



# CDBG-DR

## **FAIR HOUSING AND EQUAL OPPORTUNITY LANGUAGE ACCESS PLAN FOR THE ALL CDBG-DR PROGRAMS**

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PUERTO RICO DEPARTMENT OF HOUSING  
CDBG-DR PROGRAM  
**LANGUAGE ACCESS PLAN**  
VERSION CONTROL

VERSION NUMBER	DATE REVISED	DESCRIPTION OF REVISIONS
1	July 20, 2020	<b>Original Version- Sent to HUD</b> *Publishing date was contingent to translation.

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## 1 Purpose

This Language Access Plan (**LAP, or the Plan**) is established pursuant to and in accordance with Executive Order 13166, Improving Access to Services for Persons With Limited English Proficiency,<sup>1</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000(d) *et seq.*, and the Department of Housing and Urban Development's (**HUD**) Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, dated January 22, 2007, and effective February 21, 2007 (**HUD Guidance**).<sup>2</sup>

Executive Order No. 13166 directs federal agencies that extend assistance, subject to the requirements of Title VI, to publish guidance that clarifies recipients' obligations to Limited English Proficient (**LEP**) individuals and/or deaf/hard of hearing. LEP individuals are defined as people who have limited ability to speak, write, and/or understand the language.

Per the Guidance that HUD has provided, recipients of HUD assistance are required to conduct an analysis to determine the needs of LEP people within its jurisdiction and encouraged to develop a plan that establishes policies and actions for addressing those needs. The analysis within this Plan concludes that vital documents such as program guidelines, forms, applications, and other documents necessary for effective participation in CDBG-DR Programs need to be made available in English and Spanish as set forth in this Plan.

As analysis from the required four-factor analysis will show, Puerto Rico is unique among most HUD recipients in that the language predominately spoken is Spanish. This is also the language in which government is generally conducted. For this reason, this LAP from the Puerto Rico Department of Housing (**PRDOH**), as a HUD grantee, describes its policies to ensure that both LEP individuals and Limited Spanish Proficient (**LSP**) individuals have meaningful access to the Community Development Block Grant Disaster Recovery (**CDBG-DR**) Program.

## 2 Policy

As the federal oversight agency for CDBG-DR funds, HUD requires that PRDOH, as the grantee, have policies and procedures in place to facilitate the communication between the agency and the public, including but not limited to residents, administering entities, subrecipients, contractors, and/or developers and subcontractors participating in the CDBG-DR programs outlined in the Disaster Recovery Action Plan. PRDOH is further responsible for ensuring that all subrecipients, including contractors and sub-contractors

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<sup>1</sup> Executive Order No. 13166 (2000), Federal Register, Vol. 65, No. 159, p. 50121, 65 FR 50121, (August 16, 2000).

<sup>2</sup> Federal Register Vol. 72, No. 13 (January 22, 2007), 72 FR 2732.

provide services that are accessible to linguistic minorities in the island as established by this Plan.

This sets forth policy and guidance for CDBG-DR programs to provide language access services to LEP/LSP individuals interested or participating in these federally funded programs. This includes:

- The management and training of PRDOH staff and entities that interact with LEP/LSP individuals;
- Ensuring access to information for LEP/LSP individuals about the availability of programs and other information vital to program participation; and
- Continuing to evaluate, monitor, and update the implementation of this plan for all disaster recovery programs and activities.

Language for LEP/LSP individuals can be an obstacle to obtaining important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding the information provided by federally funded programs and activities.

It is PRDOH policy that LEP/LSP individuals have meaningful access to programs, translation services, and activities by providing free language assistance services in a timely manner. This includes training staff and providing timely and effective communication to civilians who are seeking access to CDBG-DR programs, activities, and services; these may include, but are not limited to: oral interpretative services, where appropriate, and educating personnel about language access responsibilities and how to utilize the language access resources. This also includes translation of vital documents, which are defined depending on the importance to the program, information, encounter, or service involved, and the consequence to the LEP/LSP individual if the information in question is not provided accurately or in a timely manner. These contain information that is critical for obtaining or maintaining the services or benefits that are supported by CDBG-DR and other federal funds, or that are required by law. Such documents may include, but are not limited to, outreach materials, applications, consent forms, notices of participant rights and responsibilities, disciplinary notices, letters or notices that require a response from the participant or beneficiary, legal notices, and notices advising LEP/LSP individuals of the availability of free language services.

PRDOH is committed to ensuring that programs and resources are accessible to LEP/LSP individuals, without discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, status as a veteran, disability, familial status or national origin. PRDOH is further committed to providing written translation of vital documents and/or oral interpretation to LEP/LSP individuals whose primary language is

determined to be a frequently encountered language as per thresholds discussed in this Plan.<sup>3</sup>

PRDOH and responsible CDBG-DR funded entities will establish and maintain an infrastructure to implement and improve language assistance services. This LAP must be adopted and implemented by all subrecipients, contractors, and other administering entities assisting with the implementation of the CDBG-DR Program that interact with LEP/LSP individuals. Evidence of compliance with this LAP shall be directly monitored by PRDOH and maintained in program files.

### **3 Four Factor Analysis**

As a recipient of federal funding, PRDOH is required to take reasonable steps to ensure meaningful access to CDBG-DR programs and activities by LEP/LSP individuals. The following four-factor analysis is the starting point for creating a Plan which balances LEP/LSP needs without imposing a financial burden on small businesses, local government or small nonprofit organizations, and assistance measures provided. These steps are intended to be flexible and fact dependent.

#### **3.1 The number or proportion of LEP individuals eligible to be served or likely to be encountered by the program or grantee**

According to the American Community Survey 5-year estimates (2014-2018) provided by the U.S. Census Bureau, Puerto Rico has an estimated population of 3,229,303.<sup>4</sup> Based upon this total population, the first analysis in determining what language services recipients should provide is the number or proportion of LEP persons from a particular language group served or encountered in the eligible service population. The greater the number or proportion of these LEP persons, the more likely language services are needed.

HUD has provided "safe harbor" guidance which establishes language group size thresholds as the basis for determining the actions required regarding written materials. A safe harbor, in the context of LAP guidance, "means that the recipient has undertaken efforts to comply with respect to the needed translation of vital written materials. If a recipient conducts the four-factor analysis, determines that translated documents are needed by LEP applicants or beneficiaries, adopts an LAP that specifies the translation of vital materials, and makes the necessary translations, then the recipient provides strong evidence, in its records or in reports to the agency providing federal financial assistance, that it has made reasonable efforts to provide written language assistance."<sup>5</sup>

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<sup>3</sup> As established in HUD Guidance, at 72 FR 2732, and included in this Plan in Table 2.

<sup>4</sup> 2014-2018 5-year Estimates Detailed Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over

<sup>5</sup> U.S. Department of Housing and Urban Development, LEP Final Guidance Frequently Asked Questions, [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/promotingfh/lep-faq#a19](https://www.hud.gov/program_offices/fair_housing_equal_opp/promotingfh/lep-faq#a19).

**Table 1: Recommended Provision of Written Language Assistance**

Size of Language Group - Recommended Provision of Written Language Assistance	
1,000 or more in the eligible population in the market area or among current beneficiaries.	Translated vital documents.
More than five percent (5%) of the eligible population or beneficiaries <i>and</i> more than fifty (50) in number.	Translated vital documents.
More than five percent (5%) of the eligible population or beneficiaries <i>and</i> fifty (50) or less in number.	Translated written notice of right to receive free oral interpretation of documents.
Five percent (5%) or less of the eligible population or beneficiaries <i>and</i> less than 1,000 in number.	No written translation is required.

Table 3, below, included 2014-2018 American Community Survey 5-year estimates data related to individuals' ability to speak English.<sup>6</sup> This table includes all language groups in Puerto Rico which have an LEP population of more than **fifty (50)** people, and contains an analysis of these LEP populations to determine the proportion each makes up of the total population of the Island.

**Table 3: Puerto Rico LEP Language Group Analysis**

Group	Population	% of PR Population
Puerto Rico (total)	3,229,303	100.000%
Speak only English	172,926	5.355%
LEP Language Group	Population	% of PR Population
Spanish	2,495,431	77.275%
French (incl. Cajun)	435	0.013%
Italian	274	0.008%
Portuguese	265	0.008%
Chinese (incl. Mandarin, Cantonese)	811	0.025%
Vietnamese	76	0.002%
Arabic	236	0.007%
Other and Unspecified	72	0.002%

The analysis from Table 3 indicates that Spanish is the largest language group which may require the provision of LEP assistance, with **seventy-seven percent (77%)** of the Spanish-speaking population indicating that they speak English "less than very well." Conversely,

<sup>6</sup> 2014-2018 5-year Estimates Detailed Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over

English-only speaking persons are a linguistic minority in the Island that make up just over **five percent (5%)** of the Puerto Rico population, meaning they may require LSP assistance. Other languages present in Puerto Rico with more than **fifty (50)** LEP speakers make up a small percentage of the Island's population, with no single LEP group making up more than 0.025% of the total population and no LEP group containing more than 1,000 individuals. This indicates that the CDBG-DR Program is not likely to encounter these other LEP language groups requiring LEP/LSP assistance.<sup>7</sup>

**Consistent with the above analysis, historic program inquiries, utilization, and outreach, it is determined that English- and Spanish-speaking persons are the two language groups which require written translations of all vital documents. This means that PRDOH, sub-grantees, contractors and sub-contractors must ensure that these groups have access to language accessible services, including but not limited to the written translation of vital documents.**

### **3.2 The frequency with which LEP individuals come into contact with the program**

PRDOH has adopted a wide range of activities utilizing CDBG-DR funding. This LAP is based on these adopted programs and is designed to be effective for the five (5) year period between 2020-2021 and 2025-2026. In the event that new projects or programs are funded with CDBG-DR resources, and are not adequately addressed under this Plan, the Plan shall be updated to appropriately consider and address the program year activities. Activities have been categorized into six (6) major groups: Housing, Economic Recovery, Infrastructure Coordination, Multi-Sector Initiatives, Planning, and Administration. A breakdown of the CDBG-DR programs and allocated budgets are included in the tables that follow.<sup>8</sup>

**Table 2: CDBG-DR Housing Program Budget**

<b>CDBG-DR - Housing</b>	
<b>Program</b>	<b>Budget</b>
Home Repair, Reconstruction, or Relocation Program	\$3,025,570,050
Title Clearance Program	\$40,000,000
Rental Assistance Program	\$10,000,000
Social Interest Housing Program	\$32,500,000

<sup>7</sup> It is worth noting that because the language primarily spoken in Puerto Rico is Spanish, it is possible that many of the individuals from these other LEP language groups may speak, read, and/or understand Spanish. However, data does not exist which could be used to evaluate the Spanish proficiency of these individual language groups.

<sup>8</sup> As per latest approved Action Plan as of May 2020, which includes the first and second allocation, [https://www.cdbg-dr.pr.gov/en/download/action-plan-amendment-3-nonsubstantial-amendment-effective-on-february-24-2020/?ind=1583267462775&filename=Action%20Plan%20Amendment%203\\_Nonsubstantial\\_EN\\_2.pdf&wpdmdl=8648&refres=5ebd7f7558afc1589477237](https://www.cdbg-dr.pr.gov/en/download/action-plan-amendment-3-nonsubstantial-amendment-effective-on-february-24-2020/?ind=1583267462775&filename=Action%20Plan%20Amendment%203_Nonsubstantial_EN_2.pdf&wpdmdl=8648&refres=5ebd7f7558afc1589477237).

Housing Counseling Program	\$17,500,000
CDBG-DR Gap to Low Income Housing Tax Credits Program (LIHTC)	\$413,000,000
Community Energy and Water Resilience Installations Program	\$300,000,000
Multi-Family Reconstruction, Repair, and Resilience Program	\$300,000,000
Homebuyer Assistance Program	\$350,000,000
<b>Housing Budget Total</b>	<b>\$4,488,570,050</b>

**Table 3: CDBG-DR Economic Recovery Program Budget**

<b>CDBG-DR – Economic Recovery</b>	
<b>Program</b>	<b>Budget</b>
Small Business Financing Program	\$225,000,000
Small Business Incubators and Accelerators Program	\$35,000,000
Workforce Training Program	\$40,000,000
Construction and Commercial Revolving Loan Program	\$100,000,000
RE-GROW PR Urban-Rural Agriculture Program	\$92,500,000
Tourism & Business Marketing Program	\$25,000,000
Economic Development Investment Portfolio for Growth Program	\$800,000,000
<b>Economic Recovery Budget Total</b>	<b>\$1,317,500,000</b>

**Table 4: CDBG-DR Infrastructure Coordination Program Budget**

<b>CDBG-DR Infrastructure Coordination</b>	
<b>Program</b>	<b>Budget</b>
Critical Infrastructure Resilience Program	\$400,000,000
Community Resilience Centers Program	\$75,000,000
Non-Federal Match Program	\$1,000,000,000
<b>Infrastructure Coordination Budget Total</b>	<b>\$1,475,000,000</b>

**Table 5: CDBG-DR Multi-Sector Initiatives Program Budget**

<b>CDBG-DR Multi-Sector Initiatives</b>	
<b>Program</b>	<b>Budget</b>

City Revitalization Program	\$1,223,000,000
Puerto Rico by Design Program	\$300,000,000
<b>Multi-Sector Budget Total</b>	<b>\$1,523,000,000</b>

**Table 6: CDBG-DR Planning Program Budget**

CDBG-DR Planning	
Program	Budget
Whole Community Resilience Planning Program	\$55,000,000
Agency Planning Initiatives Program (GIS, Planning Integration)	\$50,000,000
Home Resilience Innovation Competition Program	\$5,750,000
<b>Planning Programs Budget Total</b>	<b>\$110,750,000</b>

**Table 7: CDBG-DR Administration Area Budget**

CDBG-DR Administration	
Program	Budget
Program Administration	\$486,398,100
Program Planning	\$326,743,850
Program Funds	\$8,914,820,050
<b>Administration Total</b>	<b>\$9,727,962,000</b>

Given the programs and projects listed above are new and targeted toward disaster recovery, participation rates have yet to be established. Since the CDBG-DR Housing and CDBG-DR Economic Recovery programs provide direct benefits to participants across the Island, they are anticipated to entail the largest percentage of participatory contact among the **six (6)** major program groups. For all CDBG-DR programs, PRDOH will ensure that LEP/LSP individuals have meaningful access throughout the process.

### **3.3 The nature and importance of the program, activity, or service provided by the program to people's lives**

CDBG-DR funded activities positively impact the lives of all of Puerto Rico's residents. However, as previously noted, there are a number of federally funded activities which provide direct benefits to participants. The following Tables 11-15 provide program summaries for each of the funded CDBG-DR activities within their respective program groups.

**Table 8: Impact of CDBG-DR Housing Programs**

Housing – Program Impacts	
Program	Benefits
Home Repair, Reconstruction, or Relocation Program (Direct distribution)	Home Repair, Reconstruction, or Relocation Program provides assistance to homeowners to repair damaged homes or rebuild substantially damaged homes in place in non-hazard areas. Homes that may not be rebuilt in place will not be reconstructed and relocation options will be provided to owner.
Title Clearance Program (Direct distribution)	The Title Clearance Program assists in providing clear title to homeowners in hurricane-impacted areas. Limited legal services to resolve title issues may be performed by eligible attorneys under approved rates. Property damage will not be a requirement for eligibility.
Rental Assistance Program (Direct distribution)	Program will provide temporary rental assistance payments for a period of up to twenty four (24) months to residents of hurricane-impacted areas who are experiencing homelessness or are at risk of becoming homeless.
Social Interest Housing Program (Homeless and Domestic Violence) (Subrecipient Distribution Model)	<p>This program creates housing capacity for special needs populations such as: homeless, senior citizens, domestic violence victims, persons with intellectual disability, persons with developmental and/ or physical disability, persons living with HIV/AIDS, individuals recovering from addiction and individuals with other functional or access needs.</p> <p>Residents may have access to supportive services such as Housing Opportunities for Persons with Aids (<b>HOPWA</b>), Section 8, or rental subsidy programs. Facilities may be overseen by HUD Continuum of Care providers and may supplement Emergency Solutions Grants (<b>ESG</b>) programs for a coordinated impact to provide supportive services, rapid re-housing of homeless individuals and families, and homeless prevention.</p>

Housing – Program Impacts	
Program	Benefits
<p>Housing Counseling Program            (Subrecipient Distribution Model)</p>	<p>This program will utilize HUD-approved counseling agencies to provide individual and group services to impacted recovering residents with wrap-around educational services to promote understanding of housing and financial options. Housing Counselors will connect program participants with housing and Continuum of Care (<b>CoC</b>) resources.</p> <p>Services will be made accessible to individuals having wide-ranging disabilities. Services may also be provided related to rental counseling.</p>
<p>CDBG-DR Gap to Low Income Housing Tax Credits Program (LIHTC)            (Subrecipient Distribution Model - Housing Finance Authority (<b>AFV</b>))</p>	<p>PRDOH will partner with AFV to select projects to be provided with gap funding using CDBG-DR dollars for affordable Low- and Moderate-Income (<b>LMI</b>) housing projects being developed with LIHTC.</p>
<p>Community Energy and Water Resilience Installations Program            (Direct distribution)</p>	<p>A portion of this program will provide energy and water efficiency improvements to promote energy and water resilience to eligible owned or rented household units.</p> <p>Community installations of energy production and storage and water catchment systems may be offered in order to complement home-based improvements.</p> <p>A longer-term component of this program entails energy and water resilience installations such as solar panel systems retrofits, and rainwater collection systems for residential structures.</p> <p>An incentive program will be offered, enabling installation of renewable energy systems, including storage, interconnected to the energy grid; available to residents and small to mid-size businesses.</p>
<p>Multi-Family Reconstruction, Repair, and Resilience Program            (Direct distribution)</p>	<p>This program will provide funding for necessary expenses related to long-term recovery and restoration of multifamily housing and to increase availability of affordable housing through strategic investments in multifamily buildings and by supporting code compliance updates in existing buildings. The program will seek to serve Section 8 and “Égida” communities. New development of multifamily rentals serving retirees and others may also be considered, to align with Puerto Rico as a retirement destination and increase affordable housing options in existing urban areas or near university centers. PRDOH may work with qualified non-</p>

<b>Housing – Program Impacts</b>	
<b>Program</b>	<b>Benefits</b>
	profit organizations, such as Habitat for Humanity, on innovative models for multi-family building repair.
Homebuyer Assistance Program (Subrecipient Distribution Model - Housing Finance Authority (AFV))	<p>This program helps program participants purchase homes by providing eligible applicants with closing costs and down payments to assist with the gap between the amount of first mortgage the household is able to obtain from a lender and the purchase price of a home.</p> <p>All pre-qualified applicants will receive housing counseling services and must complete eight (8) hours of homeowner training.</p>

**Table 9: Impact of CDBG-DR Economic Recovery Programs**

<b>Economic Recovery – Program Impacts</b>	
<b>Program</b>	<b>Benefits</b>
Small Business Financing Program (Subrecipient Distribution Model)	This program provides grant and options to assist with hurricane recovery and business expansion. Options include a Recovery Grant Program. The Recovery Grant will help microenterprises and/or small businesses re-start operations and/or invest in growth opportunities in the wake of the hurricanes by providing grants for working capital and non-affixed equipment.
Small Business Incubators and Accelerators Program (Subrecipient Distribution Model)	This program supports the growth and success of small and/or new businesses in the early stages of operation by providing initial resources that significantly minimize the risk of small and/or new business failure and speeding up the time it takes to get to market.
Workforce Training Program (Subrecipient Distribution Model)	<p>The program provides for local governments, non-profit organizations, and governmental agencies to conduct workforce training programs.</p> <p>The programs and proposed new apprenticeships will be developed in identified industry sectors and may support recovery activities offered in construction, tourism and hospitality, healthcare, technology training supporting the digital workforce, manufacturing, and other unmet workforce training needs that support Puerto Rico's long-term recovery goals.</p>

Economic Recovery – Program Impacts	
Program	Benefits
Construction and Commercial Revolving Loan Program (Subrecipient Distribution Model)	Provides eligible local contractors with capital to bridge payments on construction contracts and working capital for business recovery and expansion including items such as staff and/or services to expand grant compliance and financial management capacity.
RE-GROW PR Urban-Rural Agriculture Program (Subrecipient Distribution Model)	This program will fund efforts to increase food security by increasing local production and expanding diversity of agricultural production on the Island.
Tourism & Business Marketing Program (Subrecipient Distribution Model)	The program provides for the development and implementation of a comprehensive marketing effort to promote externally from the Island that Puerto Rico is open for business, has a pro-business environment, as well as work to prevent tourism and service sector displacement or business failure that may result from hurricane impacts.
Economic Development Investment Portfolio for Growth Program (Direct and Subrecipient Distribution Model - Public Private Partnerships <b>(P3)</b> )	Program provides funding for development or redevelopment of mixed-use, community-based development, and major infrastructure improvements projects concentrated in Puerto Rico's Opportunity Zones. Targeting of new business incentives and existing business expansion will also be addressed, and the economic recovery subordinate loan components may also be included. An initial allocation of up to \$200 million will be for identified pilot projects that are considered key drivers for infrastructure resilience and economic development.

**Table 10: Impact of CDBG-DR Infrastructure Coordination Programs**

Infrastructure Coordination – Program Impacts	
Program	Benefits
Critical Infrastructure Resilience Program (Direct and Subrecipient Distribution Model)	This program was developed to work closely with the Hazard Mitigation Grant Program ( <b>HMGP</b> ), managed by the Central Office of Recovery, Reconstruction, and Resilience ( <b>COR3</b> ). It is anticipated that due to the nature of these assets and the services these facilities provide, most of the projects will be owned and managed by either a Puerto Rican agency or Municipal government, or have a regional focus that either crosses multiple jurisdictions or assists residents in multiple areas.

Infrastructure Coordination – Program Impacts	
Program	Benefits
	This program will fund the rebuilding, hardening, and making more resilient of critical infrastructure assets that are located across the Island. Program funds will be made available to municipalities, governmental and other eligible entities through a subrecipient model and seeks to coordinate and leverage program funds with other public and private sector investments.
Community Resilience Centers Program (Subrecipient Distribution Model)	This program funds the creation of a network of Community Resilience Centers that provide critical resource distribution, short-term sheltering support, and services during disasters, and potentially increasing social resilience through expansion of year-round wrap-around services.  These facilities will predominantly be established through retrofitting existing facilities but may also entail construction of new facilities where additional leverage funds are incorporated, and a maintenance and operations funding plan is in place.
Non-Federal Match Program (Direct and Subrecipient Distribution Model – Other federal recipients)	This program will leverage CDBG-DR funds to provide non-federal match funds for applicants who are in Federal Emergency Management Agency ( <b>FEMA</b> ) programs. To be eligible, projects must meet a national objective and be a CDBG eligible activity as well as all requirements under its native program.

**Table 11: Impact of CDBG-DR Multi-Sector Initiatives Programs**

Multi-Sector Initiatives – Program Impacts	
Program	Benefits
City Revitalization Program (Subrecipient Distribution Model)	This Program establishes a fund for municipalities to enable critical recovery activities aimed at reinvigorating urban centers, business districts and key community corridors to focus investments, reduce sprawl, and create a symbiotic environment to nurture complimentary investments from the private sector.  Eligible projects include rehabilitation or reconstruction of downtown buildings, public infrastructure improvements, and streetscape improvements such as sidewalks, lighting, parking, façade improvement, and activities to eliminate architectural barriers for the disabled. The program may also fund improvements to public spaces (plazas, town squares), cultural and art installations, and recreation amenities. This Program will also fund clearance and demolition of unoccupied substandard

Multi-Sector Initiatives – Program Impacts	
Program	Benefits
	<p>structures. In addition, the project also includes Re-Green initiatives.</p> <p>A total of \$100,000,000 is set aside to prioritize strategic investments in growth nodes for the redevelopment of urban areas surrounding the University of Puerto Rico (<b>UPR</b>), Río Piedras and Mayagüez campuses (revitalize urban centers).</p>
<p>Puerto Rico by Design Program            (Subrecipient Distribution Model)</p>	<p>This program is a two-part design-build program entailing a design competition, and then subsequent implementation of the winning design(s). Projects are expected to benefit the public, in addition to being focused on infrastructure and economic development initiatives in strategic regeneration nodes and within opportunity zones across the Island.</p> <p>The goal of the competition will be to seek innovative, transformative, high-impact, large-scale projects that will incorporate resilience measures and blend benefits across multiple sectors.</p>

**Table 12: Impact of CDBG-DR Planning Programs**

Planning – Program Impacts	
Program	Benefits
<p>Whole Community Resilience Planning Program            (Subrecipient Distribution Model)</p>	<p>Provides for the production of comprehensive community recovery plans that will allow communities to develop policy, planning, and management capacity so that they may more rationally and effectively determine their needs, set long-term goals and short term objectives, devise programs and activities to meet goals and objectives, evaluate the progress of such programs in accomplishing these goals and objectives, and carry out management, coordination, and monitoring of activities necessary for effective planning implementation.</p>
<p>Agency Planning Initiatives Program (GIS, Planning Integration)            (Direct Distribution Model)</p>	<p>Project provides for the development of a uniform parcel registry, address mapping, and GIS database, and completing the parcel/ structure-level data sets for all unregistered properties.</p> <p>This also includes mapping to identify areas with high incidence of title issues or special populations (elderly, disabled, etc.) for assistance under the Title Clearance Program and other disaster recovery efforts.</p>

Planning – Program Impacts	
Program	Benefits
Home Resilience Innovation Competition Program (Subrecipient Distribution Model)	<p>This project will develop and build demonstration models based on research and development of innovative approaches to resilience and issue a Puerto Rico Resilience Innovation Guidebook as a result of research, development and testing.</p> <p>The project also includes a competition for innovative solutions to address home-based renewable energy generation, energy storage, and home functions. Additionally, community-wide resilience measures and innovative home design and construction methods are encouraged.</p>

CDBG-DR Housing programs have the potential to interact directly with LEP/LSP individuals throughout program activities, either by virtue of direct applicant participation, or for multi-family development and rehabilitation activities, during the lease-up subsequent to construction completion as well as communications with current and interested residents of assisted housing developments.

Similarly, for CDBG-DR Economic Recovery programs, all programs have the potential to interact directly with program applicants who may be LEP/LSP. As most of these programs will be administered through a subrecipient distribution model, it is important to ensure that these administering entities are following this Plan.

The CDBG-DR Infrastructure projects generally will be interacting directly with local governments, construction contractors, and in some cases non-profits. While most of these entities are expected to be made up of primarily Spanish speakers, there will be the need for public meetings at times which must be made accessible to English speakers.

While specific activities to be conducted under the Multi-Sector Initiatives are not yet fully defined, the provisions of the Language Access Plan shall apply in any instances where public meetings occur and where public input may be receive, either for resource allocation, project selection or approvals, where funds are for programs for public participatory activities, or any activity which would require individuals to apply in order to participate in a program.

The CDBG-DR Administration projects provide administrative oversight and are responsible for the citizen participation process for federally funded activities. In this capacity, the Administration projects are directly linked to all of the above projects and require that LEP/LSP language assistance be provided.

### **3.4 The resources available to the grantee/recipient and costs**

PRDOH currently has bilingual (English/Spanish) staff available for the provision of interpretation services in all facilities where they are the direct provider of federally funded services. As a fair housing services provider, PRDOH also has bilingual (English/Spanish) staff available or interpreters accessible to assist LEP/LSP individuals. A database of staff bilingualism will be maintained to ensure that appropriate interpretation services are readily available. In addition to the widespread presence of bilingual staff at PRDOH available for oral interpretation services in their various capacities implementing CDBG-DR Programs, other oral interpretation services may be provided as needed. Evaluation of cost-effective measures for the provision of LEP/LSP translation services will be made prior to engaging external service providers.

For written translation services, PRDOH has contracted with a 3<sup>rd</sup> party translation service to provide consistent, accurate translation services for vital documents, which are generally produced in English and are translated into Spanish. Each document translated receives a legal review by PRDOH to ensure consistency and accuracy between the English and Spanish versions of these documents. Although these are thoroughly vetted for accuracy in both languages to facilitate a fully bilingual CDBG-DR Program, PRDOH adds a statement to policies and procedures indicating that, in the event of a discrepancy among any translation, the English version will prevail. However, any document that requires a signature, will prevail in the language it was signed.<sup>9</sup>

All program guidelines, policies, reporting forms, and certain other program-supporting documents are available in English and Spanish on the PRDOH CDBG-DR website which is, itself, fully available in both languages. Additionally, written materials related to the management and notification to Applicants are made available in both English and Spanish through the program management platform (Canopy) based on the Applicant's preference established in their initial application.

PRDOH is prepared to respond to any request received for oral interpretation services for a language other than English and Spanish with appropriate interpretation services. Based on the Four Factor Analysis, PRDOH has determined that it is not necessary to provide a translated written notice of right to receive free oral interpretation of documents for any other languages.

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<sup>9</sup> 32 LPRA AP. V, R.8.7 Language. – Pleadings, requests, and motions shall be written in Spanish or English. Pleadings that must be signed by a party or another person who does not speak Spanish or English may be drawn in said party or person's native language, as long as they are accompanied by the necessary copies in Spanish or English. It shall not be necessary or mandatory to translate documents written in English. However, in such cases in which the service of justice so warrants, or when the translation of the documents is necessary for the fair adjudication of the case, or in the case any of the parties so requests, the Court shall order the translation of all pleadings, motions, or documents requested.

### 3.5 Limited Spanish Proficiency

Puerto Rico is a particular jurisdiction when determining language proficiency. Different to all other jurisdictions of the United States, Puerto Rico is a predominately Spanish speaking population. Spanish is the language of instruction, as well as the predominant language used in government services, commerce, and social interactions. As highlighted in HUD provided problem solving clinics, in terms of LEP individuals, Puerto Rico is considered as a “reverse LEP”, identifying LSP individuals as a group to which special attention and services are to be provided in order to ensure they have a meaningful access to the CDBG-DR Program.<sup>10</sup> LSP individuals are defined as people who have limited ability to speak, write, and/or understand the Spanish language. Much like their LEP counterparts, LSP may become a barrier when accessing information or CDBG-DR funded programs.

A total of 99.8% of Puerto Rico's population speak either English or Spanish as their main language. Specifically, 94.4% speak Spanish and 5.4% speak English. Any English-speaking person having a limited ability to speak, read, write, or otherwise understand Spanish will have available to them written translations services for all vital documents, in addition to oral translation services. Given these statistics and analysis, all vital documents relating to CDBG-DR Programs are made available in English and Spanish.

The CDBG-DR Program is a federally funded program that is monitored and supervised by HUD. The particularities and intricacies of a federally funded program implemented in a Spanish speaking jurisdiction, creates for a duality of languages depending on the forum for which both Spanish and English translation services must be employed, as stated in this Plan.

## 4 Language Access Plan

Based on the foregoing “Four Factor Analysis,” the greatest need for LEP/LSP resources is for the provision of Spanish and English language services. In an effort to meet these needs, PRDOH implements responsible measures that provide the following for CDBG-DR funded activities:

1. While interpretation services are widely available at the various venues providing services, enhanced efforts made for the provision of English and Spanish translation services for vital federally funded program documents.
2. PRDOH provides documents deemed vital for each CDBG-DR program in both English and Spanish.
3. Regarding the CDBG-DR public participation process, PRDOH will provide public hearing notices for its Action Plan and any amendments in both English and

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<sup>10</sup> Limited English Proficiency (LEP) 2018 CDBG-DR Problem Solving Clinic, <https://files.hudexchange.info/course-content/2018-cdbg-dr-problem-solving-clinic/CDBG-DR-LEP-Slides-2018.pdf>.

Spanish, which will contain an advisory regarding the availability of language services throughout the planning process.

4. All drafts and approved Action Plans and Amendments are available in English and Spanish on the CDBG-DR website.
5. Public participation surveys will be provided in both English and Spanish.
6. Spanish and English interpretation services will be made available at all CDBG-DR related public meetings.
7. In an effort to enhance participation in the CDBG-DR planning process by LEP/LSP individuals, outreach efforts will be conducted by PRDOH with local community groups, and at public facilities in English and Spanish.
8. PRDOH's CDBG-DR Program website and all program information is available in both Spanish and English.
9. PRDOH's Citizen Participation Plan is consistent with the requirements of this LAP.
10. PRDOH's CDBG-DR Subrecipients Agreements will include requirements for the provision of LEP/LSP resources by subrecipients for all public participatory activities, including marketing, outreach, applications, vital document translations, and monitoring requirements. Subrecipient and contractor agreements will incorporate LEP/LSP requirements relative to:
  - a. Providing English and Spanish translations for all outreach, marketing, application materials, and vital documents, and to advise of the availability of language assistance services.
  - b. Requirements will also be added for subrecipients, contractors, and other administering entities assisting with the implementation of the CDBG-DR Program that interact with LEP/LSP individuals to:
    - i. Develop and maintain operating procedures that address LEP/LSP assistance
    - ii. Maintain inquiry and application logs that specify language of choice
    - iii. Submit documentation to PRDOH supporting subrecipient efforts to further LEP and LSP access
    - iv. Submit translated documentation to PRDOH for maintenance in PRDOH's project files; and
    - v. Require periodic monitoring by PRDOH for compliance with LEP/LSP requirements.

11. Programs conducted by PRDOH which entail public participatory contact will provide all marketing, outreach and marketing/information brochures and publications, applications, and vital documents in both Spanish and English.
12. Where programs use initial contact "template" or "form letters", such letters shall be provided in both English and Spanish and will advise of the availability of language assistance services by PRDOH.
13. Provide training for PRDOH staff and subrecipients, contractors, and other administering entities assisting with the implementation of the CDBG-DR Program that interact with LEP/LSP individuals on the requirements of this LAP, and its effective implementation at the staff, program, and project level.
14. PRDOH and its CDBG-DR subrecipients, contractors, and other administering entities assisting with the implementation of the CDBG-DR Program that interact with LEP/LSP individuals will be required to maintain citizen inquiry and application logs that document the language preference of persons seeking to apply or participate in CDBG-DR funded activities and programs. The data derived from these logs will be analyzed to make any necessary adjustments to the LAP.
15. Insert "tag lines" on all printed English outreach materials indicating the availability of Spanish translation and interpretation services by PRDOH for its internally conducted activities, and by its CDBG-DR subrecipients. The reverse will be done on all printed Spanish outreach materials which shall indicate the availability of English translation and interpretation services by PRDOH.
16. Respond to requests for oral interpretation services for languages other than English and Spanish as necessary to ensure access by LEP/LSP individuals in all federally funded activities.
17. Explore access to community-based services which provide translation and interpretation services for LEP/LSP individuals.
18. Conduct an annual survey of PRDOH staff and contractors with public-facing roles to create a language bank of bilingual staff members who can be readily called upon when needed, as well as collect information regarding the incidence of requests for information and services in minority languages.
19. Conduct targeted outreach to LEP/LSP populations via community contacts, ethnic media, or other available means.
20. Continue to provide interpretation services as necessary to ensure access by LEP/LSP individuals in all federally funded activities.
21. Ensure all in-person, telephone, and web-based application and intake centers include bilingual staff for assistance and support. Each point of contact between PRDOH, subrecipient, or contractor with a community member must establish a meeting address or phone number accessible for LEP/LSP individuals.

## 5 Language Access Plan Implementation

Implementation of the above listed measures will be performed in accordance with the following schedule:

1. Spanish translations for all vital documents for each public participatory or public contact program offered by PRDOH will continue after the approval of this LAP and continued throughout the duration of the program. This also includes marketing, outreach and marketing/information brochures and publications, applications, and initial contact "template" or "form letters".
2. The provision of public hearing notices regarding the Action Plan in Spanish and English will be performed for each future respective document preparation cycle; with advisories regarding the availability of language services throughout the planning process contained in the English and Spanish language notices.
3. Spanish and English interpretation services will be made available at all CDBG-DR related public meetings for each future planning cycle.
4. Public participation surveys will be provided in both English and Spanish; and Spanish and English interpretation services will be made available at all CDBG-DR related public meetings for each respective document preparation cycle.
5. During all future planning cycles, outreach efforts will be conducted by PRDOH with local community groups, and at public facilities in English and Spanish.
6. Future draft and final Action Plans will continue to be translated into Spanish with a notification that specifies that additional translation or interpretation services are available on request. The English and Spanish versions will be posted on PRDOH's website concurrently.
7. Amendment of PRDOH's CDBG-DR Subrecipient Agreements to include requirements for the provision of LEP/LSP resources by subrecipients for all public participatory activities, and to address monitoring responsibilities, will be performed prior to the initiation of the next CDBG-DR planning cycle.
8. Provision of trainings regarding this LAP will be provided to staff, subrecipients, and contractors upon hiring or contract execution as part of the FHEO training curriculum initiated after the approval of this LAP and completed thereafter being created by PRDOH.
9. Existing funded subrecipients and contractors will be advised of the approval of this LAP and of the need to provide English & Spanish translations for all outreach, marketing, application materials, and vital documents, and to advise of the availability of language assistance services.
10. As part of the ongoing compliance verification efforts of PRDOH, subrecipients and contractors will be required to submit information on a quarterly basis

regarding their interactions with, and efforts to serve LEP individuals. The analysis of the reported data will be performed on a quarterly basis.

11. The insertion of “tag lines” on printed outreach materials or program forms indicating the availability of English/Spanish translation and interpretation services by PRDOH and its CDBG-DR subrecipients.
12. Spanish and English language interpretation services for all CDBG-DR funded activities entailing participatory contact will be performed on an ongoing basis.
13. Access to community-based services which provide needed translation and interpretation services for non-Spanish speaking LEP/LSP individuals will be explored on an ongoing basis.
14. Targeted outreach to the LEP/LSP populations via community contacts, ethnic media, or other available means will be performed on an ongoing basis and be adjusted to meet program demands.

Implementation and coordination of all activities required under the Language Access Plan shall be the responsibility of the PRDOH CDBG-DR designated employee, who shall be responsible for monitoring the effectiveness of the plan.

## 6 Plan Conformance and Updates

During the term of the PRDOH CDBG-DR Program, this LAP shall be reviewed annually to ensure conformance with all statutory requirements, monitor changes in the language characteristics of its population, monitor program demand by LEP/LSP individuals, evaluate its effectiveness, and amended as necessary to accommodate modifications to demographic changes, client needs, regulatory requirements, and revised or new federally funded programs and projects.

## 7 Language Accessibility

Program accessibility for LEP/LSP individuals may be requested:

- Via telephone: 1-833-234-CDBG or 1-833-234-2324 (TTY: 787-522-5950)  
Attention hours: Monday to Friday from 8:00am-5:00pm
- In-person at: PRDOH Headquarters Office  
Ave. Barbosa #606 Bldg. Juan C. Cordero  
Río Piedras, PR 00923  
or, Program Intake Centers:  
<https://www.vivienda.pr.gov/directorio-de-las-oficinas-regionales/>

In-person hours: Monday to Friday from 8:00am-5:00pm<sup>11</sup>

- Via email at: [infoCDBG@vivienda.pr.gov](mailto:infoCDBG@vivienda.pr.gov) – for all CDBG-DR inquiries
- Online at: <https://www.cdbg-dr.pr.gov/en/contact/> (English version)  
<https://www.cdbg-dr.pr.gov/contact/> (Spanish version)
- In writing at: Puerto Rico CDBG-DR Program  
P.O. Box 21365  
San Juan, PR 00928-1365

## 8 Complaints

As part of addressing Puerto Rico's long-term recovery needs, citizen complaints on any issues related to the general administration of CDBG-DR are welcome throughout the duration of the grant, including those related to the LAP. PRDOH aims to provide an opportunity to address all complaints received. Addressing these complaints is an essential responsibility for PRDOH, as it establishes the importance of an open communication regarding citizens' concerns about the programs.

It is PRDOH's responsibility, as grantee, to ensure that all complaints are dealt with promptly and consistently and at a minimum, to provide a timely, substantive written response to every **written** complaint within **fifteen (15) business days**, where practicable, as a CDBG grant recipient. See 24 C.F.R. § 91.115(h).

PRDOH aims to provide an opportunity to address all complaints received, either formally or informally. An informal complaint refers to those complaints that are verbally communicated through CDBG-DR personnel. These are not subject to 24 C.F.R. § 91.115(h), unless the complainant requests for it to be filed as a formal complaint. A formal complaint is a written statement of grievance. All formal complaints will be documented, processed, filed and answered. Complaints with insufficient data or submitted by a third party with no standing in the matter being submitted need not be accepted or reviewed.

PRDOH offers reasonable accommodation to ensure equal opportunity. PRDOH ensures that the LEP/LSP community is served. CDBG-DR website and tools are available in both, the Spanish and English language.

Citizens who wish to submit formal complaints related to the CDBG-DR funded activities, including the LAP, may do so through any of the following means:

- Via telephone: 1-833-234-CDBG or 1-833-234-2324 (TTY: 787-522-5950)

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<sup>11</sup> Hours may vary due to COVID-19. PRDOH recommends calling ahead to prior to arrival.

Attention hours: Monday to Friday from 8:00am-5:00pm

- Via email at: [LegalCDBG@vivienda.pr.gov](mailto:LegalCDBG@vivienda.pr.gov)
- Online at: <https://cdbg-dr.pr.gov/en/complaints/> (English version)  
<https://cdbg-dr.pr.gov/quejas> (Spanish version)
- In writing at: Puerto Rico CDBG-DR Program  
P.O. Box 21365  
San Juan, PR 00928-1365

Although formal complaints are required to be submitted in writing, complaints may also be received verbally and by other means necessary, as applicable, when PRDOH determines that the citizen's particular circumstances do not allow the complainant to submit a written complaint. However, in these instances, PRDOH shall convert these complaints into written form. These alternate methods include, but are not limited to:

- Via telephone: 1-833-234-CDBG o 1-833-234-2324 (TTY: 787-522-5950)  
Attention hours: Monday to Friday from 8:00am-5:00pm
- In-person at: PRDOH Headquarters Office or Program Intake Centers  
Attention hours: Monday to Friday from 8:00am-5:00pm<sup>12</sup>

Citizens also have the alternative of filing language accessibility complaints directly with HUD which can be contacted:

- Via email at: [ComplaintsOffice02@hud.gov](mailto:ComplaintsOffice02@hud.gov)
- Online at:
  - English  
<https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>
  - Spanish  
[https://portalapps.hud.gov/AdaptivePages/HUD\\_Spanish/Espanol/complaint/complaint-details.htm](https://portalapps.hud.gov/AdaptivePages/HUD_Spanish/Espanol/complaint/complaint-details.htm)
  - Other languages  
[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)
- In writing at: New York Regional Office of FHEO

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<sup>12</sup> Hours may vary due to COVID-19. PRDOH recommends calling ahead to prior to arrival.

U.S. Department of Housing and Urban Development  
26 Federal Plaza, Room 3532  
New York, New York 10278-0068

- By calling at: (212) 542-7519; 1(800) 496-4294 or TTY (212) 264-0927

**For more information, see the Citizen Complaints Policy, which is published as a standalone document in English and Spanish at <https://www.cdbg-dr.pr.gov/en/resources/policies/> and <https://www.cdbg-dr.pr.gov/recursos/politicas/>.**

**END OF PLAN.**