



NC DEPARTMENT
of COMMERCE
COMMUNITY REVITALIZATION

Language Access Plan

North Carolina Department of Commerce
Division of Community Revitalization

Version 2.0 – September 22, 2026

Revision History

Version	Date	Description
1	April 15, 2026	Initial version
2	September 22, 2026	Removed specific reference to Hurricane Helene to encompass Tropical Storm Fred and potential future disasters

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Section 1. Introduction

North Carolina, through the Department of Commerce's Division of Community Revitalization (DCR), received Community Development Block Grant Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD). Federally assisted recipients are required to make reasonable efforts to ensure meaningful access to federal programs, including providing certain access to individuals with limited English proficiency (LEP).ⁱ

For the purposes of this Language Access Plan (LAP), LEP individuals are defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. To determine the appropriate level of language assistance, DCR evaluated the specific needs of LEP residents in North Carolina by conducting the Four Factor Analysis outlined in HUD's prior guidance. This needs assessment forms the foundation of the LAP and guides DCR's approach to delivering language access across all DCR-administered programs.

Section 2. Four-Factor Analysis

Overview

The Four Factor Analysis was conducted across the entire service area to determine the appropriate level of language access for each CDBG-DR program. This analysis enables DCR to identify where language services are most needed while balancing the cost burden associated with providing language assistance. Some documents are deemed to be more critical or relate to programs or activities that have more frequent interaction with LEP individuals and therefore require language assistance resources where others may not.

Service Area Definition

The service area for this LAP is defined by the Most Impacted and Distressed (MID) areas. MID areas are locations that HUD or the State have determined to have experienced the greatest concentration of damage, unmet needs, and recovery challenges. These designations guide

where CDBG-DR funds should be targeted to ensure that resources reach the areas and communities most affected by the disaster.

- **HUD-Identified MID Counties:** Ashe, Avery, Buncombe, Burke, Haywood, Henderson, McDowell, Mitchell, Rutherford, Transylvania, Watauga, Yancey, Caldwell, Cleveland, Madison, Polk, Mecklenburg (ZIP Code 28214 only).
- **State-Identified MID Counties:** Alexander, Alleghany, Cabarrus, Catawba, Clay, Gaston, Jackson, Lincoln, Macon, Surry, Swain, Wilkes, Yadkin.

Together, these HUD- and State-identified MID areas constitute the service area for the State’s CDBG-DR programs under the relevant allocation.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered.

DCR estimated the proportion of LEP individuals in the service area using data from the U.S. Census Bureau’s 2023 American Community Survey (ACS). Fourteen counties and one ZIP code located in Mecklenburg County meet HUD’s criteria for LEP populations, with Spanish identified as the most commonly spoken non-English language across these areas. The 2023 ACS data were used to determine the number and percentage of individuals age 5 and older who speak English “less than very well” in each HUD- or State-identified MID area.

These results were evaluated against HUD’s safe harbor thresholds (Appendix A), which provide a standard for determining when translated materials or language services are required. Under HUD’s prior guidance at 72 FR 2732, safe harbor is generally met when:

- More than 1,000 LEP individuals are present in the eligible population; or
- At least 5 percent of the eligible population—or current beneficiaries—and a minimum of 50 individuals speak English “less than very well.”

Table 1 identifies the MID areas that meet one or both thresholds.

Table 1: HUD- or State-Identified MID Areas Exceeding LEP Thresholds

MID Area	Total Population (Age 5+)	Language	# Speak English Less than “Very Well” (Age 5+)	% Speak English Less than “Very Well” (Age 5+)
Buncombe County	259,301	Spanish	8,376	3.2%
Burke County	83,647	Spanish	1,929	2.3%
Caldwell County	76,659	Spanish	1,278	1.7%
Catawba County	153,289	Spanish	4,575	3.0%
Catawba County	153,289	Other Asian and Pacific Island Languages*	1,274	0.8%
Cleveland County	94,363	Spanish	1,182	1.3%
Gaston County	218,072	Spanish	6,573	3.0%
Henderson County	111,958	Spanish	4,851	4.3%
Jackson County	41,464	Spanish	1,128	2.7%
Lincoln County	85,802	Spanish	1,891	2.2%
Macon County	35,873	Spanish	1,138	3.2%
Rutherford County	61,609	Spanish	1,064	1.7%
Surry County	67,671	Spanish	2,599	3.8%
Wilkes County	62,713	Spanish	1,034	1.6%
Yadkin County	35,562	Spanish	1,304	3.7%
Mecklenburg County (28214 only)	39,158	Spanish	2,655	6.8%

* The “Other Asian and Pacific Island Languages” category includes 18 distinct languages.

Factor 2: The frequency with which LEP persons interact with the programs.

HUD’s prior guidance allows grantees to tailor language assistance based on how frequently LEP individuals are expected to interact with each CDBG-DR program. Programs that work directly with the public—such as those serving homeowners, renters, or small businesses—have the most frequent contact with LEP individuals and therefore require more robust language access services. In contrast, infrastructure and similar development programs ordinarily receive applications from entities such as units of government, public agencies, or nonprofit organizations rather than individual residents, resulting in far less direct contact with LEP individuals.

Table 2 categorizes DCR’s CDBG-DR programs according to the degree of public interaction.

Table 2: Language Assistance by CDBG-DR Program

CDBG-DR Program	Direct Client-Facing Activities	Frequency of Public Contact	Applicant Type
Single Family Reconstruction and Rehabilitation of Owner-Occupied Housing	Yes	Routine	Individual Households
Workforce Housing for Ownership	Yes	Routine	Private or Nonprofit Developers (public facing requirements apply for prospective buyers)
Community Infrastructure	No; Activities administered by local governmental entities	Infrequent	Local Governments
Commercial District Revitalization	No; Activities administered by local government entities or nonprofit partners	Infrequent	Local Governments or Nonprofits
Multi-family Construction and Repair Large Project	No; Activities primarily administered by private or nonprofit developers	Infrequent	Private or Nonprofit Developers
Small Rental Repair	Yes	Routine	Private Landlords

Factor 3: Nature and Importance of the Activity or Service Provided by the Program

HUD's prior guidance explains that the more significant an activity is, or the greater the potential consequences for LEP individuals, the more essential it becomes to provide language services. When denial or delay of information or services could have serious implications for an LEP individual, language assistance must be incorporated into standard program operations.

Based on this principle, DCR prioritizes language access for CDBG-DR activities that provide substantial direct benefits to homeowners, landlords, and tenants. These programs play a central role in supporting household recovery and stability after natural disasters, which makes clear and accessible communication especially important for LEP individuals.

Factor 4: Resources Available to DCR

DCR has taken, and will continue to take, reasonable steps to ensure meaningful access for LEP individuals across all CDBG-DR programs and activities, including completing this Four Factor

Analysis to better understand the service area's LEP needs. The following section describes the measures DCR has implemented and will continue to maintain for providing appropriate language access resources.

Section 3. Program Specific Language Access Resources

First, based upon the Four Factor Analysis, DCR will translate all main program documents and all beneficiary-facing documents for programs where the direct applicants or beneficiaries of those programs are potentially LEP individuals. Specifically, DCR will do so for the following programs: (1) Single-Family Reconstruction and Rehabilitation of Owner-Occupied Housing; (2) Small Rental Rehabilitation; and (3) Workforce Housing for Ownership. Based upon Table 1, above, Spanish appears to be the primary language to consider for such services, as the population or proportion of the population that are primarily Spanish-speaking would fall within HUD's safe harbor guidance (i.e., are either over 1,000 LEP individuals in the eligible population or more than 5% of the eligible population).

Currently, BDO Government Services, DCR's implementation vendor for the Single-Family Reconstruction Program and the Small Rental Repair Program, provides translation and other language-access services under the current contract to ensure compliance with HUD's LEP guidance. Spanish speaking staff are available to assist applicants, with at least one Spanish speaking staff member present at each of DCR's three application intake centers. Program documents—including the policy manual and stakeholder toolkit—are available on the RenewNC.org website in both English and Spanish. Program applications and related forms are available in Spanish upon request. The Workforce Housing for Ownership Program does not utilize an implementation vendor and accepts applications from local governments, housing developers, and nonprofit organizations. As a condition of participation, these applicants will be required to ensure that appropriate language access is provided to individual homebuyers who ultimately purchase homes through the program.

Although Catawba County also includes more than 1,000 LEP individuals for whom Other Asian/Pacific Island Languages is also a consideration, when considering the service area as a whole, and the fact that this category addresses several different languages, the service population proportion analysis is further diluted. As such, language access services for these and other languages are to be provided only upon request.

Second, for the remaining programs—specifically, the programs for: (1) Community Infrastructure; (2) Commercial District Revitalization; and (3) Multi-family Construction and Repair Large Project—DCR will translate only main program documents (e.g., the main policies and procedures). The other of these programs’ documents which DCR may post online (e.g., individual subrecipient agreements, applications, internal compliance forms, et al.) may not be translated absent a specific, appropriate request, as applicants for these programs are not likely to be LEP persons and instead will be local governments, developer groups, limited liability corporations, etc.

Third, DCR will require its subrecipients to require any landlords, property management companies, etc., to abide by Title VI and all other applicable federal and state law.

Finally, DCR will make available other translated documents upon request to support meaningful access for LEP individuals.

Section 4. Continuous Oversight of the LAP – Monitoring and Updates

DCR will monitor and update this LAP on an ongoing basis following additional HUD, or other federal agency, guidance. When new demographic data becomes available, DCR will also review and revise the plan as needed.

ⁱ The requirement is rooted in Title VI of the Civil Rights Act of 1964, which provides in relevant part that no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any federally funded program due to national origin. *See* 42 U.S.C.S. § 2000d, *et seq.* HUD adopted a similar regulation which prohibits the same in any of its programs. *See* 24 CFR § 1.4. HUD also previously issued guidance regarding language access for its programs’ recipients. *See* U.S. Department of Housing and Urban Development, Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin

Discrimination Affecting Limited English Proficient Persons, 72 Fed. Reg. 2732 (available at: <https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against>). As part of that guidance, HUD required grantees and other program recipients to provide certain access to individuals with limited English proficiency (LEP) and recommended that its grantees conduct a four-factor analysis to inform when to provide appropriate language assistance.

In March 2025, President Donald J. Trump issued Executive Order 14224, 90 Fed. Reg. 11363 (EO 14224), which, among other things, declared English the official language of the United States. EO 14224 granted federal agencies discretion in how they were to implement that mandate, though it encouraged them to phase out non-English services unless those services were explicitly required by law.

On July 14, 2025, the Attorney General issued a memorandum for all federal agencies which rescinded all prior U.S. Department of Justice (DOJ) LEP Guidance for recipients of federal funding. The July 2025 memorandum required federal agencies to consider adopting English-only policies and to use technology (including AI and machine translation) to provide translation services in lieu of more costly alternatives. The DOJ also suspended the operations of lep.gov, a website providing additional language access resources and guidance.

In August 2025, HUD issued an internal policy, communicating that all HUD documents, websites, public notices, and in-person assistance were to henceforth be provided only in English. HUD indicated that public comments would be sought in the coming months.

In light of this evolving guidance, and out of an abundance of caution, DCR has developed this Language Access Plan (LAP) to ensure that LEP individuals have meaningful access to all CDBG-DR programs, services, and activities supported with CDBG-DR Helene recovery funds.