

CHAPTER 2. COMPLIANCE REVIEW

3. PURPOSE. Compliance reviews are required by the Department's Title VI Regulation. The AS/FHEO shall, on a systematic basis, ensure that periodic reviews are conducted to determine whether HUD recipients are complying with the Act and regulation. A compliance review may also be initiated as a result of a complaint investigation.
4. TYPES OF COMPLIANCE REVIEWS.
 - a. Single Agency Compliance Review. A single agency compliance review is an in-depth examination of an agency which receives HUD financial assistance to determine whether its programs and activities are administered and operated in compliance with Title VI.
 - b. Community-Wide Compliance Reviews. A community-wide review is an in-depth examination of all agencies which receive HUD financial assistance in a clearly defined area or locality to determine whether their HUD-assisted program or activities are administered and operated in compliance with Title VI.
 - c. Follow-Up Review. A follow-up review is an examination of specific aspects of the administration and operation of a HUD financially assisted agency to determine whether said agency is complying with special requirements and procedures designed to improve a HUD recipient's Title VI compliance posture. Such a review could include: the periodic survey of affirmative actions which an agency has agreed to undertake to overcome the effects of prior discrimination or conditions which result in limiting participation by persons of a particular race, color, or national origin; or the operation and effect of a tenant selection and assignment plan (TS&A) which has been revised to address the areas of apparent noncompliance.

Each of the three (3) kinds of compliance reviews may be initiated as a result of varying FHEO policy considerations (see Chapter 3, paragraph 8(b) and Chapter 5, paragraph 21(a) infra.).

5. METHODS FOR SELECTION.
 - a. Routine Compliance Reviews. Routine compliance reviews shall be conducted whenever the ARA/FHEO determines that there is a need to examine the operations of a HUD recipient. The selection of a particular recipient for a compliance review should be based on but not limited to, such factors as: (1) an increase in complaints of

discrimination based on race, color or national origin in particular HUD programs; (2) statistical data which indicates that any particular minority group is not benefiting from or participating in HUD programs to an extent indicated by the number of each minority group eligible to participate or benefit in HU programs; (3) community patterns of discrimination in programs covered by Title VI; (4) failure of a recipient to file adequate compliance reports; (5) indication of discrimination in HUD programs; (6) or the need for a periodic assessment of compliance.

- b. Special Compliance Reviews. The AS/FHEO, with the assistance of the ARA/FHEO, shall designate target HUD recipients for special reviews to be conducted each fiscal year. The selection of program recipients shall be based on, but not limited to such factors as: (1) the institution of new program concepts; and/or (2) the need to develop policy guidance for regional staffs in their conduct of routine compliance reviews in more specialized areas such as relocation, or other areas where covert or overt community-wide discrimination might prevent minorities from benefiting or participating in HUD programs.