

## DEFINITIONS

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**Consolidated Plan.** The plan prepared in accordance with [24 CFR part 91](#), which describes needs, resources, priorities and proposed activities to be undertaken with respect to HUD programs, including the CDBG program. An approved consolidated plan means a consolidated plan that has been approved by the U.S. Department of Housing and Urban Development (HUD) in accordance with [24 CFR part 91](#).

**Cost Burden.** The extent to which gross housing costs, including utility costs, exceed 30 percent of gross income, based on data available from the U.S. Census Bureau.

**Elderly Person.** A person who is at least 62 years of age. (Source: 24 CFR 5.100)

**Emergency Shelter.** Any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements. Any project funded as an emergency shelter under a Fiscal Year 2010 Emergency Solutions grant may continue to be funded under ESG.

**Essential Improvement.** Improvements necessary to make the unit comply with the Section 8 Housing Quality Standards and local codes, remove architectural barriers, and to provide amenities usually expected or found in comparable units in the private rental market.

**Extremely low-income family.** A family whose income is equal to or less than 30% of the median income for the area as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30% of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

**Extremely low-income Household.** A household whose income is equal to or less than 30% of the median income for the area as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30% of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

**Family.** Includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- (1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or
- (2) A group of persons residing together, and such group includes, but is not limited to:
  - (i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
  - (ii) An elderly family;
  - (iii) A near-elderly family;

- (iv) A disabled family;
  - (v) A displaced family; and
  - (vi) The remaining member of a tenant family.
- (Source: 24 CFR 5.403)

**Homeless means;**

- (a) **CATEGORY 1:** An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
  - (1) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
  - (2) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low income individuals); or
  - (3) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
  
- (b) **CATEGORY 2:** An individual or family who will imminently lose their primary nighttime residence, provided that:
  - (1) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
  - (2) No subsequent residence has been identified; and
  - (3) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing;
  
- (c) **CATEGORY 3:** Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
  - (1) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
  - (2) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
  - (3) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
  - (4) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(d) **CATEGORY 4:** Any individual or family who:

- (1) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
- (2) Has no other residence; and
- (3) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

**Household** means all persons occupying a housing unit. The occupants may be a family, as defined in [24 CFR 5.403](#); two or more families living together; or any other group of related or unrelated persons who share living arrangements, regardless of actual or perceived, sexual orientation, gender identity, or marital status.

**HUD.** The United States Department of Housing and Urban Development.

**Income** - (i) for non-housing activities means "**Adjusted Gross Income**" as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 for individual Federal annual income tax purposes; (ii) for housing activities means "**Annual income**" as defined under the Section 8 Housing Assistance Payments program at [24 CFR 813.106](#) (except that if the CDBG assistance being provided is homeowner rehabilitation under CDBG regulations at 24 CFR 570.202, the value of the homeowner's primary residence may be excluded from any calculation of Net Family Assets. (iii) Estimate the annual income of a family or household by projecting the prevailing rate of income of each person at the time assistance is provided for the individual, family, or household (as applicable). Estimated annual income shall include income from all family or household members, as applicable. Income or asset enhancement derived from the CDBG-assisted activity shall not be considered in calculating estimated annual income.

**Lead-based Paint Hazards** - Any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects as established by the appropriate Federal agency.

**Low-and-moderate-income family** means a family having an income equal to or less than the Section 8 low-income limit established by HUD. For this purpose, "income" means adjusted gross income as defined for purposes of reporting under IRS Form 1040 for individual annual income. "Family" refers to the definition of "family" in 24 CFR 5.403. The Subrecipient must maintain the information on family size and income to demonstrate that they have complied with a program national objective. The Subrecipient must collect family income information from all clients served in order to determine that they are at or below Low- to Moderate-Income.

**Low- and moderate-income household** means a household having an income equal to or less than the Section 8 low-income limit established by HUD.

**Low- and moderate-income person** means a member of a family having an income equal to or

less than the Section 8 low-income limit established by HUD. Unrelated individuals will be considered as one-person families for this purpose.

**Low-Income Family** means a family whose income exceeds 30 percent but is equal to or less than 50 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.

**Low-income household** means a household having an income equal to or less than the Section 8 very low-income limit established by HUD. (A household whose income exceeds 30 percent but is equal to or less than 50 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.)

**Low-income person** means a member of a family that has an income equal to or less than the Section 8 very low-income limit established by HUD. Unrelated individuals shall be considered as one-person families for this purpose.

**Major Building Systems** - A major building system generally includes, but is not limited to, the following: roof, ceiling, wall or floor structures, plumbing, heating, air conditioning or electrical systems.

**Middle-Income Family** - A family whose income exceeds 80 percent but is equal to or less than 95 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.

**Middle-Income Household** - A household whose income exceeds 80 percent but is equal to or less than 95 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.

**Moderate-Income Family** - A family whose income exceeds 50 percent but is equal to or less than 80percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.

**Moderate-income household** means a household having an income equal to or less than the Section 8 low-income limit and greater than the Section 8 very low-income limit, established by HUD. (A household whose income exceeds 50 percent but is equal to or less than 80percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.)

**Moderate-income person** means a member of a family that has an income equal to or less than the Section 8 low-income limit and greater than the Section 8 very low-income limit, established by HUD. Unrelated individuals shall be considered as one-person families for this purpose.

**Owner** - Any person, partnership, corporation or legal entity having the title to the property.

**Overcrowding.** For purposes of describing relative housing needs, a housing unit containing more than one person per room, as defined by the U.S. Census Bureau, for which data are made available by the Census Bureau.

**Participating jurisdiction** - Any jurisdiction that has been so designated by HUD. For purposes of this program, the participating jurisdiction is Montgomery County.

**Person with a severe disability** - A person who is determined to:

- (a) Have a physical, mental, or emotional impairment that:
  - (1) Is expected to be of long-continued and indefinite duration;
  - (2) Substantially impedes his or her ability to live independently; and
  - (3) Is of such a nature that such ability could be improved by more suitable housing conditions.
- (b) Have a developmental disability, which is a severe, chronic disability that-
  - (1) Is attributable to a mental or physical impairment or combination of mental and physical impairments;
  - (2) Is manifested before the person attains age 22;
  - (3) Is likely to continue indefinitely;
  - (4) Results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and
  - (5) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated.

**Project** - A site or an entire building (including manufactured housing), or two or more buildings together on the same site that are under common ownership, management, and financing. If there is more than one site associated with the project, the sites must be within four blocks.

**Reconstruction** - Rebuilding of housing on the same foundation.

**Rehabilitation** -

**Moderate Rehabilitation** - rehabilitation at an average cost for the project less than \$25,000 per unit.

**Substantial Rehabilitation** - rehabilitation at an average cost for the project more than \$25,000 per unit.

**Tenant Based Rental Assistance** - Rental assistance in which the tenant may move from a dwelling unit with a right to continued assistance.

**Transitional housing.** A project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living within 24 months or a longer period approved by HUD.