

<b>Guide for Review of the Emergency Shelter Grants (ESG) Program Civil Rights-Related Program Requirements</b>			
<b>Name of Grantee:</b>			
<b>Staff Consulted:</b>			
<b>Name(s) of Reviewer(s):</b>		<b>Date:</b>	

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding.**"

**Instructions:** This Exhibit is designed to evaluate the Emergency Shelter Grants (ESG) grantee's compliance with record keeping requirements pertaining to: conversions and major rehabilitation undertaken to make assisted shelters accessible to persons with disabilities, when required because the cost of conversion and/or rehabilitation exceeds 75% of the replacement cost of the building after conversion [pursuant to CFR 8.23(a)]; administration of the program in conformity with the nondiscrimination and equal opportunity requirements found at 24 CFR Part 5 and 24 CFR 576.57(a); and additional procedures for making persons with disabilities aware of the facilities and services offered by the participant and the locations of such facilities and services.

The Exhibit is divided into four sections: Certification to Affirmatively Further Fair Housing; Accessibility to Persons With Disabilities; Affirmative Marketing Strategies; and Displacement and Relocation. Failure to maintain records is an indication of noncompliance with the regulations governing record keeping. While a lack of documentation may not imply discrimination, because the grant recipient's data are a basis for further investigating compliance with nondiscrimination requirements, the CPD reviewer is responsible for transmitting this completed Exhibit (including any supporting documentation) to FHEO upon completion of the monitoring (see Sections 22-3 and 22-4 of the introduction to this Chapter).

**NOTE:** To complete the civil rights-related review of the program participant, this Exhibit is to be completed along with Exhibit 22-6, "Guide for Review of the Civil Rights-Related Program Requirements for Section 504 of the Rehabilitation Act of 1973, as amended," and Exhibit 22-7, "Guide for Review of Section 3 of the Housing and Urban Development Act of 1968."

**Questions:**

**A. CERTIFICATION TO AFFIRMATIVELY FURTHER FAIR HOUSING**

1.

<p><b>[OS] a.</b> Does the grantee have records regarding any steps taken to address impediments to fair housing choice for the ESG program that were identified in its Analysis of Impediments to Fair Housing Choice (AI)?                  [24 CFR 91.225(a)(1) or 24 CFR 91.325(a)(1) or 24 CFR 576.65]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>                  Yes No N/A</p>
<p><b>Describe Basis for Conclusion:</b></p>	

<p><b>[OS] b.</b> Based on this review, is there evidence that raises questions about the accuracy of the grantee’s certification to affirmatively further fair housing (AFFH)? (If yes, include in your response below, i.e., actions were inappropriate for identified impediments).</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>                  Yes No N/A</p>
<p><b>Describe Basis for Conclusion:</b></p>	

**B. ACCESSIBILITY TO PERSONS WITH DISABILITIES**

2.

<p><b>[OS]</b> For the period reviewed, did the grantee and/or its subrecipients maintain records documenting:</p> <ul style="list-style-type: none"> <li>a. Any conversions and major rehabilitation undertaken where the cost of the rehabilitation was 75 percent or more of the replacement cost of the building; and</li> <li>b. That the Section 504 requirement (to incorporate a minimum of 5% of units for mobility disabilities and 2% for visual and hearing disabilities) was implemented?</li> </ul> <p>[24 CFR 8.23(a) and (b) and 24 CFR 576.57]</p>	<input type="checkbox"/> <input type="checkbox"/> <b>Yes      No</b>
<p><b>Describe Basis for Conclusion:</b></p>          	

**C. AFFIRMATIVE MARKETING STRATEGIES**

3.

<p><b>[OS]</b> Did the grantee and/or its subrecipients maintain records regarding the implementation of procedures intended to:</p> <ul style="list-style-type: none"> <li>a. Advertise the availability of facilities and services on a nondiscriminatory basis to all persons regardless of race, color, religion, sex, age, national origin, familial status and disability; and</li> <li>b. Make available to interested persons information concerning the availability and location of services and facilities accessible to persons with disabilities?</li> </ul> <p>[24 CFR 576.57(a)(2)]</p>	<input type="checkbox"/> <input type="checkbox"/> <b>Yes      No</b>
<p><b>Describe Basis for Conclusion:</b></p>          	

4.

<p><b>[OS]</b> a. Is it likely that regular procedures for informing persons about the availability of the ESG program’s facilities and services on a nondiscriminatory basis would reach persons regardless of race, color, religion, sex, national origin, familial status or disability? [24 CFR 576.57(a)(2)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p><b>Describe Basis for Conclusion:</b></p>	

<p><b>[OS]</b> b. If “no,” did the ESG grantee and/or its subrecipients establish other procedures that would more effectively increase awareness of these programs among persons regardless of race, color, religion, sex, national origin, familial status, or disability? [24 CFR 576.57(a)(2)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p><b>Describe Basis for Conclusion:</b></p>	

D. DISPLACEMENT AND RELOCATION

5.

<p><b>[OS]</b> For the period reviewed, did the grantee maintain records on persons displaced as a result of activities funded through this program, including project occupancy lists identifying the names and addresses of persons occupying the assisted properties and/or occupying/moving into assisted properties upon completion? [24 CFR 576.59(b) and 24 CFR 576.65]</p>	<p><input type="checkbox"/> <input type="checkbox"/> Yes No</p>
<p><b>Describe Basis for Conclusion:</b></p>	

6.

<p><b>[OS]</b> a. For the time period reviewed, did the grantee maintain records on households displaced by ESG activities, which included:</p> <ul style="list-style-type: none"> <li>• race and ethnicity;</li> <li>• gender of single heads of household; and</li> <li>• addresses and census tracts of the housing units to which each displaced household relocated?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>Describe Basis for Conclusion:</b></p>	

<p>b. Is the information for race and ethnicity maintained in the format prescribed by OMB for Federal agencies (i.e., in accordance with Form HUD-27061)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>Describe Basis for Conclusion:</b></p>	

7.

<p><b>[OS]</b> For the time period reviewed, did the grantee's records document that displaced persons were provided with advisory services which include their rights under the Fair Housing Act to: relocate to residences in areas of non-minority concentration at their option; and provide referrals for minority persons to comparable and suitable decent, safe, and sanitary replacement dwellings not located in areas of minority concentration?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>Describe Basis for Conclusion:</b></p>	