

# NOTICE OF PUBLIC COMMENT PERIOD And PUBLIC HEARING

## SPARTANBURG COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT and HOME PROGRAM

### AMENDMENTS TO ANNUAL ACTION PLAN FY2011 and FY2008-2011 CONSOLIDATED PLAN

NOTICE IS HEREBY GIVEN that on **Tuesday, January 10, 2012 at 5:30 PM**, Community Development Office, Spartanburg County Community Services Building, 9039 Fairforest Road, Spartanburg, SC; Spartanburg County will hold a **PUBLIC HEARING** to receive citizens' comments on the following Amendments to FY2011 Annual Action Plans and FY2008-FY2012 Consolidated Plan

#### **FY 2008-2012 CONSOLIDATED PLAN AMENDMENT**

Section III: Other Actions

Add Heading of "Resale and Recapture"

#### Resale and Recapture

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The guidelines relating to resale and possible recapture of HOME/CDBG Funds found in 24 CFR part 92.254 and other related subsections have been incorporated into rehabilitation and reconstruction agreements between Spartanburg County and homeowners. Community Development requires that those receiving assistance comply with all resale/recapture requirements as outlined in each rehabilitation/reconstruction contract. Funds provided by the County, pursuant to the agreement, are provided in the form of a deferred, forgivable loan, shall be a charge on the property, and shall be secured by a lien on the property. Refinancing is not permitted without approval of Spartanburg County.

#### **HOME**

The Property Owner must maintain ownership of the property improved for a period of twenty (20) years as their principal residence. Ownership shall be in the form of a fee simple title and the Ownership interest may be subject only to mortgages, deeds of trust or other debt instruments approved by the County and any other encumbrances or restrictions that do not impair the marketability of the Ownership interest. Temporary subleases are not allowed. Spartanburg County shall verify residency on an annual basis with the cooperation of the Property Owner.

## **CDBG**

The funds provided by Spartanburg County are a deferred forgivable loan and shall be forgiven by the County on a twenty and no/100 percent (20%) pro-rated basis for each year or fraction thereof that the undersigned Property Owner maintain ownership of said property and occupies it as their residence. In the event the property is not occupied as a residence by the Property Owner, is sold, is conveyed, is leased or otherwise transferred prior to the expiration of five (5) to seven (7) years (duration determined on a case by case basis) from the date of the execution of this Agreement, the balance of the funds not forgiven on the date of such transfer of ownership, together with simple interest of three percent (3%) per annum, shall immediately become due and payable to the County of Spartanburg for continued use in its Housing Program.

In the event that any of these conditions are violated and the resale/recapture provisions are triggered, Spartanburg County will negotiate a repayment plan based on income in order to recover the HOME funds in a timely manner. All recaptured HOME funds will only be used for HOME eligible activities.

### **FY2011 ANNUAL ACTION PLAN AMENDMENT:**

Section IV: HOME Narrative

Add Heading of "Resale and Recapture"

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### **PUBLIC COMMENT PERIOD: DECEMBER 19, 2011 to JANUARY 17, 2012**

All comments must be received by 5:00 P.M., TUESDAY JANUARY 17, 2012, in the Community Development Office, at the above address, or mailed to PO Box 5666, Spartanburg, SC 29304. For phone comments or more information, please contact Ann Brunson at 864-595-5300.

Spartanburg County does not discriminate on the basis of age, color, religion, sex, national origin, disability or familial status in the admission or access to, or treatment or employment in its federally assisted programs or activities. Assistance will be provided to accommodate the special needs of persons with disabilities upon 24-hour advance request. Mr. Tony Bell, Director, Human Resources Department, 366 North Church Street, Spartanburg, SC 29303, (864) 596-2522 (voice), (864) 596-2001 (TDD), has been designated to coordinate compliance with nondiscrimination requirements contained in the US Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR Part 8, dated June 2, 1988).