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December 19, 2014

**ELECTRONIC TRANSMISSION AND FEDERAL EXPRESS OVERNIGHT**
Ms. Barbara Delaney
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Philadelphia Center Director
100 Penn Square East - Wanamaker Building,
10th Floor
Philadelphia, PA 19107

Lori Wagner, Esq.
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Chief
Attn: DJ #175-15-46
Housing and Civil Enforcement Section
Civil Rights Division
United States Department of Justice
1800 G Street NW
Washington, DC 20006

Re: Fourth Semi-Annual Compliance Report Under the Sussex County Voluntary Compliance Agreement (HUD) and Consent Decree (USDOJ)

Dear Ms. Delaney and Ms. Wagner:

This correspondence serves as Sussex County's fourth semi-annual compliance report ("Fourth Semi-Annual Compliance Report") as required under Section V(A)(1) of the Voluntary Compliance Agreement ("VCA") executed between Sussex County and the U.S. Department of Housing and Urban Development ("HUD") on November 28, 2012, and Section VI(18) the Consent Decree ("CD") executed between Sussex County and the U.S. Department of Justice ("USDOJ") on November 28, 2012, entered by the Court on December 19, 2012 (Civil Action No. 12-1591-MPT). By email dated November 24, 2014, from Ms. Taylor-Blancher to Stephanie Hansen, an extension until December 19th, 2014, was granted by HUD to submit this Fourth Semi-Annual Compliance Report. No extension was required by USDOJ under the CD

because submission of the Fourth Semi-Annual Compliance Report on or before December 19, 2014, is timely. Exhibits are attached as noted.

This correspondence expressly incorporates by reference all of the previous reporting information submitted to HUD and USDOJ in the County's correspondences dated December 28, 2012; March 28, 2013; May 28, 2013; July 2, 2013; July 23, 2013; August 5, 2013[1]; September 30, 2013; October 30, 2013; November 7, 2013, November 27, 2013; January 6, 2014; March 19, 2014; May 9, 2014[2]; and June 19, 2014.

***Sussex County would like to request an in-person meeting with HUD to discuss the continued elements of disagreement between HUD and the County regarding the County's compliance with the VCA. Those items and the areas of disagreement are set forth in detail later in this correspondence after the discussion of the actions required under the CD. In short, the County believes that HUD is over-reaching by requiring actions of the County that go well beyond those negotiated in the VCA. We are now at the halfway point in the implementation of the VCA and now is the time to iron out these fundamental differences before any more time elapses. The County requests that HUD contact their counsel, Stephanie Hansen, at the address above or by email at shansen@ycst.com as soon as possible so that we can make arrangements to meet.***

## I. Requirements Under the Consent Decree

The compliance status of each requirement is addressed below in the numerical order in which the requirement is found in the CD.

A. **Section I(8)(a) through (d)** – General Injunction. The County believes it is in compliance with the continuing obligations of the general injunction as set forth in this section.

B. **Section II** – Development of New Horizons by Diamond State Community Land Trust ("Diamond State CLT"). With the exception of Subsection II(11)(a), the requirements of this section become active only upon submission of an application by Diamond State CLT. Since no application has been received, the requirements have not been activated. With regard to Subsection II(11)(a), the County affirmatively states that it is in compliance with the requirements of this subsection which prohibit public disparagement of Diamond State CLT, the New Horizons development project, or the viability of the community land trust model for affordable housing development.

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[1] The August 5, 2013 correspondence was sent solely to HUD in response to HUD's July 30, 2013 email request from Ms. Sharese Paylor for additional information on the County's interaction with DSHA and the Delaware Office of State Planning Coordination in drafting the AI Evaluation and Proposed Priority Fair Housing Plan.

[2] The May 9, 2014 correspondence was sent solely to HUD in partial response to the HUD Review Letter (hereinafter defined).

Subsection II(11)(b) states that the County shall, upon request by Diamond State CLT, provide letters from the County to actual or potential funders or any other governmental entity indicating the County's support for Diamond State CLT's New Horizons project. Although Diamond State CLT has not requested a letter of support for New Horizons, they did request support for a joint venture project with Habitat for Humanity in which they are to build affordable housing in Ingram Village in Ellendale. As presented to the County, the homes to be built by Diamond State CLT are to utilize the community land trust model wherein Diamond State CLT continues to own the land, but leases the land to the homeowner, and the homeowner will own the home. Attached within **Exhibit 1** are the letters provided by the County in support of the project to the Delaware State Housing Authority and the certification from the County to FHLBank mentioning that the County encourages the creation of affordable housing through the land trust model of home ownership.

C. **Section III(12)** – Additional Provisions Related to Affordable and Fair Housing. This section requires certain notice to an applicant should the County decline, reject, or deny any type of request or application for zoning or land use approval related to an Affordable Housing proposal or a proposal processed under the Moderately Priced Housing Unit ("MPHU") program or the Sussex County Rental Program ("SCRP"). The County believes it has not declined, rejected, or denied any such request and, therefore, believes it is in compliance with this section.

D. **Section III(13)(a) through (d)** - Additional Provisions Related to Affordable and Fair Housing. This section requires the County to submit to USDOJ a draft Affordable and Fair Housing Marketing Plan ("Marketing Plan") inclusive of specific items within one hundred (100) days of the adoption of the CD. The one-hundred-day deadline was April 1, 2013. The County submitted its draft Marketing Plan in its correspondence to USDOJ and HUD dated March 28, 2013. USDOJ provided comments to the draft Marketing Plan by letter dated April 29, 2013, and the County submitted a revised Marketing Plan to USDOJ by letter dated May 13, 2013. The County submitted a second revised Marketing Plan in its correspondence to USDOJ on July 2, 2013 to incorporate "gender identity" as a new protected class in accordance with a new law recently enacted in Delaware. Subsequently, the County requested a date change for one of the items in the Marketing Plan (the date by which to hold the Homebuyer Fair) in its correspondence to USDOJ dated July 23, 2013, and with that correspondence, submitted another revised Marketing Plan showing the date change.

Under the provisions of this section, the County must proceed to implement the Marketing Plan within five (5) days upon its approval by USDOJ. *Although the County is still awaiting USDOJ's formal notice of approval on the Marketing Plan, since the Marketing Plan contained specific due dates for actions by the County and there has been no further communication from USDOJ, the County has proceeded in good faith to implement the elements of the Marketing Plan as those elements have come due.* For a full listing of those elements and the County's actions, please see the County's correspondences to you dated July 2, 2013; September 30, 2013; and January 6, 2014.

In its Second Semi-Annual Compliance Report, the County again asked that USDOJ approve its Marketing Plan, but did not hear back. Within the Third Semi-Annual Compliance

Report, the County requested two extensions of time under the revised Marketing Plan submitted to USDOJ via correspondence dated July 23, 2013 and stated that unless the County was informed otherwise, it would consider the extensions granted. No correspondence was subsequently received from USDOJ, so the County considers the extensions granted. **In order to be clear regarding USDOJ's approval of the Marketing Plan as a whole, the County will consider the Marketing Plan approved by USDOJ unless it is informed otherwise by January 1, 2015**.

1. The Sussex County Homebuyer Fair

First, the County requested an extension of time from June 30, 2014 until December 31, 2014, in which to hold the Homebuyer Fair. The Homebuyer Fair was subsequently held on September 27, 2014. Section IV(A)(1)(i) of the Marketing Plan required the County to hold the Homebuyer Fair including the following stakeholders: (i) Sussex County Association of Realtors; (ii) First State Community Action Agency; (iii) NCALL Research, Inc.; (iv) Milford Housing Development Corporation; (v) Sussex County Habitat for Humanity; (vi) Diamond State CLT; and (vii) the U.S. Department of Agriculture Rural Development Agency. In addition, marketing materials were to be posted and/or distributed to at least ten (10) major Sussex County employers employing a substantial low-and-moderate income workforce, as well as the rural Impacted Communities identified through the County's Strong Communities Initiative. Attached hereto as **Exhibit 2** are: (i) the Homebuyer Fair booklet identifying the required stakeholders listed as either partners, sponsors, or exhibitors; (2) the Homebuyer Fair Marketing Details (dated September 27, 2014) listing the entities to whom the County sent an invitation and/or the Homebuyer Fair flyer; and (3) the Homebuyer Fair Poster and postcards (English and Spanish versions). As you can see from these documents, the County went above and beyond the requirements in the Marketing Plan to generate interest and perform public outreach. As a result, the County believes it is in compliance with this requirement of the Marketing Plan.

2. The County's Outreach Effort

Secondly, under Section V of the revised Marketing Plan, the County asked for an extension of time from early 2014 to September 30, 2014 to develop flyers and/or posters outlining the County's housing outreach efforts and mail/distribute the flyers/posters to the various entities specified. Attached as **Exhibit 3** are: (i) the English and Spanish versions of the outreach card; (2) the list of addressees that received the card(s) and the date the cards were mailed; and (3) the templates of the correspondences sent to the employers. The correspondences sent to the libraries and organizations were substantially similar to those correspondences sent to the employers. The County now believes it has met the requirements of this section of the Marketing Plan.

E. **Section IV(14)** – Fair Housing Compliance Officer. This section required the County to designate a Fair Housing Compliance Officer ("FHCO"). As set forth in its correspondence to USDOJ and HUD dated December 28, 2012, the County believes it is in compliance with this requirement.

F. **Sections IV(15) and (16)** - Fair Housing Compliance Officer. These sections require the FHCO to receive and review all complaints of housing discrimination made against the County, to keep a written record of verbal complaints, and to provide HUD and USDOJ with a copy of the complaints received and the County's response. Since the County's Third Semi-Annual Compliance Report dated June 19, 2014, the County has not received any complaints of housing discrimination. The County would like to note that its complaint form is available in Spanish on the County's website and in the County's offices.

G. **Section IV(17)** - Fair Housing Compliance Officer. This section requires the FHCO to maintain copies of the CD, the Fair Housing Policy, the HUD Complaint form and HUD pamphlet entitled "Are you a victim of housing discrimination?" (HUD official forms 903 and 903.1, respectively) and make these materials freely available to anyone, upon request, without charge, including all persons making fair housing complaints to the FHCO. The required materials continue to be freely available, upon request, without charge, to anyone at the County's office of Community Development and Housing and on the County's website. As a result, the County believes it is in compliance with this section.

H. **Section IV(18)** - Fair Housing Compliance Officer. This section requires the FHCO to report to the County every six months on activities taken in compliance with this CD. The FHCO reported to the County at the County Council meeting held on December 16, 2014, in compliance with this section. Attached as **Exhibit 4** is the agenda from the County Council meeting showing the FHCO's presentation on the agenda.

I. **Section V(19)** – Fair Housing Policy. Among other things, this section requires the County to adopt a Fair Housing Policy with the text as set forth in the CD at Attachment A. The policy was so adopted and notice of the fulfillment of this requirement was sent to USDOJ and HUD in the County's correspondence dated December 28, 2012. The Fair Housing Policy has subsequently been revised to reflect new protected class status for gender identity in Delaware and to include the County's Anti-NIMBY language. Notice of each revision was sent to your office via correspondences dated July 2, 2013, and July 23, 2013.

This section also requires the County to include the Fair Housing Policy in all literature and information or application materials provided to residential developers, including developers of affordable housing. The County affirmatively states that it is inserting the Fair Housing Policy in its land use application material and attaches hereto the County's Application for Major Subdivision as **Exhibit 5.** Lastly, this section requires the County to include the Fair Housing Policy as a readily accessible link on the County's website. This link is currently active and can be found on the County's website and under the Community Development & Housing webpage at: http://www.sussexcountyde.gov/fair-housing-policy

Finally, the County would like to note that the Fair Housing Policy is now available in Spanish on the County's website and in the County's offices. As a result, the County believes it is in compliance with this section.

J. **Section V(20)** – Fair Housing Policy. This section requires the County to place the "Equal Housing Opportunity" or fair housing logo on the County's website and on all future published notices and advertisements related to housing or residential development. The County states affirmatively that this requirement continues to be fulfilled and includes the agendas from recent meetings of the Board of Adjustment, the Planning and Zoning Commission, and County Council as examples illustrating such compliance as **Exhibit 6**.

K. **Section VI(21) – (23)** – Training. As set forth in the County's correspondence to USDOJ and HUD dated March 19, 2014, the County has fulfilled all of the requirements for the second annual in-person training and submission of training certificates as required under Sections 21 through 23. Additionally, the County has hired six (6) new employees since submission of the Third Semi-Annual Compliance report whose employment positions the County believes are covered under these sections. All were required to receive the fair housing training within thirty (30) days of employment and all but one were trained in a timely manner. One employee, Lewis Walls, received training just outside of the 30 day deadline due to an inadvertent oversight. The certificates from each employee are attached hereto as **Exhibit 7.** The name of each employee, the date of hire, and the date of training are listed below:

1. Michael Costello (hired 6/23/14, trained 7/15/14)

2. Christie Allen (hired 9/1/14, trained 9/4/14)

3. Stacie Burton (Ms. Burton is a current employee in a position that is not required to receive the training under the CD, but who voluntarily received the training on 9/8/14)

4. Steve Mitchell (hired 10/27/14, trained 10/29/14)

5. Jeff Whaley (hired 10/13/14, trained 11/13/14)

6. Lewis Walls (hired 10/13/14, trained 11/21/14)

7. Melody Booker-Wilkins (hired 10/20/14, trained 11/15/14)

L. **Section VII(24)(a) through (c)** – Reporting and Recordkeeping. The requirements of this section do not become active until Sussex County acts upon Diamond State CLT's preliminary subdivision plat application for New Horizons. Since no such application has been submitted as of this time, the requirements of this section have not been activated. Additionally, as mentioned in the Third Semi-Annual Compliance Report, Sussex County understands that Diamond State CLT will not be pursuing the development of the New Horizons project on the land that was the subject of the original application.

M. **Section VII(25)** – Reporting and Recordkeeping. This section requires the submission to USDOJ of contact information for the FHCO, the adopted Fair Housing Policy, a printout of the County's website showing the "Equal Opportunity Logo," the name of the fair

housing trainer, and other information required by section 21(a). As set forth in the County's previous correspondences, the County has fulfilled the requirements of this section.

N. **Section VII(26)** – Reporting and Recordkeeping. This section required the County to submit the executed Certificates of Training and Receipt of Consent Decree for the initial in-person training, and the proposed Marketing Plan, to USDOJ by April 1, 2013. These documents were submitted to USDOJ and HUD in the County's correspondence dated March 28, 2013. As a result, the County believes it has fulfilled the requirements of this section (also please see the County's response to Section VI(21) – (23) above).

O. **Section VII(27)(a) through (f)** – Reporting and Recordkeeping.

Webpage: This section requires the County to develop an Affordable Housing webpage and update the webpage twice annually with certain information. The County was required to post its first compliance report and notify USDOJ of such posting within six (6) months after entry of the CD (by June 19, 2013). The County launched the webpage on June 19, 2013, and the content of the webpage conforms to the requirements of this section and to the draft Marketing Plan. However, the County has gone above and beyond the requirement to update the webpage twice annually and, instead, updates the webpage on a continuous basis whenever new materials related to affordable housing are generated. For your reference, the web address to the County's Affordable Housing webpage is:

http://www.sussexcountyde.gov/affordable-and-fair-housing-resource-center

Compliance Report Postings: This section also sets forth the information that should be posted on the webpage as part of the compliance report postings. In particular, the compliance report postings on the webpage should include: (a) copies of any letters of support by the County for New Horizons; (b) a summary of each zoning or land-use request or application related to Affordable Housing or housing being processed under the MPHU or SCRP programs and certain information related to those requests or applications; (c) representative copies of any published notices or advertisements containing the phrase "Equal Housing Opportunity" or the fair housing logo; (d) copies of any Certifications of Training and Receipt of Consent Decree signed since the preceding compliance report; (e) copies of any materials previously submitted to USDOJ if such materials have been substantially altered or amended since they were last submitted; and (f) copies of any changes to the County's zoning or land use laws, regulations, policies or procedures addressing the construction of or approval process for Affordable Housing or housing being processed under the MPHU or SCRP programs enacted since the previous compliance report was submitted.

The County states affirmatively that the above required information has been posted on the Affordable Housing webpage. Since the County's submission of the Third Semi-Annual Compliance Report, the County states the following with respect to the items required above, each in the order as presented above:

(a) The County has not issued any letters of support for New Horizons and there is no active application for New Horizons in front of the County.

(b) With one possible exception, there have been no zoning or land-use requests or applications related to Affordable Housing or housing being processed under the MPHU or SCRP programs on which the County has made a determination since the County's Third Semi-Annual Compliance Report. As reiterated in the County's Third Semi-Annual Compliance Report, USDOJ and the County have agreed that the phrase 'A summary of each zoning or land-use request or application related to Affordable Housing' refers to zoning or land use requests or applications for housing development projects intended or designed for households earning less than 80% of the Area Median Income ("AMI") as calculated by the U.S. Department of Housing and Urban Development. Such projects do not include requests or applications from individual homeowners seeking variances or special use exceptions from the County's Board of Adjustment. Instead, this provision is interpreted as applying to requests and applications from developers of residential housing projects. A residential housing project is interpreted as a project to construct housing in which more than one family is intended to be served and in which some portion of the project is specifically proposed by the developer as intended to serve households earning less than 80% AMI.

The one possible exception relates to a Board of Adjustment special use exception application that the County received from Donald and Karen A. Radcliff seeking approval for a recovery home for men recovering from drug and/or alcohol addiction. The hearing on this matter occurred on December 1, 2014, before the Board of Adjustment; however, the Board has not yet reached a decision. As a result, the County will be reporting on this application in an upcoming semi-annual compliance report.

(c) Attached are representative copies of published notices containing the phrase "Equal Housing Opportunity" (**see Exhibit 6**). These notices are the agendas of County Council, the Planning and Zoning Commission, and the Board of Adjustment.

(d) As mentioned earlier in this correspondence, the County has hired six new employees since the Third Semi-Annual Compliance report whose employment positions the County believes are covered under Sections VI(21) to (23) of the CD. Copies of their certificates of training will be posted on the County's website concurrent with the posting of this Fourth Semi-Annual Compliance Report.

(e) There have been no materials altered or amended since such materials were last submitted to USDOJ.

(f) There have been no changes to the County's zoning or land use laws, regulations, policies or procedures addressing the construction of or approval process for Affordable Housing, or housing being processed under the MPHU or SCRP programs enacted since the previous compliance report was submitted.

P. **Section VII(28)** – Reporting and Recordkeeping. This section requires the County to send to USDOJ any proposed change to the County's zoning or land-use laws, regulations, policies or procedures addressing the construction of or approval process for Affordable Housing or housing being processed under the MPHU or SCRP programs prior to the County's consideration. There have been no such proposed changes since the County's submission of the Third Semi-Annual Compliance Report. As reiterated in the Third Semi-Annual Compliance Report, USDOJ and the County understand that this section is meant to address proposed changes to laws, regulations, policies, or procedures that are intended to specifically address the construction of or approval process for Affordable Housing programs, or housing being processed under the MPHU or SCRP programs, not changes which implicate residential development in general.

However, as mentioned in the Third Semi-Annual Compliance Report, the County introduced an ordinance on June 10, 2014, to revise certain definitions in the County Code to further comply with the federal and state Fair Housing Acts. This is an action that was identified in the Analysis of Impediments to Fair Housing Choice, prepared for the Delaware State Consortium, dated July 2011, and that the County committed to doing in the Priority Plan (hereinafter defined). The draft ordinance and explanatory memorandum was submitted to you within the Third Semi-Annual Compliance Report. Prior to introducing the ordinance, the County solicited comments on the draft ordinance from the Delaware State Housing Authority and the Delaware Office of State Planning and Coordination. By emails dated May 30, 2014, and June 4, 2014, respectively, both entities expressed their support and offered no amendments. County Council has held two public hearings on the ordinance (October 7 and 21, 2014), and the ordinance was approved on December 2, 2014. Although the consideration of this ordinance by the County does not fall within the parameters of this provision in the CD, the County mentions this ordinance to make HUD and USDOJ aware of the steps that the County is taking to update its Code.

Q. **Section VII(29)** – Reporting and Recordkeeping. This section requires the County to retain all records relating to any provision of the CD and gives USDOJ the opportunity to inspect and copy any such records. The County affirmatively states that it is in compliance with this section.

R. **Section VIII(30) – (31)** – Compensation of Aggrieved Persons. These sections require compensation to Diamond State CLT and set forth a procedure whereby, once the compensation is received, a release from Diamond State CLT ("Release") is obtained and sent to the County. The compensation has been received by Diamond State CLT and the Release has been received by the County via correspondence from USDOJ dated January 3, 2013. As a result, the County believes the requirements of these sections have been fulfilled.

S. **Section IX(32) – (33)** – Jurisdiction and Scope of Decree. These sections set forth the jurisdiction of the court in this matter and state that the CD is in effect for four (4) years. Nothing in these sections requires compliance on the part of the County.

T. **Section IX(34)** – Jurisdiction and Scope of Decree. This section states that modifications to the CD, other than a time limit for performance, will be effective upon the filing of a written agreement between the County and USDOJ with the Court. In order to modify the CD to include the agreement between USDOJ and the County regarding certain training provisions, calculations of deadlines, and posting of Certificates of Training and Receipt of Consent Decree, the County submitted to USDOJ a draft Stipulation and Order for review with the First Semi-Annual Compliance Report. As per communication from USDOJ, it is the County's understanding that all of the terms in that Stipulation and Order were acceptable to USDOJ. Additionally, even though the Stipulation and Order have not been filed with the Court, the County and USDOJ are proceeding as though the Stipulation and Order have been properly filed. With this correspondence, the County again renews its request that USDOJ execute the Stipulation and Order. The Stipulation and Order is enclosed herein as **Exhibit 8** and, as mentioned in the Third Semi-Annual Compliance Report, has been revised to include paragraphs 5 and 6 to capture the County's and USDOJ's current understanding regarding the interpretation of Sections VII(27)(b) and VI(28) of the CD.

U. **Sections X (Enforcement of This Decree), XI (Costs and Fees) and XII (Termination of Litigation Hold)**– Nothing in these sections require compliance on the part of the County.

## II. Requirements Under the Voluntary Compliance Agreement

The County received a letter dated April 21, 2014, from HUD which set forth HUD's evaluation of the County's corrective actions under the VCA and provided recommendations to the County which would, in HUD's opinion, ensure compliance with the VCA (the "April HUD Review Letter"). The Third Semi-Annual Compliance Report served as the County's response to the HUD Review Letter. The County received a subsequent letter from HUD (the "November HUD Review Letter"), dated November 7, 2014, responding to the County's comments in the Third Semi-Annual Compliance Report, evaluating the County's actions under the VCA, and providing recommendations "to ensure compliance".[3] This Fourth Semi-Annual Compliance Report will serve as the County's response to the November HUD Review Letter.

A. **Section II** – General Provisions. The only provision in this section requiring compliance on the part of the County is Section II(7). This section requires that the County

[3] Letter from Melody Taylor-Blancher, Region III Director, Fair Housing and Equal Opportunity, HUD, to Stephanie L. Hansen, Counsel to Sussex County, dated November 7, 2014.

make a copy of the VCA available for review to any person, in accordance with the law. The County affirmatively states that it continues to be in compliance with this section.

B. **Section III(1)** – Corrective Actions. This section references the training requirements as set forth in Section VI(21)(a) through (c) of the CD. As mentioned earlier in this correspondence in Section I.K. addressing the CD, the County is in compliance with this section. In addition, the November HUD Review Letter concurs that the County is in compliance.

C. **Section III(2)** – Corrective Actions. Under this provision in the VCA, the County is required to address the decision to deny the New Horizons Cluster Subdivision proposal and reimburse Diamond State CLT as agreed upon in Sections II(10) and VIII of the CD. The requirements of Section II (including Section II(10)) become active upon submission of an application by Diamond State CLT. The County has reimbursed Diamond State CLT as required under the CD, but because Diamond State CLT has not submitted a new or revised application for New Horizons, it cannot reconsider such application until such time. Additionally, as mentioned in the Third Semi-Annual Compliance Report, Sussex County has learned that Diamond State CLT will not be pursuing the development of the New Horizons project on the land that was the subject of the original application.

HUD's comment in the April HUD Review Letter was that "the completion of this provision is contingent upon the submission of [Diamond State CLT's] application." The County reiterates its position as set forth in the Third Semi-Annual Compliance Report that the completion of this provision is contingent upon either the submission of Diamond State CLT's application and the County's consideration of the application under the terms of the CD or the termination of the CD, whichever comes first.

In the November HUD Review Letter, HUD agreed that the provisions of the VCA have been met and recommended that the County continue to engage with Diamond State CLT in identifying land for affordable housing opportunities. "Additionally, the Department requests information regarding the decision to increase the cost of installing community waste water and storm water regulations. For example, was consideration given to the impact on affordable housing development; has this regulation impacted or impeded fair market development in the County; finally what study or analysis was conducted enacting this regulation."[4]

The County respectfully notes to HUD that the regulations referenced by HUD and Diamond State CLT are regulations promulgated by the State of Delaware, Department of Natural Resources and Environmental Control ("DNREC"), not Sussex County. As a result, the County cannot speak to the level of consideration given by DNREC to the impact of these regulations on affordable housing development or the studies or analyses performed. However, these regulations garnered a considerable amount of public interest (the increased cost that the new regulations would likely cause for development was a concern) and, as a result, DNREC has

[4] November HUD Review Letter, page 2.

devoted a webpage to the meetings, public comments, and documents developed in the course of considering the regulations prior to their finalization. The DNREC webpage can be accessed by following the link below. The County directs HUD to this website and DNREC for answers to its questions mentioned above.

http://www.dnrec.delaware.gov/swc/Drainage/Pages/RegRevisions.aspx

Without commissioning a study to determine the impact of these State regulations on fair housing in the County, which the County does not intend to do and is not required to do under the VCA or any other document, the County cannot say what impact these new regulations have had on fair housing.

D. **Section III(3)** – Corrective Actions. This section requires the County to limit the evaluation of future land use proposals to compliance with the County Code and State law. The County affirmatively states that it is in compliance with this section. In addition, the November HUD Review Letter concurs that the County is in compliance.

E. **Section III(4)** – Corrective Actions. This section requires the County to comply with guidance and instructions provided by the State of Delaware to affirmatively further fair housing, to the greatest extent feasible or practicable, contingent upon funding and the County's authority. The County believes it is in compliance with this section. The County sent its draft Sussex County AI Evaluation and Proposed Priority Fair Housing Plan ("Priority Plan") to the Delaware State Housing Authority ("DSHA") and HUD on March 28, 2013, and received comments back from the DSHA. In response to the comments from DSHA, the County revised the Priority Plan and sent the revised Priority Plan back to DSHA for any further comments. There have been no further comments from DSHA to date.

The County received a request for additional information from HUD (Ms. Sharese Paylor) regarding the County's interaction with DSHA and the Delaware Office of State Planning Coordination in drafting the Priority Plan via email on July 30, 2013, and responded back to HUD with the additional information by correspondence dated August 5, 2013. The County received no further instructions from HUD . The April HUD Review Letter stated that this provision of the VCA had been met. The November HUD Review Letter requested a copy of the "approved plan".[5] Attached as **Exhibit 9** is the Priority Plan that incorporates the comments from DSHA as mentioned above. There have been no additional changes made to the Priority Plan since the DSHA changes were incorporated. The County assumes this is what HUD is referring to when it refers to the "approved plan".

F. **Section III(5)** – Corrective Actions. This section requires the County to hire or appoint the FHCO and to notify HUD of the appointment within 30 days. As set forth in the County's correspondence to HUD and USDOJ dated December 28, 2012, the County is in

[5] November HUD Review Letter, page 3.

compliance with this requirement and both the April and November HUD Review Letters state that this provision of the VCA has been met.

G. **Section III(6)** – Corrective Actions. This section only becomes active if the FHCO resigns or is otherwise terminated prior to the expiration of the VCA. Because that situation has not arisen, there is nothing in this section that requires compliance by the County at this time. The April and November HUD Review Letters concur.

H. **Section III(7)** – Corrective Actions.

1. **Section III(7)(a)** requires that the County review and evaluate the 1998, 2003, and 2011 Analysis of Impediments ("AI's"), develop a proposed priority fair housing plan to address the identified impediments that continue to exist, and submit the plan to DSHA and HUD for review and approval within 120 days of the effective date of the VCA (by March 28, 2013). In response, the County performed the required review and evaluation, drafted the Priority Plan, and submitted the Priority Plan to HUD and DSHA for review and approval (see the discussion above regarding Section III(4)).

In both the April and November HUD Review Letters, HUD does not dispute that the County reviewed and evaluated the required AI's, determined the identified impediments, developed a proposed Priority Plan, and submitted the Priority Plan to DSHA and HUD for review and approval. However, upon its review of the Priority Plan, within the April HUD Review Letter, HUD listed eight separate recommendations that it believes the County needs to address in order to be in compliance with the VCA under Section III(7)(a). In response, the County raised a general objection to all eight of the recommendations as being outside of the requirements under the VCA. ***The County continues to believe that all of the requirements of Section III(7)(a) have been met. HUD's recommendations (which were couched as requirements for compliance under the VCA) are, in actuality, related to proposed elements mentioned in the Priority Plan or elements that HUD wants to see incorporated into the Priority Plan, not provisions of the VCA that the County and HUD agreed upon when the VCA was executed.*** Within the November HUD Review Letter, HUD disagreed with this position by stating that their recommendations were consistent with the VCA because the VCA stated that the Priority Plan would be submitted to HUD "for review *and approval*" (emphasis added by HUD), and that the County had not yet received approval of the Priority Plan.

The County continues to disagree with HUD regarding the interpretation of this requirement in the VCA. The requirement is that the County ***submit*** a draft Priority Plan to HUD and DSHA for review and approval within 120 days from the effective date of the VCA (March 28, 2013). The County has done that. There is no requirement in the VCA that HUD approve the Priority Plan within that 120 day window or within any other window mentioned in the VCA. In addition, you may recall that the content of the VCA was heavily negotiated. Precisely which actions the County would be required to take in order to be in compliance with the VCA were strongly debated. Now, it appears as if HUD is trying to wrangle additional concessions from the County to perform work and take actions far above and beyond what was agreed to when the VCA negotiations were ongoing, and if the new conditions are not agreed to,

HUD is attempting to tie this to non-compliance with the VCA. The County strongly believes that this raises the specter of bad faith negotiation on the part of HUD. **At issue now are the elements of the Priority Plan, not compliance with the VCA.**

In the spirit of cooperation, the County responded to each of the recommendations raised by HUD in the Third Semi-Annual Compliance Report but did not agree that compliance with the VCA was implicated. This continues to be the County's position. In response, HUD issued the November HUD Review Letter with new, additional requirements above and beyond those even listed with the April HUD Review Letter and, again, never contemplated during the VCA negotiations. Section X(2) of the VCA states that "[t]his VCA is the entire agreement between the Parties with respect to remedying HUD's Letter of Determination of Noncompliance ....." HUD cannot now require new, additional work on the part of the County in order to be in compliance with the VCA. The County will continue to work with HUD in the spirit of cooperation to address HUD's concerns in the April and November Review Letters, but does not agree, and will strongly object, to the position that unless the County bows to each of the recommendations in the April Review Letter and the November Review Letter, and likely new concerns raised in the next HUD review letter, the County will not be in compliance with the VCA.

This next section of this Fourth Semi-Annual Compliance Report will address each of the eight HUD recommendations regarding elements in the Priority Plan as set forth and later modified by the April and November HUD Review Letters, respectively. Since there has been much discussion between the County and HUD on these recommendations, and for the sake of clarity and efficiency, rather than reiterate the substance of the back and forth communication, the County is providing a response to each of the eight HUD recommendations as currently presented only in the November HUD Review Letter.

**a. HUD's Eight Recommendations on Elements Within the Priority Plan**

i. HUD Recommendation No. 1 and 2: *"The Department requests more information on DelawareHousingSearch.org, specifically, what search features are geared toward assisting disabled in finding affordable housing opportunities and how much funding the Recipient is providing. Additionally, the Department would like information on a timeline for the strategy of meeting with housing advocates to explore options for increasing the supply of accessible, affordable housing, including what outreach will be performed to housing advocates, how will suggestions be compiled, how will the Recipient assess these suggestions, and how long does the Recipient anticipate the process will take."*[6]

[6] November HUD Review Letter, HUD Recommendation No. 1 and 2; page 5.

County's Response: The County includes a page shot of the accessible housing search on the DelawareHousingSearch.org website as **Exhibit 10**. This page can be accessed from the following link:

http://www.socialserve.com/tenant/DE/Search.html?ch=DE&type=rental&region_id=33100&accessibility=t

As you can see, the features geared toward assisting the disabled in finding affordable housing in Sussex County include, but are not limited to: (1) the need for special entry and door options; (2) the need for special kitchen options; (3) the need for special bathroom options; (4) the presence of accessible flooring; (5) the presence of accessible laundry; (6) whether the location is within a Paratransit route; (7) whether the property is sign language friendly; and (8) whether the person has a Section 8 voucher, is a veteran, or VASH recipient. By the click of a button, the website is also available in Spanish. The County provides $2000 per year to maintain this online service.

The County requests additional information as part of an in-person meeting with HUD regarding what, specifically, HUD is asking of the County in order to supply additional accessible, affordable housing. The County does not build housing, does not subsidize the development of housing, and does not provide subsidies for people who desire to live in accessible, affordable housing. We believe there may be fundamental disconnect between what HUD believes the County is capable of doing within this realm and believe a face-to-face discussion will be most helpful in clearing up our misunderstandings.

ii. HUD Recommendation No. 3: *"The Department recommends that the County translate its Discrimination Complaint Form to Spanish and include it in the table display it proposes for the annual Festival Hispano. The Department also requests more information on how support of DelawareHousingSearch.org assists in addressing this impediment, particularly, does the website have information in Spanish available for users? How does the website help provide attention to the rapidly growing Hispanic population in the area?"*[7]

County's Response: The County's Discrimination Complaint Form has been translated into Spanish and has been posted on the County's website since February 2014. It is attached hereto for your convenience as **Exhibit 11**. It was also available at the County's table at the annual Festival Hispano held in August 2014. The County's support of DelawareHousingSearch.org assists in addressing fair housing issues within the Hispanic community and providing attention to the rapidly growing Hispanic population in Sussex County by providing funding to an organization which, not only has its website information available in Spanish at the click of a button, but can search for housing specifically in Sussex County and

[7] November HUD Review Letter; HUD Recommendation No. 3; page 5.

also provides information to access a multilingual call center that is available 24 hours a day, 7 days a week. Services such as these are important outreach tools to the Hispanic community.

iii. HUD Recommendation No. 4: *"The Department recommends that the County provide a timeline for completion of this strategy [The County agreed to meet or otherwise have a discussion with a representative of the USDA to explore collaborative opportunities involving USDA's rural homeownership programs]."*[8]

County's Response: The County met with a representative of USDA Rural Development on December 16, 2014, and has determined that there does not appear to be realistic opportunities for collaboration involving USDA's rural homeownership programs.

iv. HUD Recommendation No. 5: *"In its response the County does not provide a timeline or strategy for how it will assess if its first steps [the Affordable Housing Support Policy and Template Support Letter] are succeeding to increase the supply of affordable housing in the Balance of State to households making 80% or less of the median household income. The Department recommends that the County assess how the expansion of other incentives for property owners and investors to build new affordable rental and owner units in the non-impacted areas could assist in increasing affordable housing in the Balance of State. The Affordable Housing Support Policy and Template Support Letter are not equivalent strategies to financial incentives including reduction or waiver of impact and planning fees, but rather, assist with the streamlined approval of development projects that feature affordable housing components. The Priority Plan includes both strategies, so the County should address both.*

*Additionally, while the MPHU Ordinance in 2006 and its subsequent codification into the Sussex County Code publicizes that the County encourages production of moderately priced housing by allowing increases in density to reduce land and development costs and allow developers who are building qualified projects an expedited review period, the 2011 Analysis of Impediments strategy to meet the goal of increasing the supply of affordable housing stated that 'developers should be made aware that the cost offset allocations and density bonuses can defray the costs of creating the required affordable housing units.' At the time of the 2011 AI, the 2006 Ordinance was on the books, notices, and went through public hearing, which leads the Department to recommend that the County do more to make developers aware of these incentives, as it appears the Ordinance and its codification was not sufficient as of 2011. The Department recommends the County make the cost offset allocations and density bonus*

[8] November HUD Review Letter; HUD Recommendation No. 4; page 6.

*incentives explicit in materials promoting the SCRP and MPHU programs and in the application materials for those programs.*[9]

County's Response: Since 2007, Sussex County, and indeed the entire country, has been in the worst recession in many decades. The housing market has been the hardest hit. No County program can be faulted for the lack of housing starts, affordable housing or not, given the broad and deep economic problems suffered within the countrywide housing market. Only recently has the homebuilding industry begun to come back to life.

With this in mind, the County continues to believe that more time is necessary in order to evaluate the Affordable Housing Support Policy and Template Support Letter as an effective strategy under the Priority Plan and the County intends to monitor and evaluate this strategy for the next two years prior to pursuing new financial incentives for affordable housing development. This is especially warranted give that the County has recently had an opportunity to issue support letters to a lender and the DSHA for a joint affordable housing project being pursued by Diamond State CLT and Habitat for Humanity (see the discussion in section I.B of this correspondence and **Exhibit 1**).

v. HUD Recommendation No. 6: *"The Department recommends that the County review the Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against Nation [sic] Origin Discrimination Affecting Limited English Proficient Persons, January 22, 2007. The Department requests that the County provide the results of the four-factor analysis, outline what different language assistance measures are needed to comply with the above-referenced Guidance based upon the four-factor analysis, including, but not limited to, translation of vital documents, interpretation services, and/or a Language Access Plan, and provide a timeline for when those measures will be implemented. The Department notes that the goal in the Priority Plan is to '[i]ncrease access to County programs for persons with limited English proficiency," and not conduct a four-factor analysis.*[10]

County's Response: The results of the County's four-factor analysis are attached hereto as **Exhibit 12**. The County is in the process of developing its Limited English Proficiency (LEP) Plan and hopes to have it completed by January 31, 2015. The LEP Plan should address the issues raised by HUD in this recommendation.

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[9] November HUD Review Letter; HUD Recommendation No. 5; page 7.

[10] November HUD Review Letter; HUD Recommendation No. 6; page 7.

vi. HUD Recommendation No. 7: *"The Department recommends that the County outline a timeline of actions for reviewing the report [April 2012, Community and Choice: Housing Needs for People with Disabilities in Delaware], determining if action is necessary, when those actions will occur, collaborating with other housing advocates, and taking actions based on that collaboration.*[11]

County's Response: This is another area that the County would like to discuss with HUD at our in-person meeting. From the actions required of the County by HUD in this recommendation, it appears as though HUD has already made the determination that the County needs to take additional action based upon this report. The County can commit to reviewing the report by June 1, 2015. However, until the report is reviewed and it is determined by the County whether any actions are necessary, the County cannot realistically commit to a timeline for completing the remaining actions listed above by HUD. The County fully intends to discuss any required actions with other housing advocates; however, again, it cannot realistically commit to a timeline for taking actions based on a collaboration that may or may not need to take place to address purely speculative actions at this point.

vii. HUD Recommendation No. 8: *"Until the final rule on affirmatively furthering fair housing is published, current guidance by the Department is that entitlement communities and their subrecipients of federal financial assistance use the Fair Housing Planning Guide to fulfill their affirmatively furthering obligations. This Guide outlines that recipients of federal funds should perform and AI, determine actions to overcome the effects of identified impediments, and maintain records to support the AFFH certifications or for submission to the State to affirm compliance of subrecipients of federal funds. The Priority Plan in the VCA is equivalent to what the Guide calls a Fair Housing Plan, and the Guide suggests that jurisdictions organize the actions into a prioritized list 'with milestones, timetables, and measureable results...' The Department believes upon review of the Guide the County will understand the elements of the Priority Plan.*

*Additionally, upon further review of the 2011 AI, the proposed action regarding supporting legislative protections for borrowers stated that fair housing and affirmative marketing policies must factor into the disposition of residential properties abandoned as a result of foreclosure. The Department would recommend that the County factor these types of policies into the disposition of these types of properties and review pending legislation for opportunities that assist borrower in meeting housing costs. The Department is aware based upon the County's submission that it is not currently aware of any such pending legislation.*

[11] November HUD Review Letter; HUD Recommendation No. 7; page 8.

County's Response: The County truly has no idea what HUD is expecting the County to do regarding this recommendation. The County does not dispose of residential properties abandoned as a result of foreclosure. That is an issue addressed by the lender or other entity that takes title to the property and then hopes to bring the property back into productive use, not the County. The County is also confused as to what HUD believes is its obligation regarding legislation to assist borrowers in meeting housing costs. The County does not draft banking/lending legislation and does not believe it has an obligation to anticipate or review every bill making its way through the Delaware General Assembly that may, in some way, relate to this issue. If HUD has a particular bill in mind, or becomes aware of a particular bill and relays that information to the County, then the County will be in a better position to respond to this recommendation.

The County believes that HUD's statement that its Priority Plan is equivalent to a Fair Housing Plan as described within the HUD Fair Housing Planning Guide is a helpful touchstone. The Fair Housing Plan describes the actions that a grantee will take in order to substantiate that it is affirmatively furthering fair housing, and thus is entitled to continue to receive federal housing funds. This is precisely the purpose of the County's Priority Plan. HUD's disagreement with the County over the elements of the Priority Plan goes to the question of whether the County should continue to qualify for federal housing funds, not whether the County is in compliance with the VCA. The requirements of the VCA were set back in November of 2012 when the VCA was negotiated and signed by the HUD and the County. The County was required to submit for review and approval the Priority Plan within 120 days. That action was completed. Approval of the Priority Plan is not a requirement of the VCA, instead, it is a plan for determining the actions that the County will take to show that it is affirmatively furthering fair housing in order for the County to continue to receive federal housing funding. HUD's recommendations in its April and November Review Letters are recommendations for new, additional actions on the part of the County as elements in the Priority Plan and cannot be new, additional actions required of the County in order to be in compliance with the VCA.

Following the organizational structure of the November HUD Review Letter, the next sections of this Fourth Semi-Annual Compliance Report correspond to elements listed within the VCA (as opposed to the HUD recommendations above which corresponded to elements for inclusion into the Priority Plan).

2. **Section III(7)(a)(i)** requires the Priority Plan to "incorporate a strategy to increase housing opportunities throughout the County, taking into account the housing needs of

African-Americans and Hispanic residents and it will develop mechanisms in which Sussex County will use CDBG and other funding to affirmatively further fair housing."[12]

HUD Recommendation: *"The Department has been providing comments to the Recipient regarding its Priority Plan (see VCA Corrective Action No. 6, above). Until these recommendations and comments are addressed, the Department cannot provide approval of the Priority Plan proposed by the Recipient. The Department again recommends that the County review the Fair Housing Planning Guide regarding the requirements of the Priority Plan. Additionally, the other actions proposed by the County have received recommendations from the Department in previous Corrective Action sections above. The Department's recommendations regarding the limited English proficiency analysis by the Recipient will also be relevant to this section of the VCA as it will be an opportunity to use CDBG and other funding to affirmatively further fair housing. Finally, the requirement that the incentive package be sent to DOJ for approval was in error."*[13]

County's Response: The County's responses to each of the comments by HUD on the Priority Plan are presented above. To the extent that HUD and the County still remain at an impasse on the work required of the County to: (1) be in compliance with the VCA, and (2) gain HUD's approval on the County's Priority Plan, the County has proposed an in-person meeting with the appropriate representatives from HUD in an attempt to work out these issues.

3. **Section III(7)(a)(ii)** requires, "in future planning efforts, Sussex County shall collaborate with DSHA and the Office of State Planning and Coordination to identify the County's priority actions to develop a strategy to integrate affordable housing that is fully available without regard to race or ethnicity into all communities throughout the County. To the extent that the County approves development outside designated growth areas, the provision of affordable housing shall be a consideration."[14] The County believes that it is in compliance with this section and the November HUD Review Letter concurs.

4. **Section III(7)(a)(iii)**. In an effort to Affirmatively Further Fair Housing, the County agreed that within 120 days of the effective date of the VCA, the Fair Housing Compliance Officer ("FHCO") would identify successful models of affordable housing strategies used in other states, counties or localities similar in jurisdiction and authority to Sussex County to recommend to County Council, to assist the County in formulating an affordable housing policy as prescribed in the Consent Decree. In order to meet this requirement, the FHCO

[12] VCA, Section III(7)(a)(i).

[13] November HUD Review Letter, page 10.

[14] VCA Section III(7)(a)(ii).

presented six strategies to County Council on March 26, 2013, and Council adopted Strategy #1 (the Anti-NIMBY policy). As a result, the County believes it is in compliance with the requirements of this section and the November HUD Review Letter concurs.

5. **Section III(7)(b)** requires the County to amend the MPHU ordinance to include provisions that create access to persons that are between 50% and 120% of the County's median household income and to post the revised provisions on the County's website. The County amended the MPHU ordinance on April 23, 2013, and subsequently posted the revised provisions of the MPHU ordinance on its website and on the County's Community Development and Housing webpage. As a result, the County believes it is in compliance with the requirements of this section and the November HUD Review Letter concurs.

6. **Section III(7)(c)** requires the County to perform an internal evaluation of the Impacted Communities through the Strong Communities Initiative in order to determine investment strategies, priority designation of infrastructure and/or community development for those elements of infrastructure over which the County has primary governing authority. This section also requires the County to evaluate its past participation in providing secondary elements of infrastructure in the Impacted Communities with the goal of prioritizing the funding for such infrastructure improvements and formalizing an approval process for continued County participation in such infrastructure projects.

HUD Recommendation: *"The Department requests that the County provide details regarding how it intends to fulfill this requirement; the survey instrument and how it will be administered; analysis of data; including the timeline for completion of the bidding, work, and completion of requirements of this section. The Department recommends that the Recipient include the Department's prior recommendation and in its re-bid require that the contractor/consultants have experience in fair housing and or the consolidated planning process. Again, this should be a requirement as the residents should be informed of the basis for responding to the survey."*[15]

County's Response: As mentioned in the Third Semi-Annual Compliance Report, the County issued a Request for Proposals ("RFP") to perform work related to the Strong Communities Initiative, received five (5) proposals in return, and subsequently rejected all of the proposals. Although the County initially anticipated re-bidding a smaller scope of work, it was later determined to be feasible to perform the work in-house with the assistance of interns from First State Community Action Agency. With the assistance of the interns, the County collected survey data from the following impacted communities by going door-to-door and interviewing the residents: Coverdale Crossroads, Diamond Acres, Pinetown, Cedar Creek, and Possum Point. The County is currently developing the job description for new interns and hopes to interview potential candidates for new intern positions within the next couple of months. Attached as **Exhibit 13** is the survey instrument being used by the County. This was previously sent to HUD

[15] November HUD Review Letter, page 12.

in the County's correspondence dated May 9, 2014. The County expects the survey work to be completed by January 1, 2016 and will then begin the analysis of the data. However, this timeline may change depending upon the availability of the interns.

I. **Section III(8)** – Corrective Actions. Following the internal evaluation and drafting of an approval process for future primary and secondary infrastructure projects, this section requires the County to provide such improvements and services so long as such assistance is consistent with the County's available resources, and is consistent with relevant statutes, rules, regulations and policies. The evaluation of the Impacted Communities, the approval process, and the approvals granted will be made publicly available on Sussex County's website on an on-going basis. Since the internal evaluation has not been completed and no approval process is yet in place, the requirements of this section have not yet been activated. As mentioned by HUD in the November HUD Review Letter, this provision of the VCA is open and ongoing.

J. **Section III(9)** – Corrective Actions. Under this provision in the VCA, the County is required to revise its methodology, as currently proposed by DSHA, to target minorities with disproportionate housing needs to ensure that minorities are benefiting from all affordable housing programs supported by the County. As mentioned within the Third Semi-Annual Compliance Report, under the current system that exists in Delaware, Sussex County does not have the ability to determine CDBG allocations. The County applies for funding on behalf of incorporated communities and rural residents and DSHA makes the funding determinations. The County then administers the projects resulting from those determinations. As a result, changes by DSHA to the methodology for allocating CDBG funding automatically are applied to applications for such funding from the County.

Within the April HUD Review Letter, HUD required the County to provide additional information and documentation to show its process and procedures used to identify incorporated and rural residents for funding submissions to DSHA. The requested information in the form of the Sussex County Community Development Block Grant (CDBG) Application Methodology was forwarded to HUD as an exhibit within the Third Semi-Annual Compliance Report.

HUD Recommendation: *"The Department's Review Letter [April] recommended that the Recipient must ensure that its methodology aligns with DSHA's and its duty to affirmatively further fair housing. The Department did not review any items in the Recipient's submission that respond to this recommendation."*[16]

County's Response: The County does not understand HUD's recommendation because it believes the Sussex County Community Development Block Grant (CDBG)

[16] November HUD Review Letter, page 13.

Application Methodology (the "Methodology"), as previously submitted to HUD in the Third Semi-Annual Compliance Report is, in fact, responsive to the recommendation. If HUD reviewed the Methodology and continues to believe this is not the case, the County requests further explanation from HUD on any area of deficiency.

K. **Section IV** – Public Notice. Under this section, the County must publish a Notice in a newspaper of general circulation and on its website regarding the VCA within 30 days of the effective date of the VCA or the CD, whichever is later As mentioned in the County's correspondence to USDOJ and HUD dated December 28, 2012, the requirements of this section have been satisfied. The November HUD Review Letter concurs that this provision of the VCA has been satisfied.

L. **Section V** – Reporting and Compliance Requirements. Under Section A(1), the County must submit semi-annual reports to HUD for the duration of the CD. Under Section A(2) the reports must contain information on each corrective action (progress made, work remaining, reasons for any delay, dates of completion or proposed completion), and must be signed and certified as accurate by the FHCO. This correspondence from the County is meant to satisfy the requirements of these sections for the Fourth Semi-Annual Compliance Report.

M. **Section VI** – Recordkeeping Requirements. This section requires the County to maintain adequate files along with all materials relating to the County's implementation of the VCA. The County asserts that it is in compliance with this section.

N. **Sussex County Fair Housing Marketing Plan** – HUD included questions relating to the Sussex County Fair Housing Marketing Plan in the April HUD Review Letter. In particular, HUD posed questions related to the Citizen Participation Plan. The County responded that because it is not a federal recipient, it is not required to develop or implement a Citizen Participation Plan. HUD disagreed, and within the November HUD Review Letter, stated that the requirement to develop and implement a Citizen Participation Plan applies to any program or activity funded in whole or in part by federal funds. As a result HUD renewed its request for information regarding the Citizen Participation Plan.

County's Response: Reserving the County's right to dispute HUD's position that the County is required to implement a Citizen Participation Plan, the County offers the following responses to the questions posed by HUD (bold and italicized) in the April HUD Review Letter:

***1. What newspapers are the public notices published in?***

For public hearings at the various municipalities, the County publishes an advertisement in the newspapers most closely associated with that municipality, as well as on the County's website. For mandatory pre-bid meetings for contractors on CDBG/HOME rehabilitation projects, the County posts in Hoy en Delaware (Spanish newspaper), the Delaware State News, Sussex Post, and the County's website.

***2. What outreach activities are conducted to reach racial and ethnic minorities, LEP persons, female headed households, and persons with disabilities?***

The County advertises the CDBG public hearings and contractor bid meetings in the Hoy en Delaware newspaper and on their online events page. The County also sponsored and had a vendor booth at the Hispanic festival (Festival Hispano) in August displaying all of the County's various programs with information in English and Spanish. In addition, the County also regularly attends and presents at First State Community Action's Strong Communities Initiative meetings.

***3. How far in advance are the advertisements placed in the newspaper?***

A minimum of 10 days.

***4. Are the locations of these public hearings/meetings accessible for persons with disabilities?***

Yes. Public hearings for CDBG are held during scheduled town/city council meetings. Those locations are determined by the town/city and are all accessible for persons with disabilities. The County holds a CDBG citizen participation forum, a CDBG public hearing, and contractor bid meetings which are held at accessible County venues.

***5. Is there an interpreter available for persons with disabilities?***

Yes. The County has an agreement with a sign language interpreter and she is available upon request.

***6. Will handouts be distributed during the public hearings/meetings and will they be available in other languages?***

Yes. At the County's public forum for CDBG and the public hearing at Council, rehabilitation applications were available in English and Spanish as was the County's Fair Housing Outreach brochure. This will continue to be the case going forward.

***7. Are the public hearings/meetings held at times and locations convenient to the public? Are they held during the day/night, during the week/weekends? What time of day?***

Yes. The town/city public hearings for CDBG are held during scheduled town/city council meetings. They are all held between 6:00 pm and 7:00 pm on week-nights. The County's public forum was held at 2:00 pm on Friday, December 5th and the public hearing at County Council (although not yet scheduled) will likely be held on a weekday morning in January. Contractor bid meetings are held the first Friday of every month at 10:00 am.

***8. Is transportation for the elderly or disabled available?***

The County does not provide transportation; however, door-to-door paratransit services are available through DART First State for the disabled at:

http://www.dartfirststate.com/services/para_services.shtml

In addition, DART provides a senior citizens affordable taxi service at:

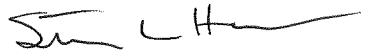
http://www.dartfirststate.com/information/programs/scat/index.shtml

***9. Are auxiliary aids, braille, listening devices, large print, sign language interpreters, and audio-tape for disabled persons available as reasonable accommodations?***

Yes. Auxiliary hearing aids are available at meetings in Sussex County Council Chambers, audio from all public meetings are available on the County's website, and sign language and language interpreters are available with advanced notice.

This concludes the County's Fourth Semi-Annual Compliance Report. Please feel free to contact me with any questions or comments.

Sincerely yours,



Stephanie L. Hansen

cc: Alice Hung (via email at Alice.Hung@usdoj.gov)
Ms. Melody Taylor-Blancher (via email at Melody.C.TaylorBlancher@hud.gov)
Ms. Mary Jean Carabello (via email at MaryJean.Carabello@hud.gov)
Ms. Danielle.L.Sievers (via email at Danielle.L.Sievers@hud.gov)
Mr. Todd Lawson (via email at tlawson@sussexcountyde.gov)
Mr. Brad Whaley (via email at bwhaley@sussexcountyde.gov)

I attest that the material presented in this Fourth Semi-Annual Compliance Report is accurate to the best of my knowledge as the Sussex County Fair Housing Compliance Officer.

Brandy A. Nauman
Sussex County Fair Housing Compliance Officer

**Exhibit List**

**Exhibit 1** - Letters provided by the County in support of the Diamond State CLT project.

**Exhibit 2** – Sussex County Homebuyer Fair materials.

**Exhibit 3** - Sussex County Outreach Card and materials.

**Exhibit 4** - County Council Agenda for December 16, 2014.

**Exhibit 5** - Sussex County Application for Major Subdivision

**Exhibit 6** – Representative agendas of County Council, the Planning and Zoning Commission, and the Board of Adjustment.

**Exhibit 7** – Certificates of Training

**Exhibit 8** – Stipulation and Order

**Exhibit 9** – Sussex County's Proposed Priority Plan

**Exhibit 10** - DelawareHousingSearch.org website page shot

**Exhibit 11** – Sussex County's Discrimination Complaint Form

**Exhibit 12** - Sussex County Limited English Proficiency (LEP) Plan

**Exhibit 13** - Survey Instrument for Strong Communities Initiative

# Exhibit 1

BRANDY BENNETT NAUMAN
HOUSING COORDINATOR &
FAIR HOUSING COMPLIANCE OFFICER
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Sussex County
DELAWARE
sussexcountyde.gov

August 6, 2014

Ms. Cindy Deakyne, Housing Development Administrator
Delaware State Housing Authority
18 The Green
Dover, DE 19901

Dear Ms. Deakyne:

This letter serves as support from Sussex County's Community Development & Housing Department for Sussex County Habitat for Humanity's application to the Housing Development Fund. Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. Habitat's main focus is to offer affordable housing opportunities utilizing a self-help model of homeownership. In this application, Habitat seeks to utilize HDF funds to create six (6) permanently affordable homes in an existing subdivision in Ellendale, known as Ingram Village. HDF funds will allow Habitat to subsidize the construction of the units, making the ultimate homeowner purchase that much more feasible and affordable.

In order to further support Habitat's project, the County's Community Development & Housing Department is proposing to target Community Development Block Grant funding specifically for the public water and sewer hookups to the Habitat properties once they are transferred to the new buyer.

Habitat works closely with Sussex County on numerous programs and efforts, but primarily the Neighborhood Stabilization Program. The organization is comprised of dedicated and knowledgeable staff, and is a great pleasure to work with. They are an affordable housing resource that we, as a State, cannot afford to lose.

Sussex County Community Development & Housing endorses this application and strongly supports this initiative.

Sincerely,

Brandy B. Nauman
Housing Coordinator

BRANDY BENNETT NAUMAN
HOUSING COORDINATOR &
FAIR HOUSING COMPLIANCE OFFICER
(302) 855-7777 T
(302) 854-5397 F
bnauman@sussexcountyde.gov

Sussex County
DELAWARE
sussexcountyde.gov

August 8, 2014

Ms. Cindy Deakyne, Housing Development Administrator
Delaware State Housing Authority
18 The Green
Dover, DE 19901

Dear Ms. Deakyne:

This letter serves as support from Sussex County's Community Development & Housing Department for Diamond State Community Land Trust's application to the Housing Development Fund. Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. Diamond State's main focus is to offer permanently affordable housing opportunities. In this application, Diamond State seeks to utilize HDF funds to create three (3) permanently affordable homes in an existing subdivision in Ellendale, known as Ingram Village. HDF funds will allow Diamond State to subsidize the construction of the units, making the ultimate homeowner purchase that much more feasible and affordable.

In order to further support Diamond State's project, the County's Community Development & Housing Department is proposing to target Community Development Block Grant funding specifically for the public water and sewer hookups to the Diamond State properties in Ingram Village once they are transferred to the new buyer.

Diamond State works closely with Sussex County on numerous programs and efforts. The organization is comprised of dedicated and knowledgeable staff, and is a great pleasure to work with. They are an affordable housing resource that we, as a State, cannot afford to lose.

Sussex County Community Development & Housing endorses this application and strongly supports this initiative.

Sincerely,

Brandy B. Nauman
Housing Coordinator

FHLBank PITTSBURGH

# Affordable Housing Program
# 2014 Community Stability
# Community Designation Certification

**Project Name:** 2014 Diamond State CLT Ingram Village I
**Application Number:** 5108

*Please review the 2014 Community Stability Guidebook and 2014 Implementation Plan for further instructions.*

This form must be completed and signed by the head of either the local agency receiving the designation (such as a Main Street Director) or the head of the designating agency (such as a Director or Manager of the State Main Street Office).

**Please provide the following information:**

**Designation Name:** Community Development Block Grant Targeted Area
**Date Approved:** Beginning in 1990
**Date Renewed:** Jul-14

**Name of Entity Proclaiming Designation:** Sussex County Community Development

*To be eligible for points under this category, all project sites must be known.*
*Please list the addresses of all properties in the AHP project and the associated designation for that address below.*

| Project Address | Name of Designation (Main Street, Blueprint, etc.) |
|---|---|
| Three lots near 619 Washington Avenue, Ellendale, DE 199 | Rural Ellendale/ Old State Road |
| | |
| | |
| | |
| | |
| | |
| | |

*Attach additional pages if necessary.*

**Are 75 percent of the AHP properties within the designated area?** Yes ☑ No ☐

**Description of the TANGIBLE benefits of the designation, including grants, preferential source of funds and technical assistance *(answer required)*:**

Community Development Block Grant Funds and County Council Funds for homeowner occupied rehabilitations

**Who is signing this form:**
Head of local implementing organization ☑
Head of agency proclaiming designation ☐

*Please explain how you are authorized to certify the community designation identified above.*

I am the Director of the Sussex County Community Development and Housing Department.

**I certify that the designation described above is active, that the property or properties listed above are within the area of the active designation and that the information provided as to the tangible benefits of the designation are true and correct.**

**Certifying Representative:**

| | |
|---|---|
| **Signature** | 9-Jul-14<br>**Date** |
| Brad D. Whaley<br>**Name (Typed)** | Director<br>**Title** |
| Sussex County Community Development<br>**Organization** | (302) 855-7777<br>**Phone** |

FHLBank PITTSBURGH

# Affordable Housing Program (AHP) 2014 Community Stability Plan Consistency Form

**Project Name:** 2014 Diamond State CLT Ingram Village I

**Application Number:** 5108

*Please review the 2014 Community Stability Guidebook and 2014 Implementation Plan for further instructions.*

**This form is to be completed by the Plan Author, a representative of the Plan Approval Committee or the Plan Manager. This form is not to be completed by the project sponsor.**

***SECTION I:***

**The AHP project is consistent with a community plan.** Yes ☑ No ☐

**Title of Plan:** Sussex County Comprehensive Plan

**Date Plan Approved:** Jun-08

**Date Plan Updated (if applicable):**

**Include all AHP Project Address(es):** Three lots in Ingram Village, within a half mile of
619 Washington Avenue, ELLENDALE, SUSSEX, DE 19941-2010

*Please attach additional pages if more space is needed for addresses.*

**At least 75 percent of the AHP properties listed above are located within the boundaries of the plan's consideration.**
Yes ☑
No ☐

***SECTION II:***

**The project meets at least one specificed target priority outlined in the plan referenced in Section I.** Yes ☑ No ☐

***Describe the specific targeted priority outlined in the plan:***

In the Comp Plan's Housing Element, the County encourages the creation of affordable housing through the Land Trust model of home ownership.

***Describe how the project meets this targeted priority.***

The project contains affordable housing using the Land Trust model.

**The above-named plan directly mentions this project.** Yes ☑ No ☐

***SECTION III:***

**Who is signing this form:**
Plan Author ☑
Plan Approval Committee ☐
Plan Manager ☐

*Please explain how you are authorized to sign this form on behalf of the referenced plan.*

I am the Director of the Sussex County Community Development and Housing Department.

**I certify that I am authorized to sign this form and represent the Plan Author, Plan Approval Committee or Plan Manager. I have met with the project sponsor and discussed this form and that the statements are true and correct. I agree with the yes/no boxes checked under sections I and II of this form. I, the Plan Designee, have reviewed the address(es) within the project's plan and that at least 75 percent of the address(es) are within the boundaries of the Community Plan.**

Signature

July 9 2014
Date

Brad D. Whaley
Name (Typed)

Director Sussex County Community Developm
Organization/Title

(302 855-7777
Phone

# Exhibit 2

# 2014 SUSSEX COUNTY HOMEBUYER FAIR

## *Get the keys to homeownership!*

Saturday, September 27, 2014

9 a.m. to 1 p.m.

Delaware Technical & Community College, Jack F. Owens Campus, Carter Partnership Center

https://www.sussexcountyde.gov/2014-homebuyer-fair

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Home Mortgage Consultant
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Toll Free: 888-217-5700 x:4069
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REHOBOTH BEACH, DE 19971
www.wfhm.com/loans/rebecca-willey
Rebecca.F.Willey@wellsfargo.com
NMLSR ID 457816

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100719 - 09/14 REV 5/14

Together we'll go far

# Welcome

## Welcome from **County Administrator Todd Lawson**

Dear Attendees,

On behalf of the Sussex County Council, it is my pleasure to welcome you to the inaugural Sussex County Homebuyer Fair.

Sussex County Government is a strong proponent of prosperity and economic development. In spite of the nation's historic economic downturn, the County has been working hard in recent years to stimulate the economy with the hope of creating more and better jobs. Our mission is to create opportunity, promote stability, and keep educated young people here. Quality, affordable housing is the key to realizing our collective goal.

The Delaware Housing Needs Assessment released this month from the Delaware State Housing Authority identifies major and distinctive needs in Sussex County. In eastern Sussex, the coastal areas draw retirees and second home-owners, driving up home prices. High home prices, coupled with transportation costs, make it difficult for service industry workers and young professionals alike, such as teachers and police officers, to buy housing in eastern Sussex. In addition, an aging housing stock scattered throughout the rural areas presents another hurdle to many people in search of housing.

It is my hope that this year's fair results in the creation of a solid network of government, non-profits, and private sector organizations dedicated to creating homeownership opportunities for Sussex County residents. Not one of us alone can provide housing to our residents. Instead, it takes cooperation and coordination across all sectors.

I truly appreciate your willingness to take the first step to housing. We look forward to providing a venue for years to come where potential homebuyers can come to learn about all of the various resources and opportunities available to them from organizations and businesses across the state.

## Welcome from **Community Development & Housing Director Brad Whaley**

Dear Partners & Attendees,

Welcome to the 2014 Sussex County Homebuyer Fair!

We are excited to bring together organizations from the public, private and non-profit sectors in Sussex County to provide potential homebuyers will all the resources necessary to attain homeownership. We look forward to doing this every year!

I hope that you find this event to be educational and that you connect with the resources you need to make homeownership a reality.

I also want to extend my sincere thanks to Anas Ben Addi, Director of the Delaware State Housing Authority, Ruth Briggs King, Executive Vice President of the Sussex County Association of REALTORS®, Bernice Edwards, Executive Director of First State Community Action, and Joe Myer, Executive Director of NCALL Research for helping us make this event possible in Sussex County.

**Sussex County Government would like to thank the following organizations that have generously supported the Homebuyer Fair and helped make the event possible. Your support is greatly appreciated.**

## PARTNERS

Delaware State Housing Authority
First State Community Action Agency
NCALL Research, Inc. & Stand By Me
Sussex County Association of REALTORS®

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USDA Rural Development

## RAFFLE CONTRIBUTORS

Best Ace Hardware, Milton
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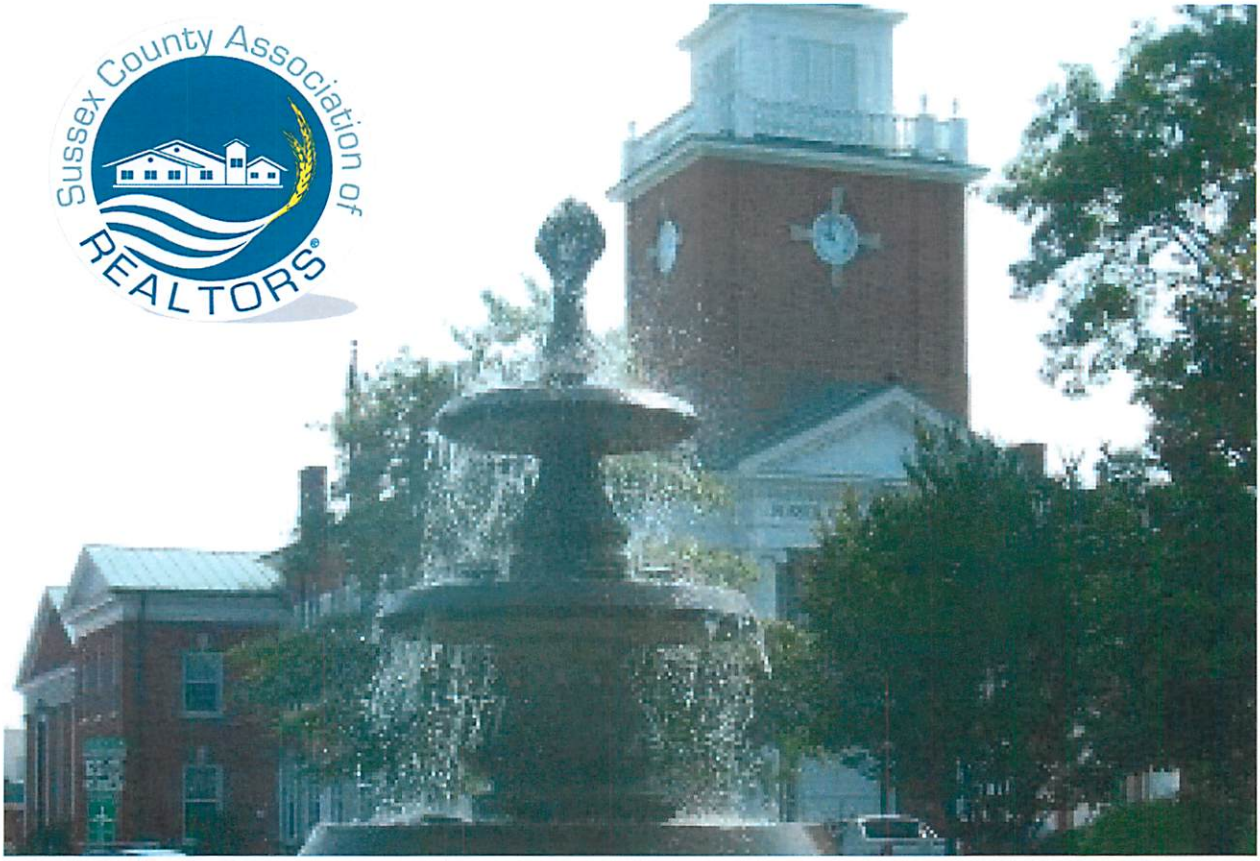

# Welcome to our first homebuyer fair!

All of us at the Sussex County Association of REALTORS® would like to welcome you to the Owens campus of Delaware Technical & Community College and to what we hope will become an annual event here in beautiful southern Delaware.

Along with our partners in Sussex County government and the many housing-related agencies you see here on campus, we're pleased to offer you a comprehensive one-stop shopping sort of atmosphere here today. Please learn about all of the "keys to home ownership" that are available and let us know if we can help you further in any way.

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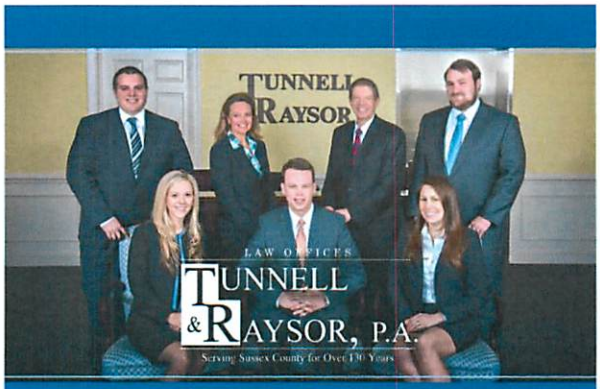


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- Mortgage Default Counseling
- Foreclosure Prevention Counseling & Seminars
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| 37 | 38 | 39 | 40 | 41 | * |

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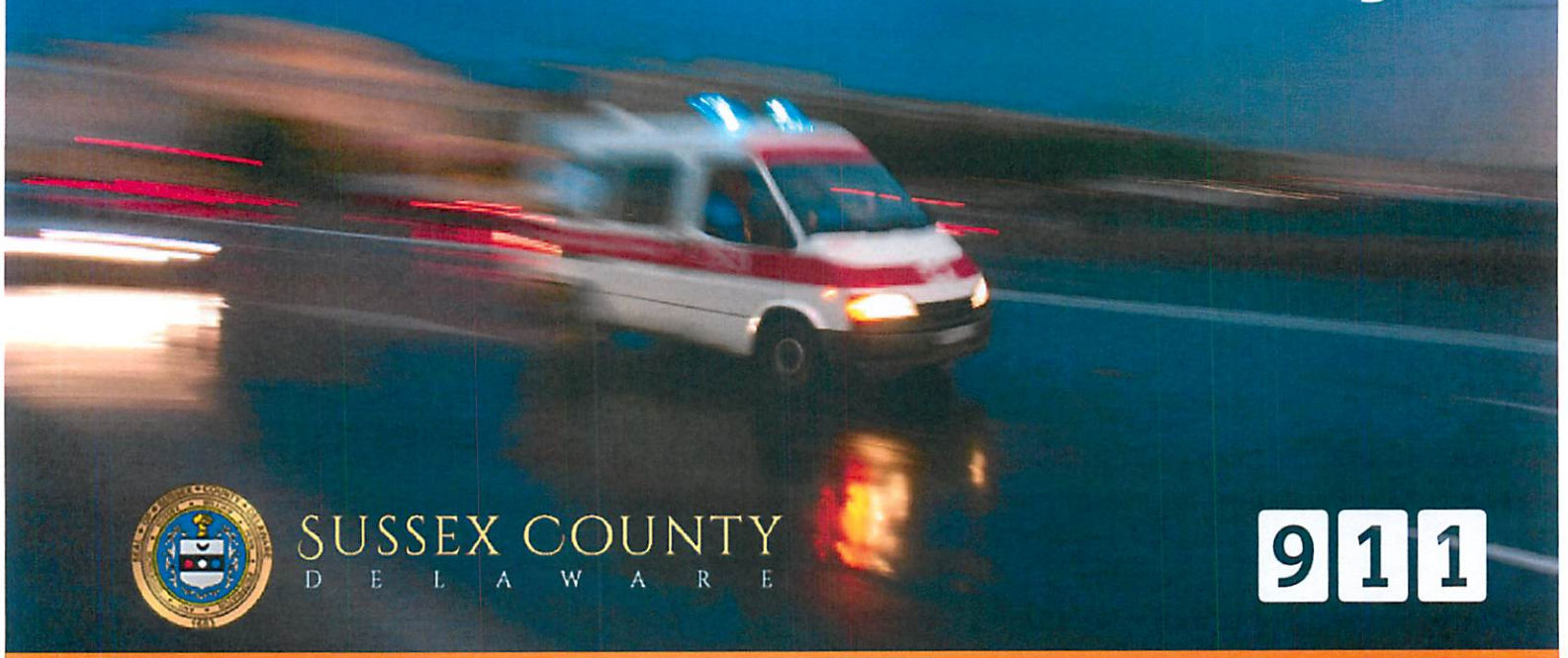


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# THANK YOU!

For information on next year's fair, as well as affordable and fair housing resources please visit the Sussex County Community Development & Housing website:

www.sussexcountyde.gov/community-development-housing

EQUAL HOUSING OPPORTUNITY

Contact Information:
Brandy Nauman, Sussex County Housing Coordinator & Fair Housing Compliance Officer
22215 DuPont Boulevard, P.O. Box 589
Georgetown, DE 19947
(302) 855-7779
bnauman@sussexcountyde.gov

Sussex County Homebuyer Fair
27-Sep-14
Marketing Details

**County**

| | | | | | | |
|---|---|---|---|---|---|---|
| 1 | County Administration Building | 2 The Circle | Georgetown | DE | 19947 | Fliers 9/16/14 |
| 2 | West Complex Administrative Building | 22215 DuPont Blvd. | Georgetown | DE | 19947 | Posted 9/5/14 |
| 3 | County's Website | Homepage Banner and CD&H News & Events Section | | | | Posted 8/29/14 |
| 4 | Social Media | Facebook, Twitter, Google + | | | | Posted 9/8/14 |
| 5 | County Staff | Email Alert | | | | Sent 8/27/14 |
| 6 | Press Release | | | | | Released 9/8/14 |
| 7 | Delmarva Broadcasting | Delaware 105.9, Eagle 97.7, Cat Country 97.5, La Exitosa 104.1 | | | | 56 commercials spanning 2 weeks, starting XX/XX/14 |
| 8 | Hoy en Delaware | | | | | Spanish Ad in September Print Edition & Event Listing (English & Spanish Links) on the online calendar |
| 9 | The Scene | | | | | Advertised in the County's employee newsletter on 9/12/14 |
| 10 | Mass Email Distribution | | | | | Sent 8/27/14 |

**Towns**

*The following mayors and town/city managers received an email from Brandy Nauman on 9/3/14 with a letter and flyer attached.

| | | | |
|---|---|---|---|
| 1 | Town of Bethany Beach | Jack Gordon, Mayor | n/a |
| 2 | Town of Bethany Beach | Cliff Graviet, Town Manager | admin@townofbethanybeach.com |
| 3 | Bethel | Jeff Hastings, President | jeffsgreenhouses@comcast.net |
| 4 | Town of Blades | Michael Smith, Mayor | mayor@bladesde.com |
| 5 | Town of Blades | Vikki Prettyman, Town Manager | vikkiprettyman@bladesde.com |
| 6 | Town of Bridgeville | Patricia Correll, President | pmcbridgeville@gmail.com |
| 7 | Town of Bridgeville | Jesse Savage, Town Manager | jsbridgeville@gmail.com |
| 8 | Town of Dagsboro | Brad Connor, Mayor | n/a |
| 9 | Town of Dagsboro | Stacey Long, Town Manager | townadministrator@townofdagsboro.com |
| 10 | Town of Delmar | Michael Houlihan, Mayor | mike.countryestates@baylandhomes.com |
| 11 | Town of Delmar | Sarah Bynum-King | townmgr.delmar@verizon.net |
| 12 | Town of Dewey Beach | Diane Hanson, Mayor | dianehanson@townofdeweybeach.com |
| 13 | Town of Dewey Beach | Marc Applebaum, Town Manager | townmanager@townofdeweybeach.com |
| 14 | Town of Ellendale | Kim Hughes, Mayor | kimhughes.ellendale@comcast.net |
| 15 | Fenwick Island | Audrey Serio, President | audrey@theserios.com |
| 16 | Fenwick Island | Merritt Burke, Town Manager | townmgr@fenwickisland.org |
| 17 | Frankford | Jesse Truitt, President | n/a |

| | | | |
|---|---|---|---|
| 18 | Frankford | Terry Truitt, Town Administrator | frankfordtownhall@mchsi.com |
| 19 | Town of Georgetown | Bill West, Mayor | bwest@georgetowndel.com |
| 20 | Town of Georgetown | Eugene Dvornick, Town Manager | gdvornick@georgetowndel.com |
| 21 | Town of Greenwood | Donald Donovan, Mayor | ddonovan@townofgreenwood.us |
| 22 | Town of Greenwood | John McDonnell, Town Manager | jmcdonnell@townofgreenwood.us |
| 23 | Henlopen Acres | Thomas Roth, Town Manager | townhall@henlopenacres.com |
| 24 | Town of Laurel | John Shwed, Mayor | jjshwed@verizon.net |
| 25 | Town of Laurel | Jamie Smith, Town Manager | laureltm@comcast.net |
| 26 | City of Lewes | Ted Becker, Mayor | tbecker@ci.lewes.de.us |
| 27 | City of Lewes | Paul Eckrich, City Manager | peckrich@ci.lewes.de.us |
| 28 | City of Milford | Bryan Shupe, Mayor | mayor@milford-de.gov |
| 29 | City of Milford | Richard Carmean, City Manager | citymanager@milford-de.gov |
| 30 | Town of Millsboro | Robert Bryan, Mayor | n/a |
| 31 | Town of Millsboro | Faye Lingo, Town Manager | town@millsboro.org |
| 32 | Town of Millville | Gerald Hocker, Mayor | millville@mchsi.com |
| 33 | Town of Millville | Deborah Botchie, Town Manager | mvtownmgr@mchsi.com |
| 34 | Town of Milton | Marion Jones, Mayor | mayorjones@ci.milton.de.us |
| 35 | Town of Milton | Kristy Rogers, Town Clerk | krogers@ci.milton.de.us |
| 36 | Ocean View | Walter Curran, Mayor | townofov@oceanviewde.gov |
| 37 | Ocean View | Diane Vogel, Town Manager | townmgrtov@oceanviewde.gov |
| 38 | City of Rehoboth Beach | Samuel Cooper, Mayor | scooper@cityofrehoboth.com |
| 39 | City of Rehoboth Beach | Sharon Lynn, City Manager | information@cityofrehoboth.com |
| 40 | City of Seaford | David Genshaw, Mayor | dgenshaw@comcast.net |
| 41 | City of Seaford | Delores Slatcher, City Manager | dslatcher@seafordde.com |
| 42 | Town of Selbyville | Clifton Murray, Mayor | n/a |
| 43 | Town of Selbyville | Robert Dickerson, Town Manager | tmselbyville@mchsi.com |
| 44 | Slaughter Beach | Bill Krause, Mayor | townofslaughterbeach@comcast.net |
| 45 | Town of South Bethany | Pat Voveris, Mayor | mayorsouthbethany@hotmail.com |
| 46 | Town of South Bethany | Melvin Cusick, Town Manager | townmanager@southbethany.org |

**Libraries**

*The following libraries received an interoffice memo from Brandy Nauman on 9/4/14 with fair postcard flyers AND poster flyer to post in visible locations of each library.

| | | | | | |
|---|---|---|---|---|---|
| 1 | Bridgeville | 600 S. Cannon St. | Bridgeville | DE | 19933 |
| 2 | Delmar | 101 N. Bi-State Blvd. | Delmar | DE | 19940 |
| 3 | Frankford | 8 Main St. | Frankford | DE | 19945 |
| 4 | Georgetown | 123 W. Pine St. | Georgetown | DE | 19947 |
| 5 | Greenwood | 100 Mill St. | Greenwood | DE | 19950 |
| 6 | Laurel | 101 E. 4th St. | Laurel | DE | 19956 |
| 7 | Lewes | 111 Adams St. | Lewes | DE | 19958 |
| 8 | Milford | 11 S. E. Front St. | Milford | DE | 19963 |
| 9 | Millsboro | 217 W. State St. | Millsboro | DE | 19966 |

| | | | | | |
|---|---|---|---|---|---|
| 10 | Milton | 121 Union St. | Milton | DE | 19968 |
| 11 | Rehoboth Beach | 226 Rehoboth Ave. | Rehoboth Beach | DE | 19971 |
| 12 | Seaford | 600 N. Market St. Ext. | Seaford | DE | 19973 |
| 13 | Selbyville | 11 Main & McCabe St. | Selbyville | DE | 19975 |
| 14 | South Coastal | 43 Ken Ave. | Bethany Beach | DE | 19930 |

**Employers**

*The following companies were sent a mailed letter invitation from Brandy Nauman on 9/5/15 with at least one (1) poster flyer to post in visible locations to employees. Multiple flyers were sent to companies with satellite locations.

| | Company Name | Address | City | State | Zip | Type of Industry |
|---|---|---|---|---|---|---|
| 1 | Mountaire Farms, Inc. | 29005 John J. Williams Hwy. | Millsboro | DE | 19966 | Manufacturing |
| 2 | Allen Harim Foods, LLC | 126 N. Shipley St. | Seaford | DE | 19973 | Manufacturing |
| 3 | BJ's Wholesale Club, Inc. | 26676 Centerview Dr. | Millsboro | DE | 19966 | Retail |
| 4 | Eastern Shore Poultry Company, Inc. | 21724 Broad Creek Ave. | Georgetown | DE | 19947 | Manufacturing |
| 5 | Perdue Farms, Inc. | 200 Savannah Dr. | Georgetown | DE | 19947 | Manufacturing |
| 6 | Kent-Sussex Industries | 301 N. Rehoboth Blvd. | Milford | DE | 19963 | Health Care & Social Services |
| 7 | WAL-MART Stores, Inc. | 4 College Park Ln. | Georgetown | DE | 19947 | Retail |
| 8 | WAL-MART Stores, Inc. | 939 DuPont Blvd. | Milford | DE | 19963 | Retail |
| 9 | WAL-MART Stores, Inc. | 22899 Sussex Hwy. | Seaford | DE | 19973 | Retail |
| 10 | WAL-MART Stores, Inc. | 18922 Rehoboth Mall Blvd. | Rehoboth Beach | DE | 19971 | Retail |
| 11 | Intervet, Inc. | 29160 Intervet Ln. | Millsboro | DE | 19966 | Manufacturing |
| 12 | Lowe's Home Centers, Inc. | 26688 Centerview Dr. | Millsboro | DE | 19966 | Retail |
| 13 | Lowe's Home Centers, Inc. | 20364 Plantations Rd. | Lewes | DE | 19958 | Retail |
| 14 | Lowe's Home Centers, Inc. | 22880 Sussex Hwy. | Seaford | DE | 19973 | Retail |
| 15 | PATS Aircraft Systems Integration | 21583 Baltimore Ave. | Georgetown | DE | 19947 | Manufacturing |
| 16 | Seawatch International, Ltd. | 242 S. Rehoboth Blvd. | Milford | DE | 19963 | Manufacturing |
| 17 | Genesis Eldercare National Centers, Inc. | 1100 Norman Eskridge Hwy. | Seaford | DE | 19973 | Health Care & Social Services |
| 18 | Beebe Medical Center | 424 Savannah Rd. | Lewes | DE | 19958 | Health Care & Social Services |
| 19 | Bayhealth Medical Center, Inc. | 21 W. Clarke Ave. | Milford | DE | 19963 | Health Care & Social Services |
| 20 | Harbor Healthcare & Rehabilitation Center | 301 Ocean View Blvd. | Lewes | DE | 19958 | Health Care & Social Services |
| 21 | Nanticoke Health Services | 801 Middleford Rd. | Seaford | DE | 19973 | Health Care & Social Services |

**Organizations & Non-Profits**

*The following organizations were sent a mailed letter invitation from Brandy Nauman on 9/5/15 with at least one (1) poster flyer to post in visible locations to clients and the public.

| Company Name | Address | City | State | Zip | Type |
|---|---|---|---|---|---|

| | | | | | | |
|---|---|---|---|---|---|---|
| 1 | First State Community Action Agency | 308 N. Railroad Ave. | Georgetown | DE | 19947 | Housing Counseling & Community Service |
| 2 | NCALL Research, Inc. | 110 S. Bedford St. | Georgetown | DE | 19947 | Housing Counseling & Community Development |
| 3 | La Esperanza | 216 N. Race St. | Georgetown | DE | 19947 | Community Service & Education |
| 4 | Delaware Housing Coalition | P.O. Box 1633 | Dover | DE | 19903 | Housing Advocacy |
| 5 | Delaware State Housing Authority | 18 The Green | Dover | DE | 19901 | Housing Authority |
| 6 | Sussex County Habitat for Humanity | P.O. Box 759 | Georgetown | DE | 19947 | Affordable Housing Developer |
| 7 | Milford Housing Development Corporation | 977 E. Masten Cir. | Milford | DE | 19963 | Affordable Housing Developer |
| 8 | Diamond State Community Land Trust | P.O. Box 1484 | Dover | DE | 19903 | Affordable Housing Developer |
| 9 | West Rehoboth Community Land Trust | P.O. Box 633 | Rehoboth Beach | DE | 19971 | Affordable Housing Developer |
| 10 | Delaware Office of Human Relations | 546 S. Bedford St. | Georgetown | DE | 19947 | Education & Enforcment |
| 11 | Discover Bank | P.O. Box 2003 | Greenwood | DE | 19950 | CRA |

**Impacted Communities**

*Every household (1,189) in the following rural communities was sent a direct mailing of the Homebuyer Fair postcard flyer on 09/11/14.

| | | |
|---|---|---|
| 1 | Lucas Development | Milton |
| 2 | Pinetown | Lewes |
| 3 | Rural Ellendale/S. Old State Road | Ellendale |
| 4 | West Rehoboth | Rehoboth |
| 5 | Polly Branch | Selbyville |
| 6 | Dog Patch | Frankford |
| 7 | Mount Joy | Millsboro |
| 8 | Concord | Seaford |
| 9 | Possum Point | Millsboro |
| 10 | Coverdale Crossroads | Bridgeville |
| 11 | Diamond Acres | Dagsboro |
| 12 | Cool Spring | Milton |
| 13 | Cedar Creek | Lincoln |
| 14 | Greentop | Lincoln |

SUSSEX COUNTY

# Homebuyer Fair

*Get the keys to home ownership!*

## Saturday, September 27

9am - 1pm • Delaware Tech, Owens Campus
Carter Partnership Center • Georgetown, DE

Learn the "keys to home ownership," regardless of your current and/or past situation. These include:

- **Financial planning tools**
- **Programs and products that are available to YOU**
- **How to locate and work with a qualified REALTOR®**
- **Visit with Inspectors, Settlement Attorneys, Homeowners Insurance Agents and More!**

Let us help make your homeownership dreams come true!

Meet with HUD-approved housing counselors!

FREE Credit Report!

**••• FREE •••**
**Open to the Public!**

Pre-registration recommended...Visit
https://www.sussexcountyde.gov/2014-homebuyer-fair
or call 302-855-7779

*This is a joint event sponsored by* Sussex County Government, Delaware State Housing Authority, Sussex County Association of REALTORS®, First State Community Action Agency and NCALL Research, Inc.

Poster

SUSSEX COUNTY

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**••• FREE •••**
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Pre-registration recommended...Visit
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or call 302-855-7779

*This is a joint event sponsored by*
Sussex County Government, Sussex County Association of REALTORS®, First State Community Action Agency and NCALL Research, Inc.

Postcard - Front

Sussex County
Community Development & Housing
22215 DuPont Boulevard, P.O. Box 589
Georgetown, DE 19947

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE
**PAID**
GEORGETOWN, DE
PERMIT NO. 26

Postcard - Back

SUSSEX COUNTY

# Feria de la vivienda

*¡Conozca las claves para acceder a una vivienda!*

## Sábado, 27 de septiembre

De 9 a. m. a 1 p. m. • Delaware Tech, Owens Campus
Carter Partnership Center • Georgetown, DE

¡Déjenos ayudarle a hacer realidad sus sueños de vivienda propia!

¡Reúnase con consejeros de vivienda autorizados por el HUD!

¡Informe crediticio GRATIS!

Conozca las claves para acceder a una vivienda, independientemente de su situación pasada o presente. Esto incluye lo siguiente:

- **Herramientas de planificación financiera**
- **Programas y productos a su disposición**
- **Cómo encontrar y trabajar con un agente inmobiliario cualificado**
- **¡Reúnase con inspectores, abogados especializados, agentes de seguros de vivienda y más!**

**••• GRATIS •••**

**¡Abierto al público!**

Se recomienda preinscripción. Visite
https://www.sussexcountyde.gov/2014-feria-de-la-vivienda
o llame al 302-855-7779

Este es un evento patrocinado de manera conjunta por el Gobierno de Sussex County, la Autoridad de la Vivienda del Estado de Delaware (DSHA), la Sussex County Association of REALTORS®, First State Community Action Agency y NCALL

Postcard – Front (Spanish version)

# Exhibit 3

# DID YOU KNOW
# Sussex County...

Outreach Card (Front)

## Offers a sewer grant assistance program for low-income households?

Assistance is available up to $2,500 to help with connections to a central sewer system. If approved, subsidies of up to $200 per year are available towards sewer charges. Contact (302) 855-7871 for more information or an application.

## Offers tax exemptions for disabled and elderly residents?

Tax exemptions are available to qualifying residents that are disabled or over the age of 65. Contact (302) 855-7824 for more information or an application.

## Has an owner-occupied rehabilitation program?

The Community Development & Housing department has federal and County funding to assist low- and moderate-income households with repairs to their home. Contact (302) 855-7777 for more information or to have an application mailed to you.

## Sussex County Government offers Human Service Grants to qualifying non-profits annually

This program provides grants to county-wide non-profits for the purpose of enhancing health and human services which contribute to a safe and self-sufficient community. For an application, please visit www.sussexcountyde.gov/human-service-grant-program.

EQUAL HOUSING OPPORTUNITY

## Sussex County has an Affordable and Fair Housing Resource Center webpage

Visit www.sussexcountyde.gov/affordable-and-fair-housing-resource-center for information on the County's Fair Housing Policy, housing discrimination complaint process and forms, public notices and meetings, and affordable housing resources.

Contact Brandy Nauman, Housing Coordinator and Fair Housing Compliance Office for the County's Community Development & Housing office with any questions or comments regarding available services in your neighborhood.

## Purchasing a home soon? Need foreclosure prevention?

The County recommends contacting a HUD-approved housing counseling agency to assist with credit repair, budgets, mortgage prequalification, and more.

**NCALL Research, Inc.**
(302) 855-1370

**First State Community Action Agency**
(302) 856-7761

## Sussex County has Neighborhood Stabilization Program funding

Funding is available to low- and moderate-income households interested in purchasing a foreclosed home in qualifying areas of Sussex County. Contact (302) 855-7779 for more information.

## Sussex County hosts an annual Homebuyer Fair in September

The event is FREE and open to the public. Pre-registration is recommended to obtain a FREE copy of your credit report and for an appointment with a HUD-approved housing counselor. Visit with vendors and exhibitors to learn more about all of the resources available to you! For pre-registration and additional details, please contact (302) 855-7779.

## Sussex County partners with the Delaware State Housing Authority to provide a free statewide housing search tool

Visit http://DelawareHousingSearch.org for a comprehensive listing of publicly-assisted properties for sale, as well as publicly-assisted and market-rate rental units. The website is fully supported by a toll-free multilingual call center(1-877-428-8844). An advanced search feature allows individuals to search using a wide variety of criteria, including income, accessibility features, proximity to services, and more.

*The First Place to Find Housing in the First State*

DELAWAREHOUSINGSEARCH.ORG

**1-877-428-8844**

**Search for publicly-funded for-sale housing, as well as market-rate and affordable rental units throughout Sussex County.**

Outreach Card (Back)

# SABÍA QUE...
# El Condado de Sussex

Outreach Card
- Spanish version
(Front)

**Ofrece un programa de subsidios para la conexión al sistema de alcantarillado destinado a familias de bajos ingresos**

El monto máximo de asistencia disponible es de $2,500 para la conexión al sistema de alcantarillado central. Si se aprueban, es posible acceder a subsidios de $200 por año para los gastos de alcantarillado. Comuníquese al (302) 855-7871 para obtener más información o realizar una solicitud.

**Ofrece exenciones impositivas a residentes mayores y discapacitados**

Las exenciones impositivas están disponibles para residentes discapacitados o mayores de 65 años que reúnan los requisitos. Comuníquese al (302) 855-7824 para obtener más información o realizar una solicitud.

**Cuenta con un programa de renovación de viviendas ocupadas por sus propietarios**

El departamento de Vivienda y Desarrollo Comunitario dispone de fondos federales y del condado para asistir a familias con un nivel de ingresos bajo a moderado que desean efectuar reparaciones en su hogar. Comuníquese al (302) 855-7777 para obtener más información o recibir una solicitud por correo.

**Todos los años, el Gobierno del Condado de Sussex ofrece subsidios para servicios humanos a entidades sin fines de lucro que reúnen los requisitos**

Este programa otorga subsidios a entidades sin fines de lucro en todo el condado con el propósito de mejorar los servicios humanos y de salud que contribuyen a una sociedad autosuficiente y segura. Para obtener una solicitud, ingrese en www.sussexcountyde.gov/human-service-grant-program.

EQUAL HOUSING OPPORTUNITY

**El Condado de Sussex cuenta con una página web del Centro de Recursos de Vivienda Justa y Asequible**

Ingrese en www.sussexcountyde.gov/affordable-and-fair-housing-resource-center para obtener información sobre la Politica de Vivienda Justa del condado, formularios y proceso de reclamos por discriminación relativa a la vivienda, reuniones y avisos públicos, y recursos de vivienda asequible.

Si desea expresar inquietudes o comentarios acerca de los servicios disponibles en su vecindario, póngase en contacto con Brandy Nauman, Coordinadora de Vivienda y Oficial de Cumplimiento de la Ley de Vivienda Justa para la oficina de Vivienda y Desarrollo Comunitario del condado.

**¿Comprara una casa pronto?**
**¿Necesita prevención de ejecución hipotecaria?**

El condado recomienda contactar una agencia de asesoría de vivienda aprobada por el Departamento Federal de Vivienda y Desarrollo Urbano (HUD, por sus siglas en inglés) para solicitar asistencia con reparaciones crediticias, presupuestos y precalificación hipotecaria, entre otros.

**NCALL Research, Inc.**
(302) 855-1370

**First State Community Action Agency**
(302) 856-7761

**El Condado de Sussex dispone de fondos para el Programa de Estabilización de Vecindarios**

Las familias con un nivel de ingresos bajo a moderado pueden solicitar fondos para la compra de una vivienda en ejecución hipotecaria en áreas del Condado de Sussex que reúnan los requisitos. Comuníquese al (302) 855-7779 para obtener más información.

**El Condado de Sussex será sede de una Feria anual de la Vivienda en septiembre**

El evento es GRATUITO y abierto al público. Le recomendamos que se preinscriba para recibir una copia GRATUITA de su informe crediticio y coordinar una reunión con un consejero de vivienda autorizado por el HUD. ¡Reúnase con proveedores y expositores para obtener más información sobre todos los recursos disponibles para usted! Para preinscribirse y obtener información adicional, comuníquese al (302) 855-7779.

**El Condado de Sussex se asoció con la Autoridad de la Vivienda del Estado de Delaware para brindar una herramienta de búsqueda de viviendas gratuita en todo el estado**

Ingrese en http://DelawareHousingSearch.org para obtener un listado completo de las propiedades con asistencia pública que están a la venta, así como unidades en alquiler con asistencia pública y a precio de mercado. El sitio web cuenta con el apoyo total de un centro de llamadas multilingüe (línea gratuita: 1-877-428-8844). Una función de búsqueda avanzada permite realizar búsquedas usando diversos criterios, incluidos ingresos, características de accesibilidad y proximidad a servicios, entre otros.

EL PRIMER LUGAR PARA ENCONTRAR UNA VIVIENDA EN EL PRIMER ESTADO

DELAWAREHOUSINGSEARCH.ORG

**1-877-428-8844**

**Busque viviendas con financiación pública a la venta, así como unidades en alquiler asequibles y a precio de mercado en todo el Condado de Sussex.**

Outreach Card
- Spanish version (Back)

Sussex County Fair Housing Outreach
Due by 9/30/14
Marketing Details

**County**

| | | | | | | |
|---|---|---|---|---|---|---|
| 1 | County Administration Building | 2 The Circle | Georgetown | DE | 19947 | English Fliers - 9/22/14; Spanish Fliers - 10/31/14 |
| 2 | West Complex Administrative Building | 22215 DuPont Blvd. | Georgetown | DE | 19947 | English Fliers - 9/22/14; Spanish Fliers - 10/31/14 |
| 3 | County's Website | Affordable & Fair Housing Resource Center Home Page | | | | Posted 9/29/14 (English); Request to IT for Spanish |
| 4 | Social Media | Facebook, Twitter, Google + | | | | Posted 9/29/14 (English); Request to PIO for Spanish |

**Towns**

*The following mayors and town/city managers received an email from Brandy Nauman on 9/29/14 with an English flyer attached and an email on 10/30/14 with a Spanish flyer attached.

| | | | | |
|---|---|---|---|---|
| 1 | Town of Bethany Beach | Jack Gordon, Mayor | n/a | |
| 2 | Town of Bethany Beach | Cliff Graviet, Town Manager | admin@townofbethanybeach.com | |
| 3 | Bethel | Jeff Hastings, President | jeffsgreenhouses@comcast.net | |
| 4 | Town of Blades | Michael Smith, Mayor | mayor@bladesde.com | |
| 5 | Town of Blades | Vikki Prettyman, Town Manager | vikkiprettyman@bladesde.com | |
| 6 | Town of Bridgeville | Patricia Correll, President | pmcbridgeville@gmail.com | English Fliers delivered - 10/30/14 |
| 7 | Town of Bridgeville | Jesse Savage, Town Manager | jsbridgeville@gmail.com | |
| 8 | Town of Dagsboro | Brad Connor, Mayor | n/a | |
| 9 | Town of Dagsboro | Stacey Long, Town Manager | townadministrator@townofdagsboro.com | |
| 10 | Town of Delmar | Michael Houlihan, Mayor | mike.countryestates@baylandhomes.com | |
| 11 | Town of Delmar | Sarah Bynum-King | townmgr.delmar@verizon.net | |
| 12 | Town of Dewey Beach | Diane Hanson, Mayor | dianehanson@townofdeweybeach.com | |
| 13 | Town of Dewey Beach | Marc Applebaum, Town Manager | townmanager@townofdeweybeach.com | |
| 14 | Town of Ellendale | Kim Hughes, Mayor | kimhughes.ellendale@comcast.net | |
| 15 | Fenwick Island | Audrey Serio, President | audrey@theserios.com | |
| 16 | Fenwick Island | Merritt Burke, Town Manager | townmgr@fenwickisland.org | |
| 17 | Frankford | Jesse Truitt, President | n/a | |
| 18 | Frankford | Terry Truitt, Town Administrator | frankfordtownhall@mchsi.com | |
| 19 | Town of Georgetown | Bill West, Mayor | bwest@georgetowndel.com | |
| 20 | Town of Georgetown | Eugene Dvornick, Town Manager | gdvornick@georgetowndel.com | |
| 21 | Town of Greenwood | Donald Donovan, Mayor | ddonovan@townofgreenwood.us | |
| 22 | Town of Greenwood | John McDonnell, Town Manager | jmcdonnell@townofgreenwood.us | |
| 23 | Henlopen Acres | Thomas Roth, Town Manager | townhall@henlopenacres.com | |
| 24 | Town of Laurel | John Shwed, Mayor | jjshwed@verizon.net | |
| 25 | Town of Laurel | Jamie Smith, Town Manager | laureltm@comcast.net | |

| | | | |
|---|---|---|---|
| 26 | City of Lewes | Ted Becker, Mayor | tbecker@ci.lewes.de.us |
| 27 | City of Lewes | Paul Eckrich, City Manager | peckrich@ci.lewes.de.us |
| 28 | City of Milford | Bryan Shupe, Mayor | mayor@milford-de.gov |
| 29 | City of Milford | Richard Carmean, City Manager | citymanager@milford-de.gov |
| 30 | Town of Millsboro | Robert Bryan, Mayor | n/a |
| 31 | Town of Millsboro | Faye Lingo, Town Manager | town@millsboro.org |
| 32 | Town of Millville | Gerald Hocker, Mayor | millville@mchsi.com |
| 33 | Town of Millville | Deborah Botchie, Town Manager | mvtownmgr@mchsi.com |
| 34 | Town of Milton | Marion Jones, Mayor | mayorjones@ci.milton.de.us |
| 35 | Town of Milton | Kristy Rogers, Town Clerk | krogers@ci.milton.de.us |
| 36 | Ocean View | Walter Curran, Mayor | townofov@oceanviewde.gov |
| 37 | Ocean View | Diane Vogel, Town Manager | townmgrtov@oceanviewde.gov |
| 38 | City of Rehoboth Beach | Samuel Cooper, Mayor | scooper@cityofrehoboth.com |
| 39 | City of Rehoboth Beach | Sharon Lynn, City Manager | information@cityofrehoboth.com |
| 40 | City of Seaford | David Genshaw, Mayor | dgenshaw@comcast.net |
| 41 | City of Seaford | Delores Slatcher, City Manager | dslatcher@seafordde.com |
| 42 | Town of Selbyville | Clifton Murray, Mayor | n/a |
| 43 | Town of Selbyville | Robert Dickerson, Town Manager | tmselbyville@mchsi.com |
| 44 | Slaughter Beach | Bill Krause, Mayor | townofslaughterbeach@comcast.net |
| 45 | Town of South Bethany | Pat Voveris, Mayor | mayorsouthbethany@hotmail.com |
| 46 | Town of South Bethany | Melvin Cusick, Town Manager | townmanager@southbethany.org |

**Libraries**

*The following libraries received an interoffice memo from Brandy Nauman on 9/30/14 with English flyers and on 10/30/14 with Spanish flyers to post in visible locations of each library.

| | | | | | |
|---|---|---|---|---|---|
| 1 | Bridgeville | 600 S. Cannon St. | Bridgeville | DE | 19933 |
| 2 | Delmar | 101 N. Bi-State Blvd. | Delmar | DE | 19940 |
| 3 | Frankford | 8 Main St. | Frankford | DE | 19945 |
| 4 | Georgetown | 123 W. Pine St. | Georgetown | DE | 19947 |
| 5 | Greenwood | 100 Mill St. | Greenwood | DE | 19950 |
| 6 | Laurel | 101 E. 4th St. | Laurel | DE | 19956 |
| 7 | Lewes | 111 Adams St. | Lewes | DE | 19958 |
| 8 | Milford | 11 S. E. Front St. | Milford | DE | 19963 |
| 9 | Millsboro | 217 W. State St. | Millsboro | DE | 19966 |
| 10 | Milton | 121 Union St. | Milton | DE | 19968 |
| 11 | Rehoboth Beach | 226 Rehoboth Ave. | Rehoboth Beach | DE | 19971 |
| 12 | Seaford | 600 N. Market St. Ext. | Seaford | DE | 19973 |
| 13 | Selbyville | 11 Main & McCabe St. | Selbyville | DE | 19975 |
| 14 | South Coastal | 43 Ken Ave. | Bethany Beach | DE | 19930 |

**Employers**

*The following companies were sent a mailed letter from Brandy Nauman on 9/30/14 with English flyers to post in visible locations for employees. As a courtesy to DSHA, we also included flyers (in English/Spanish) for DelawareHousingSearch.org. On 10/31/14 a mailed letter from Brandy Nauman was sent with Spanish flyers.

| Company Name | Address | City | State | Zip | Type of Industry |
|---|---|---|---|---|---|

| | | | | | | |
|---|---|---|---|---|---|---|
| 1 | Mountaire Farms, Inc. | 29005 John J. Williams Hwy. | Millsboro | DE | 19966 | Manufacturing |
| 2 | Allen Harim Foods, LLC | 126 N. Shipley St. | Seaford | DE | 19973 | Manufacturing |
| 3 | BJ's Wholesale Club, Inc. | 26676 Centerview Dr. | Millsboro | DE | 19966 | Retail |
| 4 | Eastern Shore Poultry Company, Inc. | 21724 Broad Creek Ave. | Georgetown | DE | 19947 | Manufacturing |
| 5 | Perdue Farms, Inc. | 200 Savannah Dr. | Georgetown | DE | 19947 | Manufacturing |
| 6 | Kent-Sussex Industries | 301 N. Rehoboth Blvd. | Milford | DE | 19963 | Health Care & Social Services |
| 7 | WAL-MART Stores, Inc. | 4 College Park Ln. | Georgetown | DE | 19947 | Retail |
| 8 | WAL-MART Stores, Inc. | 939 DuPont Blvd. | Milford | DE | 19963 | Retail |
| 9 | WAL-MART Stores, Inc. | 22899 Sussex Hwy. | Seaford | DE | 19973 | Retail |
| 10 | WAL-MART Stores, Inc. | 18922 Rehoboth Mall Blvd. | Rehoboth Beach | DE | 19971 | Retail |
| 11 | Intervet, Inc. | 29160 Intervet Ln. | Millsboro | DE | 19966 | Manufacturing |
| 12 | Lowe's Home Centers, Inc. | 26688 Centerview Dr. | Millsboro | DE | 19966 | Retail |
| 13 | Lowe's Home Centers, Inc. | 20364 Plantations Rd. | Lewes | DE | 19958 | Retail |
| 14 | Lowe's Home Centers, Inc. | 22880 Sussex Hwy. | Seaford | DE | 19973 | Retail |
| 15 | PATS Aircraft Systems Integration | 21583 Baltimore Ave. | Georgetown | DE | 19947 | Manufacturing |
| 16 | Seawatch International, Ltd. | 242 S. Rehoboth Blvd. | Milford | DE | 19963 | Manufacturing |
| 17 | Genesis Eldercare National Centers, Inc. | 1100 Norman Eskridge Hwy. | Seaford | DE | 19973 | Health Care & Social Services |
| 18 | Beebe Medical Center | 424 Savannah Rd. | Lewes | DE | 19958 | Health Care & Social Services |
| 19 | Bayhealth Medical Center, Inc. | 21 W. Clarke Ave. | Milford | DE | 19963 | Health Care & Social Services |
| 20 | Harbor Healthcare & Rehabilitation Center | 301 Ocean View Blvd. | Lewes | DE | 19958 | Health Care & Social Services |
| 21 | Nanticoke Health Services | 801 Middleford Rd. | Seaford | DE | 19973 | Health Care & Social Services |

**Organizations & Non-Profits**

*The following organizations were sent a mailed letter from Brandy Nauman on 9/30/14 with English flyers and on 10/31/14 with Spanish flyers to post in visible locations for the public/clients.

| | Company Name | Address | City | State | Zip | Type |
|---|---|---|---|---|---|---|
| 1 | First State Community Action Agency | 308 N. Railroad Ave. | Georgetown | DE | 19947 | Housing Counseling & Community Service |
| 2 | NCALL Research, Inc. | 110 S. Bedford St. | Georgetown | DE | 19947 | Housing Counseling & Community Development |
| 3 | La Esperanza | 216 N. Race St. | Georgetown | DE | 19947 | Community Service & Education |
| 4 | Delaware Housing Coalition | P.O. Box 1633 | Dover | DE | 19903 | Housing Advocacy |
| 5 | Delaware State Housing Authority | 18 The Green | Dover | DE | 19901 | Housing Authority |
| 6 | Sussex County Habitat for Humanity | P.O. Box 759 | Georgetown | DE | 19947 | Affordable Housing Developer |

| | | | | | | |
|---|---|---|---|---|---|---|
| 7 | Milford Housing Development Corporation | 977 E. Masten Cir. | Milford | DE | 19963 | Affordable Housing Developer |
| 8 | Diamond State Community Land Trust | P.O. Box 1484 | Dover | DE | 19903 | Affordable Housing Developer |
| 9 | West Rehoboth Community Land Trust | P.O. Box 633 | Rehoboth Beach | DE | 19971 | Affordable Housing Developer |
| 10 | Delaware Office of Human Relations | 546 S. Bedford St. | Georgetown | DE | 19947 | Education & Enforcment |
| 11 | Discover Bank | P.O. Box 2003 | Greenwood | DE | 19950 | CRA |

BRANDY BENNETT NAUMAN
HOUSING COORDINATOR &
FAIR HOUSING COMPLIANCE OFFICER
(302) 855-7777 T
(302) 854-5397 F
bnauman@sussexcountyde.gov

Sussex County
DELAWARE
sussexcountyde.gov

September 30, 2014

Employer

Dear :

Sussex County Government appreciates your role as an employer and source of economic growth in Sussex County. We want to expand our relationship with you to provide as many resources as possible to you and your employees.

Enclosed you will find a new flyer from the County outlining various programs and services available through the County Government. Our goal is to improve the access and availability of these resources. Within 30 days, you will also receive a Spanish version of the flyer.

The County also partners with the Delaware State Housing Authority, and we have also included their flyers for an important service that we help fund annually. Both flyers contain important information for your employees.

Please display these flyers in high traffic areas, where they will be visible to your employees. Do not hesitate to contact me for additional flyers or any questions!

Thank you,

Brandy B. Nauman
Housing Coordinator & Fair Housing Compliance Officer

BRANDY BENNETT NAUMAN
HOUSING COORDINATOR &
FAIR HOUSING COMPLIANCE OFFICER
(302) 855-7777 T
(302) 854-5397 F
bnauman@sussexcountyde.gov

**Sussex County**
DELAWARE
sussexcountyde.gov

October 30, 2014

«AddressBlock»

«GreetingLine»

As promised, we have included our rack card flyer detailing the various programs and services available through County Government.

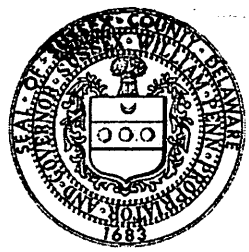
Please display these flyers in high traffic areas, where they will be visible to your employees. Do not hesitate to contact me for additional flyers or any questions!

Thank you,

Brandy B. Nauman
Housing Coordinator & Fair Housing Compliance Officer

# Exhibit 4

MICHAEL H. VINCENT, PRESIDENT
SAMUEL R. WILSON JR., VICE PRESIDENT
GEORGE B. COLE
JOAN R. DEAVER
VANCE PHILLIPS



2 THE CIRCLE | PO BOX 589
GEORGETOWN, DE 19947
(302) 855-7743 T
(302) 855-7749 F
sussexcountyde.gov

# Sussex County Council

## AGENDA

## DECEMBER 16, 2014

## 10:00 A.M.

**Call to Order**

**Approval of Agenda**

**Approval of Minutes**

**Reading of Correspondence**

**Bill Andrew, Delaware Electric Cooperative – Check Presentation**

**Bob Carey – Delmarva Teen Challenge Presentation**

**Todd Lawson, County Administrator**

1. **Proclamation – Cape Henlopen Field Hockey Team**
2. **Administrator's Report**

**Gina Jennings, Finance Director**

1. **Pension Committee Update and Recommendations**
2. **Health Insurance RFP Process**

**Brandy Nauman, Housing Coordinator and Fair Housing Compliance Officer**

1. **Fair Housing Update**

**John Ashman, Director of Utility Planning**

1. **EMS Station #105**
   - **A. Bid Award**

2. **Records Management Roof Replacement**

   A. **Substantial Completion and Change Order No. 1**

**Robert Stuart, Director of EMS**

1. **Lease Renewal – EMS Station #101**

**Chris Keeler, Director of Assessment**

1. **Discussion of Chicken House Assessment**

**Grant Requests**

1. **Delmarva Teen Challenge for emergency grant for operating costs.**

2. **Kiwanis International for the Sussex Tech Key Club for conference costs.**

3. **Delaware State University Alumni Association for scholarship fundraiser.**

**Old Business**

**Conditional Use No. 1998 filed on behalf of Todd Fisher**
**"AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SELF-STORAGE FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 3.74 ACRES, MORE OR LESS" (Tax I.D. No. 334-1.00-15.02/15.04) (911 Address: 16542 Old Mill Road, Lewes)**

**Conditional Use No. 1999 filed on behalf of Hopkins Farm Creamery, Inc.**
**"AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BBQ VENDOR TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 73 ACRES, MORE OR LESS" (Tax I.D. No. 334-10.00-51.00) (911 Address: 18186 Dairy Farm Road, Lewes)**

**Conditional Use No. 2000 filed on behalf of Jovid Venture, LLC**
**"AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A FACILITY FOR WEDDING CEREMONIES AND RECEPTIONS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.683 ACRES, MORE OR LESS" (Tax I.D. No. 334-12.00-121.01) (911 Address: 35060 Warrington Road, Rehoboth Beach)**

**Conditional Use No. 2001 filed on behalf of Christina Abramowicz**
**"AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A VETERINARY PRACTICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 32,671 SQUARE FEET, MORE OR LESS" (Tax I.D. No. 334-1.00-23.00) (911 Address: 16403 Old Mill Road, Lewes)**

**Conditional Use No. 2002 filed on behalf of Beach Bum Distilling, c/o I3A**
**"AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A DISTILLERY WITH TOURS/TASTING/RETAIL TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 24,523 SQUARE FEET, MORE OR LESS" (Tax I.D. No. 334-5.00-74.01) (911 Address: 32191 Nassau Road, Lewes)**

**Introduction of Proposed Zoning Ordinances**

**Executive Session – Land Acquisition pursuant to 29 Del. C. §10004(b)**

**Possible Action on Executive Session Items**

**Any Additional Business Brought Before Council**

**********

**Sussex County Council meetings can be monitored on the internet at www.sussexcountyde.gov.**

**********

**In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on December 9, 2014 at 4:20 p.m., and at least seven (7) days in advance of the meeting.**

**This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.**

**Agenda items listed may be considered out of sequence.**

####

# Exhibit 5

# APPLICATION FOR MAJOR SUBDIVISION

*Sussex County Planning and Zoning Commission*

Please provide 25 copies of a signed and sealed plan, a copy of proposed restrictive covenants and supporting statements, where applicable, 51% of property owners consent.

| Date: | Application Number: |
|---|---|
| | |

| Proposed Subdivision Name: | | Type Of Subdivision: |
|---|---|---|
| | | ☐ Standard ☐ Cluster ☐ ESDD |
| Hundred: | Tax Map Number: | Zoning District: |
| | | |
| Location: | | |
| | | |
| Name and Address of Applicant | | |
| | | |
| Name and Address of Firm Responsible for Preparing Plan | | |
| | | |

| Subdivision Acreage in Lots: | Streets | Open Space | Residual Lands: |
|---|---|---|---|
| | | | |
| Total Gross Acreage | Lots/Acre | Other | Minimum Lot Size |
| | | | |
| Number of Lots | Type of Streets | Type of Sewer | Type of Water |
| | | | |
| Preliminary Fee & Receipt Number $500.00 | | Final Fee and Receipt Number | |
| | | | |

_____ Date: ____ / ____ / ____

*Applicant's Signature*

_____ Date: ____ / ____ / ____

*Surveyor or Engineer's Signature*

EQUAL HOUSING OPPORTUNITY

COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 589
GEORGETOWN, DELAWARE 19947

Sussex County

## SUBDIVISION PROCESS

Applicant or agent meets informally with the Planning and Zoning Department staff.

The Applicant files an application form and support documents (preliminary survey/subdivision plan, fees, etc.). The application is required to be filed for scheduling with the Planning and Zoning Commission.

Public notices for public hearings before the Planning and Zoning Commission are advertised in two (2) local newspapers at least 20 working days prior to the scheduled meeting of the Planning and Zoning Commission.

The Planning and Zoning Department staff sends plans to the Technical Advisory Committee for agency comments on the application (preliminary plan) with a required response date.

The Planning and Zoning Commission holds a public hearing and receives public comments and a report on the Technical Advisory Committee comments. The Commission may recommend approval, approval with stipulations, denial, or defer an application for additional comments from agencies or for further consideration by the Commission. All decisions are advertised in a local newspaper.

As of June 2, 2009, if the subdivision is approved, the preliminary plan is valid for three (3) years. Originally, preliminary approval was valid for one (1) year and an Applicant, with reason, could request additional time.

The Commission will consider the final plans after receipt of all appropriate agency approvals and/or permits. All decisions are advertised in a local newspaper.

Once approved as a final plan, the Applicant has 60 days to record the record plat.

Once recorded in the Office of the Recorder of Deeds in and for Sussex County, any major subdivision shall be rendered null and void if substantial construction is not commenced thereon within five (5) years of the date of recordation.

An Applicant aggrieved by a decision of the Commission may appeal the decision to the County Council within 30 days of the official action of the Commission. Such appeal shall be an appeal on the record of the public hearing before the Commission and shall specify the grounds of the appeal. The appellant shall pay an appeal fee. The appeal process takes several steps as found in Subdivision Code (Chapter 99 of the Sussex Count Code) Section 99-39. The Council may reverse a decision only upon a finding that the Commission made an error in its interpretation of the applicable sections of the Code; or the Commission's findings and conclusions were not the result of an orderly or logical review of the evidence and the applicable provisions of the Code. The Council shall act on the record within 60 days of receipt of the transcript. The Council is only considering the transcript of the record. There is not a public hearing on the appeal. Any part aggrieved by the decision of the Council may appeal to the appropriate Court.

NOTES:

- The process may take approximately 3 to 6 months due to the number of applications pending (Change of Zoning, Conditional Use, and Subdivisions).
- Typically five (5) public hearings are held per meeting (twice a month).
- We review the applications in queue and if we find something controversial we may schedule fewer applications for public hearing for the meeting being scheduled.
- Certain applications require review through the Office of State Planning Coordination (OSPC) for PLUS (Preliminary Land Use Service) based on a Memorandum of Understanding with the OSPC.

**Sussex County promotes racially/ethnically diverse, mixed income affordable housing in all areas under its jurisdiction. Accordingly, Developers are encouraged to provide affordable housing opportunities to Sussex County residents in all new developments, affirmatively market those affordable housing units to diverse populations, and meet with surrounding residents early in the development approval process.**

lbl-02-01-2007
lbl-11-07-2008
lbl-03-15-2010
lbl-04-20-2010
lbl-12-13-2010
lbl-07-01-2013
bbn-06-17-2014

## ARTICLE IV
## Preliminary Plat Requirements

### § 99-22. General requirements.

The preliminary plat of the proposed subdivision shall comply with the following general requirements with regard to preparation, style and content:

A. Plans shall show the seal and signature of a registered Delaware land surveyor or registered Delaware professional engineer and shall be prepared at a minimum scale of one inch equals 100 feet. **[Amended 12-7-1993 by Ord. No. 9411**

B. It shall provide all the pertinent information -on existing site conditions, property ownership and the like which may be necessary for the Commission to properly consider the proposed subdivision, and such information shall be accurate and reliable.

C. It shall show the general plan for the ultimate development of the property, including as much of the surrounding area as may be necessary for an adequate consideration of the land to be subdivided. Such plat shall be accurately drawn to scale.

### § 99-23. Information to be shown.

The preliminary plat shall be drawn in a clear and legible manner and shall show the following information:

A. The proposed subdivision name, which shall not duplicate or closely approximate the name of any other subdivision in the county.

B. A location map at a scale of one inch equals one mile.

C. The names of the owner of record, the subdivider and the surveyor preparing the plan.

D. The scale, date and North point. The North point should always be at the top of the plat.

E. The courses and distances of property perimeter and the approximate acreage contained therein.

F. The names and locations of adjacent subdivisions and the location of adjoining parcels of unplatted land, with the names of the owners of record.

G. Topographic contours at one-foot intervals and referenced to United States Geological Survey data or other commonly accepted data. Where unusual conditions, such as steep slopes, create problems in drafting contour lines, a greater interval may be used if other information is provided to adequately describe the true nature of the topography.

H. The location of existing property lines, streets and alleys, easements, buildings, utilities, wooded areas and waterways; soils classification; and any other significant natural or man-made physical features affecting the proposed subdivision.

I. The present zoning classifications and zoning district lines of the proposed subdivision and adjoining properties and the proposed uses of property within the area being platted.

J. The layout, width and names of all streets, alleys, crosswalkways and easements proposed to be dedicated for public use. Street names shall not duplicate nor closely resemble existing street names in the same hundred or postal district, except for extensions of existing streets.

K. The layout, consecutive numbering and approximate dimensions and areas of all proposed lots, or parcels and the lettering of blocks.

L. The designation of parcels of land to be conveyed, reserved or dedicated for public use or for the common use of property owners within the subdivision.

M. The proposed locations and sizes for all utilities and drainage facilities.

N. The proposed grading plan when excavation, recontouring or similar work is to occur in conjunction with development of the subdivision.

O. The designation of land used primarily for agricultural purposes within 300 feet of the boundary of the proposed subdivision. **[Added 6-15-1993 by Ord. No. 893]**

P. The designation of parcels to be set aside for forested buffer strips, where required. **[Added 6-15-1993 by Ord. No. 893]** _

Q. The location of all wetlands (both state and federal) shall be indicated, in order to facilitate compliance with state and federal wetlands requirements. **[Added 12-7-1993 by Ord. No. 941]**

R. The location of the one-hundred-year floodplains based on current Flood Insurance Rate Maps. **[Added 12-7-1993 by Ord. No. 941]**

**§ 99-24. Supporting statements.**

The preliminary plat shall be accompanied by the following written and signed statements in support of the subdivision's application for tentative approval:

A. Statements explaining how and when the subdivider proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavements and drainage structures.

B. Statements concerning any proposed deed restrictions to be imposed by the owner.

Where special physical conditions exist which may act as constraints on normal development or may preclude development totally, the subdivider may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, stormwater runoff computations and identification of areas subject to periodic flooding.

Sussex County

## FAIR HOUSING POLICY

It is the policy of Sussex County to comply with the Fair Housing Act, as amended, (42 U.S.C. §§ 3601-3619) and the Delaware Fair Housing Act (6 Del. C. Ch. 46), by ensuring that its zoning and land use decisions do not discriminate against persons based on race, color, religion, national origin, handicap/disability, familial status, sex, creed, marital status, age, or sexual orientation, or gender identity. This policy means that, among other things, the County and all its officials, agents and employees will not discriminate in any aspect of housing based on these protected characteristics, including by:

(a) making unavailable or denying a dwelling to any person based on a protected characteristic;

(b) discriminating against any person in the terms, conditions or privileges of a dwelling, or in the provision of services or facilities in connection therewith based on a protected characteristic;

(c) making, printing, or publishing, or causing to be made, printed, or published any notice, statement, or advertisement, with respect to a dwelling that indicates any preference, limitation, or discrimination based on a protected characteristic;

(d) representing to persons because of a protected characteristic that any dwelling is not available when such dwelling is in fact so available;

(e) interfering with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right protected by the Fair Housing Act;

(f) interfering with the funding, development, or construction of any affordable housing units because of a protected characteristic; and

(g) discriminating on the basis of race or color in any aspect of the administration of its zoning, land use, or building ordinances, policies, practices, requirements, or processes relating to the use, construction, or occupancy of dwellings.

Any person who believes that any of the above policies have been violated by the County may contact:

- Sussex County's Fair Housing Compliance Officer, Brandy Nauman, at bnauman@sussexcountyde.gov or (302) 855-7777.
- the U.S. Department of Housing and Urban Development at 1-888-799-2085, or
- the U.S. Department of Justice at 1-800-896-7743 or (202) 514-4713.

It is also the policy of Sussex County to ensure that conduct at public hearings regarding land use and zoning adhere to the intentions of the Fair Housing Policy as outlined above. Legal counsel representing County Council, the Board of Adjustment, and the Planning & Zoning Commission will read the following statement prior to the start of all public hearings:

> "Sussex County, in its zoning and land use decisions, does not discriminate against persons based on race, color, religion, national origin, handicap/disability, familial status, sex, creed, marital status, age, sexual orientation, or gender identity. Public comments made on the basis of bias and stereotype concerning people within these protected classes will not be taken into consideration by the County in its deliberations."

# Exhibit 6

DALE A. CALLAWAY, CHAIRMAN
JEFFREY M. HUDSON
JOHN M. MILLS
NORMAN C. RICKARD
E. BRENT WORKMAN

2 THE CIRCLE | PO BOX 417
GEORGETOWN, DE 19947
(302) 855-7878 T
(302) 854-5079 F
sussexcountyde.gov

# Sussex County Board of Adjustment

**REVISED AGENDA**

**NOVEMBER 3, 2014**

**7:00 P.M.**

**Call to Order**

**Approval of Agenda**

**Public Hearings**

**Case No. 11478 Lido Realty Co.**
**southwest of Route One (Coastal Highway) 100 feet northeast of Bay Road (a.k.a. Canal Road) and 1,300 feet southeast of the Lewes and Rehoboth Canal Bridge (911 Address: 20616 Coastal Highway, Rehoboth Beach, DE) (Tax Map I.D. 3-34-19.08-177.00).**
**A variance from the front yard setback requirement.**

**Case No. 11479 Rebecca Holsen, Trustee**
**northeast of S Bay Shore Drive 1.0 mile southeast of Route 16 (Broadkill Road) and 1,000 feet southeast of Marlin Drive in Broadkill Beach (911 Address: 2202 S Bay Shore Drive, Milton, DE) (Tax Map I.D. 2-35-10.06-48.01).**
**A variance from the rear yard and side yard setback requirement.**

**Case No. 11480 Timothy L. Lyle, Sole Trustee of the Timothy L. Lyle Living Trust and Eileen F. Lyle, Sole Trustee of the Eileen F. Lyle Living Trust**
**northeast of Road 208 (Sapp Road) 1,598 feet northwest of Road 206 (Cedar Neck Road) (911 Address: 20835 Sapp Road, Milford, DE) (Tax Map I.D. 3-30-8.00-21.00).**
**A variance from the rear yard setback requirement.**

**Case No. 11481 Barbara Andreavich**
**northeast of Road 362 (Parker House Road) northeast of Birch Street, 773 feet southeast of Hemlock Street and being Lot 19 Block K Section 4 within Shady Dell Park (911 Address: 37581 Birch Street, Ocean View, DE) (Tax Map I.D. 1-34-16.00-480.00).**
**A variance from the side yard setback requirement.**

**Case No. 11482 Frederick Ferry**
**southwest of Road 279 (Camp Arrowhead Road) northeast of Sand Bay Drive and being Lot 112 within The Villages of Herring Creek (911 Address: 33969 Sand Bay Drive, Lewes ) (Tax Map I.D 2-34-12.00-308.00).**
**A variance from the height requirement for a fence.**

EQUAL HOUSING OPPORTUNITY

**Case No. 11483 Pamela Dillon**
**south of Road 277 (Angola Road) northeast of Woodland Court North, 550 feet northwest of Woodland Circle and being Lot 69 and ½ Lot 68 in Angola by the Bay (911 Address: 33143 Woodland Court North, Lewes, DE) (Tax Map I.D. 2-34-11.20-393.00).**
**A variance from the rear yard setback requirement.**

**Case No. 11484 Sherman Hill Jr. & Randy Hill**
**southeast of Road 490 (River Road) northeast corner of 2nd Street and Road 490 (River Road) and 600 feet south of Railroad in the Town of Blades (911 Address: 26063 River Road, Seaford, DE) Tax Map I.D. 1-32-1.15-3.00).**
**A variance from the front yard setback requirement.**

**Case No. 11485 Gloria Burton**
**A private road east of Wolfe Street, 920 feet south of Tenth Street in the Town of Laurel (911 Address: 32011 Wolfe Street Laurel DE) (Tax Map I.D. 4-32-8.10-89.00).**
**A variance from the rear yard setback requirement.**

**Old Business**

**Case No. 11477 Tim Pulice**
**east of Road 432 (Governor Stockley Road) 1,900 feet north of Road 329 (E Piney Grove Road) (911 Address: None Available) (Tax Map I.D. 1-33-10.00-34.02).**
**A special use exception to place a multi-sectional home type structure that is more than five (5) years old.**

**********

**Board of Adjustment meetings can be monitored on the internet at www.sussexcountyde.gov.**

**********

**In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on October 14, 2014, at 9:00 a.m., and at least seven (7) days in advance of the meeting.**

**This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.**

**Agenda items listed may be considered out of sequence.**
**Revised: October 27, 2014 (to include Old Business Case No. 11477)**

####

ROBERT C. WHEATLEY, CHAIRMAN
IRWIN G. BURTON III
MICHAEL B. JOHNSON
MARTIN L. ROSS
RODNEY SMITH

2 THE CIRCLE | PO BOX 417
GEORGETOWN, DE 19947
(302) 855-7878 T
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sussexcountyde.gov

# Sussex County Planning & Zoning Commission

## AGENDA

## NOVEMBER 13, 2014

## 6:00 P.M.

**Call to Order**

**Approval of Agenda**

**Approval of Minutes – October 23, 2014**

**Old Business**

**Conditional Use #1998 Todd Fisher** **IGB**
Application of **TODD FISHER** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a self-storage facility to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 3.74 acres, more or less, land lying northwest of Old Mill Road (Road 265-A) 300 feet northeast of Route One (911 Address: 16542 Old Mill Road, Lewes, DE) (Tax Map I.D. # 3-34-1.00-15.02/15.04).

**Public Hearings**

**Conditional Use #2000 Jovid Venture, LLC** **MJ**
Application of **JOVID VENTURE, LLC** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a facility for wedding ceremonies and receptions to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 1.683 acres, more or less, land lying at the southwest corner of Warrington Road (Road 275) and Old Landing Road (Road 274) (911 Address: 35060 Warrington Road, Rehoboth Beach, DE ) (Tax Map I.D. # 3-34-12.00-121.01).

EQUAL HOUSING OPPORTUNITY

**Conditional Use #2001 Christina Abramowicz** **IGB**
Application of **CHRISTINA ABRAMOWICZ** to consider the Conditional Use of land in and AR-1 Agricultural Residential District for a veterinary practice to be located on a certain parcel of land lying and being in Lewes Rehoboth Hundred, Sussex County, containing 32,671 square feet, more or less, land lying southeast of Old Mill Road (Road 265-A), 1,900 feet northeast of Route One (Coastal Highway) (911 Address: 16403 Old Mill Road, Lewes, DE) (Tax Map I.D. # 3-34-1.00-23.00).

**Other Business**

**Hockers BBQ** **RS**
C/U #1983 Site Plan – Routes 17 & 26

**The Peninsula MR/RPC** **MJ**
C/Z #1751 Clubhouse

**Heirs of Frances E. Rogers** **MJ**
Topography Waiver Request

**Lloyd M. Tyndall, III , Joan L. Tyndall & Gregg A. Tyndall** **MJ**
2 Lots & 50' Right of Way – Road 249

**Don Wagner** **MJ**
2, 3 Lots & 50' Right of Way – Road 290

**In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on October 28, 2014, at 11:00 a.m., and at least seven (7) days in advance of the meeting.**

**This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.**

**Agenda items listed may be considered out of sequence.**

####

MICHAEL H. VINCENT, PRESIDENT
SAMUEL R. WILSON JR., VICE PRESIDENT
GEORGE B. COLE
JOAN R. DEAVER
VANCE PHILLIPS

2 THE CIRCLE | PO BOX 589
GEORGETOWN, DE 19947
(302) 855-7743 T
(302) 855-7749 F
sussexcountyde.gov

# Sussex County Council

## AGENDA

**NOVEMBER 18, 2014**

**10:00 A.M.**

**Call to Order**

**Approval of Agenda**

**Approval of Minutes**

**Reading of Correspondence**

**Consent Agenda**

1. **Wastewater Agreement No. 856-5**
   **Sussex County Project No. 81-04**
   **Millville By The Sea – Lakeside Village**
   **Millville Expansion of the Bethany Beach Sanitary Sewer District**

2. **Wastewater Agreement No. 1000**
   **Sussex County Project No. 81-04**
   **Rehoboth Shores – (Part of Area 1)**
   **Long Neck Sanitary Sewer District**

3. **Wastewater Agreement No. 984-4**
   **Sussex County Project No. 81-04**
   **Coastal Club – Phase 1C**
   **Goslee Creek Planning Area**

**Todd Lawson, County Administrator**

1. **Discussion and Possible Introduction of a Draft Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, ARTICLE I, "GENERAL PROVISIONS", AND ARTICLE XVIII "FLOOD PRONE DISTRICTS", AND ARTICLE XXV "SUPPLEMENTARY REGULATIONS", SECTION 115-189, "COASTAL AND FLOOD-PRONE AREA PROTECTION".**

2. **Administrator's Report**

EQUAL HOUSING OPPORTUNITY

**10:30 a.m. Public Hearing**

**Change of Zone No. 1757 filed on behalf of BLN, LLC**
**"AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 14,400 SQUARE FEET, MORE OR LESS" (land lying southeast of Route 9 (Lewes Georgetown Highway) 0.6 mile west of Road 321 (Park Avenue) (Tax Map I.D. # 135-15.00-83.00) (911 Address: 22440 Lewes Georgetown Highway, Georgetown)**

**Gina Jennings, Finance Director**

1. **Human Service Grants**
2. **Financial Report for the Period Ending September 30, 2014**

**Grant Requests**

1. **Town of Georgetown for sponsorship of the Mayor's Return Day Celebration.**
2. **Laurel Farmers Auction Market to promote Sussex agriculture.**
3. **Good Samaritan Aid Organization for the Christmas Basket Program.**
4. **Town of Blades for the Kids Christmas Bazaar.**
5. **Greater Seaford Chamber of Commerce for Christmas parade expenses.**
6. **Rehoboth Art League for new art studio facility.**
7. **Sussex County Foster Parent Cluster Association for foster family event.**

**Introduction of Proposed Zoning Ordinances**

**Executive Session – Pending/Potential Litigation and Land Acquisition pursuant to 29 Del. C. §10004(b)**

**Possible Action on Executive Session Items**

**Any Additional Business Brought Before Council**

**1:30 p.m. Public Hearings**

**Conditional Use No. 1998 filed on behalf of Todd Fisher**
**"AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SELF-STORAGE FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 3.74 ACRES, MORE OR LESS" (land lying northwest of Old Mill Road (Road 265-A) 300 feet northeast of Route One (Tax Map I.D. # 334-1.00-15.02/15.04) (911 Address: 16542 Old Mill Road, Lewes)**

**Conditional Use No. 1999 filed on behalf of Hopkins Farm Creamery, Inc.**
**"AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BBQ VENDOR TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 73 ACRES, MORE OR LESS" (land lying at the southwest corner of U.S. Route 9 (Lewes Georgetown Highway, aka Seashore Highway) and Road 261 (Dairy Farm Road) (Tax Map I.D. #334-10.00-51.00) (911 Address: 18186 Dairy Farm Road, Lewes)**

**Change of Zone No. 1761 filed on behalf of Elizabeth A. Brinton**
**"AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 21,923 SQUARE FEET, MORE OR LESS" (land lying north of Janus Court, 150 feet west of Road 384 (Bayard Road) being 550 feet north of Road 370 (Daisey Road) at Bayard) (Tax Map I.D. # 134-18.00-85.00) (911 Address: 35540 Janus Court, Frankford)**

**********

**Sussex County Council meetings can be monitored on the internet at www.sussexcountyde.gov.**

**********

**In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on November 10, 2014 at 4:25 p.m., and at least seven (7) days in advance of the meeting.**

**This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.**

**Agenda items listed may be considered out of sequence.**

# # # #

# Exhibit 7

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On July 15, 2014, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Michael J. Costello
Print Name

July 15, 2014
Date

Chief Constable
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

"I was unable to attend the live-training session due to:

_____ I was a member of the 25% of my department's staff that was required to report to work on the day of training.

_____ Traveling either out of State, or out of the Country

_____ Illness

_✓_ I was hired by the County, or transferred departments, after the date of the training."



01:12731981.2

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On 9/4/14, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Christie Allen
Signature

Christie Allen
Print Name

9/4/2014
Date

Assessor
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

"I was unable to attend the live-training session due to:

_____ I was a member of the 25% of my department's staff that was required to report to work on the day of training.

_____ Traveling either out of State, or out of the Country

_____ Illness

✓ I was hired by the County, or transferred departments, after the date of the training."



01:12731981.2

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On 9/8/14, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Stacie Burton
Print Name

9/8/14
Date

Assessment Clerk II
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

"I was unable to attend the live-training session due to:

_____ I was a member of the 25% of my department's staff that was required to report to work on the day of training.

_____ Traveling either out of State, or out of the Country

_____ Illness

X I was hired by the County, or transferred departments, after the date of the training."



01:12731981.2

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On 10/29/14, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Steve Mitchell
Signature

Steve Mitchell
Print Name

10/28/14
Date

Rehab Specialist
Community Development
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

"I was unable to attend the live-training session due to:

_____ I was a member of the 25% of my department's staff that was required to report to work on the day of training.

_____ Traveling either out of State, or out of the Country

_____ Illness

✓ I was hired by the County, or transferred departments, after the date of the training."



01:12731981:2

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On 11/13/14, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1571-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Jeffrey W Whaley
Signature

JEFFREY W WHALEY
Print Name

11/13/14
Date

A+Z Zoning Inspector I
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

"I was unable to attend the live-training session due to:

_____ I was a member of the 25% of my department's staff that was required to report to work on the day of training.

_____ Traveling either out of State, or out of the Country

_____ Illness

_____ I was hired by the County, or transferred departments, after the date of the training."



01:12731981.2

**ATTACHMENT B**

**CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE**

On 11/15/14, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Melody Baker-Wilkins

Signature

Melody Baker-Wilkins

Print Name

11/15/14

Date

Director of Economic Development

Position with Sussex County

[redacted]

Home Street Address

[redacted]

City, State, Zip

[redacted]

Home Telephone Number

"I was unable to attend the live-training session due to:

_____ I was a member of the 25% of my department's staff that was required to report to work on the day of training.

_____ Traveling either out of State, or out of the Country

_____ Illness

_X_ I was hired by the County, or transferred departments, after the date of the training."



01:12731971.2

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On 11-21-14, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Lewis Walls
Print Name

11-25-14
Date

Building Code
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

"I was unable to attend the live-training session due to:

_____ I was a member of the 25% of my department's staff that was required to report to work on the day of training.

_____ Traveling either out of State, or out of the Country

_____ Illness

X I was hired by the County, or transferred departments, after the date of the training."



01:12731981.2

# Exhibit 8

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

| | |
|---|---|
| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>v.<br><br>SUSSEX COUNTY, DELAWARE, AND PLANNING AND ZONING COMMISSION OF SUSSEX COUNTY,<br><br>Defendants. | Civil Action No. 12-1591-MPT<br><br>CONSENT DECREE |

**STIPULATION AND ORDER**

WHEREAS, the parties in the above-captioned action have agreed to certain modifications the Consent Decree; and

WHEREAS, some of these modifications do not implicate a time limit for performance; and

WHEREAS, the Consent Decree states that modifications which do not implicate a time limit for performance will be effective upon filing of the written agreement with this Court.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their respective counsel and subject to the approval of the Court, that the modifications of the Consent Decree which do not implicate a time limit for performance are as follows:

1. When the in-person training required by the Consent Decree would cause any given County department to operate with less than 25% of its regular employees for the duration of the training, then up to 25% of that department's staff may be considered to have good cause to be trained by video instead of in-person, provided that no individual asserts this basis for good

cause in any two consecutive years.

2. Training will be scheduled so as to maximize the number of required individuals who can attend in person.

A. Any elected, appointed, or hired individual who, for good cause, cannot attend the initial, in-person training may satisfy the initial training requirement by viewing the videotape of the live training within 90 days of entry of the decree, provided that any person who completes the video training in lieu of live training will report the reason on his/her training certification form (Attachment B of the Consent Decree) that will be submitted to the Department of Justice.

B. Any elected, appointed, or hired individual who, for good cause, cannot attend the annual, in-person training may satisfy the annual training requirement by viewing the videotape of the live training within 90 days after the live training, provided that any person who completes the video training in lieu of live training will report the reason on his/her training certification form (Attachment B of the Consent Decree) that will be submitted to the Department of Justice.

3. The parties will adhere to Federal Rule of Civil Procedure 6(a) in calculating deadlines in the Consent Decree.

4. The parties agree that home addresses and home telephone numbers of the trainees required to be trained under Section VI of the Consent Decree that appear on the Certifications of Training and Receipt of Consent Decree ("Certifications") may be redacted before the Certifications are posted on the County's website.

5. The parties agree that under Section VII(27)(b) of the Consent Decree, the phrase 'A summary of each zoning or land-use request or application related to Affordable Housing' refers

to zoning or land use requests or applications for housing development projects intended or designed for households earning less than 80% of the Area Median Income ("AMI") as calculated by the U.S. Department of Housing and Urban Development. Such projects do not include requests or applications from individual homeowners seeking variances or special use exceptions from the County's Board of Adjustment. Instead, this provision is interpreted as applying to requests and applications from developers of residential housing projects. A residential housing project is interpreted as a project to construct housing in which more than one family is intended to be served and in which some portion of the project is specifically proposed by the developer as intended to serve households earning less than 80% AMI.

6. The parties agree that under Section VII(28) of the Consent Decree, the phrase "any proposed change to the County's zoning or land-use laws, regulations, policies, or procedures addressing the construction of or approval process for Affordable Housing or housing being processed under the Moderately Priced Housing Unit Program or the Sussex County Rental Program" means proposed changes to laws, regulations, policies, or procedures that are intended to specifically address the construction of or approval process for Affordable Housing or housing being processed under the Moderately Priced Housing Unit Program or the Sussex County Rental Program, not changes which implicate residential development in general.

IT IS SO ORDERED:

This _____ day of _____, 2014.

_____

United States Magistrate Judge

The undersigned hereby consent to the entry of this Stipulation and Order:

UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE

Steven H. Rosenbaum
Rebecca B. Bond
Lori.Wagner
950 Pennsylvania Ave., N.W.
Northwestern Building, 7th Floor
Washington, D.C. 20530
(202) 305-0022
Lori.Wagner@usdoj.gov

*Attorneys for the Plaintiff*

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

Barry M. Willoughby (No. 1016)
Stephanie L. Hansen (No. 4101)
1000 North King Street
Wilmington, DE 19801
(302) 571-6600
bwilloughby@ycst.com
shansen@ycst.com

*Attorneys for the Defendants*

Dated: _____

# Exhibit 9

# Sussex County AI Evaluation and Proposed Priority Fair Housing Plan (Inc. DSHA Comments)

| AI Report | Goal | Strategies to Meet Goal | Actions Taken to Meet Goal | Actions to be Pursued by County | Notes |
|---|---|---|---|---|---|
| | | | | | |
| 1998 | To develop a greater understanding of race relations within communities that are being served. | Governmental agencies "should participate in diversity training and study circles groups to develop a greater understanding of race relations within communities that are being served." | | 1. Strong Communities Initiative (see attached discussion)<br><br>2. Partner with the Delaware Chapter of the National Assoc. of Housing and Redevelopment Officials to offer diversity training as part of the County's new curriculum training. | 1998 AI, p. 13. |
| 1998 | To expand housing opportunities for persons with disabilities. | "Specific funding should be allocated on a state and jurisdictional level to groups or agencies to expand housing opportunities for persons with disabilities. | DSHA provides funding for persons with disabilities through the Housing Development Fund, the Tax Credit program, and SRAP Vouchers. | CD&H representation on the Universal Design Coalition. Universal Design is a way of homebuilding that incorporates barrier-free and accessible design features. The design is subtle and the concept is beneficial to everyone. In July 2012, the Governor signed into law a bill designed by the Coalition requiring that the application process for public funding for the development of new dwelling units now incorporates a point scale for Universal Design features.<br><br>The County will support DelawareHousingSearch.org, a new free and real-time online service that lists all of the State's public and private rental units, as well as publically funded for-sale units. This program is specifically geared towards the disabled through various search features. | 1998 AI, p. 28. |

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| 1998 | To expand housing opportunities for persons with disabilities. | "Legislation should be introduced to require developers of multi-family units, condos and apartments to submit plans and/or language for specific review of compliance of ADA and new construction guidelines to the State Council for Persons with Disabilities, and/or licensing and inspection divisions." | | The County will discuss this strategy with DSHA and the County's Planning & Zoning office as it may now be a part of DSHA's or the County's review during the PLUS process. | 1998 AI, p. 29. |
| 1998 | To expand housing opportunities for persons with disabilities. | Lack of Affordable Housing and inadequate funding for persons living with AIDS | The Delaware HIV Consortium specifically works with persons with AIDS to connect them with services and housing. There are rental vouchers allocated to persons with AIDS/HOPWA. As a result, the County believes this impediment has been addressed. | | 1998 AI, p. 30 |
| 1998 | | Local jurisdictions not involved in any fair housing activities with respect to mortgage lending. | Sussex County Association of REALTORS offers fair housing training to its members, of which mortgage lenders are affiliates. Also, mortgage originators are required annually to attend approved fair housing training. | Because credit history is a major reason for denial of home mortgage applications in Sussex County, the County will coordinate with HUD- approved housing counseling agencies, as well as financial literacy agencies to target credit repair education through existing advocacy organizations that work with minority populations on a regular basis. | 1998 AI, p.43 |

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| 1998 | | Limited funding allocated for non-profit advocacy groups. | Sussex County funds numerous non-profit advocacy groups annually through its Human Service Grant program (i.e. DCRAC, Delaware Housing Coalition, Sussex Housing Group) | The County will explore the creation of a Housing Trust Fund. | 1998 AI, 43. |
| 1998 and 2011 | "Ensure that members of the protected classes are represented on appointed volunteer boards." 2011 AI | "...all boards, commissions, and councils should include protected class members from the communities that are being serviced to enhance community participation and to ensure that a fair and equal process is established." 1998 AI | Sussex County, beginning in the 2013 grant cycle, reports the make-up of County boards and commissions (race, gender, ethnicity, disability status, familial status) to DSHA on an annual basis, as required by the Community Development Block Grant application. | The County will review existing boards and commissions to determine the number of protected class members and, as terms expire, give consideration to qualified candidates that belong to a protected class. The County will report to DSHA on appointments as required. | 1998 AI, p. 45.;<br><br>2011 AI, DSHA/Balance of State Impediment #10 |
| 1998 | To increase affordable housing and efforts to encourage zoning for affordable housing. | "Ease zoning and other regulatory barriers to affordable rental housing for families." [2011 AI]<br><br>"Incentivize the development of mixed income housing in non-impacted areas." [2011 AI] | The County passed legislation creating the Moderately Priced Housing Unit (MPHU) and Sussex County Rental Program (SCRP) programs and also now participates in the Neighborhood Stabilization Program I (NSP 1) and Neighborhood Stabilization Program II (NSP 2) programs to address this goal. | The County has introduced legislation to increase the reach of the MPHU program to households earning 50% to 120% of MHI.<br><br>The County will consider expanding incentives offered to developers to participate in the MPHU and SCRP programs and to developers of affordable housing developments who are able to provide a guarantee to the County of the affordability of the dwelling units. | 1998 AI, p. 52.<br><br>2011 AI, Regional Plan Impediment #6, Strategy E, p. 573 |

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| 1998 | | Fair housing training of policy makers. | Accomplished on 6/5/12, 3/8/13, and will occur annually for the next 3 years. | County CD&H will continue representation at numerous fair housing events held in Delaware. | 1998 AI, p. 59.<br><br>2011 AI, Regional Plan Impediment #10, Strategy D, p. 577 |
| 1998 | | "Funding should be allocated to the affected areas for development of water and sewer districts." | The County funded the extension of sewer to Pinetown (2009), the Ellendale Needs Assessment Study (2000), the Ellendale Water Study (2004), and will be conducting the sewer assessment in Bethel and Laurel (2013). | The County is considering the concept of a Western Sussex Sewer District. This planning incorporates the ability to include impacted areas within the district. | 1998 AI, p. 61. |
| 1998 | To protect land owning residents in the West Rehoboth community from losing their property due to increased taxes for infrastructure improvements and development. | "... a Trust Fund should be established." | As a result of interaction with the West Rehoboth Community Land Trust, the studio apartment ordinances (Ordinances 1959 & 2245) were passed. The Land Trust was established to create permanently affordable housing, preserve the historic West Rehoboth Community, as well as revitalize the community. Further, Sussex County granted $3,500 in 2012 to the West Rehoboth Coalition and more than $63,000 to the West Rehoboth Community Land Trust from 2006 to 2013. CD&H has allocated over $635,000 in CDBG funds to help with revitalization and rehabilitation efforts. The County will continue to monitor and support this area. | | 1998 AI, p. 61. |

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| 2003 | "..to address Fair Housing issues in Sussex County, with particular attention to the rapidly growing Hispanic population." | "A strategy should be developed... | | The County's Affordable and Fair Housing Marketing Plan will include notices of County CD&H meetings and public hearings in at least one Hispanic newspaper or website. The County will support DelawareHousingSearch.org, a new free and real-time online service that lists all of the state's public and private rental units, as well as publicly-funded for-sale units. The site can be entirely read in Spanish and has a bilingual call center available. The County has also now instituted a Housing Discrimination Complaint Form and process. | 2003 AI, p. 95. |
| 2011 | Increase access to County programs for persons with limited English proficiency (LEP). | "Sussex County should conduct the four-factor analysis outlined in the Federal Register of January 22, 2007, and at www.lep.gov, to determine the extent to which the translation of vital documents is necessary to assist persons with limited English proficiency (LEP) in accessing the County's programs. If it is determined that the need for a Language Access Plan (or LEP plan) exists, the County must prepare the LAP in order to comply with Title VI of the Civil Rights Act of 1964." | | Sussex County will conduct the four-factor analysis. | 2011 AI, DSHA/Balance of State Impediment #1, p. 472. |

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| 2011 | "Increase access to County programs for persons with limited English proficiency (LEP)." | "Upon release of updated data from the 2010 U.S. Census, ....Sussex County... should review the data to determine if any of the individual Indo-European languages exceed 1,000 persons with LEP." | | Sussex County will conduct the four-factor analysis. | 2011 AI, DSHA/Balance of State Impediment #1, p. 472 |
| 2011 | "Provide home ownership opportunities to minority households throughout the Balance of State through increased employment opportunities, home ownership counseling, and homebuyer education." | "Strengthen partnerships with local lenders that will offer homebuyer education and other incentives to purchase a home in the Balance of State."<br><br>Elsewhere in the AI addressing this goal, it states: "Identify effective ways for ...Sussex County... to increase home ownership among minorities, residents of LMI census tracts, and LMI residents. Such methods include: (a) Increasing sustainable home ownership opportunities through financial literacy education including credit counseling and pre- and post-home purchase education; (b) Increasing lending, credit, and banking services in LMI census tracts and minority census tracts; and (c) Increasing marketing and outreach efforts of affordable mortgage products that are targeted for residents of LMI census tracts, LMI residents, and minorities." | | Because credit history is a major reason for denial of home mortgage applications in Sussex County, the County will coordinate with HUD- approved housing counseling agencies, as well as financial literacy organizations to target credit repair education through existing advocacy organizations that work with minority and LMI residents on a regular basis. | 2011 AI, DSHA/Balance of State Impediment #2, p. 473 |

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| 2011 | "Increase the supply of affordable housing in the Balance of State available to households making 80% or less of the median household income." | "Sussex County should continue to offer the SCRP and the MPHU programs to provide incentives to property oweners and investors to build affordable housing."<br><br>"Developers should be made aware that the cost offset allocations and density bonuses can defray the cost of creating the required affordable units." | | The County has introduced legislation to increase the reach of the MPHU program to households earning 50% to 120% of MHI. The County will also continue to participate in the NSP 1 and NSP 2 programs. | 2011 AI, DSHA/Balance of State Impediment #3, p. 474. |
| 2011 | "Increase the supply of affordable housing in the Balance of State available to households making 80% or less of the median household income." | "Sussex County should play a more proactive role in seeking out and encouraging developers to participate in the MPHU and SCRP programs." | | The County has introduced legislation to increase the reach of the MPHU program to households earning 50% to 120% of MHI. The County will also continue to participate in the NSP 1 and NSP 2 programs.<br><br>The County will consider expanding incentives offered to developers to participate in the MPHU and SCRP programs. | 2011 AI, DSHA/Balance of State Impediment #3, p. 443, 475. |

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| 2011 | Increase the supply of affordable housing in the Balance of State available to households making 80% or less of the median household income. | "...Sussex County should expand other incentives for property owners and investors to build new affordable rental and owner units in the non-impacted areas of the County, including the reduction or waiver of impact and planning fees and streamlined approval of development projects that feature affordable housing components."<br><br>"County and local government entities throughout the State of Delaware should reduce and/or waive their respective sewer, water, and/or public facilities and services impact fees for area developers and non-profit organizations seeking to build affordable units, both renter and owner units." | | The County will consider expanding incentives offered to developers to participate in the MPHU and SCRP programs and to developers of affordable housing developments who are able to provide a guarantee to the County of the affordability of the dwelling units. | 2011 AI, DSHA/Balance of State Impediment #3, p. 475.<br><br>2011 AI, Regional Plan Impediment #4. |
| 2011 | Increase the supply of accessible, affordable housing in the Balance of State. | "Conduct a statewide study to determine the supply/demand characteristics of housing for persons with mobility and sensory impairments. | Community and Choice: Housing Needs for People with Disabilities in Delaware was released by the Delaware Housing Coalition & the Housing Sub-Committee of the Governor's Commission on Community Based Alternatives for People with Disabilities in April 2012. The report is comprehensive and addressed mobility and sensory impairments. | The County will review this report and determine if any action on the part of the County is necessary. | 2011 AI, DSHA/Balance of State Impediment #4 |

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| 2011 | Ensure DSHA policies affirmatively further fair housing and meet all applicable HUD requirements. | "In developing policy priorities for entitlement investment in affordable housing, ....Sussex County should give first consideration to the use of CDBG and HOME funds for new family rental and for-sale housing developments on sites in non-impacted areas." | DSHA has modified their application processes for the HDF and Tax Credit programs. These changes now promote and give incentives to developers to build new rental and for-sale housing in non-impacted areas. As a result, the County believes this impediment has been addressed. | | 2011 AI, DSHA/Balance of State Impediment #5, p. 477 |
| 2011 | Establish fair housing as a priority in the County's long-range planning. | "Develop a statement summarizing the County's overarching policies aimed at affirmatively furthering fair housing choice in both the private and public sectors. The stated policies should extend to all municipalities and unincorporated areas throughout the County. The County's 2012 Comprehensive Plan Update should include this policy statement." | | The County will include this information in next Comprehensive Plan Update and will mention Council's Fair Housing Policy Resolution and the Fair Housing Marketing Plan. | 2011 AI, DSHA/Balance of State Impediment #8, p. 479 |

| | | | | | |
|---|---|---|---|---|---|
| 2011 | Establish fair housing as a priority in the County's long-range planning. | "During the process of developing the County's 2012 Comprehensive Plan Update, the following should be included: (a) a detailed strategy for increasing the supply of affordable rental housing for families in non-impacted areas; (b) a detailed strategy for expanding the supply of rental housing accessible to persons with mobility impairments; (c) a leadership role should be established for the County in relation to the nature and extent of technical assistance, training, and funding that the County is prepared to provide to municipalities and unincorporated areas; and (d) stated goals to expand the supply of affordable rental housing for families that is within proximity to entry level and/or lower skill jobs." | | The County will work with OSPC and DSHA to address the issues mentioned and will include a discussion of those issues in the 2017 Comprehensive Plan Update. | 2011 AI, DSHA/Balance of State Impediment #8, p. 479 |
| 2011 | Establish fair housing as a priority in the County's long-range planning. | "Collaborate with affordable housing developers to select sites, construct infrastructure, provide financial subsidies, and otherwise support the expansion of affordable housing, including rental units for lower income families." | | The County will formalize a package of incentives to be offered to developers of affordable housing communties that can provide a guarantee to the County of the ultimate affordability of the units.<br><br>The County will work with the Office of State Planning and Coordination (OSPC) and DSHA to determine the appropriate steps to addressing the issue of long-range planning for affordable housing. | 2011 AI, DSHA/Balance of State Impediment #8, p. 479 - 480 |

| | | | | | |
|---|---|---|---|---|---|
| 2011 | | "Facilitate and promote land use policies and recommendations that enable an increase in the supply of affordable rental housing in areas with adequate infrastructure." | | The County will work with the Office of State Planning and Coordination (OSPC) and DSHA to address these issues and will include a discussion of these issues in the 2017 Comprehensive Plan Update. | 2011 AI, DSHA/Balance of State Impediment #8, Strategy C, p. 488 |
| 2011 | Ensure that local zoning ordinances are in compliance with the Fair Housing Act. | "Sussex County should define specific geographic areas that are suitable for multi-family housing and work towards reducing regulatory barriers that impede such development." | | The County will work with the Office of State Planning and Coordination (OSPC) and DSHA to determine the appropriate steps to addressing the issue of long-range planning for affordable housing. In addition, the County will consider drafting a letter to affordable housing developers supporting affordable housing located in areas identified by DSHA as appropriate for affordable housing in their application for changes to their HDF and Tax Credit programs. | 2011 AI, DSHA/Balance of State Impediment #9, p. 480 |

| | | | | | |
|---|---|---|---|---|---|
| 2011 | Ensure that local zoning ordinances are in compliance with the Fair Housing Act. | "Sussex County should amend its zoning ordinance by lowering the minimum site size standards to encourage the creation of smaller, more affordable residential communities." | The County passed the studio apartment ordinances (Ordinances 1959 & 2245), which address this impediment. As a result, the County considers this strategy implemented. | | 2011 AI, DSHA/Balance of State Impediment #9, p. 480. |
| 2011 | Ensure that local zoning ordinances are in compliance with the Fair Housing Act. | Sussex County should revise the definition of "family" in its Code to allow more than four unrelated individuals to live together. The current definition unnecessarily restricts housing choice for persons with disabilities because the Code provides no separate definition for a group home and no exception for this use. "Sussex County ....should simplify [its] definition of 'family' by focusing on whether a household functions as a cohesive unit rather than distinguishing between related and unrelated persons. A restrictive definition that limits the number or type of relationship between persons living together as a household unit in a single-family dwelling unit is incompatible with many modern living situations and potentially discriminates against persons with disabilities." | | The County is currently drafting legislation to address this issue. | 2011 AI, DSHA/Balance of State Impediment #9, p. 443-444;<br><br>See also 2011 AI, p. 481 ("The definition should not limit the number or type of relationship between persons living together as a household unit in a single-family dwelling unit.") |

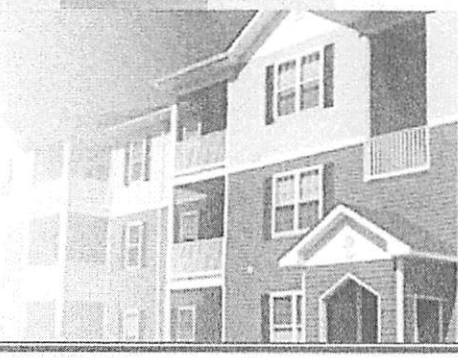
| | | | | | |
|---|---|---|---|---|---|
| 2011 | Increase and enhance fair housing outreach and education efforts throughout the County. | Engage HUD-approved housing counselors to target credit repair education through existing advocacy organizations that work extensively with minorities. | | Because credit history is a major reason for denial of home mortgage applications in Sussex County, the County will coordinate with housing counseling and financial literacy agencies to target credit repair education through existing advocacy organizations that work with minority populations on a regular basis. | 2011 AI, DSHA/Balance of State Impediment #11, p. 483 |
| 2011 | Increase and enhance fair housing outreach and education efforts throughout the County. | Engage in a communication campaign that markets home ownership opportunities to all minorities. | | The County will be implementing the Strong Communities Initiative and putting into effect an Affordable and Fair Housing Marketing Plan to meet this goal. | 2011 AI, DSHA/Balance of State Impediment #11, p. 483 |
| 2011 | | Foreclosures appear to disporportionately affect minority households in the Balance of State. DSHA & Sussex County can mitigate the impacts of foreclosure by supporting increased buyer education and counseling, as well as supporting legislative protections for borrowers to assist them in meeting housing costs. | County CD&H staff currently participate on the Delaware Mortgage Fraud Task Force. As a result, the County considers this strategy implemented. | | 2011 AI, DSHA/Balance of State Impediment #12, p. 483 |

| | | | | | |
|---|---|---|---|---|---|
| 2011 | Regional collaboration among the various entitlement communities throughout the State is needed in order to remedy segregation and concentration issues that persist in the City of Wilmington. | Encourage county planners and elected officials to consider the risks of failing to think and act regionally in terms of deconcentrating poverty in Wilmington. Conduce AFFH workshops with county planners and elected officials. | | County CD&H staff will attend AFFH workshops held throughout the State and will present a synopsis of the information to members of County Council. | 2011 AI, Regional Plan Impediment #6, Strategy D, p. 573 |
| 2011 | There exists a continuing need for quality fair housing education, outreach, training, and real estate testing throughout the State. | Localities throughout the State that have rental property registration, licensing, and/or inspection programs should encurage landlords and property management companies to attend fair housing training by providing a calendar of seminars to be provided in each County. This calendar should be updated regularly, provided at time of initial registration, and posted on various jurisdictional websites. Jurisdictions should work collaboratively to facilitate, coordinate, and market fair housing seminars. | | The County will provide a link on its website to fair housing seminars held throughout the State. | 2011 AI, Regional Plan Impediment #10, Strategy C, p. 577 |

# Exhibit 10

DELAWARE HOUSINGSEARCH.ORG

*The First Place to Find Housing in the First State*





Housing Search: Sussex, DE

Choose a different area

Basic | Advanced | Accessible

**General Search Information**

**Do you have a Section 8 Voucher?**

Yes No [?]

**Veteran or VASH Recipient?**

Yes No [?]

Bedroom[s] Any Bath Any

Rent range $0 to $950 a month

**Optional Filters**

ZIP Code[s] Optional ZIP Code[s]
List relevant ZIP codes

Public Transit Not Applicable

Shopping Not Applicable

Hospital Not Applicable

Smoking Policy [?] Any

Senior Housing Include in Results

Landlord Speaks English

**Search by Distance**

Within N/A Miles of

**Entry and Door Options**

See all No-Step/Flat/Ramped Entry

- Accessible Parking Close to Unit
- Flat or No-Step Entry and/or
- Ramped Entry
- Doorways - 32" or wider
- Accessible Elevators
- Automatic Entry Door
- Lever Style Door Handles
- Unit on First Floor

**Kitchen Options**

- Low Counter[s]
- Front Controls on Stove/Cook-top
- Minimum 27" Knee Space Under Kitchen Counter
- Non-digital Kitchen Appliances

**Bathroom Options**

- Low Vanity
- 'T' Turn or 60" Turning Circle in Bathrooms
- Grab Bars
- Lowered Toilet
- Minimum 27" Knee Space Under Vanities

Street Address Street Address

in

ZIP Code

City Pick a city ▼

Use my current location (works best on mobile browsers)

**Other Search Options**

Income is N/A ▼ of Median Income [?]

Calculate

Keyword Search Type Keyword Here

Type Any (House, etc.) ▼ [?]

Security Deposit N/A ▼

Rent Includes N/A ▼

Income Based or Sliding Scale Rent [?]

Accept Rent Subsidy [?]

Private Owners Only

Only Electric Appliances

Short Term Lease

Pets OK

Covered Parking

Furnished

Wash/Dry Hookups

Yard

Basement

Air-conditioned

Stove & Fridge

No Credit Check

No Criminal Check

Assisted Living [?]

Exclude Properties on Wait List

Raised Toilet

Reinforced for Grab Bar

Roll-in Shower

**Miscellaneous Options**

Accessible Flooring

Accessible Laundry

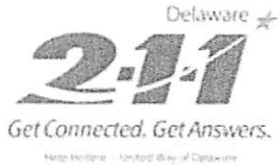
Within Paratransit Route

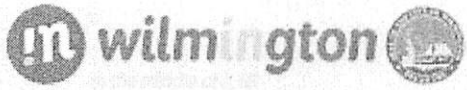
Sign Language Friendly

Show me 30 ▼ Properties per Page

CLICK HERE TO SEARCH

Socialserve.com's community service is sponsored by: ( View All )



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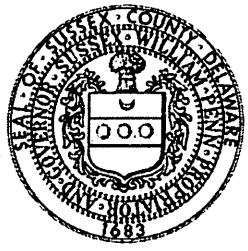
[ XHTML | CSS | 508 | AAA ]
This specific page meets the above validation levels.

# Exhibit 11

**COMMUNITY DEVELOPMENT & HOUSING**

BRAD D. WHALEY
DIRECTOR

(302) 855-7777 T
(302) 854-5397 F



**Sussex County**
DELAWARE
sussexcountyde.gov

# CONDADO DE SUSSEX
## RECLAMACIÓN POR DISCRIMINACIÓN EN EL ACCESO A LA VIVIENDA
### FORMULARIO DE ADMISIÓN

1. Nombre de la persona u organización agraviada (Escribir en letra de imprenta legible o tipear)

| Teléfono diurno | Teléfono nocturno o celular | Dirección de correo electrónico |
|---|---|---|
| (  ) | (  ) | |

Dirección (ciudad, estado y código postal)

| Nombre de persona de contacto | Teléfono diurno | Teléfono nocturno o celular |
|---|---|---|
| | (  ) | (  ) |

2. ¿Contra quién presenta esta reclamación? (nombre/s, título/s de la/s persona/s, organización o departamento/división del condado)

3. ¿Cree que fue discriminado en razón de su raza, color, nacionalidad, religión, sexo, situación familiar, discapacidad, credo, estado civil, edad, orientación sexual o identidad de género? Tildar todas las que corresponda.

☐ Raza o color (Especificar)
- ☐ Negra
- ☐ Blanca
- ☐ Otra

_____

☐ Religión (Especificar)

_____

☐ Sexo
- ☐ Femenino
- ☐ Masculino

☐ Edad

☐ Estado civil

☐ Nacionalidad (Especificar) _____

☐ Credo (Especificar) _____

☐ Identidad de género

☐ Orientación sexual

☐ Situación familiar
- ☐ Presencia de hijos menores de 18 años en la familia
- ☐ Presencia o tutela de un menor

☐ Discapacidad
- ☐ Física
- ☐ Mental

4. ¿Qué hizo la persona contra la que está presentando la reclamación? Tildar todas las que

corresponda.

☐ ¿Le impidió la disponibilidad de una vivienda en razón de su raza, color, religión, credo, sexo, situación familiar, nacionalidad, edad, discapacidad, estado civil, orientación sexual o identidad de género?

☐ Discriminó en relación con los términos, condiciones o privilegios de la venta, alquiler o rehabilitación de una vivienda

☐ Discriminó en la prestación de servicios relacionados con la venta, alquiler o rehabilitación de una vivienda

☐ Participó de anuncios o declaraciones discriminatorios con respecto a una transacción o proyecto de vivienda

☐ Interfirió eon el financiamiento, desarrollo o construcción de una vivienda accesible desde el punto de vista económico

☐ Hizo cumplir una ley, reglamentación, política o procedimiento sobre zonificación o uso de la tierra que usted cree que es discriminatorio

☐ Le obligó, intimidó o amenazó para que usted no pudiera ejercer sus derechos en virtud de la Ley Estatal o Federal de Igualdad de Acceso a la Vivienda

☐ Otra (Explique)

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---

5. ¿Cuándo ocurrieron los actos tildados en el ítem 4?

6. Resuma con sus palabras lo que sucedió. Utilice este espacio para una breve y concisa declaración de los hechos. Se pueden agregar detalles en una hoja adjunta. El Gobierno del Condado de Sussex entregará una copia de la reclamación a la persona u organización en contra de quien se presenta la reclamación.

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7. Declaro bajo pena de perjurio que he leído esta reclamación (incluidos los adjuntos) y que es verdadera.

**Firma y fecha:**

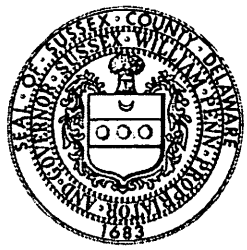
| **ESTA SECCIÓN SOMBREADA ES PARA USO EXCLUSIVO DEL CONDADO.** | | |
|---|---|---|
| **Nombre del empleado que realizó la admisión** | **Fecha de presentación** | **Número de expediente** |
| | | |

# Exhibit 12

COMMUNITY
DEVELOPMENT & HOUSING

BRAD D. WHALEY
DIRECTOR

(302) 855-7777 T
(302) 854-5397 F



Sussex County
DELAWARE
sussexcountyde.gov

# Sussex County Limited English Proficiency (LEP) Plan

## Four-Factor Analysis

1. **FACTOR 1: Number or proportion of LEP persons served or encountered in the eligible service area**

| Language Group | Total number of persons 5 years and over speaking the language at home | LEP Persons: Speaks English less than "very well" |
|---|---|---|
| **Spanish or Spanish Creole** | **12,631** | **7,402** |
| **Other Indo-European Languages** | **3,879** | **1,715** |
| French | 381 | 64 |
| French Creole | 1,090 | 811 |
| Italian | 435 | 99 |
| German | 557 | 71 |
| Russian | 245 | 167 |
| **Asian & Pacific Island Languages** | **1,174** | **517** |
| Chinese | 208 | 127 |
| Korean | 311 | 123 |
| Vietnamese | 168 | 80 |
| Tagalog | 373 | 113 |
| **Other Languages** | **371** | **87** |

Source: 2007-2011 American Community Survey 5-Year Estimates, Survey Tables B16001 & S1601

The above data demonstrates that 76 percent of Sussex County's LEP population is Spanish speaking and that no other language meets the 5 percent or 1,000-person threshold for requiring written translation of vital documents.

2. **FACTOR 2: The frequency with which the LEP persons come into contact with the program**

Based on a review of the Community Development & Housing Department's year-end reports from the last 5 years, approximately 5 percent of beneficiaries annually are

Spanish-speaking LEP persons. Informal interviews with department staff were conducted to confirm how many LEP persons visited, called the office, or were program beneficiaries, and what has been their primary language. These interviews revealed that while there were several Spanish-speaking LEP persons contacting the department and receiving program benefits, there were no LEP persons who spoke languages other than Spanish.

3. **FACTOR 3: The nature and importance of the program, activity, or service provided by the program**

   Sussex County provides direct assistance to project area beneficiaries related to affordable housing, water/sewer hookups, demolition, rehabilitation, and acquisition; therefore, the nature of the activity or service is of significant importance to Sussex County residents.

4. **FACTOR 4: The resources available and costs to Sussex County**

   Because Sussex County does not employ any Spanish-speaking staff, translation of vital documents (written and oral) would need to be contracted by a third party. Sussex County will utilize any documents provided by the Delaware State Housing Authority and the U.S. Department of Housing & Urban Development in languages other than English. Further, Sussex County will retain professional interpretation service, to provide oral interpretation in languages other than Spanish, as needed.

# Exhibit 13

**Sussex County Strong Communities Study**

XYZ, Inc. is conducting this survey of your community on behalf of Sussex County's Community Development & Housing Department. The Department will use the results of the survey to determine investment strategies and priorities for future projects in your community.

**General Information**

Name of Interviewee: _____

Name(s) on Deed/Title: _____

Community: _____

Physical 911 Address: _____

Tax I.D. Number: _____

Phone Number: _____

Type of Home: ☐Mobile/Manufactured Single-Wide ☐Mobile/Manufactured Double-Wide

☐ 1 Story ☐ 2 Story ☐ 3 Story

Age of Home: _____

Ownership: ☐ Own Land & Home ☐ Rent Land & Own Home ☐ Rent Land & Home

**Individual Resident**

*Please rank the items below in order of priority from 1 (highest priority) to 6 (lowest priority). If any are not applicable, mark "N/A".*

- _____Home Repair
- _____Home Accessibility/Handicap Modifications
- _____Water Quality Testing
- _____Well/Septic Installation or Repair
- _____Trash Collection/Disposal
- _____Other _____

**Community Infrastructure**

*Please rank the items below in order of priority from 1 (highest priority) to 10 (lowest priority). If any are not applicable, mark "N/A".*

- _____Public Water/Sewer System
- _____Demolition of Vacant, Dangerous, or Condemned Structures
- _____Drainage Improvements
- _____Community Center Repairs
- _____Community Center Accessibility
- _____Street Lights
- _____Sidewalks
- _____Street/Road Improvement
- _____Public Transportation
- _____Other _____

**Community Services**

*Please rank the items below in order of priority from 1 (highest priority) to 5 (lowest priority). If any are not applicable, mark "N/A".*

- _____After-School Programs
- _____Financial Literacy Education
- _____Animal Control Services
- _____Light Code Enforcement
- _____Other _____

**Demographic Information**

Number of People in Household: _____ Number of People under Age 18: _____

Female Head of Household: ☐ Yes ☐ No

Gross Annual Household Income: _____

| Person 1 | Person 2 | Person 3 | Person 4 | Person 5 | Person 6 | Person 7 | Person 8 |
|---|---|---|---|---|---|---|---|
| Age: _____ | Age: _____ | Age: _____ | Age: _____ | Age: _____ | Age: _____ | Age: _____ | Age: _____ |
| Disability: | Disability: | Disability: | Disability: | Disability: | Disability: | Disability: | Disability: |
| ☐Yes | ☐Yes | ☐Yes | ☐Yes | ☐Yes | ☐Yes | ☐Yes | ☐Yes |
| ☐No | ☐No | ☐No | ☐No | ☐No | ☐No | ☐No | ☐No |
| Gender: | Gender: | Gender: | Gender: | Gender: | Gender: | Gender: | Gender: |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ☐Male | ☐Male | ☐Male | ☐Male | ☐Male | ☐Male | ☐Male | ☐Male |
| ☐Female | ☐Female | ☐Female | ☐Female | ☐Female | ☐Female | ☐Female | ☐Female |
| **Race:** | **Race:** | **Race:** | **Race:** | **Race:** | **Race:** | **Race:** | **Race:** |
| ☐White | ☐White | ☐White | ☐White | ☐White | ☐White | ☐White | ☐White |
| ☐Black or African American | ☐Black or African American | ☐Black or African American | ☐Black or African American | ☐Black or African American | ☐Black or African American | ☐Black or African American | ☐Black or African American |
| ☐Asian | ☐Asian | ☐Asian | ☐Asian | ☐Asian | ☐Asian | ☐Asian | ☐Asian |
| ☐American Indian or Alaska Native | ☐American Indian or Alaska Native | ☐American Indian or Alaska Native | ☐American Indian or Alaska Native | ☐American Indian or Alaska Native | ☐American Indian or Alaska Native | ☐American Indian or Alaska Native | ☐American Indian or Alaska Native |
| ☐Native Hawaiian or Other Pacific Islander | ☐Native Hawaiian or Other Pacific Islander | ☐Native Hawaiian or Other Pacific Islander | ☐Native Hawaiian or Other Pacific Islander | ☐Native Hawaiian or Other Pacific Islander | ☐Native Hawaiian or Other Pacific Islander | ☐Native Hawaiian or Other Pacific Islander | ☐Native Hawaiian or Other Pacific Islander |
| ☐American Indian or Alaska Native & White | ☐American Indian or Alaska Native & White | ☐American Indian or Alaska Native & White | ☐American Indian or Alaska Native & White | ☐American Indian or Alaska Native & White | ☐American Indian or Alaska Native & White | ☐American Indian or Alaska Native & White | ☐American Indian or Alaska Native & White |
| ☐Asian & White | ☐Asian & White | ☐Asian & White | ☐Asian & White | ☐Asian & White | ☐Asian & White | ☐Asian & White | ☐Asian & White |
| ☐Black or African American & White | ☐Black or African American & White | ☐Black or African American & White | ☐Black or African American & White | ☐Black or African American & White | ☐Black or African American & White | ☐Black or African American & White | ☐Black or African American & White |
| ☐American Indian or Alaska Native & Black or African American | ☐American Indian or Alaska Native & Black or African American | ☐American Indian or Alaska Native & Black or African American | ☐American Indian or Alaska Native & Black or African American | ☐American Indian or Alaska Native & Black or African American | ☐American Indian or Alaska Native & Black or African American | ☐American Indian or Alaska Native & Black or African American | ☐American Indian or Alaska Native & Black or African American |
| ☐Other Multi-Racial | ☐Other Multi-Racial | ☐Other Multi-Racial | ☐Other Multi-Racial | ☐Other Multi-Racial | ☐Other Multi-Racial | ☐Other Multi-Racial | ☐Other Multi-Racial |
| **Ethnicity:** | **Ethnicity:** | **Ethnicity:** | **Ethnicity:** | **Ethnicity:** | **Ethnicity:** | **Ethnicity:** | **Ethnicity:** |
| ☐Hispanic or Latino | ☐Hispanic or Latino | ☐Hispanic or Latino | ☐Hispanic or Latino | ☐Hispanic or Latino | ☐Hispanic or Latino | ☐Hispanic or Latino | ☐Hispanic or Latino |
| ☐Non-Hispanic or Latino | ☐Non-Hispanic or Latino | ☐Non-Hispanic or Latino | ☐Non-Hispanic or Latino | ☐Non-Hispanic or Latino | ☐Non-Hispanic or Latino | ☐Non-Hispanic or Latino | ☐Non-Hispanic or Latino |

**Property Condition**

*(To be completed by surveyor)*

☐ 1 – Structure is in good overall condition

☐ 2 – Structure needs minor repairs (siding, windows, etc.)

☐ 3 – Structure needs major repairs (roof, foundation, etc.)

☐ 4 – Structure is inhabitable