

Regular Session, 2014

SENATE RESOLUTION NO. 149

BY SENATOR MORRELL

HOUSING. Requests the Office of Community Development to seek certain waivers.

1 A RESOLUTION

2 To urge and request the disaster recovery unit within the division of administration's office  
3 of community development (OCD/DRU) through the United States Department of  
4 Housing and Urban Affairs (HUD) and the governor's office of homeland security  
5 and emergency preparedness (GOHSEP) through the Federal Emergency  
6 Management Agency (FEMA) to seek federal remedies to certain situations which  
7 occurred as a result of certain hurricanes.

8 WHEREAS, Community Development Block Grant (CDBG) disaster recovery funds  
9 were authorized by Congress under supplemental appropriation laws, which authorized  
10 HUD's secretary to modify various statutes and regulations that could impede the prompt  
11 implementation of disaster relief programs, and provided that on request from the states  
12 receiving disaster recovery CDBG funds, the secretary could waive certain provisions to  
13 allow immediate response; and

14 WHEREAS, through the Road Home Elevation Incentive award, OCD/DRU offered  
15 an eligible applicant a CDBG disaster-funded grant of up to \$30,000 in return for a binding  
16 incentive agreement to elevate and reoccupy the home the owner lived in at the time of the  
17 hurricanes and to use it as the owner's primary residence within three years of signing the  
18 grant agreement; and

1           WHEREAS, in addition to the CDBG disaster recovery funds for the Road Home  
2 Elevation Incentive program, the state was approved to receive supplemental funding for  
3 elevation activities through FEMA's Hazard Mitigation Grant Program; and

4           WHEREAS, the state provided up to \$100,000 in program funds (based on actual  
5 construction costs) to eligible homeowners to elevate their homes to comply with, at a  
6 minimum, the required FEMA elevation height for the area; and

7           WHEREAS, Louisiana's Road Home program was designed using a CDBG  
8 compensation model rather than a housing rehabilitation model; and

9           WHEREAS, the compensation model provides eligible homeowners with a grant for  
10 uncompensated property losses to their damaged address rather than tying funding to a  
11 specific construction related activity; and

12           WHEREAS, the disaster recovery unit within the division of administration's office  
13 of community development is aware that some homeowners who have reached their three  
14 year compliance period have not elevated their homes and believes it is prudent to bring  
15 more applicants into compliance through ongoing file completion, elevation activities, and  
16 working with HUD to approve and implement Action Plan Amendments, reserving grant  
17 recovery for those applicants who cannot achieve compliance through these or other means;  
18 and

19           WHEREAS, HUD has issued guidelines which stipulate that the state may look at  
20 a homeowner's unmet needs or a change in circumstances when determining how to move  
21 forward with verifying the homeowner's compliance; and

22           WHEREAS, long-term recovery is a process; however, disaster recovery needs are  
23 calculated at points in time which can result in subsequent changes in circumstance which  
24 can affect need; and

25           WHEREAS, House Bill 1 of the 2014 Regular Session of the Legislature proposes  
26 two mandates which require the division of administration, office of community  
27 development to submit Action Plan Amendments requesting HUD approval for reallocation  
28 of such monies.

29           THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana  
30 does hereby urge and request the disaster recovery unit within the division of

1 administration's office of community development through the United States Department of  
2 Housing and Urban Affairs and the governor's office of homeland security and emergency  
3 preparedness through the Federal Emergency Management Agency to seek federal remedies  
4 by requesting Action Plan Amendments and administrative waivers:

5 (1) To re-classify awards received from elevation incentive funds which were utilized  
6 for home repairs.

7 (2) To re-evaluate payments which were beyond the homeowners's control.

8 (3) To support greater flexibility in documentation, such as notarized affidavits to  
9 verify circumstances and work done to repair homes.

10 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
11 executive director of the office of community development and to the director of the  
12 governor's office of homeland security and emergency preparedness.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Cathy Wells.

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DIGEST

Morrell

SR No. 149

Requests the OCD/DRU through HUD and GOHSEP through FEMA to seek federal remedies in Action Plan Amendments and administrative waivers to:

- (1) To re-classify awards received from elevation incentive funds which were utilized for home repairs.
- (2) To re-evaluate payments which were beyond the homeowners's control.
- (3) To support greater flexibility in documentation, such a notarized affidavits to verify circumstances and work done to repair homes.