To: HOME (or HUD funding) Applicants

From: Georgia Department of Community Affairs, Office of Housing Finance and Development

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020

Re: Environmental Review Publication Procedure and Relocation Notice

This letter is to acknowledge receipt of an application for HOME funding for a proposed project known as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name) and located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ address of project.

In accordance with U.S. Department of Housing and Urban Development (“HUD”) regulations at 24 CFR 58.43, Notifications for Environmental Assessments, DCA is required to give notice to all Applicants applying for HOME or other HUD funds regarding the Environmental Review Publication procedure.

Applicants applying for HOME funds must obtain clearance from their environmental review. Projects that fail to successfully complete the federal environmental review process are ineligible for HOME funding. Therefore, as an Owner and/or Developer, you **must refrain** from undertaking activities that would have an adverse environmental impact prior to the receipt of an environmental clearance letter from DCA removing the stipulated conditions**. Such activities include: acquiring, rehabilitating, converting, leasing, repairing, or constructing property.** Nor may an Applicant commit or expend HUD **or** non-federal funds until the federal environmental review process has been completed. Thus, no project expenditures may be incurred or any funds expended for any activity (other than exempt activities–see 24 CFR 58.34) prior to receipt of an environmental clearance letter removing conditions.

However, activities that generally have no physical impact on the environment are exempt under 24 CFR §58.34(a)(1)-(11). **With DCA’s prior approval\***, allowed activities that may be performed during this time include:

* Environmental and other studies;
* Information and financial services;
* Administrative and management activities;
* Inspections and testing of properties for hazards or defects;
* Purchase of insurance;
* Engineering or design costs; or
* Assistance for temporary or permanent improvements that do not alter environmental conditions and limited to protection, repair, restoration activities only necessary to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration.

**\*Requests to undertake one or more of the above mentioned must be submitted to Ryan Fleming at** [**ryan.fleming@dca.ga.gov**](mailto:ryan.fleming@dca.ga.gov) **for approval.**

In addition, if work is already underway on a project in accordance with pre-existing legally binding contracts that were entered into prior to the submittal of the formal application, project owners may proceed, *at their own risk*, with activities that are authorized under pre-existing legally binding contracts. Failure to stop work where no pre-existing legally binding contracts exist could trigger a recovery of funds from HUD. Applicants are required to provide DCA with copies of the pre-existing legally binding contracts when this Notice is submitted, along with documentation, if any, of the penalties that will be occurred if work ceases.

In regard to rehabilitation projects that are occupied, displacement assistance as outlined under DCA’s Relocation policy (see DCA Relocation Manual) is triggered and notice is required to be given to all residents that an application for federal funding assistance has been made and that the obligation to pay relocation benefits accrues upon the submission of an application.

**Applicant acknowledges receipt of this letter and notice is hereby given to refrain from undertaking prohibited activities as defined in 24 CFR §58.5 unless** **pre-existing legally binding contracts were entered into prior to the submittal of the formal application and work must continue under those contracts. Applicant will adhere to the guidelines set forth in the DCA Relocation Manual.**

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**Applicant Name Date**