

# Module 1

## State CDBG Operational Overview



## **STATE CDBG OPERATIONAL OVERVIEW**

**GOAL:** To provide participants with a basic understanding of the State CDBG program, mission, purpose and objectives.

**OBJECTIVES:** Participants will be able to:

1. Understand the basic operating principles of the State CDBG program
2. Understand the basic difference between State CDBG & entitlement programs
3. Obtain a basic understanding of the Maximum feasible deference concept
4. Know the relationship of the entitlement regulations to the State CDBG program, and their use as interpretive guidance
5. Obtain a basic understanding of other applicable laws, regulations, and circulars as they relate to the State CDBG program

**TIME:** 1 hours 15 minutes

### **TRAINING AND PRESENTATION STYLE:**

Lecture style with PowerPoint presentation of material. Various documents are included in the participants' manual for reference and further information. Participants will be encouraged to ask questions during the interchange of information.

**TALKING POINTS:    Module 1 OPERATIONAL OVERVIEW**

**Basic program operation & history:**

- Common Acronyms

The Community Development Block Grant (CDBG) Program is authorized under Title I of the Housing and Community Development Act of 1974, as amended. The CDBG program was enacted in 1974 under the Housing and Community Development Act or HCDA. Prior to this point in time, there were numerous federal programs which addressed community development issues.

CDBG grew out of the consolidation of eight categorical programs under which communities competed nationally for funds. The consolidated programs include:

- Open Space;
  - Urban Renewal;
  - Neighborhood Development Program grants;
  - Historic Preservation grants;
  - Model Cities supplemental grants;
  - Public Facilities loans;
  - Neighborhood Facilities grants; and
  - Water and Sewer grants
- 
- 1975-81: HUD ran annual competitions for small cities
  - 1981 HCDA Amendments:
    - Expanded & extended the original Congressional intent of HCDA (give communities more power to set own priorities, select what activities they want to do
    - Eliminated formal HUD approval of entitlement “applications”
    - Gave states the ability to assume administration for small cities in '82 mentioned in Omnibus Reconciliation Act
    - later made permanent—once you take it you can't give it back
    - New Federalism”: devolve to states: Each state's needs are different, let each state design their own program

**Maximum Feasible Deference (MFD):(24 CFR 570.480(c))**

- Minimal regulation beyond the statute—states have ability to interpret law
- Actual MFD term not in statute-created by General Counsel in interpreting statutory intent
- States can adopt different or more restrictive requirements providing they're not inconsistent/contradictory with HCDA & our regs
- Basis for states always claiming “but we're different” & past tendency not to work closely with other interest groups
- Implementation: OMB requirement that we not repeat what's in statute (ability to interpret eligibility categories); that recordkeeping & reporting be negotiated with states; other applicable laws apply but not necessarily HUD's implementing regulations apply; OMB A-102 stated Part 85 not applicable; waiver ability explicit in regs.

**Evolution over time:**

- 1982 Regs extremely minimal; subsequent “regulation by policy memo”
- Took 10 years to get more comprehensive regs out;
- OMB tells HUD to make '92 regs half as long; repudiation of old policy memos with '92 regs;
- subsequent trend toward more specific regulation; different implementation between programs for new requirements, but increasing trend to make requirements & programs more similar (e.g. ConPlan, CAPER, URA, Lead Paint)
- “Devo-lution”: Freedom of choice vs. freedom from choice—states often look to HUD for more specific guidance/requirements, and often impose more restrictive requirements than we require
- 37 states in '82; 49 states by '87, NY #50 in 2000, Puerto Rico is treated like a state. In 2004, HI said “no thanks” permanently, in response to statutory language – 3 HI counties essentially become entitlements

**HUD vs. State vs. local responsibilities in State CDBG program:**

- Localities responsible for: deciding what activities to apply for; Citizen participation at local level; carrying out activities which state agrees to fund; complying with Federal & state program requirements
- State is responsible for: designing the overall program, within ConPlan & statutory/regulatory parameters; setting priorities & deciding what activities to fund; distributing the funding according to a specified MOD; establishing financial management, recordkeeping, reporting, monitoring, audit, closeout systems for their program; ensuring compliance by state grant recipients— i.e. monitoring; reporting to HUD on uses of funds

- A number of requirements fall equally on state & locality but in different ways: environmental (state is delegated the responsibility for approving requests for releases of funds, locality must do envl. Assessments/EISs); civil rights/fair housing (state must assure that its own hiring complies with Title VI, must do AI & take steps to ensure AFFH, ensure that locality complies with fair housing & civil rights laws); Citizen Participation (state does it on its ConPlan/MOD, localities do it on their specific grants); state responsible for investigating (non-FHEO) complaints about localities' programs
- HUD responsible for getting money out, setting policy, writing/ interpreting regulations, monitoring states to ensure they run program in compliance with program requirements, providing Technical assistance (TA)

### **State CDBG program as contrasted with Entitlement program:**

#### **Similarities:**

- HUD contractual relationship is with grantee—on 1 level a grantee is a grantee
- Local governments decide what their needs are & select activities to address those needs, and carry out those activities (or subgrant/ contract out)
- Similarities in HUD-grantee-subgrantee relationship between state & urban counties
- HUD oversight responsibilities (monitoring, ConPlan/CAPER review, TA, etc.)
- Consolidated Plan-c.p. certifications, CHAS housing conditions & needs, priority & goal setting
- Same statutory basis for eligibility requirements
- National Objective requirements nearly identical (except no upper quartile, no urban renewal s/b)
- Most other applicable laws apply (Davis Bacon, URA, NEPA, Civil Rights Act, etc.)
- Requirements that flow down units of local governments
- Sanctions & sanctions process essentially the same

**Differences:** Summary; the various differences –and their embodiment of the MFD philosophy --will be described in more detail throughout the course

- States don't carry out activities themselves—must distribute about 97% as grants to UGLGs. Must be grants to nonentitlement units of general local government—not loans (except 3% TA/Admin)
- ConPlan contains a Method Of Distribution rather than a list of planned activities as Entitlements do.

- Lack of HUD contractual relationship with units of local government
- What they spend their money on
- Section 108: Recent changes now allow the state or the locality to be the borrower but the state pledges its CDBG allocation regardless of the applicant.

### **Statutory/regulatory implementation differences:**

- Preamble: how to read the statute vs. regulations—inclusive vs. exclusive wording (e.g. Section 105)
- ConPlan-Method of distribution instead of list of activities; c.p. at state vs. local level; certifies that they have consulted with localities in developing MOD but don't certify that they are following their Con Plan (because they don't do the activities themselves)
- Lack of specific eligibility regulations; Relationship of the entitlement regulations to the State CDBG program, and their use as interpretive guidance
- Only subpart I + 570.606 (displacement/URA) and 570.200(j) (pursuant to 570.480 (e) of Part 570 applies to State program)
- Timely distribution vs. timely expenditure
- Colonias set-aside; can use in metro areas <1 million
- 1% TA setaside – not much reason to use §105(a)(19) provision

### **Differences in definitions or lack thereof:**

- Concept/contents of subrecipient agreements. Why Entitlement CBDO definition at 570.204 is N/A to states
- Income limits
- Definition of income
- Float loans - different concept
- Pre-award costs – state and local level
- Community revitalization strategies concept
- Lump sum drawdowns
- “Persons developing a micro-enterprise”

### **How various caps & requirements are applied:**

- Each grant treated discretely – Caps & reporting by each year's allocation of funds + PI rather than to all activity within a 12 months period
- Caps apply to state as a whole rather than a local government or their individual activities (including §108 5x allocation limit)
- Ditto for public benefit standards – everything funded out of a given year's allocation
- Caps determined based on “use” (expenditures) rather than obligations
- 3% Administrative/TA costs & matching requirements within 20% planning & admin cap
- Matching requirement on State admin; is essentially “no year” money
- Can make grants which are 100% public services to an UGLG
- Can make grants which include more than 20% admin to an UGLG
- Can make planning-only grants to an UGLG (ref. National objective)

### **Financial /administrative requirements & differences**

- One of the areas of greatest divergence between Entitlement & State
- Lack of recordkeeping & reporting requirements in regulation – required by OMB to negotiate with states collectively. Makes it tougher to enforce compliance
- Many parts of subpart J (grant administration) have no comparable, substantive State regs
- More different types of program income at state and local levels; statutory requirement keeping PI at the local level; PI returned to the state “belongs” to the year in which it is redistributed; not to year received; no requirement that excess PI be returned to LOC
- Cash Mgmt Improvement Act requirements on drawdowns instead of Part 85 – negotiated by Treasury for state as a whole; state to ensure prompt disbursement at/to local level

- Part 85 inapplicability-state options
- States to have an established system for reviewing their grantees, audits, closing out grants, rather than HUD establishing requirements, HUD requires states to set their own

### Comparison of formulas:

- To divide the annual appropriation of CDBG funds among jurisdictions, Congress designed a formula that is intended to provide larger grants to communities with relatively high community development need and smaller grants to communities with relatively low community development need.
- Nonentitlement areas use population instead of growth lag as used by entitlement areas
- For entitlement grantees, the formula factor number or percentage for each individual entitlement city or county is compared to the total number/average for all entitlement cities & urban counties.
- For nonentitlement areas, the formula factor number or percentage represents the sum of all nonentitlement areas in that state; the nonentitlement sum for each state is compared to the total number/average for nonentitlement areas in all states.
- Addition of new urban counties or entitlement cities doesn't affect state funding as much—state may lose less than the new entitlement gains as it's often one of the wealthier nonentitlement areas---and we still get 30% of the money regardless of how many people it's divided among
- In FY 08 for 39 states, State itself is largest CDBG grant amount; in 8 states 2<sup>nd</sup> largest grantee, for example in CA, the state and entitlement combined allocation is \$456 M
- The Formula Study, CDBG Formula Targeting to Community Development Need was released in early 2005. This study examines the current formula's targeting to need and analyzes four options for an alternative formula. Any change in the formula would need Congressional approval. CDBG Reform proposal was submitted, Congress at this time has not taken any action on the proposal.

### Other applicable laws, regulations and circulars

- Statutes not necessarily regulations apply for other applicable requirements; some exceptions include Section 3, URA, Environmental
- Part 85 specifically doesn't apply to states (85.4) because original OMB A-102 was not applied to block grants to states (MFD, again)
- A-87, A-133 do apply Curiously, A-133 specifically cross-referenced to part 85
- Many parts of subpart K have no comparable, substantive State regs; URA/Displacement regs at 570.606 apply to State program by reference
- Analysis of Impediments requirement doesn't flow to localities
- States required to collect MBE information but no requirement to report it to HUD
- Flood insurance program participation not required for states
- EO 12372, Intergovernmental review, at state's option, only water/sewer
- Parts of HUD Reform Act do apply to states: must have system for collecting information from applicants on financial benefits from participants/principals, but not required to report it to HUD
- Lead Paint regs have separate provisions for applying to states  
Applicability of other laws, regulations, circulars
- Fair Housing & Civil Rights
- Accessibility, Section 3, W/MBE
- Environmental, Historic Preservation, Scenic Rivers, Flood Insurance, etc.
- Labor Standards

- Uniform relocation and anti-displacement
- OMB circulars A-87, A-110, A-122, A-133, part 85, audit regulations
- Executive Order 12372, Intergovernmental review
- Executive Order 11988, Floodplain Management
- Executive Order 12072, Historic Preservation

### Current Legislation

- CDBG REFORM (Introduced in 2006) – HUD developed a revised formula to improve targeting funds to communities showing greatest need. Legislation would allow HUD to also hold grantees accountable for achieving goals. Legislation submitted but not sponsored by Member of Congress.
- Eminent Domain – Part of FY 06 Appropriations Act which prohibits the use of federal funds for activities where property acquired via eminent domain would be used for a private economic development purpose. Likely the restriction will be continued annually or could be implemented permanently.
- 108 Legislation – Part of FY 07 HUD Appropriations Act which provides States the option of directly applying for 108 loan guarantee on behalf of the uglg. States still have to pledge their block grant funds to cover loans if it ends up in default.
- Title III of the Housing and Economic Recovery Act (“Emergency Assistance for Redevelopment of Abandoned and Foreclosed Homes” ) became law on July 30, 2008, to address the mortgage foreclosure crisis. \$3.92 billion was appropriated to address this issue; 5 eligible activities ( financing mechanisms, purchase and rehabilitate homes that have been foreclosed, establish land banks, demolish blighted structures and redevelop demolished or vacant properties.

## ALPHABET SOUP - IT'S NOT JUST FOR BREAKFAST ANYMORE!

### **A glossary of common acronyms & abbreviations in the CDBG program:**

ABA	Architectural Barriers Act of 1968
ADA	Americans With Disabilities Act
AFFH	Affirmatively Furthering Fair Housing
AI	Analysis of Impediments to Fair Housing
ARC	Appalachian Regional Commission
BG	Block Group (within a Census Tract)
BNA	Block Numbering Area
CAPER	Consolidated Annual Performance Evaluation Report (the annual ConPlan report)
CBDO	Community-based development organizations
CBer	Community Builder
Certs	Certifications
CDFI	Community Development Financial Institutions
CHAS	Comprehensive Housing Affordability Strategy (a part of the ConPlan)
COG	Council of Governments
ConPlan	Consolidated Plan
CP	Citizen Participation
CPD	HUD Office of Community Planning & Development
CRS	Community Revitalization Strategy
CT	Census Tract
E.D.	Economic Development
EZ/EC	Empowerment Zones/Enterprise Communities
FHEO	HUD Office of Fair Housing and Equal Opportunity
FONSI	Finding of No Significant Impact
FTE	Full-time equivalents of jobs
HCDA (or the Act)	Housing & Community Development Act of 1974, as amended
IDIS	Integrated Disbursement & Information System
LBP	Lead-Based Paint
LDP	Limited Denial of Participation
LMI (or low/mod)	Low- and Moderate-Income person(s)
MBE	Minority-owned Business Enterprise
M.O.D.	Method of Distribution I

**ACRONYMS**, continued

PHA	Public Housing Authority
P.I.	Program Income
PJ	Participating Jurisdiction (in the HOME program)
PTO	Public Trust Officer
RC	Renewal Community
RLF	Revolving Loan Fund
RROF	Request for Release of Funds
S/B	Slum & Blight (national objective)
Title VIII	Title VIII of the Civil Rights Act of 1968 (also known as the Fair Housing Act)
UGLG	Unit of General Local Government (“ug-lug”)
URA	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
WBE	Woman-owned Business Enterprise
§105	Section of the HCDA which contains the list of eligible activities in the CDBG program
§109	Section of the HCDA prohibiting discrimination
§504	Section of the Rehabilitation Act of 1973 that prohibits discrimination on the basis of handicap

## MAXIMUM FEASIBLE DEFERENCE

### AS STATED IN 24 CFR 570.480 (c):

“...the Secretary will give maximum feasible deference to the state’s interpretation of the statutory requirements and the requirements of this regulation...”

...provided that the state’s interpretations are not plainly inconsistent with:

o the HCDA

HUD’s obligation to enforce compliance with the intent of Congress re: the program

...HUD shall not determine a state to be non-compliant with its certifications unless the state’s procedures and requirements are insufficient to afford reasonable assurance that activities are not plainly inappropriate to meeting the HCDA, the regulations & the state’s objectives

### AS IMPLEMENTED:

- Let each state design its own program to meet its own identified needs
- Minimal regulation—states have ability to interpret the law
- Not all other applicable laws or OMB circulars apply unless explicitly stated
- HUD regulations implementing other applicable laws don’t apply unless explicitly stated
- States free to establish their own policies & procedures to implement most administrative & fiscal requirements
- HUD negotiates with states & their interest groups in establishing recordkeeping & reporting requirements for the program

**HOW STATES vs. ENTITLEMENTS SPEND THEIR MONEY:**

<u>Activity Category</u>	<u>Entitle- ment Dol- lars</u>	<u>Entitle- ment %</u>	<u>State Dol- lars</u>	<u>State %</u>
Acquisition	\$219.1	6.60%	\$32.2	2.62%
Admin & Planning	\$543.5	16.37%	\$104.1	8.46%
(general program admin)	(\$460.0)	13.86%	(\$88.0)	7.16%
Economic Development	\$207.2	6.24%	\$171.0	13.90%
(infrastructure development)	(\$1.8)	.05%	(\$47.9)	3.90%
(micro enterprise assistance)	(\$20.7)	0.62%	(\$9.2)	0.75%
Housing	\$951.9	28.68%	\$207.0	16.84%
(single unit res. rehab)	(\$421.3)	12.69%	(\$160.8)	13.08%
(multi unit res. rehab)	(\$76.6)	2.31%	(\$12.5)	1.02%
(homeownership assistance)	(\$63.5)	1.91%	(\$9.2)	0.75%
Public Improvements	\$824.3	24.83%	\$680.0	55.31%
(water & sewer)	(\$57.1)	1.72%	(\$382.1)	31.08%
(parks & rec. facilities)	(\$95.2)	2.87%	(\$8.3)	0.68%
(fire stations & equipment)	(\$14.5)	0.44%	(\$15.4)	1.25%
Public Services	\$430.2	12.96%	\$22.5	1.83%

Data Source = IDIS disbursements during FY07

Dollars shown are in millions

Dollar amounts in parentheses are subtotals contained within the larger category shown above

## STATE CDBG FORMULAS VS. ENTITLEMENT FORMULAS

NON-ENTITLEMENT	ENTITLEMENT	WEIGHTING
<b>FORMULA "A"</b>		
Population	Population	x.25
Percent of population in poverty	Percent of population in poverty	x.50
Number of overcrowded housing units	Number of overcrowded housing units	x.25
<b>FORMULA "B"</b>		
Percent of population in poverty	Percent of population in poverty	x.30
Number of pre-1940 housing units	Number of pre-1940 housing units	x.50
Population	Growth Lag	x.20

- For nonentitlement areas, the formula factor number or percentage represents the sum of all nonentitlement areas in that state; the nonentitlement sum for each state is compared to the total number/average for nonentitlement areas in all states.
- In Hawaii, HUD gives each of the three counties that portion of the funding that they contributed to the state's total nonentitlement allocation
- For entitlement grantees, the formula factor number or percentage for each individual entitlement city or county is compared to the total number/average for all entitlement cities & urban counties.
- The weighting of factors is the same for both the entitlement and nonentitlement programs.
- In both the entitlement and nonentitlement programs, northeastern and midwestern grantees tend to do better under formula B; southern and western grantees tend to do better under formula A. Because growth lag is not used in the state program, this pattern is somewhat less pronounced for State CDBG.
- The Census Bureau does not collect the same level and types of information in the U.S. territories, so HUD does not use these formulas for the Insular Areas. Insular Area funding is distributed among the territories based only on their relative population.

## COMPARISON OF ENTITLEMENT AND STATE PROGRAM REGULATIONS & REQUIREMENTS

Requirement	Entitlement regulation	State regulation
Waiver authority	570.5 & 24 CFR 5.110	570.480(b) & 24 CFR 5.110
Submission requirements & certifications	570.302, 570.303 & 24 CFR Part 91	570.485(a) & 24 CFR Part 91; state buy-in certifications at HCDA 106(d)(2)(C) & (D)
Making of grants	570.304 & 24 CFR Part 91	570.497
State election to administer program	N/A	
	ELIGIBILITY & NATIONAL OBJECTIVES	HCDA §105(a); states may use Entitlement regs as guidance
Eligible activities	570.201-.206	
Ineligible activities	570.207	Whatever is not listed in HCDA §105(a); but states may use Entitlement regs as guidance
Maximum feasible deference	N/A	570.480(c), 570.481(a), 570.482(a)
Public Benefit Standards	570.209(b), (c) & (d)	570.482(f) & (g)
Underwriting Guidelines	570.209(a), (c) & (d)	570.482(e) & (g)
Prohibition on job relocation	570.210	570.482(h)
National Objectives	570.209	570.483
1% TA set-aside	N/A	HCDA 106(d)(5)
Assistance to religious entities	570.200(j)	None – states comply with 1st amendment to Constitution
Special Assessment definition	570.200(c)	None - guidance in preamble to 1992 State regs
Pre-award costs	570.200(h)	For states, no prohibition or limitation in regs or statute; for uglgs, state may allow under 570.489(b)
Definition of Low- and Moderate Income	570.3	HCDA §102(a)(20)

**COMPARISON OF ENTITLEMENT AND STATE PROGRAM REGULATIONS & REQUIREMENTS**

Definition of income	570.3	None.
Fees for use of facilities	570.200(b)(2)	None. States may use Entitlement regs as guidance
Facilities containing eligible & ineligible uses	570.200(b)(1)	None. States may use Entitlement regs as guidance
20% limit on planning & administrative costs	570.200(g)	570.489(a)(3); state admin. costs, 570.489(a)(1)
3% Admin/TA provision	None	106(d)
Activities outside jurisdiction boundaries	570.309	570.486(b)
Charging fees of uglgs	None.	570.489(a)
Float-funded activities	570.301	None.
Escrow Accounts	570.511	None
Lump sum drawdowns	570.513	None. § 104(h) effectively requires states to follow 570.513 as they are the only standards set by HUD
Compliance with Primary Objective (Overall benefit)	570.200(a)(3)	570.484
	<b>ADMINISTRATIVE REQUIREMENTS</b>	
Program Income	570.500(a); 570.504	570.489(e)
Closeout requirements	570.509	CPD Notice 98-03
Subrecipients	Definition: 570.500(c) Agreements: 570.503	None; the term “subrecipient” is generally not used in State CDBG
Use of real property	570.505	570.489(j)
Conflict of Interest	570.611	570.489(h) for state itself; states to establish requirements for uglgs
Use of consultants	570.200(d)	None. Procurement & conflict of interest covered by 570.489(g) & (h)
Debarred & Suspended Contractors	570.609 & 24 CFR Part 5	24 CFR Part 5

**COMPARISON OF ENTITLEMENT AND STATE PROGRAM REGULATIONS & REQUIREMENTS**

Recordkeeping requirements	570.506	570.490(a) - HUD to negotiate Recordkeeping Reqmts for states; 570.490(b) - states establish reqmts for uglgs
Reporting requirements	570.507; 24 CFR 91.520	570.491; 24 CFR 91.520
Access to records	570.508	570.490(c)
Uniform Administrative Requirements	24 CFR Part 85 as modified by 570.502	570.489(d) – States may establish their own systems
Cost principles	570.200(a)(5); OMB A-87, A-122, A-21	OMB Circulars A-87, A-122, A-21
Uniform Administrative Requirements & Cost Principles	570.610, 24 CFR Parts 84 & 85; OMB A-87, A-110, A-122, A-128, A-133	OMB A-87, A-110, A-122, A-133
	<b>OTHER APPLICABLE REQUIREMENTS</b>	
Civil Rights Act of 1964, Fair Housing Act, EO 11063, AFFH	570.601, EO 11063, EO 12259	None. States to comply with the laws & Eos 11063 & 12259
HCDA Section 109 nondiscrimination	570.602	570.495(b) re: noncompliance by state or uglg; otherwise, states to comply with law
Labor Standards	570.603	None. States to comply with HCDA §110 & Labor Stds. Laws
Lead Based Paint	570.608 & 24 CFR Part 35	570.487(c) & 24 CFR Part 35
Environmental Standards	570.200(a)(4); 570.604; 24 CFR Part 58	HCDA §104(g); 24 CFR Part 58
Flood Insurance Program	570.605; 44 CFR 59-79	None. States not required to participate in Program
Floodplain Management	EO 11988 & 24 CFR Part 55	EO 11988 & 24 CFR Part 55
Displacement, relocation, acquisition & replacement of housing	570.606; 24 CFR Part 42; 49 CFR Part 24	570.488; 570.606; 24 CFR Part 42; 49 CFR Part 24
Intergovernmental Review	570.612 & 24 CFR Part 52; EO 12372	States may choose to/not to apply EO 12372 to State CDBG, per 24 CFR 52.6
Minority Business Enterprise	570.607(a) & EO 11246 et seq.	EO 11246 et seq., EO 12432
Section 3	570.607(b) & 24 CFR Part 135	570.487(d) & 24 CFR Part 135
ABA & ADA	570.614	570.487(e)

**COMPARISON OF ENTITLEMENT AND STATE PROGRAM REGULATIONS & REQUIREMENTS**

Section 504 Disability Non-discrimination	24 CFR Part 8	24 CFR Part 8
HUD Reform Act	N/A	24 CFR Part 4
Eligibility restrictions on resident aliens	570.613 & 24 CFR Part 49	24 CFR Part 49; note that 570.613 specifically addresses coverage of states
	<b>MONITORING &amp; SANCTIONS</b>	
Meeting Consolidated Plan responsibilities	570.903	None; HUD determines state compliance with certifications & MOD, per 570.493(a)
Equal Opportunity & Fair Housing review criteria	570.904	None.
HUD determination of continuing capacity & timeliness	570.902 = timely expenditure; 570.905	570.494 = timely distribution; HCDA 104(e)(1) & (2); states are to make determinations of uglgs' performance & capacity per 570.492 & HCDA 104(e)(2)
Corrective & remedial actions for noncompliance	570.910	570.495(a)
Sanctions for noncompliance	570.900, 570.911 & 570.913	570.496
Nondiscrimination noncompliance	570.912	570.495(b)