

## **E. Administrative Program Policies and Procedures**

### 1. Housing Assistance Plan (HAP)

As required by Federal and State rules and requirements, this Housing Assistance Plan was drafted for approval by the County Commission to be used as a written guide for implementing CDBG and DRI program specific housing strategies. Including but not limited to Applicant intake procedures, maximum funding amounts, and specific program inclusions and exclusions.

### 2. Citizen Participation (See the County's Citizens Participation Plan)

As required by specific program rules and requirements, public hearings will be held to provide information and discuss proposed activities to be undertaken, as well as address questions or concerns from the public. All public hearings and workshops shall be advertised in accordance with the appropriate funding agency (HUD, FDEO) requirements.

### 3. **Conflict of Interest**

The adherence to the rules and regulations in regard to Conflict of Interest is mandatory. All Applicants that may have a business or familial relationship with a member of the County Commission, CATF, HRS, PA, or participating construction contractors must fully disclose this relationship on the Application and defiantly before a construction contract is executed. In addition, all Applicant names must be disclosed at the regular meeting of the Board of County Commission and the CATF as the application process proceeds and these names must be included in the minutes of both the County Commission and the CATF meetings. County Commission and CATF members must disclose any relationship with an Applicant and must abstain from any vote related to that Applicant. Any cases of conflict of interests must be made known at a meeting of the County Commission. Before an Applicant with a potential or real conflict as described in 24 C.F.R.570.489 (h)(2), is given final approval for participation the County must notify FDEO in writing. Prior to the expenditure of housing grant funds, the County must receive written notification of FDEO's approval of the waiver of conflict of interest, in accordance with C.F.R. Section 570.489 (h)(4). If this process is not followed the County and/or the Applicant may be liable for returning the funds expended to the program.

County employees that submit an application for rehabilitation assistance and who are involved in the decision making process related to the CDBG program or are involved in the financial approvals of this program must identify their conflict of interest at the time of application.

The Federal requirements are found in 24 CFR 85.36 (b) (3) and 24 CFR 570.489(h). The State of Florida requirements are found in Chapter 112.311 – 112.3143 of the Florida Statutes. A Conflict of Interest is defined as a relationship or circumstances whereby a person or organization exercises functions or responsibilities for funded activities through which they, their relatives, or know associates obtain or appear to obtain a financial benefit.

Two types of conflicts are noted, those being beneficiary and procurement.

1. A beneficiary conflict of interest would involve any direct benefit, such as housing rehab, utility hook-up or façade renovation. The conflict would occur when benefits are awarded to anyone with a role in the CDBG and or DRI program approval process, to include but not limited to, a member of a CATF, PA, County officials and Commission members. There are however exceptions to this rule which are explained in 24 CFR 570.611 (d). To request a waiver, the Applicant through the HRS and PA must be submitted in writing to the County for approval, who must then submit the request to FDEO for final approval. Any costs incurred prior to FDEO approval are unallowable. There are no retroactive waivers.
2. A procurement conflict of interest exists if there appears to be a relationship between a funded activity and County officers, their employees or agents, any member of their immediate family or any organization that employs or is about to employ, any of the aforementioned individuals. This conflict covers all aspects of the procurement, from solicitation, to award, to administration to include the writing of the Applicant Selection Criteria and in the Priority of Assistance, evaluating proposals and negotiating terms. The affected person must not participate in the procurement process in any manner; the level of conflict is irrelevant. Any conflict or appearance of a conflict requires non-participation. A procurement conflict cannot be waived.