

CITY OF DOTHAN

ALABAMA

EMERGENCY REPAIR POLICY

COMMUNITY DEVELOPMENT BLOCK GRANT

EMERGENCY REPAIR PROGRAM

Administered By:
THE DOTHAN BOARD OF CITY COMMISSIONERS
and
THE PLANNING AND DEVELOPMENT DEPARTMENT

ADOPTED
NOVEMBER 2006

Financial Assistance Provided Through:
U.S. Department of Housing and Urban Development

OVERVIEW

The City of Dothan is receiving annual entitlement grants from the U.S. Department of Housing

and Urban Development under the Housing and City Development Act of 1974 as amended. The Board of City Commissioners of the City of Dothan has determined that a part of the annual grant is to be set aside and used to conduct emergency repairs that will benefit qualified homeowners throughout the City of Dothan. This policy is adopted to set forth the procedures and guidelines under which this program will be conducted. It is meant to remain in force and effect from program year to program year unless amended or rescinded by the Board of City Commissioners.

EMERGENCY REPAIR – PURPOSE AND DEFINITION

The purpose of this program is to provide a safe, sanitary and suitable dwelling which encourages continued ownership.

The term “emergency repair” as used herein is defined as:

Necessary repairs and improvements required to enable a housing unit to meet the minimum Housing Codes of the City of Dothan.

Limitations - Only those units considered to be suitable will be considered for the program and only then after a complete inspection by the City Building Official and the completion of an emergency repair cost estimate and application. The costs of repairs may not exceed \$5,000 per household. If the emergency repair is less than \$5,000 the applicant may apply in a following year for any remaining amount. If the estimated cost of making the emergency repairs will result in a grant that exceeds the limit, the work will be prioritized to try to keep the amount within the limit. For small amounts that exceed the grant amount the Planning Director may waive the overage up to \$1,000. Priority will be given to those items that will prevent further deterioration of the house. Applicants whose homes are not salvageable due to extensive deterioration will not be eligible. Should the applicant sell the home within 3 years of completion of the emergency repair a prorated portion of the costs will be required to be returned to the CDBG program.

Below are examples of eligible repair work which include but are not limited to the following:

- Roofs and ceilings with the potential of falling at any time.
- Plumbing where there is no running water to kitchen sink, shower or tub and /or toilet.
- Exposed electrical wiring that poses a fire hazard.
- Flooring which has the potential for collapsing at any time.
- Unvented gas operated hot water heaters and heaters that are gas or electric and are not equipped with a pop-off valve.
- Leaking of inoperable water heaters.
- Structurally unsound porches greater than 30 inches from the ground which may collapse at any time.
- Exterior wall repair of holes in walls greater than one square feet exposing inside to outside elements.

- Installation of ramps for handicapped persons where floors are not accessible for egress or ingress throughout the home.
- Lack of or inadequate heating and cooling(unit shall currently exist)

PROGRAM ADMINISTRATION

The Dothan Community Development Block Grant Emergency Repair Program is administered by the Planning and Development Department by direct assignment from the Dothan Board of City Commissioners. By law, the Dothan Board of City Commissioners must administer the program through assignment and adoption of this policy.

APPLICANT SELECTION

Final determination of priority for each applicant for emergency repair participation will be based on numerical assignment after initial processing has been completed, and the applicant has provided proof of ownership and other essential documentation.

POLICY PROCEDURES

Outlined below are the eligibility and procedural guidelines that will be used in the Entitlement Emergency Repair Program.

A. **Eligibility Requirements** — In order to participate in the Emergency Repair program an applicant must meet all of the following eligibility requirements:

1. **Homeowner** — The applicant must be the owner occupant of the subject dwelling at the time of application. The dwelling must have been the principle residence for the owner for one year prior to the application. The subject dwelling may not be a manufactured home.
2. **Taxes** – All property taxes of the home must be current. There must not be any IRS tax liens attached to the property.
3. **Location** — The applicant must reside within the Corporate limits of the City of Dothan, Alabama.
4. **Emergency Repair Feasibility** — The housing unit of the applicant must meet the definition and limitations as contained in this policy.
5. **Income*** — An applicant must have total household income from all persons residing in the household that falls within the appropriate category below:

1	2	3	4	5	6	7	8
PERSON	PERSONS	PERSONS	PERSONS	PERSONS	PERSONS	PERSONS	PERSONS

27,500	31,450	35,350	39,300	42,450	45,600	48,750	51,900
--------	--------	--------	--------	--------	--------	--------	--------

* Eligible income ranges are based on Housing and Urban Development Section 8 Existing Housing Assistance Standards published in 2007 for Dothan, Alabama. Annual income refers to total household income regardless of the source. Income ranges for this program are subject to automatic change concurrent with effective dates of HUD issued Section 8 Income revisions.

B. **Applications** – Homeowners residing within the corporate limits of the City of Dothan may apply for program participation at any time. Advertisements, public service announcements and other media may be utilized in making places of application acceptance known. CDBG staff personnel will assist in application preparation, as well as to answer any question an applicant might have concerning the program. Application forms will be available and each applicant must sign the form acknowledging that the information given is true to the best of his/her knowledge. All applications will be kept in strictest confidence and used only by the CDBG staff and appropriate financial institutions with the consent of the applicant.

C. **Application Processing** — Each application accepted will be reviewed in phases in order to eliminate those applicants who are clearly not eligible for program participation for any number of stated reasons. In every case, each applicant will be notified within four weeks of application submission in writing as to the status of the application and reasons relating to that status. Phases of the application on processing follow:

1. **Ownership** — Each applicant must provide a copy of the deed to the property and subject dwelling for which emergency repairs is being applied for.

2. **Preliminary Review** — The CDBG staff will review each completed application to determine if the applicant is a homeowner, and if so, resides in the subject dwelling. Based on information contained in the application, a determination will be made if the applicant is income eligible.

3. **Income and Data Verification** — Those applicants who pass the preliminary review will be contacted to provide income verification and any other documentation deemed appropriate to verify the application. Based on the verification process the applicant will be assigned an income category.

4. **Preliminary Dwelling Inspection** — Those applicants who pass the preliminary review, and income and data verification, will be contacted to arrange for a preliminary inspection of their dwelling by the City Building Official, to determine feasibility. Those applicants whose dwellings are determined not to be eligible for the emergency repair program will be notified in writing of the findings.

5. **Initial Eligibility Communication** Those applicants whose income qualifies for participation, and whose homes are determined to be eligible for the program, shall be

notified by letter. This letter will include a preliminary estimate of maximum total construction cost.

6. Final Application Approval — Based on the results of all steps above, the final approval of an eligible application will be made by the Planning and Development Director of the City of Dothan on the recommendation of the CDBG staff.

- D. **Work Write-Up** — Upon final determination and approval of the application, a copy of the detailed work write-up will be provided to and acknowledged by the owner.
- E. **Contracting** — All contractors used for the emergency repair program will be licensed to do business in the City of Dothan. Repair work will be awarded to licensed businesses up to the maximum grant amount of \$5,000.

At the time of contract award the funds for the overall contract price will be designated for contract payment. Funds may be dispensed according to contract progress.

During construction, CDBG staff may conduct periodic inspections to ensure general contract compliance, but does not guarantee the work of the contractor.

During construction the contractor may request progress payments based on percent of work items completed. These estimates must be approved by the CDBG staff and will be subject to a 10% retainage. All checks are to be made payable to the owner and contractor jointly. Final payment will be made after the final inspection and work acceptance. Prior to this, the contractor will deliver all manufacturers and/or workmanship warranties.

GRIEVANCE PROCEDURES

A. General

Any person who believes he has been aggrieved by;

1. determination by CDBG staff as to eligibility, or
2. a failure on the part of the CDBG staff to correctly carry out his/her responsibilities in connection with the inspection and work write-up, or eligibility verification process (excluding contractor performance which is to be conducted under contract procedures),

may file a complaint and have his case reviewed by the CDBG Administrator.

B. Methods of Presentation by Claimant

1. **Oral:** A person may talk over his case either alone or with the assistance of another person with the CDBG Administrator within the time limits set forth below in section C. This oral presentation does not preclude the making of a written presentation. The oral presentation will be allowed within 15 days of the making of such request.

2. Written: If the claimant does not receive satisfaction from an oral presentation, or should he desire to forego the oral presentation, a written statement of his beliefs as to what he desires may be made to the CDBG Administrator.

C. Time Limits for Making Complaints

Generally speaking, a complaint may be filed for review no later than 90 days after the date that a person is informed of ineligibility or the person alleges that the CDBG staff failed to correctly carry out responsibilities. Extensions of time limits may be granted for good cause on an individual basis.

CONFLICTS OF INTEREST

Conflicts of Interest- No person who is an employee, agent, consultant, officer, appointed official, or elected official of the City of Dothan who exercise or have exercised any functions or responsibilities with respect to CDBG activities, or are in a position to participate in a decision-making process, or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit, or have an interest in any program assistance, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

In all cases where an apparent conflict of interest exists, HUD will make a finding regarding the eligibility of the applicant. Assistance shall not be granted unless approved by HUD. The conflict of interest process may add, at minimum, forty five (45) days to the eligibility process.