CDBG CARES funding and \$9,266,836 in ESG CARES funding. In accordance with HUD's guidance, Montana has amended its 2019-2020 Annual Action Plan to include CDBG and ESG CARES funding. Authorization to use ESG CARES funding was received in December 2020. Authorization to use CDBG CARES funding is anticipated by August 2021. Upon receiving authorization to use both funding sources, Commerce will finalize and publish its 2019-2020 AAP as amended.

The federal government allocated \$11,459,768 in HOME funds to the State of Montana through the American Rescue Plan Act (ARPA). These funds, which are included in House Bill 632, are in addition to the State's annual formula allocation of HOME funds. General information about the supplemental HOME funds is included in the ARPA and further guidance is expected from HUD fall 2021. Based on information available, Montana anticipates using these funds for activities eligible under the HOME program with priority for projects that benefit those who are experiencing homelessness or who are at risk of homelessness.

Commerce will notify the public once next steps are taken for both CDBG CARES and supplemental HOME funds.

Trust Montana
Hermina Harold, Executive Director

Comment:

This is Hermina Harold, the director of Trust Montana, which is the statewide community land trust. And I guess I have partly a question and partly a comment. But was wondering about the HTF and whether homeownership -- specifically permanently affordable homeownership like what the community land trust and the state develop -- whether that would ever be an eligible type of project for those funds. And I know that at this point it sounds like a pretty small pool of funds, but it would be really powerful for us if we were able to access a few different pots of money in order to make homeownership affordable and preserve it in our land trusts.

Response:

HTF funds must benefit households with extremely low incomes, which is defined by HUD as those at or below 30% area median income. To date, HTF funds have not been used elsewhere in the country to support homeownership activities (see HUD Report PR110 available online at https://files.hudexchange.info/reports/published/HTF_Prod_Natl_20210331.pdf). This may be because eligible households lack sufficient disposable income to support the additional costs of homeownership.

Considering both HTF's targeting of extremely low-income households and the availability of HOME funds for homeownership activities in Montana, Commerce will not modify its 2020-2024 Consolidated Plan and 2020-2021 Annual Action Plan to include homeownership activities under the HTF program. Commerce will continue to monitor needs and may consider using HTF funds for homeownership activities in the future.

Reach, Inc.
Jacy Conradt, Community Relations and Development Director

Comment:

Re: 2020-2024 Consolidated Plan for Housing and Community Development

To Whom It May Concern,

Thank you for the opportunity to comment on the 2020-2024 Consolidated Plan for Housing and Community Development. I am Jacy Conradt, Community Relations and Development Director at Reach, Inc., in Bozeman, Montana, where we provide vocational support, transportation, housing and supported living to over 100 clients with developmental disabilities. It is my role, along with the development team, to secure funding for these services.

The people we serve live well below the adjusted median income level. About half of our clients reside in Reach owned houses and the rest reside in the community either in their own apartments or with family. The services we provide create stable and supportive environments which are critical to their health and well-being and livelihoods.

The data in the report clearly and correctly identifies our clients as vulnerable to housing affordability and homelessness. These citizens with developmental disabilities are considered a 'medium to low' priority. I argue that they should be no less than 'medium priority' for the following reasons:

- Other than developmental disabilities, our clients overlap into other vulnerable populations which are rated as a higher priority, including physical disability and the elderly. Sustainable housing contributes to their physical safety and quality of life.
- Almost without exception, our clients are renters in a resort community where affordable housing is in high demand and low in supply. Support from the Consolidated Plan monies will help maintain the current housing available and expand it to include others who desperately deserve a chance at independent living.
- Our mission is to help our clients achieve their goals and aspirations. We accomplish this through community integration in neighborhoods, specialized transportation, and employment. On average, 89 percent of our clients earn a paycheck and are tax paying citizens. They also pay rent based on their income level.

In summary, Montanans with developmental disabilities are an important investment when deciding housing allocations. Our clients in particular maintain their independence, jobs, and lifestyles for years, even decades. With proper supports, and affordable housing, they are stable, contributing, and vibrant neighbors.

Sincerely,

Jacy Conradt
Community Relations and Development Director

Response:

Considering and addressing the needs of Montanans with developmental disabilities and special needs is of the utmost importance to both Commerce and DPHHS. The "medium to low" priority designation for Montanans with developmental disabilities in the Consolidated Plan does not reflect Commerce or DPHHS's views; rather, it is a ranking based on feedback Commerce and DPHHS received from citizens during the 2020 Housing and Community Development Survey. In this context, the priority ranking is an assessment of the needs of individuals with developmental disabilities *relative* to the needs of other populations and does not indicate that the needs of any population are insignificant or unimportant. Commerce and DPHHS understand that resources are needed statewide and that funding must be distributed strategically across all categories.

Commerce and DPHHS jointly applied for funds to administer the Mainstream Voucher Program, which serves non-elderly persons with disabilities (see the Consolidated Plan for details). Through this program and continued collaboration, as well as ongoing investments in local efforts, the agencies aim to ensure Montanans with developmental disabilities have adequate housing and necessary services. Commerce

and DPHHS encourage Reach, Inc., to consider the sources of funding available under the Consolidated Plan when seeking funding for the vital services they offer.