

#### **04 NCAC 19L .0910 PROGRAM AMENDMENTS**

(a) Community development program amendments. Recipients shall request prior Division approval for all program amendments when:

- (1) The recipient proposes to change the approved project budget amount for any activity by more than 10 percent of the total project amount;
- (2) The recipient proposes to add or delete any activity or activities, change project locations, or change the scope of the program or class of beneficiaries of previously approved activities; and
- (3) The cumulative effect of a number of smaller changes involving the approved activities exceeds 10 percent of the total project amount. In such instances, the recipient shall include in its request for an amendment documentation describing the smaller changes previously made, as well as those being proposed. After the amendment is approved by the Division, the accrual of smaller changes begins again.

(b) Citizen Participation. Recipients proposing amendments and other changes to the approved application which require prior Division approval pursuant to Paragraph (a) of this Rule shall hold one public hearing in accordance with Paragraph (f) of Rule .1002, CITIZEN PARTICIPATION.

(c) Citizen objections to the amendment. Persons wishing to object to the approval of an amendment by the Division shall make such objection in writing to the Division in accordance with Paragraph (f) of Rule .1002 CITIZEN PARTICIPATION.

(d) Budget ordinance amendment. Any amendment to the grant program that involves a financial transaction shall comply with the provisions set forth in G.S. 159-15, Amendments to the Budget Ordinance.

(e) All requests for program amendments that require prior Division approval shall be submitted to the Division and include the following:

- (1) copy of the current budget and proposed changes;
- (2) detailed narrative description of the proposed changes and their effect upon the approved project;
- (3) maps showing any change in location;
- (4) signature of approval by the recipient's chief elected official on a form prescribed by the Division; and
- (5) other information appropriate for evaluating the proposed amendment.

(f) All requests for program amendments that require prior Division approval may be submitted by the Division to the appropriate agency or agencies for clearinghouse review. Procedures for this review shall be in accordance with Rule .1012 of this Subchapter.

(g) All records of program amendments shall be kept on file in accordance with Rule .0911 of this Section.

(h) Division Review of Amendments. In approving or denying proposed amendments pursuant to Paragraph (a) of this Rule .0910, the Division may consider the following factors:

- (1) amendments which include new or significantly altered activities may be rated in accordance with the selection criteria applicable at the time the original application was rated;
- (2) whether the proposed amendment activities can be completed within the scheduled duration of the project;
- (3) feasibility of the proposed amendment; and
- (4) appropriateness of the proposed amendment.

*History Note: Authority G.S. 143B-10; 143B-431; 159-15; 159-34; 42 U.S.C.A. 5304(a)(2),(d)(2); 24 C.F.R. 570.489; Eff. July 1, 1982; Amended Eff. June 1, 1993; September 1, 1990; April 1, 1989; March 1, 1984; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.*