

City of Billings - Community Development Division

Housing Rehabilitation Loan Program Denial & Grievance - Rodier & [NAME REDACTED]

Email Communications Organized by Date, Oldest to Most Recent

From: Rodier, Tam
Sent: Thursday, December 03, 2020 3:20 PM
To: [REDACTED, EMPLOYMENT EMAIL]
Subject: Housing Rehab Program

To: [REDACTED, NAME]
 [REDACTED, ADDRESS]
 Billings, MT [REDACTED, ZIP]

Hi [REDACTED, NAME],

I received your application for the City's **Housing Rehabilitation Program** this week and completed my preliminary review. The application should be printed on legal-sized paper (8.5"x14"). However, what you filled out and sent was printed on letter-sized paper (8.5"x11"), so the bottom part of both pages is missing. The missing section I need is located at the bottom on page 1; I've pasted a copy of that section below. If you'd like, you can print this email, complete the missing section, sign and date underneath it, and send it back to me in whatever format works for you.

PROPERTY TO BE REHABILITATED		<i>Housing expense, statement of ownership, and property liens</i>	
Address:		Do you own AND live in the home? No <input type="checkbox"/> Yes <input type="checkbox"/>	Year Home Built:
Rent / Mortgage Monthly Payment: \$	Average Monthly Heat & Utilities: \$	Other Housing Expenses (explain): \$	
Home Type: <input type="checkbox"/> Mobile Home <input type="checkbox"/> Stick Built Home <input type="checkbox"/> Manufactured <input type="checkbox"/> Modular	Within City Limits? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Purchase Price: \$	Date Purchased:	Present Balance: \$	Loan Type: <input type="checkbox"/> Conventional <input type="checkbox"/> FHA <input type="checkbox"/> VA <input type="checkbox"/> Real Estate Contract
Title or Mortgage Holder's Name and Address:			
List all liens against property (2 nd mortgage, home improvement loans, tax liens, labor liens, etc.):			

As an alternative, I am attaching an electronic version of the application, in case you would prefer to print it. Please be sure to use 8.5"x14" paper.

Looking forward to hearing from you!

Tam

	<p>Tam Rodier CD Program Coordinator Community Development Division rodier@billingsmt.gov</p>
<p>billingsmt.gov/comdev</p>	<p>2825 3rd Avenue North, Suite 610 Billings, MT 59101 PHONE 406.657.8284 FAX 406.294.7595</p>

City of Billings email messages and attachments are subject to the Right to Know provisions of Montana's Constitution (Article II, Section 9) and may be considered "public record" pursuant to Title 2, Chapter 6, Montana Code Annotated. As such, this email, its sender and receiver, and the contents may be available for public disclosure and will be retained pursuant to the City's record retention policies. Emails containing confidential information, such as information related to individual privacy, may be protected from disclosure by law. This message is intended for the use of the individual or entity named above. If you are not the intended recipient of this transmission, please notify the sender immediately, do not forward the message to anyone, and delete all copies. Thank you.

Masks are Required at City Offices for anyone over the age of 5. Please Stay Safe!

*COVID-19 has changed the way the Community Development Division conducts business. We will continue to serve our customers electronically, by phone, and by using a pick up / drop off area on the 6th Floor of the Miller Building. However, Community Development Division offices are closed to the public. Email inquiries are best during this time.

Staff note: Tam Rodier's signature block was included in all further emails, but is not included in this document for ease of reading.

From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Monday, December 07, 2020 11:26 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] Re: Housing Rehab Program

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Thank you for the update, I will print, sign and return.

I did not pay attention to directions regarding the application be submitted using (8.5"x14"), I suspect this detail ignored generates many incomplete applications. And quite possible a tactic to weed out and eliminate applicants like myself, who would never think the paper size affects the process.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

.....

From: Rodier, Tam
Sent: Monday, December 07, 2020 11:38 AM
To: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Subject: RE: Housing Rehab Program

Hi [REDACTED, NAME]!

I'm always happy to help people apply and move through the process. The legal-sized paper does occasionally create problems for people; that's why I try to remember to mention it. If people don't have the ability to print on legal-sized paper, I always mail them a hardcopy.

Looking forward to receiving the information...and working with you!

Tam

From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Tuesday, December 08, 2020 4:32 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] Re: Housing Rehab Program

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Hi Tam,

Please let me know if you need anything else from me.

Thank you for your help.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

ATTACHMENT:



From: Rodier, Tam
Sent: Tuesday, December 08, 2020 8:14 AM
To: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Subject: RE: Housing Rehab Program

Thanks [REDACTED, NAME]! I will continue processing your application and I'll be in touch again soon.

Have a great day!

Tam [signature block]

From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Tuesday, December 08, 2020 8:50 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] Re: Housing Rehab Program

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Awesome, with fingers crossed I'm looking forward to approval.
My imagination of how this grant could improve the quality of my home, thus the quality of my life, is truly limitless.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: Rodier, Tam
Sent: Tuesday, December 08, 2020 8:56 AM
To: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Subject: RE: Housing Rehab Program

And that is exactly why this program was developed! 😊

Tam [signature block]

From: [REDACTED, NAME] <[\[REDACTED, EMPLOYMENT EMAIL\]](#)>
Sent: Tuesday, December 08, 2020 4:32 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] Re: Housing Rehab Program

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Hi Tam,

Please let me know if you need anything else from me.

Thank you for your help.
[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Tuesday, December 15, 2020 8:41 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] RE: Housing Rehab Program

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Good Day Tam,
Can you please update me on the status of my application?
I look forward to hearing from you.
[REDACTED, NAME]

From: Rodier, Tam
Sent: Tuesday, December 15, 2020 8:59 AM
To: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Subject: RE: Housing Rehab Program

Hi [REDACTED, NAME],

I continued processing your application as soon as I received the mortgage information from you. Unfortunately, staff determined you are not currently eligible for the Housing Rehabilitation Deferred Loan Program for the following reason:

In order to qualify for the Housing Rehab Deferred Loan Program, you must not have had any late mortgage payments in the last twelve (12) months. The credit report I obtained provides a mortgage payment history that shows multiple late and/or partial payments within the last 12 months. Therefore, you do not currently meet program eligibility requirements.

This information was contained within a letter mailed to you on Friday, December 11th.

Please feel free to reapply when you have at least twelve (12) consecutive months of timely and full mortgage payments. We look forward to hearing from you then.

Tam [signature block]

From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Tuesday, December 15, 2020 9:55 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] Re: Housing Rehab Program

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Correct me if I am wrong, to be eligible the homeowner would not have credit which prevents the homeowner from qualifying for refinancing. Would you say this conflict with the reason my application being declined?

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: Rodier, Tam
Sent: Tuesday, December 15, 2020 10:00 AM
To: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Subject: RE: Housing Rehab Program

[REDACTED, NAME] I don't understand your question. However, to clarify, one of the criteria for program eligibility is no late mortgage payments within the previous 12 month period. The credit report is pulled to verify mortgage payment history.

Tam [signature block]

From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Tuesday, December 15, 2020 10:19 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] Re: Housing Rehab Program

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Please see question #2 of the Housing Rehab Program Common Questions & Answers.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

Excerpt from the ***Housing Rehab Program Process*** available online at <https://ci.billings.mt.us/DocumentCenter/View/7215/Rehab-Process-Handout---with-common-questions-PDF?bidId=>

See page 3, Common Questions & Answers:

2. What is the purpose of the Housing Rehab Loan Program?

The purpose of the program is to preserve and improve existing housing in the City of Billings, and to eliminate health and safety problems. The program targets low income owner-occupants who require home improvements and who are unable to obtain financial assistance through commercial lenders.

From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Tuesday, December 15, 2020 10:39 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] Re: Housing Rehab Program

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

The Housing Rehab Program written eligibility guidelines are conflicting with the purpose of the program. Who do I escalate my concerns to?

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: Rodier, Tam
Sent: Tuesday, December 15, 2020 12:32 PM
To: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Subject: RE: Housing Rehab Program

[REDACTED, NAME] –

Following is the question and answer you referred to within the *Housing Rehab Program / Common Questions and Answers*:

2. What is the purpose of the Housing Rehab Loan Program?

The purpose of the program is to preserve and improve existing housing in the City of Billings, and to eliminate health and safety problems. The program targets low income owner-occupants who require home improvements and who are unable to obtain financial assistance through commercial lenders.

The Housing Rehabilitation Brochure includes the following:
(Brochure is available on the Community Development Division website: [Housing Rehabilitation Loan Program | City of Billings, MT - Official Website](#))

Borrower Eligibility:

- Income eligibility is determined using the combined gross annual income of ALL household members 18 years old or older. An applicant’s annual household income must not exceed 80% of the Area Median Income (AMI) for the Billings area (see chart).
- The applicant must have owned and occupied the property to be rehabilitated for at least one year prior to application.

- The applicant cannot have any late mortgage payments for 12 months immediately preceding the application date.
- The applicant cannot have liquid assets in excess of \$15,000. Liquid assets means: checking and savings accounts; time certificate of deposit; cash value of whole life insurance; equity in stocks or bonds; real property.
- The applicant may not have a second mortgage / lien. However, Program Staff may consider a City First Time Home Buyer, Montana Board of Housing, or other lien on a case-by-case basis **IF** there is enough equity in the home.
- Individuals previously assisted through the Minor Home Repair Program will be required to repay the previously received grant back to the City with the Housing Rehab Loan.

You said, “The Housing Rehab Program written eligibility guidelines are conflicting with the purpose of the program. “ I do not see a conflict between the purpose of the program and the eligibility guidelines.

You then asked, “Who do I escalate my concerns to?” Following is a copy of the grievance process that appears on the Community Development Division website at [Nondiscrimination, Accommodations & Grievances | City of Billings, MT - Official Website](#):

Grievance Procedure: If you feel you have been denied equal access to Community Development programs, services or activities, you may file a written complaint including your contact information and a description of the alleged act(s) of discrimination, including the date and place of the act(s). The written complaint may be submitted to any Community Development employee or specifically directed to the Community Development Manager by phone at 406.657.8286 (Montana Relay 711), email beckettb@ci.billings.mt.us, in person (appointment recommended) or U.S. Postal Service at 2825 3rd Avenue North, 6th Floor, Billings, MT 59101.

Sincerely,

Tam [signature block]



From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Wednesday, December 16, 2020 9:18 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] Re: Housing Rehab Program

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Thank you for the information, however the grievance process is via City of Billings and we both know how far my complaint with go. Kinda like the fax machine that sits above the garbage can. These are federal grand dollars not city or state and the eligibility requirements are conflicting. You copied and highlighted so you are aware of what I am referring to. In the event I submit a grievance it will not be to the City of Billings.

I'm living in poverty not to be construed with stupid! You may have noticed or not; I've owned my home for 15 years.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Tuesday, January 12, 2021 4:09 AM
To: Rodier, Tam <RodierT@billingsmt.gov>
Subject: [EXTERNAL] Housing Rehab Deferred Loan Program-Grievance

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Please see attached letter.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

January 11, 2020

REDACTED
INFORMATION

Community Development Division
Housing Rehab Deferred Loan Program
2825 3rd Ave North
Billings, MT 59103

To Whom it May Concern:

My name is [REDACTED] submitted a Housing Rehab Deferred Loan application. My application was determined ineligible related to; late mortgage payments and or *partial payments. It's important I communicate in writing my grievance and put forth concerns related to the integrity and administration of the Housing Rehab Deferred Loan program.

Beginning, March 2020 I was working 2 jobs; full time with [REDACTED EMPLOYMENT INFORMATION]
My financial hardship is a direct result of the COVID-19 Pandemic. I lost wages; quarantined by Riverstone Community Health, followed by employer quarantine, and daycare closures. Mortgage payments were late no more than 15 days and my mortgage loan current upon submission of my application.

My grievance is with the City of Billings administration of Block Grants exempt of the rules, regulations, waivers, and alternate requirements mandated by HUD Community Development Block Grant Programs. Administration of the Housing Rehab Deferred Loan program is non-compliant with HUD void of; flexibility, waivers, and or alternative requirements. See below link for reference.
<https://www.hud.gov/sites/dfiles/CPD/documents/FR-6218-N-01-CDRG-CV-clean-8-7-20-header-for-posting.pdf>

I've owned my home for 16 years, equity estimated over \$100,000; facts relevant to any loan program and not considered. In the event, mortgage payments were not late; I'm certain to qualify for a loan provided by a commercial lender. Therefore, It's unethical for The City of Billings to award applicants who are eligible for a commercial loan.

I am requesting my application reviewed, consideration of my home equity, and flexibility of requirements. Please direct me how to proceed with the complaint process. I look forward to your response.

Regards,

REDACTED
INFORMATION

*COVID-19 mortgage assistance is based on a percentage of my income. Financial assistance payments were submitted directly to my mortgage lender Montana Board of Housing (MBOH). My credit report mortgage history is reflecting financial assistance payments as partial payments. Contact MBOH for more information or clarification of this practice.



From: Rodier, Tam
Sent: Tuesday, January 12, 2021 7:42 AM
To: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Subject: RE: Housing Rehab Deferred Loan Program-Grievance

Dear [NAME REDACTED],

I appreciate and thank you for your letter. I will ensure that it is passed along to my supervisor and others as deemed appropriate.

Sincerely,
Tam [signature block]



From: [REDACTED, NAME] <[REDACTED, EMPLOYMENT EMAIL]>
Sent: Sunday, January 31, 2021 11:33 PM
To: Rodier, Tam <RodierT@billingsmt.gov>; Beckett, Brenda <BeckettB@billingsmt.gov>
Subject: [EXTERNAL] [NAME REDACTED] Grievance Agenda-Supporting Documents

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Please provide the attached documents to the CDBG board members prior to Tuesday's meeting.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

February 1, 2021

REDACTED
INFORMATION

Dear Community Development Block Grant Board and Committee;

My name [REDACTED] thank you for allowing me to share with you my grievance. My application for the Housing Rehabilitation Program is denied based on the City of Billings eligibility requirement. See attached document A.

"In order to qualify for the Housing Rehab Deferred Loan Program you must not have had any late mortgage payments in the last twelve (12) months. The credit report I obtained provides a mortgage payment history that shows multiple late and/or partial payments within the last 12 months. Therefore, you do not currently meet program eligibility requirements"

I qualified for mortgage payment assistance, partial payments were issued directly to Montana Board of Housing thus reflecting on my credit history report. Also, credit history void of partial payments is not an eligibility requirement, therefore should not be included in the reasons I don't qualify for the program.

The Housing Rehabilitation Program eligibility requirements conflict with its general conditions; *real estate taxes, mortgage payments, and assessments must be current and the property must be free of any delinquent liens / encumbrances.* My home mortgage, property taxes are current and there are no liens or encumbrances on my property.

The City of Billings implemented a program eligibility requirement that authorizes denial of applicants with late mortgage payment over the past 12 months. This requirement is unfair, denies viable applicants, and deflects rather "spearheads" grant funds from reaching targeted low income citizens thus excluding an entire class of citizens.

The class of citizens are those single family households living paycheck to paycheck for example; citizens may pay a disconnected water or other utility invoice, deciding to make a home mortgage payment after the 15th. This action reflects on credit reports, however the homeowner remains current with their mortgage payments. Payment of utilities always comes first as extreme weather conditions can impose a safety hazard for families without water. This specific eligibility requirement is only mentioned in the online program brochure.

The program is said to provide assistance to moderate and low income citizens who do not qualify for commercial loans. Does the city award loans to those who could qualify for a commercial loan? If so, it may be determined this action is unethical.

Program manager Brenda Beckett provided me inaccurate information describing the CARES Act relation to CDBG-CV and CDBG funds. The program manager has not adopted the federal registry regulations nor guidelines, and claims the CDBG HOME grants operate under separate jurisdictions ("managed separately") and are unrelated to Covid-19 response/ CARES Act FY 2020; contrary to the information available. See Attached Federal Registry dated 8.20.2020 document B.

In addition; Brenda the program manager attempted to discourage my online research stating *"federal regulations are very confusing, and it is difficult to research the requirements for various funding sources online"*. See attachment document C.

I solely purchased my home in May 2004, I have established a considerable amount of equity over the course of 16 years. The equity amount is well over the grant funds I applied for and the City of Billings is 100% guaranteed repayment if foreclosure or sale of my home results.

In closing, I would ask that the CDBG Board vote to waive the eligibility requirement that authorizes denial of my application.

Thank you for your consideration.

REDACTED
INFORMATION



Billings
PLANNING
& COMMUNITY
SERVICES

December 11, 2020

REDACTED

Community
Development
Division
2825 3rd Ave. N
Billings, MT 59102
6th Floor
P 406.657.8281
TTY 711

SUBJECT: HOUSING REHABILITATION DEFERRED LOAN PROGRAM

Dear [REDACTED]

Thank you for applying for the Housing Rehabilitation Deferred Loan Program. Staff reviewed the materials and determined you are not currently eligible for the Housing Rehabilitation Deferred Loan Program for the following reason:

In order to qualify for the Housing Rehab Deferred Loan Program, you must not have had any late mortgage payments in the last twelve (12) months. The credit report I obtained provides a mortgage payment history that shows multiple late and/or partial payments within the last 12 months. Therefore, you do not currently meet program eligibility requirements.

Please feel free to reapply when you have at least twelve (12) consecutive months of timely and full mortgage payments.

Please let me know if you have questions. You may reach me by phone at 657-8284 or by email to rodier@billingsmt.gov.

Sincerely,

Tam Rodier
Program Coordinator

TLR

Enclosure

billingsmt.gov

Also attached were pages 51457 through 51475 of the Federal Register / Vol. 85, No. 162 /Thursday, August 20, 2020 / Notices

Staff note: Brenda Beckett, Community Development Manager, took over corresponding with [NAME REDACTED].

City of Billings - Community Development Division

Housing Rehabilitation Loan Program Denial & Grievance - Beckett & [NAME REDACTED]

Email Communications Organized by Email Subject, Oldest to Most Recent

Email Subject: Housing Rehabilitation Loan Program, CDBG, and CARES Act

From: Beckett, Brenda <BeckettB@billingsmt.gov>
Sent: Thursday, January 28, 2021 1:38 PM
To: [REDACTED, NAME & EMPLOYMENT EMAIL]

[REDACTED, NAME],

I understand there is some confusion relative to Community Development Block Grant (CDBG) funding and the CARES Act - Community Development Block Grant (CDBG-CV) award recently allocated to the City. I am hoping I can provide a little background to help clarify. You may already have this information; if so, please accept my sincere apologies.

The City receives CDBG funding annually and it is primarily allocated to First Time Home Buyer, home repair, and poverty impact programs. The City acts as a lender for the home buyer and repair programs and certain loan underwriting standards are utilized to ensure ethical use of federal funding. HUD requires underwriting standards for all loans issued by the City.

A special, separate CDBG-CV allocation was issued to the City of Billings through the CARES Act to be used exclusively for coronavirus response. We are currently in the process of identifying funding priorities and setting up an application process for agencies to respond to the pandemic. Waivers for CDBG-CV relate to public comment periods and timelines for submission of amendments to the City's Consolidated and Annual Action Plans. All other program requirements are still in effect (underwriting, environmental review, etc.). The City's Housing Rehabilitation program is unrelated to this funding source.

These two funding sources are managed separately, and the City will not utilize CDBG-CV CARES Act waivers for programs funded with CDBG.

Regarding HUD waivers - HUD does not intervene with local governmental policies and procedures, particularly when industry loan underwriting standards are utilized. These standards include denial of applicants with late mortgage payments over the past 12 months.

I am hopeful that you will be eligible for the program in the future. There are some mortgage assistance programs through primary lenders for those having difficulty making mortgage payments. The Home Center can also provide housing counseling if needed.

In closing, federal regulations are very confusing, and it is difficult to research the requirements for various funding sources online. I hope this information is helpful to you - please let me know if you have questions. I am out of the office for a couple of days, but I will be back in the office on Monday.

Kindest regards,

Brenda Beckett
[standard signature block]

From: [REDACTED, NAME & EMPLOYMENT EMAIL]
Sent: Thursday, January 28, 2021 3:45 PM
To: Beckett, Brenda <BeckettB@billingsmt.gov>

Please share with me how your program helps home owners who do not qualify for loans provided by a commercial lender? Any home owner current 12 months would qualify for a commercial loan. And why do the guidelines related to grants offered 2019, 2020 so not apply to this program?

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME & EMPLOYMENT EMAIL]
Sent: Thursday, January 28, 2021 3:46 PM
To: Beckett, Brenda <BeckettB@billingsmt.gov>

Specufically Cares Act guidelines.

[REDACTED, NAME]
[REDACTED, EMPLOYER]

From: Beckett, Brenda
Sent: Monday, February 1, 2021 8:36am
To: [REDACTED, NAME]

Good morning,

CARES Act funding must be used to exclusively prepare for and respond to the coronavirus. All of the waiver conditions must relate to coronavirus response.

The Housing Rehabilitation program does not relate to coronavirus response - therefore, none of the waiver conditions apply to this program.

As previously explained, the City is required to perform underwriting tasks to ensure financial risk is managed - including the industry standard related to late mortgage payments. The City is not required to provide loans to those with late mortgage payments.

Kind regards,

Brenda Beckett

From: [REDACTED, NAME]
Sent: Monday, February 1, 2021 8:38 AM
To: Beckett, Brenda

Provide the verbiage stating that. Your word means nothing to me.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

Staff note: Separate thread under the same email subject

From: [REDACTED, NAME]
Sent: Thursday, January 28, 2021 3:49 PM
To: Beckett, Brenda

HUD oversees discrimination grievances correct?

[REDACTED, NAME]
[REDACTED, EMPLOYER]

From: Beckett, Brenda
Sent: Monday, February 1, 2021 8:38am
To: [REDACTED, NAME]

Greetings!

All of the information relative to discrimination grievances [can be found online here](#).

Kind regards,

Brenda Beckett

[REDACTED, NAME & EMPLOYMENT EMAIL]
Mon 2/1/2021 8:42AM
From: [REDACTED, NAME]
Sent: Monday, February 1, 2021 8:42 AM
To: Beckett, Brenda

Please confirm my documents are provided to CDBG board. That is all I need from you at this time.

Email Subject: [NAME REDACTED] Grievance Agenda-Supporting Documents

From: [REDACTED, NAME & EMPLOYMENT EMAIL]

Sent: Sun 1/31/2021 11:32 PM

To: Rodier, Tam <RodierT@billingsmt.gov>; Beckett, Brenda <BeckettB@billingsmt.gov>

Subject:[NAME REDACTED] Grievance Agenda-Supporting Documents

Please provide the attached documents to the CDBG board members prior to Tuesday's meeting.

[REDACTED, NAME]

[REDACTED, EMPLOYER]

[REDACTED, JOB TITLE]

[REDACTED, EMPLOYER PHONE NUMBER]

From: Beckett, Brenda

Sent: Monday, February 1, 2021 8:49 AM

To: [REDACTED, NAME]; Rodier, Tam

Subject: Re: [NAME REDACTED] Grievance Agenda-Supporting Documents

Good morning,

The documents have been provided to the CD Board via email.

Kind regards,

Brenda Beckett

From: [REDACTED, NAME]

Sent: Mon 2/1/2021 8:50 AM

To: Beckett, Brenda

Thank you.

Now read the Federal Registry related FY 2020 grant funds.

[REDACTED, NAME]

[REDACTED, EMPLOYER]

[REDACTED, JOB TITLE]

[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME]
Sent: Mon 2/1/2021 9:20 AM
To: Beckett, Brenda

You are differentiating the CDBG grant funds the city received FY 2020 from the CDBG-CV grant funds in relation to the CARES Act. All funding FY 2020 no matter jurisdiction is covered under the CARES Act to help our communities respond and recover from this ongoing Pandemic.

I hope the information I provided to you helps you better understand the CARES Act and how it applies to funds the City of Billings received in the fiscal year of 2020.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME]
Sent: Mon 2/1/2021 9:45 AM
To: Beckett, Brenda

The documents I provided are not available on the City of Billings website and possibly why you are confused. The rules clearly state CARES Act applies to the Home Rehabilitation Program.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME]
Sent: Mon 2/1/2021 9:55 AM
To: Beckett, Brenda

Provide me the contact information of person overseeing your position.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME]
Sent: Mon 2/1/2021 12:32 PM
To: Beckett, Brenda; Rodier, Tam

Brenda,

Not responding to my inquiry request regarding contact information of your supervisors is your choice as is ignorant written statements about the CARES Act not applying to the CDBG funds designated to the Housing Rehabilitation Program. And the reason you cannot provide proof to support your statements is because you can't find proof.

Delivering the program to low-income citizens and encouraging participation should be your utmost concern and priority.

Hope to hear your explanation regarding the CARES Act and how it does not apply to the Housing Rehabilitation Program at tomorrow's meeting.

Have a good day.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: Beckett, Brenda
Sent: Monday, February 1, 2021 12:48 PM
To: [REDACTED, NAME]; Rodier, Tam
Subject: Re: [NAME REDACTED] Grievance Agenda-Supporting Documents

[NAME REDACTED],

I am currently drafting a response to your questions and will be sure to provide all of this information prior to close of business today.

Kindest regards,

Brenda Beckett

From: [REDACTED, NAME]
Sent: Mon 2/1/2021 1:04 PM
To: Beckett, Brenda; Rodier, Tam

Please include facts and provide a link to the information. Also, I do understand that localities can legally implement eligibility requirements and that my application was denied due to a City if Billings requirement.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME]
Sent: Mon 2/1/2021 5:03 PM
To: Beckett, Brenda; Rodier, Tam

WRONG! Close of business day came and went.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: Beckett, Brenda
Sent: Monday, February 1, 2021 5:07 PM
To: [REDACTED, NAME]; Rodier, Tam
Subject: Re: [NAME REDACTED] Grievance Agenda-Supporting Documents

Hello,

My apologies. We had significant connectivity issues today and I had to relocate offices to finish your letter. My business day often ends a little later than 5:00pm.

Please find attached a letter responding to your questions.

Brenda Beckett

Staff note: Please refer to 2.1.2021 - Response Letter

From: [REDACTED, NAME]
Sent: Mon 2/1/2021 5:13 PM
To: Beckett, Brenda; Rodier, Tam

Thank you, I'm just being a bitch because I am very disappointed I did not receive assistance from the program.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: Beckett, Brenda
Sent: Monday, February 1, 2021 5:13 PM
To: [REDACTED, NAME]; Rodier, Tam
Subject: Re: [NAME REDACTED] Grievance Agenda-Supporting Documents

You are welcome.

I try my best to hold true to my word...and I am still at the office. I think the City's connection server fell apart - we all lost connectivity.

Absolute chaos.

I understand your disappointment. But please know we are still hoping you will be approved in the future - it is a wonderful program.

Brenda Beckett

From: [REDACTED, NAME]
Sent: Mon 2/2/2021 10:49 AM
To: Beckett, Brenda; Rodier, Tam

Good Day Brenda,

It appears that you have given me every reason to deny my application. When in fact you could approve it based on the following:

II.B. Authority To Grant Waivers and Alternative Requirements The CARES Act authorizes the Secretary to waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of CDBG–CV grants, fiscal year 2020 CDBG grants, and fiscal year 2019 CDBG grants to prevent, prepare for, and respond to coronavirus or that affect other aspects of program administration for the fiscal year 2019 and 2020 CDBG grants, except for requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding by the Secretary that any such waivers or alternative requirements are necessary to expedite or facilitate the use of such amounts to prevent, prepare for, and respond to coronavirus. Additional waiver authority is provided in 24 CFR 5.110 and 91.600. In accordance with these provisions, HUD may waive regulatory provisions (subject to statutory

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: Beckett, Brenda
Sent: Monday, February 1, 2021 5:13 PM
To: [REDACTED, NAME]; Rodier, Tam
Subject: Re: [NAME REDACTED] Grievance Agenda-Supporting Documents

Good morning,

The passage you copied below indicates **the HUD Secretary** is the only authority to grant waivers and alternative requirements. It does not authorize local governments to issue waivers or alternative requirements.

Authority To Grant Waivers and Alternative Requirements

Authority To Grant Waivers and Alternative Requirements The CARES Act **authorizes the Secretary to waive, or specify alternative requirements** for, any provision of any statute or regulation that **the Secretary administers** in connection with the use of CDBG–CV grants, fiscal year 2020 CDBG grants, and fiscal year 2019 CDBG grants to prevent, prepare for, and respond to coronavirus or that affect other aspects of program administration for the fiscal year 2019 and 2020 CDBG grants, except for requirements related to fair housing, nondiscrimination, labor standards, and the environment, **upon a finding by the Secretary that any such waivers or alternative requirements are necessary to expedite or facilitate the use of such amounts to prevent, prepare for, and respond to coronavirus**. Additional waiver authority is provided in 24 CFR 5.110 and 91.600. In accordance with these provisions, HUD may waive regulatory provisions...

Kind regards,
Brenda Beckett

Staff note: Web-based email changed the copied passage to plain text, which eliminated the colored font. BB sent it a couple more times - including photo format.

From: [REDACTED, NAME]
Sent: Mon 2/2/2021 11:00 AM
To: Beckett, Brenda; Rodier, Tam

It's probably too late to mention the signage that approved and posted in neighborhoods, Southside now includes a school mascot without providing directions to schools. In my opinion (a thought I'm very fond of) the signage further divides communities, implements boundaries and territories, therefore the city marked gang territory, so they don't need to. Mark my words!

I sure as hell hope this ignorant strategy did no use grant funds to beautify neighborhoods especially when homeowners living 6 ft from railroad tracks could use a privacy fence and address safety concerns.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME]
Sent: Mon 2/2/2021 11:36 AM
To: Beckett, Brenda; Rodier, Tam

Okay thank you. Ill stop being a bitch to you and I appreciate your patience.

[REDACTED, NAME]
[REDACTED, EMPLOYER]

From: [REDACTED, NAME]
Sent: Mon 2/2/2021 12:07 PM
To: Beckett, Brenda; Rodier, Tam

Justification: Under the authority at 24 CFR 91.600, HUD is authorized to waive this requirement when a determination of good cause is made and supported by documentation. Given the outbreak of the coronavirus known as SARSCoV-2 and the extenuating circumstances placed on state and local governments, and citizens, **HUD has determined that there is good cause for 2 waiving this provision. The extenuating circumstances and administrative strain supporting this waiver are well**

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: Beckett, Brenda
Sent: Tue 2/2/2021 12:26 PM
To: [REDACTED, NAME]; Rodier, Tam

Greetings,

The passage copied below relates to the submission of the City's Comprehensive Annual Performance Evaluation Report (CAPER). Staff can turn in this report later if we can document the delay is related to the pandemic. There are several other waivers related to report deadlines.

HUD has not authorized the City to approve waivers for any of federal programs managed by the Community Development Division.

Project/Activity: The Consolidated Annual Performance and Evaluation Report (performance report) submission to HUD within 90 days after the close of a jurisdiction's program year.

Nature of Requirement: The regulation at 24 CFR 91.520(a) requires each grantee to submit a performance report to HUD within 90 days after the close of the grantee's program year.

Date Granted: May 7, 2020.

Reason Waived: Under the authority at 24 CFR 91.600, HUD is authorized to waive this requirement when a determination of good cause is made and supported by documentation. Given the outbreak of the coronavirus known as SARS-CoV-2 and the extenuating circumstances placed on state and local governments, and citizens, HUD has determined that there is good cause for waiving this provision. The extenuating circumstances and administrative strain supporting this waiver are well documented in the broad public news coverage related to the outbreak.

Applicability: For program year 2019 CAPERs, the requirement that grantees submit a performance report within 90 days after the close of a jurisdiction's program year is waived, subject to the condition that within 180 days after the close of a jurisdiction's program year the jurisdiction shall submit its performance report.

I need to attend to my other responsibilities this afternoon prior to the Community Development Board meeting, so I will be unable to respond to additional emails.

Kind regards,

Brenda Beckett

Staff note: While BB was writing the above email, two additional emails arrived.

From: [REDACTED, NAME]
Sent: Mon 2/2/2021 12:22 PM
To: Beckett, Brenda; Rodier, Tam

Seriously, I needed to provide you verbiage related to justification of the waivers? OMG

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME]
Sent: Mon 2/2/2021 12:25 PM
To: Beckett, Brenda; Rodier, Tam

24 CFR 5.110 and 91.600.

The piece of the puzzle you refuse to research and or acknowledge.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: Beckett, Brenda
Sent: Tue 2/2/2021 12:52 PM
To: [REDACTED, NAME]; Rodier, Tam

Hello,

One last email, as our messages crossed in cyber-space.

Both regulations reference the HUD Secretary and **they do not authorize the City to issue regulatory waivers.**

24 CFR § 5.110 - Waivers.

Upon determination of good cause, the **Secretary [Secretary means the Secretary of Housing and Urban Development]** may, subject to statutory limitations, waive any provision of this title and delegate this authority in accordance with section 106 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3535(q)).

24 CFR § 91.600 - Waiver authority.

Upon determination of good cause, **HUD may, subject to statutory limitations, waive any provision of this part.** Each such waiver must be in writing and must be supported by documentation of the pertinent facts and grounds.

Brenda Beckett

From: [REDACTED, NAME]
Sent: 2/2/2021 1:04 PM
To: Beckett, Brenda

Please use the amended regulations related to CARES Act and grants. Remember it was not that long ago you tried to tell me the CARES Act did not apply to existing CDBG grants, claiming jurisdiction rather "managed separately". You are on learning only you don't get the luxury of curve.

[REDACTED, NAME]
[REDACTED, EMPLOYER]
[REDACTED, JOB TITLE]
[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME]

Sent: 2/2/2021 1:12 PM

To: Beckett, Brenda

Tam, can you please give Brenda the message.

So glad I keep adding you to the conversation. Just to keep her honest not re-gifting toys or pretending to ensure that programs get to the community where need is greatest.

I'm sure her talking in circles for 15 years has everyone cringing as they pass by her.
And I quote "Blowing wind into sails" to move programs towards moderate income citizens.

[REDACTED, NAME]

[REDACTED, EMPLOYER]

[REDACTED, JOB TITLE]

[REDACTED, EMPLOYER PHONE NUMBER]

Email Subject: CDBG Board Members/Staff-Follow up Grievance [Grievance]

From: [REDACTED, NAME]

Sent: Tue 2/2/2021 11:49 PM

To: Beckett, Brenda; Rodier, Tam; jstockburger@billingsmt.gov; kkruger@billingsmt.gov; brutherford@billingsmt.gov; snoble@billingsmt.gov; jcorson@billingsmt

Hello All.

I work for [REDACTED, EMPLOYER] [REDACTED, JOB DUTIES], my hours vary depending on client immediate needs, given the fact we are in pandemic it is of upmost importance services are provided when demand is high. I was not available to attend the Zoom meeting, however I was able to view the recorded session on Facebook.

I filed a grievance and provided my grievance to Brenda Beckett and Tam Rodier. I was informed several times by staff that my attendance was not required. So, I don't know why it seemed shocking to many of you as to why I did not attend. .

And I quote "not going to spend any more time discussing her.....denial". When in fact it was a grievance that needed discussing.

What emails of information are you referring to? I submitted a single email with 3 documents attached to support my grievance. Any other emails between office staff and board members are your group conspiring and by any means concerning.

As the topic to discuss was denial not one of you understood my grievance although clearly stated in my letter. Partial payments reflected financial assistance provided by our Federal Government and the late payments reflected the unpaid portion. This portion was late as I was not informed of the amount of assistance received each month. Montana Board of Housing can provide details of this practice.

Please provide information related to escalation of my grievances. And I will work to involve community members who were viable applicants, a class of law-abiding citizens, single low-income families with minor children, but with only one voice, and we will be heard!

Thank you,

[REDACTED, NAME]

From: Beckett, Brenda

Sent: Wednesday, February 3, 2021 8:54 AM

To: [REDACTED, NAME]

Cc: Rodier, Tam

[NAME REDACTED],

As you know, the Community Development Board met yesterday and ultimately supported staff's recommendation to deny your Housing Rehabilitation Loan application based on late mortgage payments.

The City of Billings staff is not responsible for clearing errors on your credit report. Feel free to work with your lender, the Montana Board of Housing, to assist you in this matter.

If you would like to escalate the grievance, I will begin preparing a memo for an upcoming City Council meeting so they can review your grievance for a final determination on eligibility for the Housing Rehabilitation Loan program. Staff will also begin work on redacting your name, social security number, address, etc. from your application materials, credit report, email communications, and other backup documentation as they will also be submitted as attachments to the City Council memo.

Please note that emails relative to your grievance are considered “public record” and are routinely included as backup documentation in grievance files. Each of the emails sent to / from staff contains the following provision:

City of Billings email messages and attachments are subject to the Right to Know provisions of Montana's Constitution (Article II, Section 9) and may be considered "public record" pursuant to Title 2, Chapter 6, Montana Code Annotated. As such, this email, its sender and receiver, and the contents may be available for public disclosure and will be retained pursuant to the City's record retention policies. Emails containing confidential information, such as information related to individual privacy, may be protected from disclosure by law. This message is intended for the use of the individual or entity named above. If you are not the intended recipient of this transmission, please notify the sender immediately, do not forward the message to anyone, and delete all copies. Thank you.

If you choose to escalate this grievance, the next email communication you will receive, from me, will include the date of the City Council meeting and the finalized memo submitted for City Council review. This may take several weeks as Council materials take some time to move through approval processes prior to final submission.

I look forward to your reply.

Kind regards,

Brenda Beckett

From: [REDACTED, NAME]

Sent: Tue 2/3/2021 10:13 AM

To: Beckett, Brenda; Rodier, Tam

Thank you.

It would be great if you could work on the items at hand, and remember your emailed many, many times for now 3 days. You are not my original contact you provided inaccurate information that set the communications in play. And communications to me is only an excuse not to complete projects 2021-2022. If you research Cities with similar demographic makeup you may be able to generate ideas to help respond and prepare to our community needs related to Covid-19. Hand washing stations is a frivolous waste of funds. There are hundreds of ways to help citizens, but it takes thinking outside the box and not proving yourself right at every interaction.

[REDACTED, NAME]

[REDACTED, EMPLOYER]

[REDACTED, JOB TITLE]

[REDACTED, EMPLOYER PHONE NUMBER]

From: [REDACTED, NAME]

Sent: Tue 2/3/2021 5:47 PM

To: Beckett, Brenda; Rodier, Tam

I stated that in my follow up email.

Yes, I'm familiar with the "right to know". Are you familiar with Privacy in Communications?

https://leg.mt.gov/bills/mca/title_0450/chapter_0080/part_0020/section_0130/0450-0080-0020-0130.html

[45-8-213. Privacy in communications, MCA - Montana](#)

History: En. 94-8-114 by Sec. 1, Ch. 513, L. 1973; amd. Sec. 33, Ch. 359, L. 1977; R.C.M. 1947, 94-8-114; amd. Sec. 1, Ch. 356, L. 1979; amd. Sec. 1, Ch. 177, L. 1991 ...

leg.mt.gov

[REDACTED, NAME]

[REDACTED, EMPLOYER]

[REDACTED, JOB TITLE]

[REDACTED, EMPLOYER PHONE NUMBER]

Email Subject: Credit History Report

From: [REDACTED, NAME]

Sent: Tue 2/15/2021 10:04 AM

To: Beckett, Brenda; Rodier, Tam

Hello Tam,

On Friday, I spoke with my mortgage lender regarding the errors on my Credit History, the issues have been resolved. Please pull an updated credit history report prior to my scheduled hearing with the City Council. The corrected report will reflect on or before 2/28/2021. Please provide me the date and time of the City Council meeting and attach the agenda.

Thanks again,

[REDACTED, NAME]

[REDACTED, EMPLOYER]

[REDACTED, JOB TITLE]

[REDACTED, EMPLOYER PHONE NUMBER]
