



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

PRINCIPAL DEPUTY ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

MEMORANDUM FOR: Volusia County, Florida for Disasters Occurring in 2022
(Allocations announced in the May 2023 Notice);
Community Planning and Development Field Office
Directors, Deputy Directors, Regional Directors, and
Program Managers

FROM: David C. Woll Jr., Principal Deputy Assistant Secretary for
for Community Planning and Development, D
David C. Woll Jr. 5/22/2025

SUBJECT: Reimbursement Extension (Volusia County Only)

APPLICABILITY DATE: May 28, 2025

PURPOSE

This waiver and alternative requirement memorandum governs Community Development Block Grant Disaster Recovery (CDBG-DR) funds allocated to Volusia County, Florida, pursuant to the Appropriations Act, 2023 (Pub. L. 117-328, Division L, Title II) approved December 29, 2022, (the "Appropriations Act") for a major disaster occurring in 2022.

WAIVER AND ALTERNATIVE REQUIREMENT AUTHORITY

The Appropriations Act made available \$3,000,000,000 in CDBG-DR funds for major disasters that occurred in 2022 or later. The CDBG-DR funds made available by this act are for necessary expenses for activities authorized under Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*) (HCDA) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the "most impacted and distressed" areas resulting from qualifying major disasters.

The Appropriations Act authorizes the Secretary to waive or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary, or use by the recipient, of these funds, except for requirements related to fair housing, nondiscrimination, labor standards, and the environment. HUD may also exercise its regulatory waiver authority under 24 CFR 5.110, 91.600, and 570.5. The waiver and alternative requirement included below is based upon a determination by the Secretary that good cause exists, and that the waiver and alternative requirement is not inconsistent with the overall purposes of Title I of the HCDA.

The Appropriations Act authorized the Secretary to publish any waiver or alternative requirement via a *Federal Register* notice or on the Department's website, no later than 5 days before the effective date of such waiver or alternative requirement. For the waiver and

alternative requirement included below, HUD is exercising its authority to publish on its website.

HUD announced CDBG-DR funds appropriated by Pub. L. 117-328 for a major disaster occurring in 2022 in the *Federal Register* notice published on May 18, 2023 (the “May 2023 Notice”) at 88 FR 32046.

The May 2023 Notice included the Consolidated Notice as Appendix B and made the Consolidated Notice applicable to the grants announced in the May 2023 Notice. The Department allocated \$328,910,000 to Volusia County for unmet disaster needs and mitigation activities in the most impacted and distressed areas resulting from a 2022 disaster governed by the May 2023 Notice. This memorandum modifies the requirements for the CDBG-DR funds awarded to Volusia County *only* under the Appropriations Act by adding a new waiver and alternative requirement.

REIMBURSEMENT EXTENSION WAIVER (VOLUSIA COUNTY)

Background

In paragraph III.F.5 of the Consolidated Notice at 88 FR 32075, HUD permits grantees to charge to the CDBG-DR grants the pre-award and pre-application costs of homeowners, renters, businesses, and other qualifying entities for eligible costs these applicants have incurred in response to an eligible disaster covered under a grantee’s applicable Allocation Announcement Notice. For purposes of the Consolidated Notice, pre-application costs are costs incurred by an applicant to CDBG-DR funded programs after the incident date of the covered disaster and before the time of application to a grantee or subrecipient.

In addition to other requirements, paragraph III.F.5 stipulates that grantees may charge the eligible pre-application costs to the grant only if: (1) the person or private entity incurred the expenses within one year after the applicability date of the grantee’s Allocation Announcement Notice (or within one year after the date of the disaster, whichever is later); and (2) the person or entity pays for the cost before the date on which the person or entity applies for CDBG-DR assistance.

In response to a request and justification provided by Volusia County, on August 8, 2024, HUD published an alternative requirement memorandum (Memorandum 24-02) on its website to modify the alternative requirement in paragraph III.F.5 of the Consolidated Notice in the May 2023 Notice to change the reimbursement deadline for eligible pre-application costs and extend the deadline from May 23, 2024, to May 23, 2025, for all funds provided under the Appropriations Act for Volusia County.

The Department received a second request and justification from Volusia County to change the reimbursement deadline of May 23, 2025, and extend the deadline to October 31, 2025. In the waiver request, the County expresses its desire to extend the reimbursement deadline to allow more impacted homeowners to participate in its Single Family Repair and Replacement Program. Volusia County has conducted extensive outreach to impacted areas within the community and still anticipates additional participation in the program if the eligible

period for reimbursement is extended.

Additionally, Volusia County was impacted by a second presidentially declared disaster, Hurricane Milton, in October 2024, and received a new CDBG-DR award through Pub. L. 118-158. HUD announced the availability of these funds in the *Federal Register* notice published on January 16, 2025, at 90 FR 4759. To address unmet disaster needs resulting from Hurricane Ian and Hurricane Milton, the County intends to use its grant funds interchangeably and use a consistent program design across its 2022 and 2024 disaster recovery efforts. While the reimbursement periods for the two grants remain distinct, extending the reimbursement deadline for the 2022 CDBG-DR funds will support administrative efficiency and programmatic alignment. This approach enables the County to build on its existing infrastructure and program design to streamline implementation, reduce administrative burden, and provide continuity in serving residents impacted by both disasters.

Reimbursement Extension Waiver and Alternative Requirement (Volusia County only)

After reviewing the grantee's request and based on the good cause provided above, the Department finds there is good cause to modify the alternative requirement in paragraph III.F.5 of the Consolidated Notice (88 FR 32075), as modified by Memorandum 24-02, to extend the reimbursement deadline for eligible pre-application costs to October 31, 2025, for all funds provided under the Appropriations Act for Volusia County *only*. The County may reimburse persons or private entities for disaster-related costs incurred until October 31, 2025, or the date of application, whichever is earlier. Should the program application(s) be submitted prior to the reimbursement deadline of October 31, 2025, the eligible reimbursement period would be from the date of the qualified disaster to the date of the application for each applicant. When reimbursing eligible pre-application costs, the County is reminded to follow all requirements described in paragraph III.F.5 of the Consolidated Notice, as waived or modified. This waiver and alternative requirement shall expire on October 31, 2025.

FOR FURTHER INFORMATION CONTACT

Tennille Smith Parker, Director, Office of Disaster Recovery, U.S. Department of Housing and Urban Development, 451 7th Street SW, Room 7282, Washington, DC 20410, telephone number 202-708-3587. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit:

<https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>. Facsimile inquiries may be sent to Ms. Parker at 202-708-0033. (Except for the "800" number, these telephone numbers are not toll-free.) Email inquiries may be sent to Disaster_Recovery@hud.gov.