

**The State of West Virginia Community Development Block Grant  
(CDBG) Demolition Policy and Procedures  
Effective October 14, 2021**



**WEST VIRGINIA DEPARTMENT OF  
ECONOMIC DEVELOPMENT**

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## Overview

This manual is an extension of the West Virginia Department of Economic Development (WVDED) Community Development Block Grant (CDBG) Policy and Procedure Manual, specifically designed for the CDBG Demolition Program. Since this manual is an extension, local requirements as well as all state and federal requirements included in the CDBG Policy and Procedure manual are applicable to the CDBG Demolition Program. In addition, Subrecipients must follow the specific compliance rules listed in this manual that are applicable to one's project; however, these rules apply to the project whether it is a CDBG funded demolition-only or multi-source funding.

The West Virginia CDBG Demolition Program (CDBG Demolition Program) allows communities in non-entitlement areas throughout the State of WV to address the demolition of unoccupied structures to eliminate specific conditions of slum and blight on a spot basis. Entitlement cities in WV are not eligible for funding. The objective of this program is to remove structures which contribute to unsafe and unhealthy conditions that threaten public safety and meet the National Objective of Elimination of Slum and Blight as identified in 24 CFR 70.483(c). This program is managed by the West Virginia Department of Economic Development (WVDED) and utilizes Federal Community Development Block Grant (CDBG) funding as administered by the U.S. Department of Housing and Urban Development (HUD).

When applying for the CDBG Demolition Program, submission may only be through cities or counties. To be eligible, applications must include a list of all potential structures (including addresses) to be removed as well as a determination report that demonstrates specific conditions of slum and blight according to local, state, and federal guidelines.

The CDBG Demolition Program funds only the demolition of structures submitted on a voluntary basis. Awarded projects must comply with all eligibility requirements detailed in the program policies and procedures before payment can be processed and the removal of structures in question can occur. Eligible uses of awarded funds are limited to structure demolition expenses, including any necessary professional services such as asbestos inspection/removal, hazmat inspection/removal, proper disposal of woody and vegetative debris, permitting, filling, etc.

While the CDBG Demolition Program is not a direct grant program, funding allows local and regional units of government to address their most pressing slum and blight prevention needs. The program also requires subrecipients to document how the proposed project(s) meets or exceeds those needs in one's community.

## National Objective and Property Eligibility

All structures must meet the slum and blight criteria according to WV State Article 18 adopted definition of slum and blight. **Eliminating a specific instance of slum and blight on a spot basis: {24 CFR 570.208(b)(2)}**. The project administrator must certify in Attachment D (attached to this manual) that the inspected structure(s) at each address meet the definition of slum and blight on a spot basis. Failure to do so results in the structure and/or project be deemed ineligible.

### Eligible Property

In accordance with the HCDA, eligible activities include projects that eliminate conditions of slum and blight as defined in 24 CFR 570.483(c). For purposes of the demolition activities, the following types of projects are eligible:

1. Residential
2. Commercial
3. Publicly owned
4. Privately owned
5. Associated removal of debris and/or hazardous materials

### Ineligible Property

1. Involuntary condemnation and demolition
2. Imminent domain
3. Rent to own properties
4. Area basis
5. Mobile or manufactured homes

## Requirements

1. All structures must be spot basis
2. The structure must be vacant at time of demolition
3. Professional service contracts must be dated after the initial period of performance date of the Grant Award
4. All structures—whether publicly or privately owned—must have Attachment’s A, B, C, and D completed
5. A deed and Title Report must be submitted, included in the “Ownership and Lien Consent Packet”
6. All demolitions must have all intake forms/agreement forms (Attachments to this manual) completed, signed, and submitted to the city or county for signature before demolition. These forms must be reviewed and approved by the appropriate WVDED project manager as the “Ownership and Lien Consent Packet” before proceeding
7. All properties must have a title search to confirm and document ownership. The Title Report must be completed by the city or county attorney or a procured law firm
8. All properties must have notified and received approval from all lienholders of the property that is proposed for demolition
9. The owner retains possession of their cleared lot
10. An asbestos test must be performed once the appropriate demolition contractor has been awarded
11. Asbestos, if found, must be abated before demolition occurs

12. All demolitions must be done in compliance with asbestos and demolition waste disposal land fill requirements
13. No maximum cost per structure but cost(s) must be allowable, reasonable, and allocable
14. WVDED will not remove any vehicles, boats, tractors, or any item that requires or holds an additional title
15. Gravel will not be paid with CDBG funds; however, the Subrecipient may request gravel at their own expense, to replace the requirement of a seeded lot

## Implementation Process

The awarded subrecipients will be responsible for delivery of services. All documents in the following checklist must be included in the project file to show compliance with the CDBG Demolition Program. **Please note, the following checklist is only a timeline for demolition activities associated with the CDBG Demolition Program. The subrecipient is responsible for ensuring compliance with all local, state, and federal requirements, and such documentation to show this must be saved in the project file for future monitoring.** The checklist must be completed and saved for each structure at one's address for that project to show the following checklist was executed in the correct order as listed. Each checklist item must be completed, approved (if applicable), and saved in the appropriate file location before moving to the following checklist item, as it should follow in sequential order.

- Evidentiary Materials completed and submitted to WVDED
- Notice to Proceed (NTP) for exempt activities. Professional service RFP's must be reviewed and approved by WVDED project manager before advertisement
  - Legal RFP (if applicable)
  - Accounting RFP (if applicable)
- Refer to CDBG Policy and Procedure Manual – Chapter 5 and 6 for procurement requirements, contracts, and additional attachments
- Professional service contracts submitted to WVDED project manager for project file
- Application intake form (Attachment A) for property (privately or publicly owned) completed and submitted saved in file with project administrator
- Title search performed (must be by procured law firm or city/county attorney, whichever is applicable). Title report completed and saved in file with project administrator
- Notification to lien holders on property
- Obtain permission from lienholders to demolish structure(s) on property (Attachment B). Saved in project file with project administrator once completed
- Right of Entry and Hold Harmless Agreement (Attachment C) completed, signed, and saved in project file with project administrator
- Ownership and Lien Consent Packet submitted to WVDED project manager for review, prepared by project administrator – NTP to be issued by WVDED before proceeding to inspection phase
  - Attachments A, B, and C
  - Property Deed
  - Title Report
- Initial inspection performed by city or county inspector/code official. The project administrator must attend the initial inspection and complete the Initial Site Inspection (ISI) Packet (Attachment D) in addition to the city/count inspector or code official's report. Once completed, submit completed ISI (pictures included) to WVDED project manager approval for project file
- Environmental Review Record complete, submitted to WVDED project manager for review and approval

- Authority to Use Grant Funds (AUGF) issued by WVDED – NTP for Non-Exempt Activities
- Notice of Intent to Bid packet for demolition contractor submitted to WVDED project manager – receive Authorization to Bid
- WVDED to review lowest bidder contract
- WVDED project manager notifies project administrator to award the specified contract - Awarded contract(s) submitted to WVDED project manager for project file
- Asbestos testing performed – results must be reviewed by project administrator for next steps – test saved in file with project administrator
- Post property with notice of demolition, picture of property with notice attached must be saved in the project file
- Obtain demolition permit(s) that are required by city, county, and State
- Asbestos abatement (applicable if asbestos test results were positive)
- Perform demolition
- Debris and landfill 'load ticket', saved in file with project administrator
- Fill, level, and reseed property. If requested, gravel can be used in place of the seeded lot requirement, at the expense of the Subrecipient
- Take photos of property after demolition, a minimum of at least all four angles of property – submitted to WVDED project manager for project file
- Final inspection report from city or county inspector/code official. Report must be submitted with the Final Performance Report (FPR)
- Final Performance Report for CDBG



## Payment Administration Process Requirements

Upon approval of the evidentiary materials, the WVDED will issue written authorization for Exempt activities through a Notice to Proceed (NTP). This authorization will apply exclusively to the Exempt activities associated with the project, to include administration, legal, and accounting.

Completion of the Exempt environmental review process is mandatory before taking a physical action on a site or making a commitment or expenditure of HUD or non-HUD funds for demolition.

A complete Environmental Review Record (ERR) and Request for Release of Funds (ROF), in accordance with 24 CFR Part 58.36, will be required as a third NTP step for non-exempt activities, to include demolition. Subrecipients should not expect to be reimbursed for this process unless the review starts after the date the NTP for Exempt activities has been issued by the WVDED, as no pre award costs will be paid for.

Once a NTP has been issued for exempt activities, subrecipients may start rendering services that will in turn be paid for by the awarded grant through a Request for Payment (RFP). **The WVDED accepts RFP's on the 1st and 15th of every month. If an RFP is not submitted by 4:00pm on the 1st and 15th of every month, the RFP is considered past due and will not be reviewed until the following 1st or 15th.** Monthly RFPs are not mandatory, but highly recommended; if not monthly, RFP's must submit an RFP at least every three to four months.

Requests for Payment (RFP's) must include all required invoices and documentation to substantiate costs when submitting to the WVDED for approval and remittance.

Subrecipients that do not comply with the Post-Award and Sub-Recipient Criteria listed below will forfeit their award of CDBG funds. The forfeited funds will be then returned to the CDBG program for reallocation.

1. Subrecipient shall not incur any costs or obligate any CDBG funding until approval of Environmental Review by the State of West Virginia (WVDED). All funded projects must go through the process of as a full Environmental Review.
2. Projects will have ONE year to complete their project from execution of the grant agreement with WVDED. A one-year extension can be requested for projects subject to WVDED approval.

It is important for all demolition project administrators/subrecipients to use the financial documents with the header title Demolition. This is due to all WVDED financial documents looking identical, but the formulation of excel cells change for the project type. In order to receive reimbursement for obligated funds, a subrecipient must submit the following to the WVDED for a successful RFP:

### 1. Request for Payment – Form Number 7.

The RFP form is an excel sheet, and the line-item cells should calculate correctly if completed on the excel software. The following information is requested on the RFP, and should be completed as follows:

- **FROM:** This is the subrecipient's address that is found on the Grant Award Notice that is issued at the beginning of the project and found on every Grant Amendment. This address

comes from the accounting office, as it reflects the subrecipient's address in WVOASIS to receive payment. **If at any time this address changes**, the subrecipient must notify the project manager, as a Grant Amendment will then need to be executed. **The requested payment will not be processed if the address on the RFP does not match an active Grant Award/Amendment to the address in WVOASIS.**

- **Project Name:** This is the name of the project, given by the subrecipient through the submitted application. This can also be found on the Grant Award Notice issued at the beginning of the project.
- **Project #:** This is the project number WVDED issues each project, found on the Grant Award Notice.
- **Invoice #:** This is the Oasis Grant Award Number, found on the Grant Award Notice, with the removal of the asterisk and addition of the RFP number. For example, the first RFP would be: "oasis grant award number"-1.
- **Time Period Covered by this Request:** This time period should cover all invoice dates listed in the invoice summary sheets. RFP's may have overlapping dates with previous RFP's, so long as there is supporting documentation that shows no two invoices are being paid as a duplicative.
- **Approved Budget Amount:** This column must match the most current approved budget or budget amendment (if applicable) line-item amounts or it will not be processed.

Once an RFP is filled out completely, the form should be saved as an Acrobat PDF to be signed and dated by the subrecipient. The signed/dated RFP must then be submitted to the WVDED with the remaining documentation.

## 2. Invoice Summary Sheets

The invoice summary sheets are sheets in excel that match each line item of the RFP. The following information is requested on the invoice summary sheets, and should be completed as follows:

- **Period Covered by Request:** These dates should match the Time Period Covered by this Request (#5 above) on the RFP. This time period should cover all invoice dates listed throughout each invoice summary sheet as well as all submitted invoices.
- **Vendor:** This is the entity to which services have been rendered with supporting invoices. **If the subrecipient has already paid rendered services to a separate entity that has been procured, the vendor would be the subrecipient and a cancelled check must be submitted for documentation.**
- **Invoice #:** This is the number that should be found on the submitted invoice.
- **Description:** This provides space for a small description of what is being requested (e.g., engineering services rendered 7/1-8/1).
- **Invoice Date:** This is the date found on the invoice of when it was processed. This is NOT the date services were rendered. **This date must be inside of the period covered by request date, or the RFP will not be processed.**
- **\$:** This is the amount being requested for the applicable line item. If there are multiple invoices for the same line item, whether it be various entities or various months/time periods of invoices, there must be multiple entries for that invoice summary sheet. **There must be an invoice to match each requested entry in each invoice summary sheet or the RFP will not be processed.**

3. **Invoices for Requested Amount(s)**

An RFP must be accompanied by invoices that show the vendor, date(s) of service, invoice date, and an invoice number. All invoices must be signed and dated by the appropriate RPDC or project administrator to ensure they are being reviewed to their entirety. The invoice date must be in the time period covered by request dates on the RFP as well as the Invoice Summary Sheets.

4. **Time and Attendance Record(s)**

If a subrecipient or project administrator, such as an RPDC, is requesting administration to be paid, timesheets must be submitted with that RFP. The submitted timesheets must be inside of the dates provided in the Time Period Covered by Request.

5. **Indirect Cost Letter**

If indirect costs are being requested, the subrecipient and project administrator must ensure that an indirect cost letter for the applicable fiscal year from the cognizant agency must be on file with both the WVDED and the subrecipient before RFPs are processed. If necessary, the WVDED project manager may request the indirect cost allocation plan.

**A Request for Payment will not be processed without an adequate report given during the monthly project update calls.** Failure to provide an adequate report given during monthly calls may result in the withholding of funds. A Request for Payment will not be processed without supporting documentation or an updated project schedule.

In order for payment to be made, there are several steps of approval that must be completed. The WVDED project managers must review, and request revisions be made- if necessary- then sign, and forward to the WVDED program manager for approval. Once approval has been granted, WVDED project managers send the RFP to the accounting office. The accounting office receives RFP's from the WVDED project manager(s) on the 9th and 25th of every month. Once the RFP is approved by the accounting office, a transfer of funds is requested from the U.S. Treasury to the state's CDBG account. Upon notification of deposit, a state transmittal must be prepared and processed before a check can be issued. When a check is issued, it will be forwarded directly from the State Treasurer's Office to the subrecipient for deposit into the subrecipient's CDBG project account. The check must be deposited immediately. Receipt of the U.S. Treasury check triggers the count of the three-day rule.

It is anticipated that the payment process outlined above will take approximately 30 days. Subrecipients are advised that they will have to use their own resources to accommodate probable cash flow problems. As explained earlier, funds must be expended in accordance with the "Three-Day Rule."

For additional payment details and processes, please review Chapter 3 in the CDBG Program Policies and Procedures Manual under the Community Development tab at:

<https://wvcad.org/resources/cdbg-manual>

## Reporting Requirements

Collect data elements associated with the project that include but may not be limited to the number of structures on the property being demolished.

At a minimum, the following records are needed:

1. Records providing a full description of each activity assisted (or being assisted) with CDBG funds, including:
  - a. The location
  - b. The amount of CDBG funds budgeted, obligated, and expended for the activity, and
  - c. The provision in subpart C (570) under which it is eligible.
2. Records demonstrating that each activity undertaken meets one of the criteria set forth in §570.208.

## Procurement

Subrecipients must follow the procurement requirements below as well as 2CFR200 and WV Chapter 5G to procure a demolition contractor and professional service providers, such as a demolition inspector, and asbestos inspector. Should in-kind labor and equipment be used to conduct the demolition activities, the subrecipient must still comply with State and Federal waste disposal requirements, including OSHA worker protection requirements, EPA/DNR asbestos inspection and disposal requirements, MBE, and WBE. Section 3 must apply for projects that include CDBG and non-CDBG funding of \$200,000 and over.

### **Demolition and Asbestos Abatement Contractor Procurement:**

The subrecipient must bid **a single** demolition contract, inclusive of the asbestos inspector's recommendations in the demolition specifications. The general demolition contractor would be required to subcontract the asbestos removal work to a licensed asbestos contractor based on the demolition and asbestos inspector's work specifications. After the removal of the asbestos by the licensed asbestos contractor, the demolition contractor would complete the demolition of the structure(s). **For commercial structures, the asbestos abatement must be a stand-alone contract.**

## Cross Cut Requirements

Demolition projects are subject to:

1. Environmental Review-All environmental review regulations are required.
2. Procurement-All procurement regulations are required per 2CFR200 and WV StateCode 55-2-1.
3. Fair Housing and Equal Opportunity - All Fair Housing and Equal Opportunity regulations are required.
4. Section 3 for contracts \$200,000 and above
5. MBE/WBE
6. Uniform Relocation Act (URA)
7. 504 and American Disability Act Plan.

## Client Data and Other Sensitive Information

The subrecipient is required to maintain data demonstrating client eligibility for activities provided under this policy manual. Such data may include, but not be limited to:

1. client name,
2. address,
3. income level or other basis for determining eligibility, and
4. description of activities provided.

The subrecipient must comply with 2 CFR §200.303 and take reasonable measures to safeguard protected personally identifiable information, as defined in 2 CFR 200.82, and other information HUD or the subrecipient designates as sensitive or the Subrecipient considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

## Limited English Proficiency (LEP) and Special Accommodations for Applicants

Title VI of the Civil Rights Act of 1964 (Title VI) is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination. Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

Subrecipients must include language in program marketing materials and/or availability of applications that provides access to limited English proficiency persons and individuals accommodations with be made under the ADA Act to access the programs.

Marketing and application should include fair housing logo and the following language: Language assistance for persons who have Limited English Proficiency will be available upon request, and special accommodations will be made upon request. (INSERT SUBRECIPIENT AND NONPROFIT NAME) does business in accordance with the Fair Housing Act (The Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988) with equal access to all persons regardless of race, color, national origin, religion, sex, familial status, and disability.

## Appeal Process

Subrecipients must establish a written denial of service complaint procedure to address written complaints (or an oral complaint if a person with a disability requests a reasonable accommodation based on their disability) from the municipality's citizens.

## Additional Resources

The following documents, plans, templates, and other resources are available on CAD website at the following link:

<https://wvcad.org/infrastructure/community-development-block-grant#5>

The following regulations establish federal and state requirements includes, but is not limited to, the following as now in effect or as amended in the future:

1. Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq)
2. 24 CFR Part 570
3. WVDO CDBG Manual at <https://wvcad.org/resources/cdbg-manual>
4. WV State Code Article 12
5. Local City and County building codes
6. Disposal of asbestos debris must comply with local, state, and federal regulations
7. Section 3
8. MBE/WBE
9. 504 and ADA Act
10. 2 CFR Part 200
11. Fair Housing Act
12. Federal reporting requirements - 24 CFR 91.520
13. Monitoring and reporting program performance - 2 CFR 200.329
14. Monitoring requirements - 24 CFR 91.330

If there is a conflict between the state and federal regulations, the federal regulations shall prevail. In addition, WVDED reserves the right, at its sole discretion, to suspend or amend the provisions governing this program. If such an action occurs, the WVDED will notify interested parties.

## Attachments

Attachments A-C, and E of this manual are example forms subrecipients and project administrators must use when managing a WVDED CDBG Demolition project. All attachments should be reviewed by legal counsel and approved by the WVDED before official use. The desired information in each attachment should not be altered, other than the logo and header of each. The subrecipient should replace the WVDED logo and personalized header to have the attachment be associated with where the project is located (i.e., the subrecipient's jurisdiction). The subrecipient should add their name into each attachment as a responsible entity, and any communication that may be made from the property owner should be addressed to the subrecipient. Attachment D is for the project administrator's use for WVDED's record of initial site inspection. This document should be left as is.

**Attachment A**

Ver. 1



**West Virginia Department of Economic Development  
Community Development Block Grant (CDBG)**

Demolition - Intake Form - Example

Today's Date: \_\_\_/\_\_\_/\_\_\_

**Property Owner Information**

First Name: \_\_\_\_\_ Middle Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Current Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Address of damaged property: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Date of birth (mm/dd/yyyy): \_\_\_/\_\_\_/\_\_\_ Alias name (if applicable): \_\_\_\_\_

**Property Information**

What type of residence is this property?  Residential  Commercial

If there are special circumstances regarding ownership (i.e., death of owner, property trust, etc.) or other legal consideration, please describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Do you hold the deed on the property?  Yes  No Name on the deed: \_\_\_\_\_

Is there a septic tank on the property? (if unaware, leave blank)  Yes  No

Is there a well on the property? (if unaware, leave blank)  Yes  No

Does the property have a basement?  Yes  No



**Attachment A**

Ver. 1



**Property Information – Servicer**

The property owner is responsible for notifying all the utility providers that the structure(s) will be demolished. Please indicate the name of service provider(s), account number(s) – if known, and indicate if the service(s) have been disconnected. If the service(s) have not been cancelled, disconnected, or removed from the property, please indicate. All utilities must be disconnected before demolition can occur.

- Water** has been disconnected.  
 Provider’s name: \_\_\_\_\_  
 N/A if the property has a well.  
 Do you request the well to be capped?  Yes  No
  
- Electricity** has been disconnected.  
 Provider’s name: \_\_\_\_\_
  
- Sewer** has been disconnected.  
 Provider’s name: \_\_\_\_\_  
 N/A if the property has a septic tank.
  
- Gas** has been disconnected.  
 Provider’s name: \_\_\_\_\_  
 N/A if the property does not have gas.  
 Is there a propane tank on the property?  Yes  No
  
- Telephone** has been disconnected.  
 Provider’s name: \_\_\_\_\_

**Property Information – Structures**

Please describe the structures to be demolished and removed from the property. While the structures are under one physical address, multiple structures can be on that property. Describe each as needed.

Structure 1 description: \_\_\_\_\_

Structure 2 description: \_\_\_\_\_

Structure 3 description: \_\_\_\_\_

Structure 4 description: \_\_\_\_\_

Additional notes, if needed: \_\_\_\_\_

\_\_\_\_\_

**Attachment A**

Ver. 1



What should not be removed from the property? Please provide a description that is detailed as possible to ensure requests are fulfilled completely.

Structure 1 description: \_\_\_\_\_

Structure 2 description: \_\_\_\_\_

Structure 3 description: \_\_\_\_\_

Additional notes, if needed: \_\_\_\_\_

\_\_\_\_\_

Property owner's signature: \_\_\_\_\_ Date: \_\_/\_\_/\_\_

If information was obtained via phone, check here:

# Attachment A

Ver. 1



## Certification – Signature Attest

Date (mm/dd/yyyy): \_\_\_/\_\_\_/\_\_\_

Property Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

I certify that all the information in this application is true and complete to the best of my knowledge.

I agree to allow the [INSERT COUNTY/CITY], the State of West Virginia, and the Department of Housing and Urban Development (HUD) representatives, and other organizations as deems necessary to use my personal information requested by the said parties and willingly given by me to be used in the Demolition – Slum & Blight CDBG program.

I, \_\_\_\_\_, hereby request that the structure(s) identified on the address listed above and described in this intake form be voluntarily enrolled in the Demolition – Slum & Blight CDBG program, for the purpose of demolishing the structure(s) and removing the debris from the property. I understand that the program will not build a replacement structure or green space on my property after the demolition.

Applicant / Property Owner Name: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant / Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

City/County Representative Name: \_\_\_\_\_ Date: \_\_\_\_\_

City/ County Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Name: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Attachment B**

Ver. 1



**West Virginia Department of Economic Development  
Community Development Block Grant (CDBG)**

**Demolition - Lien holder Consent Form - Example**

Today's Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Applicant- Homeowner Name: \_\_\_\_\_

Damaged Property Address: \_\_\_\_\_

The West Virginia Department of Economic Development (WVDED) is responsible for implementing and managing a U.S. Housing and Urban Development (HUD) funded program, Community Development Block Grant (CDBG).

The aforementioned applicant has indicated that \_\_\_\_\_ holds a lien ("Lien") on his/her damaged property "at the address referenced above" ("Property"). Before CDBG can move forward with it's review of the above listed applican't application, we will need permission from you as a lienholder on the Property to replace or reconstruct the home located on the Property. We greatly appreciate your cooperation in this matter as we strive to make communities throughout the State safer and cleaner for citizens. If the Lien has been satisfied, please provide adequate documentation to our applicant for program review. Once again, we greatly appreciate your help in this matter and look forward to serving those communities in need.

I, \_\_\_\_\_, agree to allow the West Virginia CDBG Demolition program to demolish the structure(s) on the Property. I understand that my company, \_\_\_\_\_ will still hold a first lien position with respect to the Property during and after completion of the CDBG Demolition program. I acknowledge that the CDBG Demolition program, upon completion of the demolition, will obtain a forgivable lien against the Property which will be secured by a deed of trust for a time period of 1 (one) year. In the event of foreclosure sale of the Property by \_\_\_\_\_, \_\_\_\_\_ will provide the WVDED with notice of the foreclosure sale by certified mail at least twenty days prior to the foreclosure sale.

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I, \_\_\_\_\_, will not allow the West Virginia CDBG Demolition Program to demolish the home located at the property.

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Sincerely,

(insert Chief Local Official)  
(insert official's position title)



West Virginia Department of Economic Development  
Community Development Block Grant (CDBG)

Demolition - Right of Entry and Hold Harmless Agreement- Example Only

***\*Please have City or County legal counsel review before utilizing\****

Today's Date: \_\_\_/\_\_\_/\_\_\_\_\_

**Ownership Interest and Grant of Right and Blight of Entry for Slum and Blight**

The undersigned hereby certifies they/he/she area/is the owner(s) with authority to grant access to the property or authorized agent of such person, at (enter address): \_\_\_\_\_

\_\_\_\_\_ (“Property”) and does hereby authorize the Couty of \_\_\_\_\_ or the City of \_\_\_\_\_, the State of Wet Virginia, and their agents, successors and assigns, contractors and subcontractors (collectively, the “Demolition Entities”) to have the right of access and to enter the property for purposes of performing demolition of structures determined unsafe.

**Government Not Obligated; No Expense Except for Insurance Property**

It is fully understood that this Right-Of-Entry does not create an obligation of the Demolition Entities to perform debris removal and/or demolition. If determined necessary in accordance with Federal, State, and local regulations, debris removal/demolition of the unsafe structure(s) will be conducted at no expense to the property owner(s) on the above-described property by personnel authorized by:

Owner Name: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

City/County Representative Name: \_\_\_\_\_ Date: \_\_\_\_\_

City/County Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Notary Name: \_\_\_\_\_ Date: \_\_\_\_\_

Notary Stamp:



**Government Indemnified and Held Harmless**

The property owner(s) hereby agree to indemnify and hold harmless Demolition Entities for any damage of any type whatsoever to the above described property or to personal property and fixtures situated thereon, or bodily injury or death to persons on the property, and hereby releases, discharges and waives any and all actions—either legal or equitable—which the undersigned property owner(s) has (have), or ever might or may have, by reason of any action of aforesaid Demolition Entities taken to accomplish the aforementioned debris removal/demolition.



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## West Virginia Department of Economic Development Community Development Block Grant (CDBG)

### Demolition - Initial Site Inspection Packet

This packet must be completed by the project administrator for each address included in the Scope of Work (SOW) that has been submitted to the WVDED. The project administrator must attend the initial site inspection with the city or county inspector/code official for each address included in the SOW and complete this packet at that inspection. Authority to Use Grant Funds (AUGF) will not be issued until this packet, the inspection report, and the entire Environmental Review Record is submitted to the WVDED.

#### Applicant Information

- 1. Applicant Name: \_\_\_\_\_
- 2. Property Address: \_\_\_\_\_
- 3. Applicant Phone #: \_\_\_\_\_
- 4. Inspector Name  
(Project Administrator): \_\_\_\_\_
- 5. Date of Inspection: \_\_\_\_\_

Latitude: \_\_\_\_\_

Longitude: \_\_\_\_\_

*GPS Coordinates Verified By:*  
**WV Flood Tool**

#### Property Information

##### Structures

- 1. Total number of Structures located on site: \_\_\_\_\_  
Main Structure Type: \_\_\_\_\_
- 2. Detached Accessory Buildings: \_\_\_\_\_
- 3. Is the Unit Occupied?  Yes  No
- 4. Are Utilities Connected?  Yes  No
  - a. Water shut off or capped?  Shut-off  Capped
- 5. Number of Housing Units? \_\_\_\_\_
- 6. Type of Foundation Present: \_\_\_\_\_



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7. Does the subject lot have water frontage?

Yes

No

If Yes, what is the bank stabilization? \_\_\_\_\_

8. Building Type: \_\_\_\_\_

9. Number of Stories: \_\_\_\_\_

10. Year Built: \_\_\_\_\_

11. Presence of Basement or Crawl Space? \_\_\_\_\_

TOTAL STRUCTURES: \_\_\_\_\_

TOTAL BASEMENTS: \_\_\_\_\_

STRUCTURE 1:	Length	_____	X	Width	_____	Equals	_____	SQ FT
BASEMENT	Length	_____	X	Width	_____	Equals	_____	SQ FT
STRUCTURE 2:	Length	_____	X	Width	_____	Equals	_____	SQ FT
BASEMENT	Length	_____	X	Width	_____	Equals	_____	SQ FT
ADDITION 1:	Length	_____	X	Width	_____	Equals	_____	SQ FT
BASEMENT	Length	_____	X	Width	_____	Equals	_____	SQ FT
ADDITION 2:	Length	_____	X	Width	_____	Equals	_____	SQ FT
BASEMENT	Length	_____	X	Width	_____	Equals	_____	SQ FT
ADDITION 3:	Length	_____	X	Width	_____	Equals	_____	SQ FT
BASEMENT	Length	_____	X	Width	_____	Equals	_____	SQ FT

**TOTAL SQ FOOTAGE**

\_\_\_\_\_ SQ FT

*Asbestos*

ANTICIPATED INSPECTION DATE: \_\_\_\_\_

STRUCTURES TO BE TESTED: \_\_\_\_\_





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## Hazmat

HAZMAT INSPECTIONS:

\_\_\_\_\_

VISIBLE HAZMAT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Additional

<i>FORMULA:</i>	<b>Length</b>	X	<b>Width</b>	X	<b>Height</b>	÷	27	=	CU YDS
DEBRIS ON SITE:		YES	_____	NO	_____				
DEBRIS :	_____	X	_____	X	_____	÷	27	=	_____
DEBRIS :	_____	X	_____	X	_____	÷	27	=	_____
DEBRIS :	_____	X	_____	X	_____	÷	27	=	_____
<b>FUEL TANKS:</b>		YES	_____	NO	_____				_____
<b>SEPTIC TANK:</b>		YES	_____	NO	_____				_____
<b>WELL PRESENT:</b>		YES	_____	NO	_____				_____
<b>CISTERN PRESENT:</b>		YES	_____	NO	_____				_____

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## Environmental Questions

	Yes	No	Environmental Compliance Data Attach Supporting Material
1.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Are there any signs of <b>Poor Housekeeping</b> on the site? (Mounds of rubble, garbage, or waste, pesticides, paints, thinners, cleaning fluids, automotive batteries, damaged or abandoned vehicles, pits, lagoons, or pools of hazardous substances located on the site?)</p> <p>a. If Yes, document evidence: _____</p>
2.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Are there any <b>55 Gallon Drums</b> or <b>Containers</b> visible on the site?</p> <p>a. If Yes, document evidence: _____</p>
3.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Are there any signs of <b>Petroleum Underground Storage Tanks (PUSTs)</b> on the site?</p> <p>a. If Yes, are there <b>Vents</b> or <b>Fill Pipes</b> visible on the site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>b. Are there any PUSTs within 3000 ft. of the site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
4.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Are there any signs of <b>Above-Ground Storage Tanks</b> on the site?</p> <p>a. If Yes, document evidence: _____</p>
5.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Are there any signs of <b>Surface Staining</b>?</p> <p>a. If Yes, document evidence: _____</p>
6.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Is there any <b>Ground Water Monitoring</b> or <b>Injection Wells</b> on the site?</p> <p>a. If Yes, document evidence: _____</p>
7.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Is there evidence of a faulty <b>Septic System, Underground Cistern, or Well</b> on the site?</p> <p>a. If Yes, document evidence: _____</p>



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8.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Is there any <b>Permanent Standing Water</b>, such as a <b>Pond</b> or <b>Lake</b>, located on the site?</p> <p>a. If Yes, document evidence: _____</p>
9.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Is there any <b>Distressed Vegetation</b> on the site?</p> <p>a. If Yes, document evidence: _____</p>
10.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Does the subject lot have <b>Water Frontage</b>?</p> <p>a. If Yes, document evidence: _____</p>
11.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Is there any visible apparent indication of <b>Mold</b>?</p> <p>a. If Yes, document evidence: _____</p>
12.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Is there any apparent evidence of <b>Asbestos, Lead-Based Paint</b> or <b>Hazardous Materials</b> visibly on any structures on the site?</p> <p>a. If Yes, document evidence: _____</p>
13.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Are there other <b>Unusual Conditions</b> on the site?</p> <p>a. If Yes, document evidence: _____</p>
14.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Attach the following specific photos:</p> <p>a. Full view of each façade of the Main Structure (Front, Right, Rear, and Left Facing In).</p> <p>b. Outfacing Views from the site in all directions.</p> <p>c. Alternating Corner Views of all additional structures on the site.</p> <p>d. Pictures of any Septic, Well, or Hazardous Materials on the site.</p>
15.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Is the structure <b>45 Years</b> old or older?</p> <p><input type="checkbox"/> Yes   <input type="checkbox"/> No   <input type="checkbox"/> Unknown</p>
16.	<input type="checkbox"/>	<input type="checkbox"/>	<p>Is the applicant aware of any <b>Significant Historical Events</b> of persons associated with the structure or does the home have a historic marker?</p> <p>a. If Yes, document evidence: _____</p>

**All Issues Must Be Photographed**



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Insert pictures in spaces provided below:

<b>1</b>	<b>2</b>
Comment: <b>Front Facing In.</b>	Comment: <b>Right Facing In.</b>
<b>3</b>	<b>4</b>
Comment: <b>Rear Facing In.</b>	Comment: <b>Left Facing In.</b>



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5	6
Comment: <b>Front Facing Out.</b>	Comment: <b>Right Facing Out.</b>
7	8
Comment: <b>Rear Facing Out.</b>	Comment: <b>Left Facing Out</b>



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<b>9</b>	<b>10</b>
Comment:	Comment:
<b>11</b>	<b>12</b>
Comment:	Comment:



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<b>13</b>	<b>14</b>
Comment:	Comment:
<b>15</b>	<b>16</b>
Comment:	Comment:



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## Additional Comments

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### Slum and Blight Certification

Per {24 CFR 570.208(b)(2)}, the definition for elimination slum and blight on a spot basis is: It is hereby found and declared that there exist in localities throughout the state, slum and blighted areas (as herein defined) which constitute a serious and growing menace, injurious and inimical to the public health, safety, morals and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment and the treatment of juvenile delinquency and for the maintenance of adequate police, fire and accident protection and other public services and facilities, constitutes an economic and social liability, substantially impairs or arrests the sound growth of communities and retards the provision of housing accommodations; that this menace is beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided; that the elimination of slum conditions or conditions of blight, the acquisition and preparation of land in or necessary to the development of slum or blighted areas and its sale or lease for development or redevelopment in accordance with general plans and redevelopment plans of communities and any assistance which may be given by any state public body in connection therewith, are public uses and purposes for which public money may be expended and private property acquired; and that the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

By signing below, I certify that the structures on the address(es) listed in this packet meet the above definition of eliminating a specific instance of slum and blight on a spot basis.

**Inspectors Signature (project administrator):** By signing this document, under penalties of perjury, I agree that I performed or that I am familiar with, the site inspections that are described above and certify that, to the best of my knowledge, the information is true and correct. I certify that the information presented in this document is true and accurate to the best of my knowledge and belief. I further understand that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in ineligibility to participate in this or other Federal programs. This document is subject to HUD review at any time, and any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 372

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\*This packet, with photos included, must be submitted to the WVDED along with the city or county inspector/code official's report before the completed Environmental Review Record. An AUGF will not be issued before then.



**Attachment E**

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**West Virginia Department of Economic Development  
Community Development Block Grant (CDBG)**

Demolition - Withdrawal Authorization

Today's Date (mm/dd/yyyy): \_\_\_\_/\_\_\_\_/\_\_\_\_

Applicant / Property Owner Name: \_\_\_\_\_

Damaged Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Current Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I request my application to participate in the State of West Virginia Demolition – Slum & Blight CDBG Program be withdrawn. I no longer want to have my property on this list.

Signature: \_\_\_\_\_

Witness Name: \_\_\_\_\_

Witness Signature: \_\_\_\_\_