

Guide for Review of NSP-1 Fair Housing and Equal Opportunity Requirements				
Name of Program Participant:				
Staff Consulted:				
Activity Name, Number and Brief Description:				
Name(s) of Reviewer(s):		Date		<input type="checkbox"/> Limited Review <input type="checkbox"/> In-depth Review

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: Use this Exhibit for a review of compliance with the Neighborhood Stabilization Program (NSP) Fair Housing and Equal Opportunity (FHEO) requirements. This Exhibit is divided into five sections: Limited English Proficiency; Homebuyer Counseling; Homebuyer Mortgage; Affirmatively Furthering Fair Housing; and Summary. One Exhibit is to be used for each program participant. After completing this Exhibit, complete, from Chapter 22 of this Handbook, either Exhibit 22-1, *Guide for Review of Civil Rights-Related Program Requirements for the Community Development Block Grant (CDBG) Entitlement Program*, or Exhibit 22-2, *Guide for Review of Civil Rights-Related Program Requirements for the State Community Development Block Grant (CDBG) Program*.

Questions:

A. LIMITED ENGLISH PROFICIENCY (LEP)

1.

Does the program participant have any Limited English Proficiency (LEP) speaking populations within its area(s) of greatest needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

2.

Has the program participant evaluated its LEP Implementation Plan, to ensure that it includes any LEP populations that are within its area(s) of greatest needs? [73 Fed. Reg. 58333, II.B]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

3.

Has the program participant ensured meaningful access to Neighborhood Stabilization Program (NSP) information, by providing it in the appropriate language for all English-speaking and LEP populations? [73 Fed. Reg. 58333, II.B]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

4.

If the program participant is a state, have all geographic areas been examined and meaningful access to information given for all LEP-speaking populations, even when it is in a regular CDBG entitlement jurisdiction? [73 Fed. Reg. 58333, II.B]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

B. HOMEBUYER COUNSELING

5.

Does the program participant have a list of HUD-approved counseling agencies that it uses to deliver homebuyer counseling (pursuant to 73 Fed. Reg. 58334, II.B.3.b)?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

6.

Has the program participant applied for a waiver to the homebuyer counseling requirement? [73 Fed. Reg. 58334, II.B.3.b. as amended at 74 Fed. Reg. 29226-7]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

7.

Has the program participant ensured that each homebuyer has obtained at least “8 hours of homebuyer counseling from a HUD-approved housing counseling agency before obtaining a mortgage loan?” [73 Fed. Reg. 58334, II.B.3.b. as amended at 74 Fed. Reg. 29226-7]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

8.

<p>Has the program participant “document[ed] compliance in the records for each homebuyer?” [73 Fed. Reg. 58334, II.B.3.b. as amended at 74 Fed. Reg. 29226-7]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

C. HOMEBUYER MORTGAGE

9.

<p>Has the program participant “ensure[d] that the homebuyer[s] obtain[ed] a mortgage loan from a lender who agrees to comply with the bank regulators’ guidance for non-traditional mortgages?”</p> <p>(NOTE 1: “(S)ee Statement on Subprime Mortgage Lending issued by the Office of the Comptroller of the Currency, Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, Department of the Treasury, and National Credit Union Administration, available at http://www.fdic.gov/regulations/laws/rules/5000-5160.html”; NOTE 2: “Grantees are cautioned against providing or permitting homebuyers to obtain subprime mortgages for whom such mortgages are inappropriate, including homebuyers who qualify for traditional mortgage loans.”)</p> <p>[73 Fed. Reg. 58334, II.B.3.b. as amended at 74 Fed. Reg. 29226-7]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

10.

<p>Has the program participant “document[ed] compliance in the records for each homebuyer?” [73 Fed. Reg. 58334, II.B.3.b. as amended at 74 Fed. Reg. 29226-7]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

D. AFFIRMATIVELY FURTHERING FAIR HOUSING

11.

<p>In order to <i>Affirmatively Further Fair Housing</i>, “HUD... [has] encourage[d] each grantee to review its analysis to impediments to fair housing choice to determine whether an update is necessary because of current market conditions or other factors.” Has the program participant done so (pursuant to 73 Fed. Reg. 58342, II.S)?</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

E. SUMMARY

12.

<p>If the responses to any of the questions in this Exhibit indicate a need to go to another section of this Handbook for questions, or seek technical assistance or advice from another HUD staff person, please describe below.</p>
<p>Describe Basis for Conclusion:</p>