

## PUBLIC NOTICE OF PROPOSED RULEMAKING

---

**AGENCY:** Rhode Island Housing and Mortgage Finance Corporation

**DIVISION:** None

**RULE IDENTIFIER:** ERLID #1124

**REGULATION TITLE:** Rules and Regulations of the Corporation Applicable to the Neighborhood Revitalization Program

**RULEMAKING ACTION:** Direct Final

**DIRECT FINAL:** If no formal objection is received on or before March 20, 2017, Agency will file the repeal without further opportunity for public comment.

**TYPE OF FILING:** Repeal

**DATES:** Public Notice Date: February 16, 2017; End of Comment Period Date: March 20, 2017; Hearing Date, if any: TBD

**SUMMARY OF PROPOSED RULE:** The purpose of this repeal is to eliminate an obsolete rule. The above-captioned rule describes a program, the primary purpose of which was to spur revitalization efforts in Rhode Island neighborhoods through a process of community planning and involvement. The program provided planning and targeted assistance grants. After a period of several years, the program ceased to operate. As a result, the rule no longer serves a practical purpose.

**COMMENTS INVITED:**

All interested parties are invited to submit written or oral comments concerning the proposed repeal by March 20, 2017, to the address listed below.

**ADDRESS FOR PUBLIC COMMENT SUBMISSIONS:**

Corinne Myers, Deputy General Counsel  
Rhode Island Housing and Mortgage Finance Corporation  
44 Washington Street, Providence, Rhode Island 02903  
[cmyers@rhodeislandhousing.org](mailto:cmyers@rhodeislandhousing.org)

**PUBLIC HEARING:**

In accordance with RIGL § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

**FOR FURTHER INFORMATION CONTACT:**

Corinne Myers, Deputy General Counsel  
Rhode Island Housing and Mortgage Finance Corporation  
44 Washington Street  
Providence, Rhode Island 02903  
(401) 277-1552  
[cmyers@rhodeislandhousing.org](mailto:cmyers@rhodeislandhousing.org)

**SUPPLEMENTARY INFORMATION:**

**Regulatory Analysis Summary and Supporting Documentation:**

No economic impact was identified in connection with this repeal. By this action, Rhode Island Housing proposes to repeal an obsolete rule, and does not (a) impose any compliance or reporting obligations; (b) require adherence to schedules or deadlines; (c) establish performance, design or operational standards; or (d) establish any other requirements, which may be consolidated or simplified or from which small businesses could be exempt. This repeal is intended to further the objectives of the Office of Regulatory Reform by eliminating an obsolete rule.

**Authority for This Rulemaking:** R.I. General Laws § 42-55-5(5)

**Regulatory Findings:**

In the development of the proposed repeal consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

**The Proposed Action:**

Rhode Island Housing and Mortgage Finance Corporation proposes to repeal ERLID #1124 in its entirety:

~~**RHODE ISLAND HOUSING AND MORTGAGE FINANCE CORPORATION  
RULES AND REGULATIONS OF THE CORPORATION  
APPLICABLE TO THE NEIGHBORHOOD REVITALIZATION PROGRAM**~~

~~SECTION 1. THE NEIGHBORHOOD REVITALIZATION PROGRAM~~

- ~~1.1. Program Purposes and Objectives. Rhode Island Housing and Mortgage Finance Corporation hereby promulgates Rules and Regulations (the "Regulations") applicable to the Neighborhood Revitalization Program (the "Program"). The primary purpose of the Program is to spur revitalization efforts in Rhode Island neighborhoods through a process of community planning and involvement. There are two components to the NRP program; 1) Neighborhood Planning Grants, and 2) Targeted Assistance Grants.~~

~~Neighborhood Planning Grants ("Planning Grants") shall be used to fund a comprehensive, community-based, neighborhood planning process resulting in a five-year revitalization action plan. Plans should address the full range of community needs such as housing, neighborhood services, open space, transportation, jobs, schools, health care, day care and public safety.~~

~~Targeted Assistance Grants may be used to fund a wide range of activities aimed at improving the quality, or increasing the availability of affordable housing. Proposals receiving Targeted Assistance Grants must provide for public input and involvement, and result in an action plan for implementing recommendations.~~

~~These Regulations set forth criteria established by the Corporation for the Neighborhood Revitalization Program.~~

~~SECTION 2: DEFINITIONS~~

- ~~2.1. As used in these Rules and Regulations:~~

~~2.1.1. "Program" means the Neighborhood Revitalization Program as set forth in these Regulations.~~

~~2.1.2. "Corporation" means Rhode Island Housing and Mortgage Finance Corporation.~~

~~2.1.3. "Board" means the Board of Commissioners of the Corporation.~~

~~2.1.4. "Executive Director" means the Executive Director of the Corporation or his designee.~~

- ~~2.1.5. "Advisory Committee" means a Committee formed for the purposes of informing and contributing to the Neighborhood Revitalization Program. The Committee will be made up of individuals invited to serve by the Executive Director, representing public, private, or non-profit organizations involved in affordable housing or community and economic development activities in Rhode Island.~~
- ~~2.1.6. "Planning Grant" means Neighborhood Planning Grant as set forth in Section 3 of these Rules and Regulations.~~
- ~~2.1.7. "Targeted Assistance Grant" means Targeted Assistance Grant as set forth in Section 4 of these Rules and Regulations.~~
- ~~2.1.8. "Action Plan" means a detailed description of neighborhood revitalization projects or activities to be achieved in the specified time frame including a list of key projects or activities, a time line, identification of responsible parties, and identification of potential funding sources for each project or activity. Action Plans should reflect the goals and objectives identified through the community participation process.~~
- ~~2.1.9. "Vision Statement" means a formal expression of the desired overall character of what the community wants to be and how it wants to look at the end of the five year implementation period. The Vision Statement should reflect the goals and objectives identified through the community participation process.~~
- ~~2.1.10. "Eligible Applicant" means; (i) a municipal or local government located in the State of Rhode Island; (ii) any public housing authority or redevelopment authority, agency, or corporation lawfully created and located in the State of Rhode Island; (iii) any Rhode Island based organization exempt from state and federal income taxation; or (iv) any partnership or joint venture consisting of at least one of the entities described in subsection (i), (ii) and (iii) of this Section 2.1.10. An Eligible Applicant must be located, conduct its business, or provide services in the targeted neighborhood.~~
- ~~2.1.11. "Targeted Area" means the geographic area defined in the Planning Grant or Targeted Assistance Grant application targeted for planning, revitalization, or other activities.~~
- ~~2.1.12. "Proposal" means a proposal submitted by an Eligible Applicant for consideration for a Planning Grant or Targeted Assistance Grant through the Neighborhood Revitalization Program.~~
- ~~2.1.13. "Eligible Expenses" means expenses for which Planning and Targeted Assistance grants may be used, including but not limited to; professional~~

~~planning assistance, printing, outreach efforts, market or feasibility studies, and engineering work. Funding may not be used to pay for existing staff or operating costs of grant recipients.~~

### ~~SECTION 3. PLANNING GRANTS~~

#### ~~3.1. Eligible Applicants~~

~~Applicant must be an Eligible Applicant as defined in Section 2, subsection 2.1.10. of these Regulations.~~

#### ~~3.2. Proposal Requirements~~

~~Proposals should meet the requirements specified in the Request for Proposals (RFP) and must;~~

##### ~~3.2.1. Result in a Vision Statement and detailed five year Action Plan;~~

##### ~~3.2.2. Utilize a public participation process to produce the Vision Statement and Action Plan and develop neighborhood consensus;~~

##### ~~3.2.3. Schedule completion of the planning process, Vision Statement and Action Plan within the time frame specified in the RFP.~~

#### ~~3.3. Application Process~~

##### ~~3.3.1. Request for Proposals~~

~~The Corporation will announce an RFP from Eligible Applicants for Neighborhood Planning Grants every three years beginning in fiscal year 2004, or according to funding availability. Application requirements and the deadline for receipt of applications will be disclosed in the RFP.~~

##### ~~3.3.2. Review Process~~

~~Proposals received by the deadline specified in the RFP shall be reviewed by the Corporation staff to determine eligibility of applicants and conformance with Proposal Requirements as defined in Section 3, Subsection 3.2. and the requirements of the RFP. All Proposals that comply with these requirements will thereupon be evaluated based on the review criteria specified in Section 3, Subsection 3.3.4. of these Regulations. Input on Proposals shall also be requested from the Advisory Committee. Planning Grant awards will be made by the Board based on staff and Advisory Committee recommendations.~~

##### ~~3.3.4. Review Criteria~~

~~In evaluating Proposals, consideration will be given to;~~

- ~~(i) Housing needs of the target neighborhood;~~
- ~~(ii) Effectiveness of the planning process in including people of different incomes, cultures and needs;~~
- ~~(iii) Effectiveness in addressing all criteria required in RFP;~~
- ~~(iv) Applicant's direct involvement in the neighborhood;~~
- ~~(v) Applicant's capacity to proceed effectively in preparing an action plan;~~
- ~~(vi) Applicant's ability to encourage participation, create consensus and collaborate with other organizations;~~
- ~~(vii) Applicant's depth of knowledge of all facets of the neighborhood;~~
- ~~(viii) An adequately detailed budget and appropriate timelines;~~
- ~~(ix) Proposals which preserve housing stock and promote its economic integration with the community;~~
- ~~(x) Geographic diversity;~~
- ~~(xi) Utilization of partnerships among all facets of community; private/public/ and non-profit.~~

~~3.3.5. Planning Grant awards shall not exceed \$50,000, or such amount as may be set by Program Bulletin from time to time.~~

#### ~~SECTION 4. TARGETED ASSISTANCE GRANTS~~

##### ~~4.1. Eligible Applicants.~~

~~Applicant must be an Eligible Applicant as defined in Section 2, subsection 2.1.10. of these Regulations.~~

##### ~~4.2. Proposal Requirements~~

~~Proposals should meet the requirements specified in the Request for Proposals for the Targeted Assistance Grant competition and must;~~

~~4.2.1. Utilize a public participation process;~~

~~4.2.2. Result in an Action Plan in addition to any other final results specified in the Proposal;~~

~~4.2.3. Schedule completion of the Action Plan and any other final results specified in the Proposal within the time period specified in the RFP.~~

~~4.3. Application~~

~~4.3.1. Request for Proposals~~

~~An RFP for Targeted Assistance Grants shall be issued by the Corporation beginning in fiscal year 2002 subject to funding availability.~~

~~4.3.2. Review Process~~

~~Proposals received by the deadline specified in the RFP shall be reviewed by the Corporation staff to determine eligibility of applicants and conformance with Proposal Requirements as defined in Section 4, Subsection 4.2, and the requirements of the RFP. All Proposals that comply with these requirements will thereupon be evaluated based on the review criteria specified in Section 4, Subsection 4.3.3. of these Regulations. Targeted Assistance Grants will be awarded as they are approved by the Executive Director for so long as funding is available.~~

~~4.3.3. Review Criteria~~

~~In evaluating Proposals, consideration will be given to;~~

- ~~(i) Neighborhood needs;~~
- ~~(ii) Innovative approaches to creating, rehabilitating, or preserving affordable housing;~~
- ~~(iii) Effectiveness of proposal in involving residents;~~
- ~~(iv) Effectiveness in addressing all criteria required in RFP;~~
- ~~(v) Applicant's direct involvement in the neighborhood;~~
- ~~(vi) Applicant's capacity to proceed effectively in preparing and implementing an action plan;~~

- ~~(vii) Applicant's ability to encourage participation, create consensus and collaborate with other organizations;~~
- ~~(viii) An adequately detailed budget and appropriate timelines;~~
- ~~(ix) Proposals which augment or preserve housing stock and promote its economic integration within the community;~~

~~4.3.5. Targeted Assistance Grant awards shall not exceed \$10,000, or such amount as may be set by Program Bulletin from time to time.~~

## ~~SECTION 5: MISCELLANEOUS~~

### ~~5.1. Responsibilities of Grant Recipients~~

~~The Corporation shall be considered a partner in Planning Grant and Targeted Assistance Grant agreements for the purposes of notification of all meetings or public forums, and provision of all documentation of meetings, and planning documents produced.~~

### ~~5.2. Advertisements, Promotions, etc.~~

~~The Corporation may from time to time make reference to and use information regarding Planning Grant and Targeted Assistance Grant recipients in advertisements, brochures, newspaper articles, periodicals and in other promotional materials.~~

### ~~5.3. Waiver~~

~~Upon a determination and finding of Good Cause, the Corporation may waive any provision of the Regulations. Good Cause includes facts or circumstances where the granting of a waiver (i) is necessary to permit the successful completion of a Planning Grant or Targeted Assistance Grant Proposal, (ii) would not pose an undue financial risk to the Corporation, (iii) is necessary to carry out the purposes of the Neighborhood Revitalization Program, and (iv) is consistent with the mission of the Corporation. Each waiver must be in writing and must be supported by documentation of the pertinent facts and circumstances.~~