PRINCIPAL DEPUTY ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

Tom McCasland
Director
Housing and Community Development
 Department
City of Houston
2100 Travis, 9th Floor
Houston, TX 77002

Dear Mr. McCasland:

Thank you for your letter of July 8, 2019, regarding the city's request for a waiver of the State's unit requirements for homes impacted by Hurricane Harvey. The Department acknowledges that the city of Houston has different program preferences than the State. Nevertheless, HUD's grantee is the State of Texas, and the General Land Office (GLO) is the administering agency that determines local requirements for Community Development Block Grant disaster recovery (CDBG-DR) programs.

As described in the applicable *Federal Register* notices, the statutory and regulatory provisions governing the State's Community Development Block Grant (CDBG) program also apply to CDBG-DR grant funds. The *Federal Register* notices that govern CDBG-DR grants to Texas do not waive the following CDBG requirements that apply when the State distributes funds to Houston and Harris County, as stated below:

> Under the State CDBG program regulation at 24 CFR 570.480(f), "In administering the CDBG program, a State may impose additional or more restrictive provisions on units of general local government participating in the State's program, provided that such provisions are not inconsistent with the Act or other statutory or regulatory provisions that are applicable to the State CDBG program."

The State's home unit size provisions are not inconsistent with HUD's statutes or regulations, therefore, HUD has no authority to change the State regulations. GLO is responsible for addressing any conflicts that may arise from HUD-funded activities and its disaster recovery efforts. The Department will continue to work with the State regarding your concerns.

Thank you for your interest in the Department's programs.

Sincerely,

David C. Woll, Jr.
Principal Deputy Assistant Secretary
 for Community Planning and Development