



**FLORIDA DEPARTMENT *of*
ECONOMIC OPPORTUNITY**

**COMMUNITY DEVELOPMENT
BLOCK GRANT –
DISASTER RECOVERY**

HURRICANE MICHAEL

CITIZEN PARTICIPATION PLAN

Contents

- Version History3**
- I. INTRODUCTION4**
- II. ACTION PLAN5**
- III. AMENDMENTS TO ACTION PLAN5**
 - Substantial Amendment 5
 - Non-substantial Amendment..... 6
- IV. PUBLIC NOTICE AND COMMENT PERIOD.....6**
- V. CONSIDERATION OF PUBLIC COMMENTS7**
- VI. ACCESSIBILITY OF INFORMATION FOR PERSONS WITH DISABILITIES AND LIMITED ENGLISH PROFICIENCY7**
- VII. PUBLIC OUTREACH.....8**
 - Webinar..... 8
 - Hurricane Michael Long-Term Recovery Community Stakeholder Survey..... 8
 - Stakeholder Meetings 10
 - Community Workshops 11
 - Washington County 11
 - Gulf County 11
 - Franklin County 11
 - Calhoun County..... 11
 - Bay County 11
 - Gadsden County..... 11
 - Bay County 11
 - Jackson County..... 11
 - Liberty County..... 12
- VIII. PUBLIC WEBPAGE12**
- IX. PERFORMANCE REPORTING.....12**
- X. TECHNICAL ASSISTANCE.....13**
- XI. CITIZEN COMPLAINTS AND INQUIRIES13**
- XII. FAIR HOUSING14**
 - Suggested Activities for Landlords, Managers, Agents, and the General Public 15
 - Fair Housing Complaints 16
- XIII. APPEALS.....16**
 - Housing Repair and Replacement Appeals (Program Reconsideration)..... 16
 - Appeals Process 17

XIV. UNIFORM RELOCATION ACT (URA) APPEALS20

XV. ANTI-FRAUD, WASTE, AND ABUSE (AFWA).....20

 Scope..... 20

 Anti-Fraud, Waste, and Abuse Complaint Process 21

 Fraud, Waste, and Abuse Prevention Measures..... 21

 Confidentiality..... 22

 Cooperation with Official Department Investigations 23

 Fraud Related Training 23

 Administration 23

XVI. ACCESS TO RECORDS23

 Public Records Request Procedure 25

 A. Intake and Processing 25

 B. Production of Records to Requestor 26

 C. Public Record Requests for Email Correspondences 27

XVII.ADDITIONAL OUTREACH27

Version History

31 July, 2020	Draft Citizen Participation Plan posted to website
1 January, 2021	Updated list of open Rebuild Florida centers, updated Disaster Recovery address, updated phone number for Fair Housing complaints
25 March, 2021	Updated references to Office of Disaster Recovery (ODR) with the program's new name, Office of Long-Term Resiliency (OLTR)

COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (CDBG-DR)

HURRICANE MICHAEL

CITIZEN PARTICIPATION PLAN

I. INTRODUCTION

On October 10, 2018, Hurricane Michael made landfall as a Category 5 hurricane, causing catastrophic damage to communities in the Florida Panhandle. The Florida Department of Economic Opportunity (DEO) is committed to helping Florida's communities recover from the devastating impacts of Hurricane Michael. DEO is the governor-designated state authority responsible for administering all U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) funding awarded to the state.

Florida values citizen and stakeholder engagement. Florida has developed a Citizen Participation Plan in compliance with Federal Register Notice, Volume 83, No. 28 published Friday, February 9, 2018 and HUD Federal Register Notice, Volume 85, No. 17 published Monday, January 27, 2020, § 24 CFR 91.115 and applicable HUD requirements to set forth the policies and procedures applicable to citizen participation. This plan is intended to maximize the opportunity for citizen involvement in the planning and development of the Rebuild Florida recovery program.

The primary goal of the Citizen Participation Plan is to provide Floridians with definitive opportunities to involve themselves in the recovery process as it pertains to CDBG-DR funds.

According to [83 FR 5844](#), "To permit a more streamlined process, and ensure disaster recovery grants are awarded in a timely manner, provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, and 24 CFR 91.115(b) and (c), with respect to citizen participation requirements, are waived and replaced by the requirements below. The streamlined requirements do not mandate public hearings but do require the grantee to provide a reasonable opportunity (at least 14 days) for citizen comment and ongoing citizen access to information about the use of grant funds."

In order to facilitate citizen involvement, Florida has laid out target actions to encourage citizen participation and allow equal access to information about the Rebuild Florida program. Florida intends to focus outreach efforts to facilitate participation from individuals of low-and moderate-income, those living in slums and blighted areas, those living in areas identified for recovery through Rebuild Florida, non-English speaking persons and other disadvantaged populations. Florida will publish its action plan in English and Spanish.

The most current version of OLTR’s Citizen Participation Plan for Hurricane Michael will be placed in the Hurricane Michael Section of the OLTR website at <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative/hurricane-michael>.

II. ACTION PLAN

The State of Florida Action Plan for Hurricane Michael (Action Plan), and any following amendments, defines how the Office of Long-Term Resiliency will effectively use all available funding to support a data driven recovery based on the calculation of unmet need across the state. The action plan describes Florida’s proposed allocation by activity and lays out program designs for each area of assistance. The plan also identifies the beginning and end dates for each disaster recovery activity, performance and expenditure schedule.

Before adopting the Action Plan, DEO sought public input on program design issues including the amount of assistance Florida expected to receive, the range of activities that may be undertaken, the estimated amount of benefit expected for persons of low-and-moderate income and plans to mitigate displacement. A summary of outreach feedback is included in the Action Plan approved by HUD.

On May 14, 2020, DEO announced that the state's action plan for \$735 million in funding for long-term recovery efforts for Hurricane Michael-impacted communities has been submitted to HUD.

The final plan approved by HUD is posted to <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative/hurricane-michael>.

III. AMENDMENTS TO ACTION PLAN

Substantial Amendment

As additional information and funding becomes available through the grant administration process, amendments to this Action Plan are expected. Prior to adopting any substantial amendment to this Action Plan, OLTR will publish the proposed plan or amendment on the official website and will afford citizens, affected local governments, and other interested parties a reasonable opportunity to examine the plan or amendment’s contents. At a minimum, the following modifications will constitute a substantial amendment:

- a change in program benefit or eligibility criteria;
- the addition or deletion of an activity; or

- the allocation or reallocation of more than 25 percent of the total current allocation(s) from HUD.

Citizens will be provided 30 days to review and provide comments on proposed substantial changes. A summary of all comments received will be included in the final Substantial Amendment submitted to HUD for approval.

Non-substantial Amendment

OLTR will notify HUD when it makes any plan amendment that is not substantial. HUD will be notified at least five (5) business days before the amendment becomes effective. HUD will acknowledge receipt of the notification of non-substantial amendments via email within five (5) business days.

Every amendment, substantial or non-substantial, shall be numbered sequentially and posted on the DEO website, not in replacement of, but in addition to all previous versions of the plan.

IV. PUBLIC NOTICE AND COMMENT PERIOD

Before OLTR adopts the Action Plan for this grant or any substantial amendment to this grant, OLTR will publish the proposed plan or amendment on <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative/hurricane-michael>.

Notice of public comment period will be provided by publication on <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative/hurricane-michael>. Florida will open the citizen comment period for the following timeframes:

- 30- Day Public Comment period for the original Action Plan
- 30-Day Public Comment period for Substantial Amendments

OLTR and/or subgrantees will notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, newsletters, contacts with neighborhood organizations, and/or social media.

OLTR will accept comments via USPS mail, fax or, e-mail:

Attention: Rebuild Florida Constituent Services
Florida Department of Economic Opportunity
Division of Community Development
107 East Madison Street
Caldwell Building, MSC 400

Tallahassee, FL 32399
E-mail: cdbg-dr@deo.myflorida.com

V. CONSIDERATION OF PUBLIC COMMENTS

OLTR will consider all written comments regarding the Action Plan or any substantial amendment. A summary of the comments received on the draft Action Plan, as well as DEO's response to each comment, are included in the appendix section of the Action Plan.

All comments and responses will be submitted to HUD with the Action Plan or substantial amendment.

VI. ACCESSIBILITY OF INFORMATION FOR PERSONS WITH DISABILITIES AND LIMITED ENGLISH PROFICIENCY

The state of Florida is committed to providing all citizens with equal access to information about the disaster recovery program, including persons with disabilities and Limited English Proficiency (LEP). Florida follows HUD's regulation, 24 CFR Part 1, "Nondiscrimination in Federally Assisted Programs of the Department of Housing and Urban Development—Effectuation of Title VI of the Civil Rights Act of 1964," which requires all recipients of federal financial assistance from HUD to provide meaningful access to LEP persons.

Persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English may be entitled to language assistance with respect to a particular type of service, benefit or encounter. To address this need, DEO developed and implemented a Rebuild Florida Language Access Plan, which details how Florida will address the needs of LEP individuals. Translators will be present when a significant number of non-English speaking residents can be reasonably expected to participate in public hearings or open comment periods. Outreach materials and citizen comments will also be translated into the appropriate language.

The Action Plan, any ensuing amendments, outreach materials, the application and related guidance materials will be published in English and Spanish. The languages selected were chosen based on the entire eligible area of the CDBG-DR funds and a natural break in the numbers of LEP individuals. Recognizing there may be a need for individuals to have access to the document in additional languages the OLTR will contract with an as needed translation service to provide personalized translations of the Action Plan upon request.

DEO has also posted a Babel Notice on RebuildFlorida.gov informing individuals that interpretive and translational services are available upon request. OLTR will ensure that all citizens have equal access to information about the programs, including persons with

disabilities and LEP. OLTR will ensure that program information is available in the appropriate languages for the geographic area served by the jurisdiction.

VII. PUBLIC OUTREACH

Seeking input from stakeholders and communities around the state is a very important part of the planning process. DEO used a variety of methods to understand unmet needs and to obtain feedback on how to craft programs that will meet the needs of communities as quickly as possible. In addition to gaining feedback, this helped local stakeholders understand what to expect from CDBG-DR funding and allowed them to play a key role in shaping the outcomes of this plan. The outreach methods, along with the feedback obtained, is included below.

Webinar

During the course of the planning period, DEO conducted a webinar to keep stakeholders informed of the process and solicit feedback. The webinar was held on February 21, 2020. The purpose of this webinar was to provide an orientation to the disaster recovery planning and implementation process for the Hurricane Michael CDBG-DR program.

Hurricane Michael Long-Term Recovery Community Stakeholder Survey

The unmet need assessment summarizes Hurricane Michael impacts and the remaining recovery need for housing, infrastructure and economic development by compiling, analyzing and interpreting more than 20 state and federal government data sources. DEO developed a survey to capture feedback from communities within the HUD and state-identified Most-Impacted and Distressed (MID) areas to allow for additional input from communities on unmet recovery needs and long-term recovery priorities.

The survey mirrored the feedback from the stakeholder meetings by asking for an anecdotal account of remaining housing, economic revitalization and infrastructure unmet needs. Respondents to the survey were also given an opportunity to suggest additional program ideas. The survey was launched on May 3, 2019 and closed on March 5, 2020. The survey results from 174 respondents are displayed in Figures 2-5.

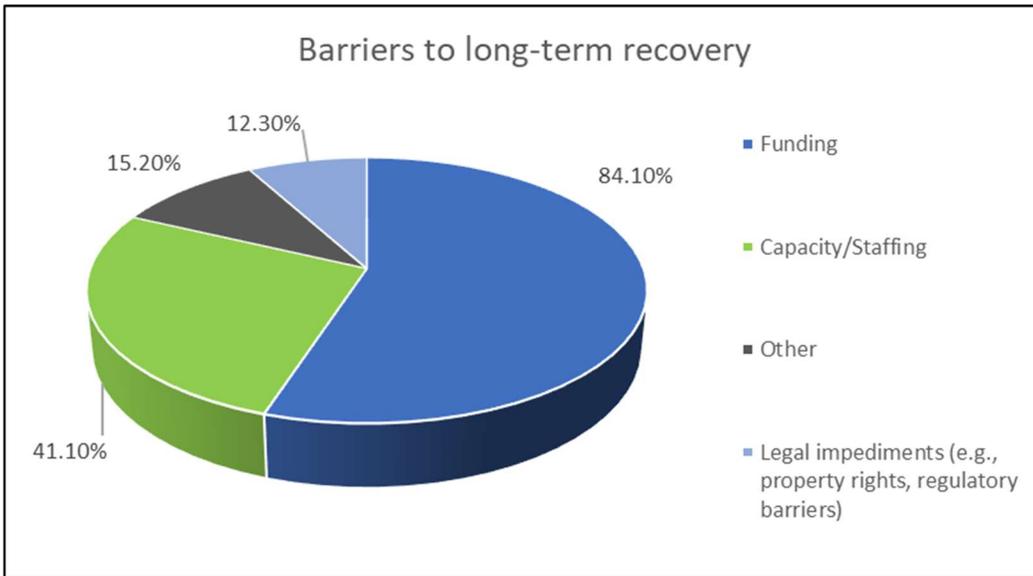


Figure 2: Barriers to long-term recovery

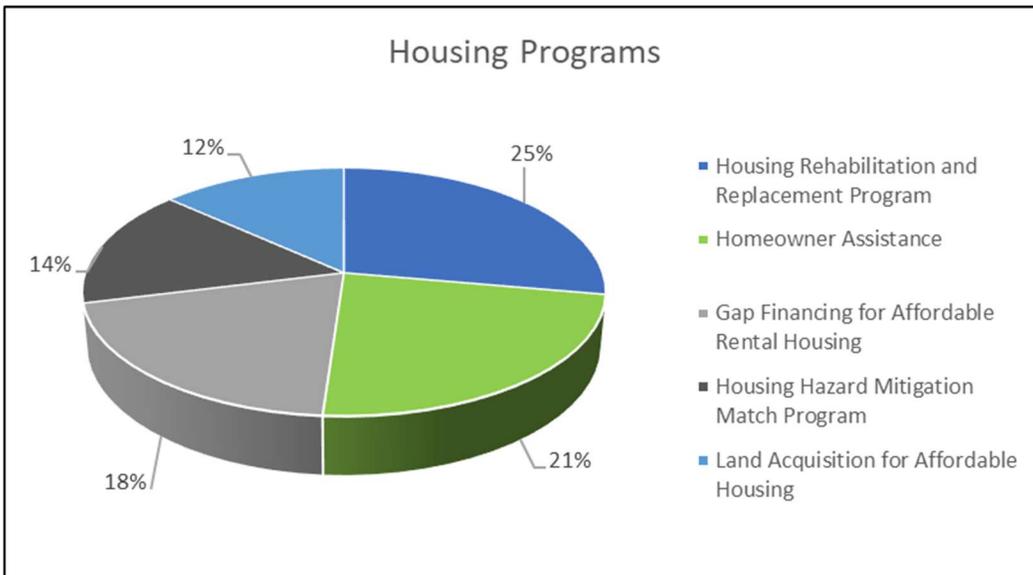


Figure 3: Housing Programs

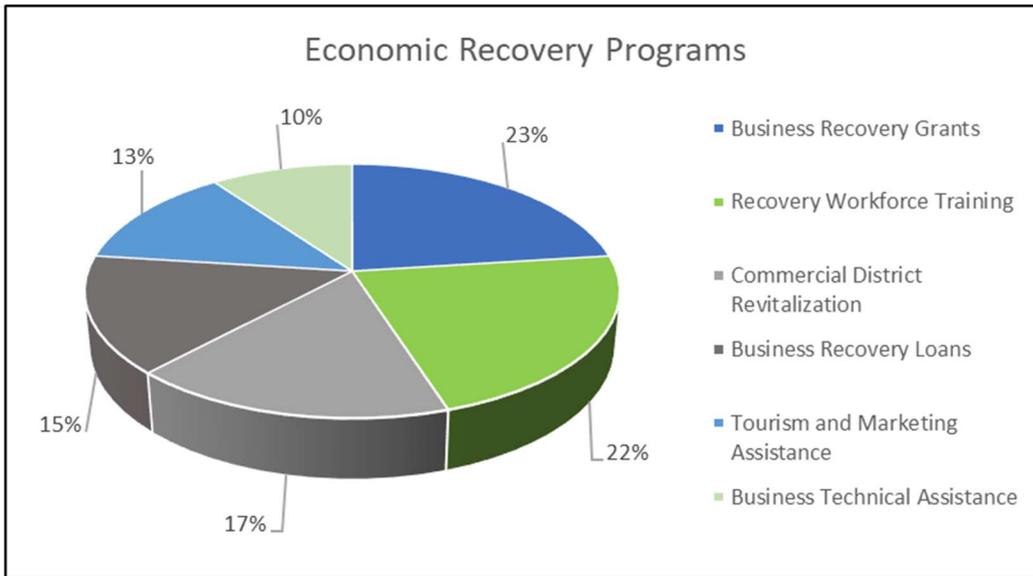


Figure 4: Economic Recovery Programs

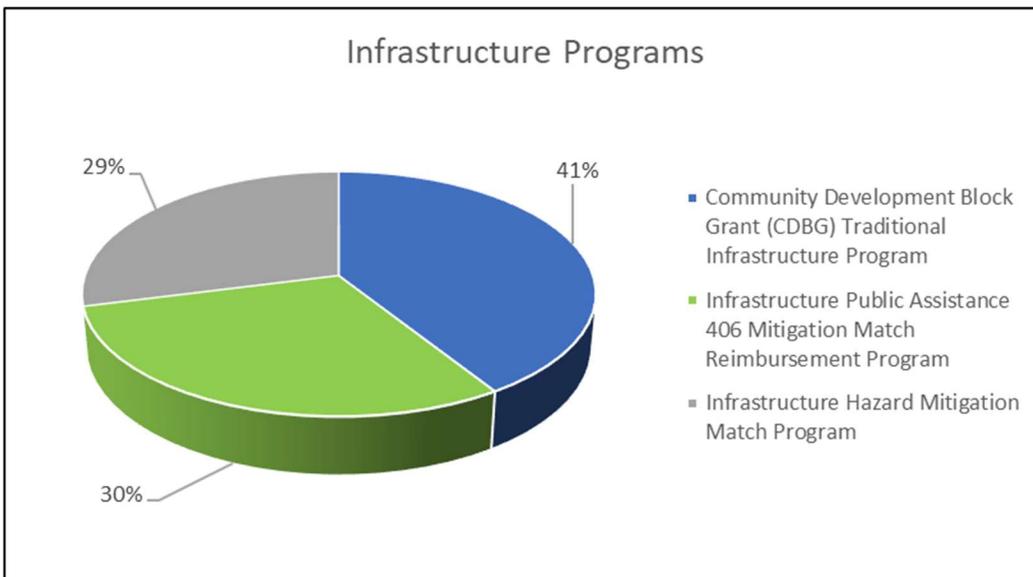


Figure 5: Infrastructure Programs

Stakeholder Meetings

DEO, FDEM and HUD traveled around the state and visited HUD-identified MID areas. At these meetings, participants were given a brief overview of the program with an opportunity to ask any questions they may have of staff. The meetings consisted of open dialogue with local government officials asking questions and DEO and HUD staff providing responses. Community members offered suggestions under the categories of housing, economic revitalization and infrastructure. In addition to meetings in the impacted areas, DEO leadership met individually with various local

governmental officials and received input through the submission of long-term recovery plans and any other documentation that was available from the local governments.

Community Workshops

As part of the development of the State Action Plan, DEO hosted a series of public workshops in communities impacted by Hurricane Michael to seek input for the use of CDBG-DR funds. Times and locations are shown below and the presentation slides are available at the following link: http://www.floridajobs.org/docs/default-source/office-of-disaster-recovery/hurricane-michael/hurricane-michael-public-workshops-presentation.pdf?sfvrsn=894640b0_2.

Washington County

Date: Wednesday, February 12, 2020
Time: 9:00a.m. – 11:00a.m. CST
Location: Washington County Agricultural Center
1424 Jackson Avenue
Chipley, FL 32428

Franklin County

Date: Thursday, February 13, 2020
Time: 9:30a.m. – 11:30a.m. EST
Location: City of Apalachicola Community Center
1 Bay Avenue
Apalachicola, FL 32320

Calhoun County

Date: Thursday, February 13, 2020
Time: 4:00p.m. – 6:00p.m. CST
Location: Calhoun County BOCC Meeting Room
20816 Central Avenue East
Blountstown, FL 32424

Bay County

Date: Friday, February 14, 2020
Time: 9:00a.m. – 11:00a.m. CST
Location: Gulf Coast State College Language and Literature Building
5230 US-98, Panama City, FL 32401

Gulf County

Date: Wednesday, February 12, 2020
Time: 3:30p.m. – 5:00p.m. EST
Location: Port St. Joe City Commission Chambers
2775 Garrison Avenue
Port St. Joe, FL 32456

Gadsden County

Date: Friday, February 14, 2020
Time: 3:00p.m. – 5:00p.m. EST
Location: Kelly Campbell Community Center
415 Cooper Street
Quincy, FL 32351

Bay County

Date: Wednesday, February 19, 2020
Time: 10:00a.m. – 11:30a.m. CST
Location: Public Works Building
114 north 22nd Street
Mexico Beach, FL 32410

Jackson County

Date: Wednesday, February 19, 2020
Time: 3:00p.m. – 5:00p.m. CST
Location: Chipola College Culture Center
3094 Indian Circle
Marianna, FL 32446

Liberty County

Date: Thursday, February 20, 2020

Time: 3:00p.m. – 4:30p.m. EST

Location: Veterans Memorial Civic Center

10405 NW Theo Jacobs Way

Bristol, FL 32321

In addition to the outreach above, DEO had many discussions with community members over the phone, sent out emails with summaries of the federal register and other information and participated in the following discussions:

- Housing Recovery Support Function Calls
- Community Place-based Recovery Support Team calls
- Community Planning and Capacity Building Recovery Support Function Calls
- Economic Recovery Support Function Calls

VIII. PUBLIC WEBPAGE

OLTR will maintain a public webpage that provides information accounting for how all grant funds are used and managed/administered. OLTR will make the following items available on <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative/hurricane-michael>: (1) the Action Plan (including all amendments); each Quarterly Performance Report (QPR) as created using the DRGR system; (2) procurement, policies and procedures; (3) executed CDBG-DR contracts; and (4) status of services or goods currently being procured by OLTR (e.g., phase of the procurement, requirements for proposals, etc.). In addition to the specific items listed above, OLTR will post information regarding all disaster recovery activities assisted with these funds. This webpage will be updated at intervals of one month or sooner.

IX. PERFORMANCE REPORTING

In accordance to HUD requirements, Florida will submit a Quarterly Performance Report (QPR) through the HUD Disaster Recovery Grant Reporting (DRGR) system no later than 30 days following the end of each calendar quarter. Three days before submission to HUD, Florida will post each QPR for public review and comment on <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative/hurricane-michael>. Program QPR's will be posted on a quarterly basis until all funds have been expended and all expenditures have been reported.

X. TECHNICAL ASSISTANCE

Upon request, limited technical assistance will be provided by Rebuild Florida program staff. Requests should be made in a timely manner and within the time parameters of the appropriate program design. DEO may contract with a Technical Assistance Provider(s) should sufficient demand for technical assistance warrant.

XI. CITIZEN COMPLAINTS AND INQUIRIES

All complaints and inquiries that are submitted to DEO will be addressed through OLTR's Constituent Management Services staff. Complaints are any verbal or written statement of grievance — including phone calls, emails, faxes, or letters — that are received by the state, its contractor, and/or other program sources. Inquiries are requests for information or assistance. All complaints and inquiries that are received will be reviewed by the Constituent Management Services staff for:

1. Conducting investigations, as necessary;
2. Finding a resolution; or
3. Conducting follow-up actions.

Every complaint and inquiry will be included in a tracking system. Constituent Management Services staff will maintain electronic files that include:

- Name of the complainant and contact information
- Date the complaint was received,
- Description of the complaint,
- Name of each person contacted in relation to the complaint,
- A summary of the result and the date of the response to complainant
- Explanation of the resolution of the file.

The goal of the state is to provide an opportunity to resolve complaints in a timely manner, usually within 15 business days as expected by HUD, if practicable. The aim of the state will be to always attempt to resolve complaints in a manner that is both sensitive to the complainant's concerns and achieves a fair result.

Complaints and inquiries can be submitted in any of the following ways:

1. Directly to DEO:

a. Via DEO's website by visiting the Rebuild Program website to complete an online complaint form at: <http://floridajobs.org/rebuildflorida/rebuild-florida-homeowner-complaint-form>

b. Via U.S. mail to:
Attention: Constituent Services Management
Florida Department of Economic Opportunity
Division of Community Development
107 East Madison Street Caldwell Building, MSC 400
Tallahassee, Florida 32399

c. Via email to: cdbg-dr@deo.myflorida.com

d. Contacting Constituent Management Services (CMS) staff directly. CMS e-mail addresses and phone numbers are listed on the Office of Long-Term Resiliency's main website (www.floridajobs.org/CDBG-DR).

2. Directly to a program-level representative:

a. Via calling the Rebuild Florida customer service center to receive assistance from a call center agent.

b. In-person at a Rebuild Florida Center to receive assistance from a Rebuild Florida Specialist.

XII. FAIR HOUSING

	<p>Title VIII of the Civil Rights Act of 1968, as amended, makes discrimination based on race, color, religion, sex, handicap, familial status, or national origin illegal in connection with the sale or rental of most housing and any vacant land offered for residential construction or use.</p>
---	--

OLTR is committed to affirmatively furthering fair housing through the established affirmative marketing policies summarized below. The goal is to ensure that eligible persons from all racial, ethnic, national origin, religious, familial status, the disabled, "special needs," gender groups, and populations least likely to apply for assistance are given the opportunity to rehabilitate their rental property that sustained damages due to Hurricane Irma and/or its after effects.

- A. In accordance to the affirmative marketing policies and procedures, program participants will be informed about available opportunities and supporting requirements via counselors, printed and electronic materials, publications, direct contact, workshops/seminars, and through the placement of flyers and posters in public facilities.
- B. The Rebuild Florida Housing Repair and Replacement Program (HRRP) will conduct marketing through widely available media outlets. Efforts will be taken to affirmatively market the Rebuild Florida program as follows:

- a. Advertise with media outlets, which provides unique access for persons who are considered members of a protected class under the Fair Housing Act.
 - b. Reach out to public or non-profit organizations under the Fair Housing Act.
 - c. Conduct other form of outreach tailored to reaching the eligible population, including door to door outreach if necessary.
- C. Applications and forms will be offered in English and Spanish. In addition, every effort will be made to assist Limited English Proficiency (LEP) potential applicants in the application process.
- D. Measures will be taken to make the program accessible to persons who are considered members of a protected class under the Fair Housing Act by holding informational meetings in buildings that are compliant with the Americans with Disabilities Act (ADA), providing sign language assistance when requested (with a three-day notice), and providing special assistance for those who are visually impaired when requested (also with a three-day notice).
- E. All marketing measures used, including copies of all advertisements and announcements, will be documented and retained and made available to the public upon request.
- F. HRRP will use the Fair Housing logo in program advertising, post Fair Housing posters and related information, and, in general, inform the public of its rights under Fair Housing regulations.

Suggested Activities for Landlords, Managers, Agents, and the General Public

OLTR is committed to affirmatively furthering fair housing through the following suggested information-based activities for landlords, managers, agents, and the general public:

- A. Information Outreach: Requesting landlords to post or provide Fair Housing Notices.
- B. Information for the General Public: Topics include overview of the Fair Housing laws, (classes, illegal acts, and penalties) rights and responsibilities in buying and selling homes, tenant selection criteria, family issues (e.g., occupancy standards, safety), and renting to the disabled, etc. See 24 CFR.50, 100.65, 100.80.
- C. Information for Rental Managers, Agents, and Landlords: Topics include overview of the Fair Housing laws, (classes, illegal acts, and penalties) tenant selection criteria, family issues (e.g., occupancy standards, safety), renting to the disabled, record keeping, advertising, and evictions.

Fair Housing Complaints

Persons alleging a violation of fair housing laws will be referred to DEO's local contact and process to file a complaint. DEO will retain a log and record all fair housing inquiries, allegations, complaints and referrals. In addition, DEO will report suspected non-compliance to HUD. The contact for Fair Housing Complaints is:

FairHousing@deo.my.florida.com

XIII. APPEALS

All applications, guidelines and websites will include details on the right to file a complaint or appeal, and the process for filing a complaint or beginning an appeal.

Housing Repair and Replacement Appeals (Program Reconsideration)

Throughout the process, decisions will be made on an application and/or project to be delivered. The decisions are made based on statutes, codes of federal regulation, local administrative code, state and local guidelines as they are interpreted by the Program. This policy guides the process for an applicant or contractor requesting program reconsideration of decisions made by the HRRP.

Applicants have a right to participate in the process, and where they believe that a mistake has been made regarding their file, the Program includes a reconsideration process to provide the applicant with a mechanism for requesting further review on a decision made on their file at the time the applicant is notified of their eligibility in their award letter. Program policies are not appealable.

Grounds to Request Reconsideration

Applicants who have applied for funding for disaster recovery may only request reconsideration of the disposition of a Program decision on one or more of the following:

1. The type of benefit the applicant is eligible to receive.
2. Duplication of Benefits estimates.
3. Scope of work
4. Completed Repair Estimates

A contractor may only request reconsideration for the issues related to draw payment or failure to meet benchmark construction deadlines.

Reconsideration Request of Local Program Decision

A party requesting reconsideration must file a written request for reconsideration with the HRRP to request a review not later than 30 days after the date the action to be reconsidered has occurred or when notice has been provided. The written request must include specific information relating to the challenge of the HRPP decision. HRRP will acknowledge receipt of the

request. HRRP will respond in writing to the request no later than 30 working days after the date of receipt of the request. The response may take one of the following actions:

1. Acknowledgment of receipt of the request for reconsideration and notification that the review of the applicant file may take longer than 30 working days;
2. Request for additional supporting documentation or information from the applicant;
3. Status of the reconsideration and estimated timeframe for decision; or
4. Final determination of the issue:
 - a. Concur with the request and make the appropriate adjustments to the staff member's decision; or
 - b. Disagree with the request and provide the basis for rejecting the request for reconsideration to the party.

Should an applicant disagree with the result of a request for reconsideration, the applicant will be provided with a notice of administrative right to appeal and instructions for the appeal process.

In order to request a reconsideration, please submit a written notice to CDBG-DR.Reconsiderations@deo.myflorida.com or submit by postal mail to the following address:

Attention: Office of Long-Term Resiliency,
Reconsiderations Florida Department of Economic
Opportunity
Division of Community Development
107 East Madison Street, Caldwell Building, MSC 400
Tallahassee, Florida 32399

Appeals Process

Informal Appeal

There are two cases in which an Informal Appeal can be filed by the applicant: (1) following a determination of ineligibility, or (2) after exhausting the Reconsiderations process.

1. In the case that an applicant is deemed ineligible, the applicant will be notified of their status in an Eligibility Determination Letter from the DEO Appeals team. Should the applicant disagree with the determination, they may file an Informal Appeal resulting in a process to further review the HRRP decision.
2. An Informal Appeal may also be filed in the case that an eligible applicant has submitted a request for reconsideration and disagrees with the results. The applicant will be provided with a notice of their right to appeal, and instructions for the process of filing an Informal Appeal.

A party requesting a DEO informal appeal must file a written request for informal appeal not later than 30 days after the date of the decision of reconsideration request or when notice has been provided.

The written request for an informal appeal can be sent via email, fax or mail:

CDBG-DRAppeals@deo.myflorida.com

Attention: Office of Long-Term Resiliency, Appeals
Team Florida Department of Economic Opportunity
Division of Community Development
107 East Madison Street Caldwell Building, MSC 400
Tallahassee, Florida 32399

1. The Hearing Officer will date stamp the written request for an informal appeal upon receipt.
1. The Hearing Officer will prepare and mail a Notice of Hearing to the applicant using delivery confirmation within 15 days of receiving the request for an informal appeal.
 - a. The Notice of Hearing will include the date and time of the hearing as well as the issue to be addressed during the hearing.
 - i. The hearing will be scheduled no fewer than 10 business days in advance of occurrence.
 - b. The applicant will have the option to forward additional documentation to the Hearing Officer prior to the hearing, if applicable.
 - i. Any additional documentation received by the Hearing Officer will be date stamped and must be received at least 24 hours prior to the hearing.
2. The hearing will be held telephonically on the date and time listed on the Notice of Hearing. The hearings will be recorded using the digital recording system (TBD) or a handheld recording device.
 - c. The hearing officer will dial the number for the applicant listed on the Notice to Appeal.
 - i. At least two attempts should be made to contact the applicant.
 - d. The hearing officer will validate the delivery confirmation as to when the applicant received the Notice of Hearing on the record.

3. During the hearing, the Hearing Officer will establish the record addressing any issues of ineligibility, review all additional documents with the applicant and allow for testimony of the applicant.
4. Following the conclusion of the hearing, a final written decision will be issued by the Hearing Officer based on the merits of the case, testimony of the applicant, additional documentation and program policy and procedure.
 - e. The final decision will be mailed using delivery confirmation to the applicant within 30 days following the hearing.
5. The Hearing Officer will update the applicant's record and eligibility status in SERA to approve or reject the applicant from moving forward in the process.

If the applicant is dissatisfied with the final decision of the Hearing Officer, the applicant has the ability to appeal with the Florida Division of Administrative Hearings (DOAH).

Formal Appeal/Notice of Administrative Appeals Rights

Any person whose substantial interests are affected by DEO's determination has the opportunity for an administrative hearing pursuant to section 120.569, Florida Statutes. For the required contents of a petition challenging agency action, refer to rules 28-106.104(2), 28-106.20(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida Statutes, or sections 120.569 and 120.57(2), Florida Statutes. Pursuant to section 120.573, Florida Statutes, and Chapter 28-106, Part IV, Florida Administrative Code, mediation is available to settle administrative disputes. Any petition must be filed with the Agency Clerk within 30 calendar days of receipt of DEO's determination.

If an applicant files a request for reconsideration or informal appeal, the requirement to timely file a petition challenging agency action will be tolled until a decision under either method is rendered by the Department. At that time a new appeal window will begin. No applicant will lose their rights under Chapter 120, Florida Statutes, by filing a request for reconsideration or request for informal appeal.

Any petition must be filed with the Agency Clerk within 30 calendar days of receipt of this determination. A petition is filed when it is received by:

Agency Clerk
Department of Economic Opportunity
Office of the General Counsel
107 East Madison Street, MSC 110
Tallahassee, Florida 32399-4128

Fax: (850) 921-3230
Email: Agency.Clerk@deo.myflorida.com

XIV. UNIFORM RELOCATION ACT (URA) APPEALS

Tenants may appeal in any case in which he or she believes that the Program has failed to properly consider his or her application for assistance. This includes, but is not limited to, the tenant's eligibility for, or the amount of, a payment required for relocation assistance. The tenant must appeal Program decisions related relocation assistance within 30 days of receiving a written determination from the Program outlining the program's decision related to his or her eligibility for benefits or amount of benefits. The URA appeals process will be governed by DEO's administrative appeals process.

XV. ANTI-FRAUD, WASTE, AND ABUSE (AFWA)

As a steward of public funds, OLTR is actively working to combat fraud, waste and abuse in its programs. This policy is directed specifically to OLTR's Community Development Block Grant-Disaster Recovery (CDBG-DR) programs and is intended to establish procedures and processes that will aid in the detection and prevention of fraud, waste, and abuse in the CDBG-DR programs.

This policy applies to all DEO employees, providers, vendors, contractors, consultants, partners, citizens, applicants, external departments and agencies doing business with OLTR, as well as, beneficiaries and others associated with, working for, accessing, or attempting to access benefits under the CDBG-DR programs.

Scope

Fraud is the intentional (willful or purposeful) deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to him/herself or some other person. There are many forms of fraud.

Waste includes over-utilizing OLTR's services, supplies or equipment, or causing unnecessary costs through carelessness or inefficiency.

Abuse includes activities that result in unnecessary costs to the OLTR. Note that this is financial abuse, not physical or emotional abuse of a person. Physical and emotional abuse of a person should be reported to the police.

Examples of fraud include, but are not limited to, misrepresentation of:

- Income (Unreported or under-reported)
- Household composition
- Financial resources (transferred or hidden resources)
- Residency
- Citizenship status

Other types of fraud include, but are not limited to:

- Using another person's identification
- Forging signatures or documents
- Concealing access to duplicate funding
- Misrepresenting a medical condition to obtain additional benefit
- Misusing funds (diverting them for an unintended use)

Other actions constituting fraud, waste and abuse include, but are not limited to:

- Any dishonest or fraudulent act
- Misappropriation of funds, supplies or assets
- Impropriety in handling or reporting money or financial transactions
- Profiting as a result of insider knowledge
- Unauthorized disclosure of confidential or private information
- Accepting or seeking anything of material value from contractors, vendors or any person that seeks a beneficial decision, contract, or action from OLTR
- Accepting or seeking anything of material value from contractors, vendors or any person that is providing services for CDBG-DR activities
- Unnecessary cost or expenditures
- Diversion of program resources

Anti-Fraud, Waste, and Abuse Complaint Process

DEO's Office of Long-Term Resiliency constituents, employees and contractors may report suspected fraud, waste, or abuse by contacting Constituent Management Services staff, submitting information via the Report Fraud, Waste or Abuse online form (<http://floridajobs.org/rebuildflorida/report>; all contact information fields are optional to allow for anonymity) or by sending an e-mail to cdbg-dr_antifraudwasteabuse@deo.myflorida.com.

All suspected cases of fraud will be taken seriously, and fraud complaints will be reported to OLTR's Compliance and Reporting Manager and DEO's Office of the Inspector General at OIG@deo.myflorida.com. If DEO's OIG determines that it is appropriate, it will coordinate its investigation with agencies such as the Florida Office of the Inspector General, the Florida Office of the Attorney General, or the Florida Department of Business and Professional Regulation.

All substantiated cases of fraud, waste, or abuse of government funds will be forwarded to the United States Department of Housing and Urban Development (HUD), Office of Inspector General (OIG) Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.gov) and DEO's HUD Community Planning and Development (CPD) Representative.

Fraud, Waste, and Abuse Prevention Measures

OLTR's Compliance and Reporting Unit is responsible for ensuring that DEO's CDBG-DR programs comply with all federal and state regulations as well as recommending improvements that enhance programmatic efficiency, effectiveness, and documented results. Below are the main critical responsibilities of this unit:

- Ensure ongoing compliance with federal, state, and local regulations through review of the policies and procedures, applicant eligibility and award determinations, and program activity files.
- Conduct regular internal monitoring of DEO's CDBG-DR programs and report results to program managers and OLTR Director.
- Identify and assist with investigations of potential fraud, referring cases to DEO's OIG as appropriate.
- Oversee and coordinate all reporting for DEO's CDBG-DR programs, including federal reporting requirements, data analysis, and providing data dashboards for agency leadership.
- Provide oversight monitoring for DEO's CDBG-DR prime contractors.
- Provide technical assistance to program areas regarding compliance issues and questions, as well as monitoring findings.

Confidentiality

Complainants reporting fraud, waste and misuse of federal resources, or other program irregularities may remain anonymous. All information received about suspected fraud, waste and abuse will be treated confidentially. Furthermore, all investigative materials developed, and interviews conducted to substantiate the allegations of fraud, waste or abuse will be treated confidentially.

Information will only be disclosed on a need-to-know basis to appropriate law enforcement authorities. No information about the status of an investigation will be shared outside of the Constituent Management Services Lead, Policy Manager, Compliance and Reporting Manager, and CDBG-DR Program Director and authorized OLTR staff members, except with the State or HUD OIG upon conclusion of the investigation or with law enforcement or legal counsel, in the event legal action should be needed.

Whistle-blower's Act of 1986

OLTR understands that confidentiality is important to avoid retaliation against reporting individuals. Florida's Whistle-blower's Act prevents agencies or independent contractors from taking retaliatory action against an employee who reports to a person or agency designated by the statute (see next paragraph below) violations of law on the part of a public employer or independent contractor [as defined in Section 112.3187(3)(d), Florida Statutes], that create a substantial and specific danger to the public's health, safety or welfare. It also prevents agencies or independent contractors from taking retaliatory action against any person who discloses information to an appropriate agency alleging improper use of governmental office, gross waste of funds, or any other abuse or neglect of duty on the part of an agency, public officer, or employee.

Violations of this act should be reported in accordance with Section 112.3187, Florida Statutes. Any employee who has a complaint should immediately contact the Department head, Office of the Inspector General, the Governor's Office of the Chief Inspector General, the Florida

Commission on Human Relations, or the state's whistle-blower's hotline at (800) 543-5353. [Section 112.3187, Florida Statutes]

Cooperation with Official Department Investigations

DEO employees are required to maintain high standards of honesty, integrity, and impartiality and to place the interests of the public ahead of personal interests. When allegations of violations of these standards are received, full and accurate information must be obtained so management may respond appropriately. Toward this end, employees of the Department must cooperate with duly appointed investigators from the Office of Inspector General to uncover the facts surrounding possible violations in an official investigation.

Failure to comply as specified above without a valid mitigating reason, such as exercising a right protected by federal or state law, will constitute a violation of this policy and subject the employee to appropriate disciplinary action up to and including dismissal.

Fraud Related Training

All applicable OLTR staff and all subrecipients shall attend fraud related training provided by HUD OIG to assist in the proper management of CDBG-DR grant funds.

Administration

This AFWA policy will be reviewed annually and revised as necessary to comply with Federal and State requirements. OLTR's Compliance and Reporting Manager is responsible for the administration, revision and application of this policy.

XVI. ACCESS TO RECORDS

Pursuant to Article 1, Section 24, Florida Constitution and Chapter 119, Florida Statutes, the Department of Economic Opportunity is subject to the Florida Public Records Law. Accordingly, unless an exemption exists, all records produced or received pursuant to law or in connection with the official business of the Department can be requested and provided for inspection. All Public Records requests will be processed in accordance with DEO Administrative Policy 1.06, Processing Public Records Requests.

A Public Records Request may be verbal or take any form (e.g., email, written correspondence, in-person). The Public Records Act does not require that requests be in writing, comply with a certain form or have any specific content. A public records request may come from a member of the media, the general public, an employee, or any other individual. DEO cannot mandate receipt of the name of the requestor or purpose of the request in order to fulfill the Public Records Request.

A Public Record is defined as all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance, or in connection with the transaction of official business by any agency.

Public records include all things made or received in connection with DEO business. All such materials, electronic and on paper, regardless of whether they are in draft or final form, are open to public inspection unless exempt or confidential.

A revision to Chapter 119 went into effect on July 1, 2020 per Senate Bill 966 from the 2020 Florida State Legislature regular session that directly effects the Department of Economic Opportunity and its disaster recovery programs.

As a general matter, all Program related information is subject to Florida's public records laws, which may be viewed by anyone upon request. There are limited exemptions to Florida's public record laws. The following list of exemptions are applicable to the Rebuild Florida Program:

- Social security numbers; and/or
- Bank account numbers; and/or
- Documentation related to ongoing litigation and legal negotiations; and/or
- Limited proprietary information; and/or
- Certain persons in qualifying categories, E.G. active or former sworn or civilian law enforcement personnel; current or former firefighters certified in compliance with s.633.408; current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors.

Senate Bill 966 retained the above exemptions, and expanded exemptions to include the following "Other Personal Information" relative to information held by the Department of Economic Opportunity, et al:

- Medical history records and information related to health; and/or
- Information related to property insurance; and/or
- Property photographs; and/or

The above items, personal identifying information (information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual), are considered confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution per Senate Bill 966.

To read Senate Bill 966 in its entirety, go to:

<https://www.flsenate.gov/Session/Bill/2020/966/BillText/er/PDF>

As an agent of DEO and all subcontractors and employees are subject to Florida Public Record laws. All project documents and communications, even in draft form, are considered public records including, but not limited to, policies, training material, letters, emails, memos and texts. Any document or communication related to the project, that are not exempt, is a public record.

The Public Record Coordinator is the person appointed by DEO charged with the responsibility of maintaining the Office of Public Records, including processing and tracking public record requests. The Public Records Coordinator is responsible for overseeing DEO's compliance with public record/open government requirements and maintains a complete record of all DEO public record requests and corresponding disclosures. The Public Records Coordinator also serves as the primary liaison between DEO and the Office of Open Government in the Executive Office of the Governor.

The Office of Long-Term Resiliency's Constituent Services Management Lead will act as a Public Record Division Liaison and is the primary contact for all public record requests regarding the Office of Long-Term Resiliency/Rebuild Florida Program. The Office of Long-Term Resiliency's Public Record Division Liaison will coordinate with the respective managers of each program to determine (1) what is and what is not a responsive record; and (2) where to find all responsive records.

Public Records Request Procedure

A. Intake and Processing

1. When an Employee receives a Public Records Request:
 - a. All employees who receive a Public Records Request will immediately forward the request to the Public Records Coordinator (PRRequest@deo.myflorida.com) for acknowledgement and tracking.
 - b. Employees should then immediately notify their supervisor and Division Liaison regarding the request.
 - c. Any Employee receiving a Public Records Request will immediately coordinate with a supervisor and the Division's Public Records Liaison regarding questions pertaining to the request such as: (i) what is and what is not a responsive record; and (ii) where to find all responsive records.
 - d. Employees will diligently and expediently work with their Division Liaison to gather all responsive records to provide to the Public Records Coordinator, however collaboration with the Public Records Coordinator is expected throughout the process.
 - e. The Public Records Coordinator will remain, at all times, the point of contact between the requestor and DEO.
2. When a Division Liaison receives a Public Records Request:

- a. Division Liaisons will immediately forward the request to the Public Records Coordinator (PRRequest@deo.myflorida.com) for acknowledgement and tracking.
 - b. Division Liaisons will then work with staff in their Division to expeditiously gather all responsive records to provide to the Public Records Coordinator.
 - c. The Public Records Coordinator will remain, at all times, the point of contact between the requestor and DEO.
3. When the Public Records Coordinator receives a Public Records Request:
- a. The Public Records Coordinator will communicate with the requestor to acknowledge receipt of the public record request by email, letter, or facsimile, as appropriate.
 - b. The Public Records Coordinator will then work with Division Liaisons to gather all responsive records to complete the request.
 - c. If the request is from a member of the media, the Public Records Coordinator will immediately forward the request to the Office of Communications and External Affairs (media@deo.myflorida.com). The Office of Communications and External Affairs will acknowledge all media Public Records Requests. The Public Records Coordinator will be informed of all responses to media that include public records.
4. Estimates
- a. The Public Records Coordinator will communicate in writing with the requestor to provide the actual cost and an estimate of the special service charge, if applicable.
 - b. Payment of the estimated costs is required prior to processing the records for production.
5. Review and Redaction
- a. Once the requested materials have been gathered by the Division, the Division will redact confidential and exempt information before releasing the records to the Public Records Coordinator for transmittal.
 - b. The Division will specify and provide all citations for any redactions.
 - c. The Liaison and/or Division employee will consult with OGC as necessary regarding redactions.
 - d. Each Division is responsible for redacting records with redaction tape or electronically and, if necessary, must be prepared to assume the cost of paper copies used in the redaction process. Do not redact with a marker.

B. Production of Records to Requestor

1. Responses to Public Records Requests will be made within a reasonable time taking into account the extent and nature of the request.

2. Copies of the request, acknowledgment, response, invoice, records produced, or a record of what was produced, any related correspondences, and payments will be maintained by the Public Records Coordinator.
3. When the requestor requests in-person inspection of the records, and all necessary fees have been paid, the Public Records Coordinator and the Division Liaison, if necessary, must supervise the inspection of records to ensure confidential information is protected.

C. Public Record Requests for Email Correspondences

1. The Public Records Coordinator will review the request and consult with the requestor and Liaison as necessary, to determine possible search terms and time frames to obtain the information requested.
2. The Public Records Coordinator will provide the request for emails to IT with search terms and time frames.
3. Once emails have been retrieved by IT, an estimate will be transmitted by the Public Records Coordinator, if applicable, including the cost of retrieval and review of the emails for exempt or confidential information.

Upon retrieval and payment of necessary costs by requestor, the Public Records Coordinator will provide the emails to the Division Liaison for review and redaction (if required), and then provide all responsive documents to the requestor.

XVII. ADDITIONAL OUTREACH

DEO will continue to conduct outreach with communities throughout the implementation of the Action Plan to ensure that all stakeholders are aware of the opportunities that exist and can provide feedback along the way.

The Rebuild Florida Outreach and Communications Plan for Hurricane Michael recovery efforts can be accessed at: http://floridajobs.org/docs/default-source/office-of-disaster-recovery/hurricane-michael/rf-hurricane-michael-outreach-and-communications-plan.pdf?sfvrsn=ef6e46b0_6.