

**Instructions to Complete  
The Native Hawaiian Housing Block Grant  
Native Hawaiian Housing Plan / Annual Performance Report, form HUD-50090**

Pursuant to Title VIII of the Native American Housing Assistance and Self-Determination Act of 1996, as amended (NAHASDA), HUD will provide grants under the Native Hawaiian Housing Block Grant (NHHBG) program to the Department of Hawaiian Home Lands (DHHL) to carry out affordable housing activities for Native Hawaiian families who are eligible to reside on the Hawaiian Home Lands. To be eligible for the grants, DHHL must submit a Native Hawaiian Housing Plan (NHHP) that meets the requirements of the NAHASDA. DHHL is also required to submit an Annual Performance Report (APR) to HUD.

The NHHP and the APR are combined into one form, HUD-50090. The NHHP portion of the form specifies how DHHL will carry out activities or projects that meet the requirements of Title VIII of NAHASDA during the 12-month period of DHHL's fiscal year. The APR portion of the form (represented by shaded text highlighted in gray) describes DHHL's accomplishments and progress made toward the accomplishment of planned eligible activities and the realization of intended outcomes identified in the NHHP.

DHHL shall complete the NHHP portion of form HUD-50090 and leave the APR portion of the form blank when it submits the **NHHP** to HUD. After HUD determines that the NHHP complies with NAHASDA, DHHL will proceed to implement the NHHP.

After the 12-month period covered by the NHHP ends, DHHL shall complete the APR portion of the NHHP (represented by shaded text highlighted in gray) by entering the APR data for that applicable 12-month period and submit the entire completed form HUD-50090 to HUD as the **APR**. However, if DHHL updated or amended the NHHP during the 12-month period of the housing plan, use the most recent version of the NHHP to prepare the APR.

**Submission Deadlines.**

- **NHHP:** at least 75 days prior to the start of DHHL's 12-month fiscal year (i.e., no later than April 17).
- **APR:** no later than 90 days after the end of DHHL's fiscal year (i.e., September 28) unless a DHHL request for extension is granted by HUD.

DHHL must submit any amendment to the one-year housing plan in Section 3 for HUD review before undertaking any new activities that are not addressed in the current NHHP that was reviewed by HUD and found to be in compliance with section 803 of NAHASDA. If DHHL adds a new activity, it must submit a NHHP amendment using the form provided in Section 14 of the NHHP prior to DHHL's fiscal year end. If DHHL does not add a new activity, then any other changes can be reflected and explained in the APR submission.

The NHHP/APR form includes citations to relevant sections of NAHASDA and NHHBG regulations at 24 CFR Part 1006. Statutory citations are identified in brackets, [ ], and regulatory citations are identified by the section symbol, "§." DHHL is encouraged to review both the

statutory and regulatory citations to obtain a complete understanding of what is required when completing the NHHP and APR.

These instructions are organized in the same order as the NHHP/APR form. The section numbers identified in these instructions reference the corresponding section numbers identified in the NHHP/APR form, and the line numbers in these instructions correspond exactly with the line numbers in the NHHP/APR form. Throughout these instructions, a reference to a “Line” means a component of the form (that is, a text box or table) and a “Row” means a row in a table.

Instructions for completing the NHHP portion of the form are presented in non-shaded text, and instructions for completing the APR portion of the form are presented in shaded text highlighted in gray.

Questions about the NHHP/APR form or these instructions should be directed to HUD’s Hawaii Office of Native American Programs (HIONAP).

## TABLE OF CONTENTS

For each NHHP section listed in the Table of Contents, enter the page number where the information can be found in the NHHP document.

### COVER PAGE

- Line 1:** List each NHHBG Grant ID Number, from oldest to newest, for all NHHBG grant awards that have an available balance.
- Line 2:** Enter the start and end dates of DHHL’s 12-month fiscal year period for which activities in the NHHP will be carried out (e.g., July 1, 2024 to June 30, 2025).
- Line 3:** Enter the Federal Fiscal Year (FFY) that corresponds with the NHHP. For example, if the NHHP is submitted on April 17, 2024, the FFY is 2024 (FFY 2024 = October 1, 2023 to September 30, 2024).
- Line 4:** Check this box to indicate this is an Initial NHHP being submitted. If so, then complete the Cover Page and proceed to Section 1.
- Line 5:** Check this box to indicate this is an Amended NHHP being submitted. If so, then complete the Cover Page and Section 14.

*NOTE: DHHL must submit any amendment to the one-year housing plan in Section 3 for HUD review before undertaking any new activities that are not addressed in the current NHHP that was reviewed by HUD and found to be in compliance with section 803 of NAHASDA.*

- Line 6:** Check this box to indicate this is an Annual Performance Report (APR) being submitted. If so, complete items 24-27 on the Cover Sheet and proceed to

### Section 3.

- Lines 7-15:** Fill out DHHL's name and the contact person's name, title, telephone number, mailing address, fax number, and email address. The contact person is the person who is best able to answer questions regarding the NHHP.
- Line 16:** Enter DHHL's federal Tax Identification Number.
- Line 17:** Enter DHHL's Unique Entity Identifier (UEI) Number.
- Line 18:** Enter the expiration date of DHHL's Central Contractor Registration (CCR)/System for Award Management (SAM) number. Recipients must have an active registration to receive funding from HUD and execute a grant agreement. Recipients are required to complete a one-time registration to provide basic information relevant to procurement and financial transactions. Registrations must be updated or renewed at least once a year to maintain a valid status. To register or update a current registration, visit <https://www.sam.gov>.
- Line 19:** Enter the estimated amount of NHHBG funds to be received from HUD for the 12-month housing plan period.
- Lines 20-21:** Enter the name and title of the person authorized to submit the NHHP.
- Lines 22-23:** The person authorized to submit the NHHP must sign and enter the date of the NHHP submission. By signing the NHHP, the authorized person is accepting and endorsing the certification found in Section 7, Certification of Compliance.
- Lines 24-25:** Enter the name and title of the person authorized to submit the APR.
- Lines 26-27:** The person authorized to submit the APR must sign and enter the date of the APR submission. By signing the APR, the authorized person is certifying that the document is accurate and reflects the activities accomplished during the 12-month period.

## SECTION 1: FIVE YEAR PLAN

The Five Year Plan is intended to cover DHHL's long range plans for affordable housing. Each housing plan must contain long range goals and objectives for the five-year period beginning with DHHL's fiscal year for which the NHHP is first submitted (e.g., 2024 through 2028). [NAHASDA § 803(b)]

### **Mission Statement.** [NAHASDA § 803(b)(2)(A)]

Enter a general statement of the mission of the DHHL to serve the needs of the low-income families to be served by DHHL.

**Goals, Objectives, and Programs/Activities.** [NAHASDA § 803(b)(2)(B) and (C)]

DHHL must provide a statement of the goals, objectives, and programs/activities that will enable DHHL to carry out the mission statement identified above during the five-year period. The goals are the intended result of the NHHBG activity and are based on the types of outcomes that the DHHL will report in the APR. The objectives are the means or approach that the DHHL will use to reach the goal. The programs/activities are the specific programs/activities that will be funded to achieve the goal and the objective.

Select a goal from the list of goals provided (see, *Goals May Include: items 1 through 10*). Identify your own Goal Number and describe the goal. For example:

<b>Goal(s) Number: I.</b>	<b>(5) Create new affordable rental units</b>
-------------------------------	---

For each goal identified, select an objective from the list of objectives provided (see *Objectives May Include: items 1 through 25*). Identify your own Objective Number and describe the objective. For example:

<b>Objective(s) Number: Ia.</b>	<b>(4) Construction of rental housing</b>
-------------------------------------	---

Then describe a planned program/activity and indicate how it will enable DHHL to meet its mission, goals, and objectives. For example:

<b>Program/Activity Description: Developer Financing</b>	<b>This activity provides NAHASDA funding as part of a capital stack to conduct vertical construction of rental units.</b>
--	--

List as many Goals, Objectives, and Program/Activity descriptions planned for the five year period as necessary.

**ONE YEAR PLAN & ANNUAL PERFORMANCE REPORT**

**SECTION 2: HOUSING NEEDS** [NAHASDA § 803(c)(2)(B)]

The purpose of Section 2 is to describe the housing needs of the low-income families served by DHHL and how those needs will be addressed during the 12-month period. Include a description of how the geographical distribution of assistance is consistent with the geographical needs of those families; needs for various categories of housing assistance; and a description of the estimated housing for all families to be served by DHHL.

Respond to each of the items listed below. The response may include text, charts, tables, maps, etc.

**Line 1: Type of Need.** Complete the table in accordance with the instructions below.

In each Row (1 through 10), check the appropriate box(es) in columns B, C, and D, as applicable to describe the estimated Type of Need listed in column A. Check as many or as few needs as applicable.

**Line 2: Other Needs.** If “Other” was checked for Line 1 (see Row 10 “Other, specify below”), describe the specific housing needs that are not included among the other types of needs. This should include a description of the housing needs of low-income Native Hawaiian families on the Hawaiian Home Lands or on the Hawaiian Home Lands waitlist and non-low-income Native Hawaiian families, including non-Native Hawaiian essential families [809(a)(2)(B) and (C)] eligible to be served by DHHL, as applicable.

The following definitions are to be used when completing the table.

Low-income family: means a family whose income does not exceed 80 percent of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

Family: includes, but is not limited to, a family with or without children, an elderly family, a near-elderly family, a disabled family, or a single person, as determined by the DHHL.

Median income: means, with respect to an area that is a housing area, is the greater of the median income for the housing area, which shall be determined by HUD; or the median income for the State of Hawaii.

Elderly family: means a family whose head (or his or her spouse), or whose sole member, is an elderly person (at least 62 years of age). This includes two or more elderly persons living together, and one or more such persons living with one or more persons determined under the NHHP to be essential to their care or well-being.

Near-elderly family: means a family whose head (or his or her spouse), or whose sole member, is a near-elderly person (at least 55 years of age and less than 62 years of age). This includes two or more near-elderly persons living together, and one or more such persons living with one or more persons determined under the NHHP to be essential to their care or well-being.

Substandard housing: is a housing unit that is dilapidated, does not have operable indoor plumbing, does not have a usable flush toilet inside the unit for the exclusive use of a family, does not have a usable bathtub or shower inside the unit for the exclusive use of a family, does not have electricity (or has inadequate or unsafe electrical service), does not have a safe or adequate source of heat, should, but does not have a kitchen, or has been declared unfit for habitation by an agency or unit of government.

A dilapidated housing unit is a unit that does not provide safe and adequate shelter and, in its present condition, endangers the health, safety, or well-being of a family; or a unit that has one or

more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or they may result from continued neglect or lack of repair or from serious damage to the structure.

Units needing rehabilitation: are units that fail to meet the DHHL’s housing quality standards.

College housing: is housing, the primary purpose of which is for students who are attending post high school educational facilities.

**Line 3:** **Planned Program Benefits.** Describe how DHHL’s planned programs and activities will address the affordable housing needs identified in Lines 1-2. For example, if DHHL checked that there is a need for college housing, it would then describe how DHHL’s planned program(s) address this need. *Note:* HUD does not expect that all identified needs will be addressed in the NHHP.

**Line 4:** **Geographic Distribution.** Describe how the assistance intends to be distributed throughout the geographic area and how this ties to the housing needs of low-income families, including the needs for various categories of housing assistance. [NAHASDA § 803(c)(2)(B)(i)]

**SECTION 3: PROGRAM DESCRIPTIONS** [NAHASDA § 803(c)(2)(A)], [802(c)], [820(b)], 24 CFR §1006.410(b)(2) and (3)

For the NHHP, the purpose of Section 3 is for DHHL to describe its planned program activities and intended outcomes and outputs for the 12-month period. DHHL may select any combination of activities eligible under NAHASDA and intended outcomes and outputs that are based on the affordable housing needs and priorities it has identified. There is no minimum or maximum number of eligible activities to be included in the NHHP. Rather, the NHHP should include a sufficient number of eligible activities to fully describe any tasks that DHHL intends to fund in whole or in part with NHHBG resources during the 12-month period.

For the APR, the purpose of Section 3 is to describe for each program activity DHHL’s accomplishments, actual outputs, actual outcomes, and any reasons for delays.

See the table labeled, *Eligible Activities May Include*.

Each of the eligible activities has a specific measurable output. The first column in the table lists all eligible activities, the second column identifies the output measure for each eligible activity, and the third column identifies when to consider an output as completed for each eligible activity.

See the table labeled, *Outcomes May Include*.

Choose an outcome from this list to complete text boxes 1.4 and 1.5.

Copy and paste text boxes 1.1 through 1.11 as often as needed so that all of DHHL’s planned program activities are included in the NHHP. Complete text boxes 1.1 through 1.11 as needed

for **each** program activity – the non-shaded text boxes for the NHHP and the shaded text boxes for the APR.

**Text box 1.1: Program Name and Unique Identifier.** The program name and identifier should easily identify the program and should be unique to distinguish this program from other programs that will operate during the 12-month period.

**Text box 1.2: Program Description.** Provide a clear description of the planned program activity to be carried out during the 12-month period with the amount of funding budgeted for this program in Section 5, Line 2, Column N.

The program description should include any program that will receive NHHBG resources during the 12-month period, even if some of the program tasks will take longer than 12 months to complete. In some cases, DHHL may be funding programs on an on-going basis year after year. In these instances, the activity should be listed in NHHP each year. In some cases, the program will stay the same year to year and if so, DHHL can copy the program/activity description from one NHHP to the next year's NHHP. In other cases, the program may progress through different phases from one year to the next. In these instances, DHHL should update the program description, as applicable. Note: DHHL should update the budget (Section 5) and planned outputs table (Line 1.9) to reflect the actual volume of work anticipated in the coming 12-month period.

**Text box 1.3: Eligible Activity Number.** For each program, select one activity number that best fits the program from the Eligible Activities list (see table labeled, *Eligible Activities May Include*) and enter it here. Otherwise, DHHL may wish to establish separate programs or change the eligible activity number in a subsequent year. For example, a housing construction program could be done in a phased approach and each phase would be a separate program. Land acquisition and site preparation could be a program and the project's housing construction could be another program. This approach makes it easier to plan and track a complex, multi-year project such as housing construction.

Do not combine homeownership and rental housing in one activity. Thus, when housing units are reported in the APR they are correctly identified as either homeownership or rental, not both.

**Text box 1.4: Intended Outcome Number.** Intended outcomes are the impacts that DHHL hopes to achieve through the implementation of the program activities described in the NHHP. There are 11 common outcomes and one 'other' outcome listed in the NHHP/APR form. Select one intended outcome from the Outcome list (see table labeled, *Outcomes May Include*) that most closely corresponds with the program description in Line 1.2 and enter it here. Each program can have only one outcome.

If the intended outcome is categorized as "(12) Other," describe the nature of the

outcome in ways that distinguish it from the intended outcomes in the list.

**Text box 1.5: Actual Outcome Number.** In the APR, identify the actual outcome from the Outcome list for this program. In many instances, the actual outcome will match the intended outcome identified in Line 1.4. If the actual outcome was not the intended outcome, select the most appropriate outcome from the Outcome list.

If the actual outcome is categorized as “(12) Other,” describe the nature of the outcome in ways that distinguish it from the actual outcomes in the list.

**Text box 1.6: Who Will Be Assisted.** Describe the targeted types of households to be assisted. Select only one of the options provided – Low-Income NH Households, Non-Low income NH Households, or Non-NH Households – and describe the targeted types of households to be assisted under the program activity.

For example:

Low-income NH Households     Non-low income NH Households     Non-NH Households  
**Undivided interest lessees and waitlist applicants meeting the 80% AMI income guidelines will have the opportunity to rent or rent with an option to purchase their unit.**

*Note:* assistance made available to families whose incomes exceed 80 percent of the median income (Non-low Income Households) or Non-Native Hawaiian Households must be included as a separate program within this Section. That is, do not combine assistance for low-income NH families and non-low income NH families under one program activity.

**Text box 1.7: Types and Level of Assistance.** Describe types and level of assistance to be provided to each household. The description should include any anticipated caps on the amount of assistance and program restrictions about how the level of assistance is determined and calculated.

**Text box 1.8: APR.** Describe what DHHL was able to accomplish during the 12-month period as a result of expending NHHBG resources on the program activity. Be specific in describing the actual tasks and accomplishments so that HUD can understand how NHHBG resources were spent during the 12-month period. § 1006.410(b)(2) and (3).

**Table 1.9: Planned and Actual Outputs for 12-Month Fiscal Year.** The table of *Eligible Activities* identifies the basis for which an output is considered completed and can be counted. These output measures include the number of housing units constructed, rehabilitated, or acquired; number of acres of land purchased for the development of rental or homeownership units; number of households served with various services and assistance; the amount of dollars spent on Model Activities and crime prevention and safety; and the number of Lots Improved resulting from infrastructure development to support housing development. Refer to this table when estimating the planned number of outputs and reporting on the actual



number of outputs for each program activity.

Regarding unit outputs, estimate the number of NHHBG-assisted units that will be *completed* during the upcoming 12-month period. If DHHL estimates that the construction/rehab/acquisition will be started in the coming 12 months, but will be completed in a future fiscal year, that unit should not be listed on Line 1.9 Planned and Actual Outputs for the coming 12-Month Fiscal Year.

For assistance to households, estimate the total number of households that will be assisted by that particular program activity during the upcoming 12-month period. In some cases, these households may also be assisted by other programs offered by DHHL and listed in the NHHP. Each program should be counted separately, and DHHL is not required to deduct the number of households assisted under more than one program.

**In the first column**, enter the type of output measure to be completed under the program activity. Select one of the following choices in accordance with the applicable Eligible Activity: Units; Households; Improved Lots; Acres; or Dollars.

**In the second column**, enter the planned number of outputs to be completed in the 12-month period under the program activity.

For the APR, **in the third column**, enter the actual number of outputs completed during the 12-month period. Accuracy in reporting actual outputs is very important!

**Text box 1.10:** APR. If applicable, explain why the NHHBG-funded program activity is behind schedule or completed fewer outputs than anticipated. There may have been circumstances beyond DHHL's control that affected the program. If this is so, describe those issues and the actions taken to address the problem(s).  
§ 1006.410(b)(2).

**Text box 1.11:** APR. If applicable, describe the manner in which DHHL would change its housing plan as a result of its experiences. § 1006.410(b)(4).

**Remember to complete Lines 1.1 through 1.11 for each planned program activity funded by NHHBG resources.**

## **SECTION 4: AFFORDABLE HOUSING RESOURCES**

The purpose of Section 4 of the NHHP is to provide the public with basic background information on the characteristics shaping DHHL's affordable housing programs. Each portion of the text below has several required components that must be discussed. DHHL is encouraged

to carefully review the instructions for each section and provide text covering all required elements.

**Housing Market.** [NAHASDA § 803(c)(2)(D)(i) and (ii)]

Describe the key characteristics of the housing market in the State of Hawaii, currently, and in the period of time covered by the NHHP. Include a description of the availability of housing from other public sources and private market housing, and how this supply of housing affected the DHHL’s program/activity choices.

**Cooperation.** [(NAHASDA § 803(c)(2)(D)(iii)]

Describe the structure, coordination, and means of cooperation between DHHL and other relevant partners and organizations (including private nonprofit organizations experienced in the planning and development of affordable housing) in the development, submission, or implementation of its NHHP. In addition, indicate if DHHL plans to use loan guarantees under Section 184A of the Housing and Community Development Act of 1992 and any other housing assistance provided by the Federal Government.

**Demolition and Disposition.** [NAHASDA § 803(c)(2)(D)(viii)], 24 CFR 1006.101(b)(4)(viii)

Describe any planned demolition or sale of NHHBG-assisted housing units, or any other demolition or disposition that will be carried out with NHHBG funds. Be certain to include a financial analysis of the proposed demolition, the timetable for any planned demolition or disposition and any other information that is required by HUD with respect to the demolition or disposition.

**Coordination.** [NAHASDA § 803(c)(2)(D)(ix)]

Describe how DHHL will coordinate with partners to promote employment and self-sufficiency opportunities for residents of affordable housing.

**Safety.** [NAHASDA § 803(c)(2)(D)(x)]

Describe how DHHL will promote crime prevention and resident involvement in affordable housing.

**Capacity.** [NAHASDA § 803(c)(2)(D)(xi)]

Describe the structure, capacity, and key personnel of the entities that will carry out the program/activities of the housing plan.

## **SECTION 5: BUDGETS**

Section 5, Budgets describes the sources and uses of DHHL’s funds for eligible housing activities and administrative expenses during the 12-month period. In the NHHP portion of this section, identify the anticipated or planned sources and uses of funds, including available or planned program income. In the APR portion of this section, describe the actual sources and uses of the funds.

For the NHHP, the tables at Line 1 (Sources of Funding) and Line 2 (Uses of Funding) show the

estimated sources of funding and the planned uses of funding. DHHL must fill out these two tables to show the amount of NHHBG resources that are expected, and how these funds are planned to be spent. DHHL is also required to report on other sources of funds (leveraged funds such as other HUD funds, other federal funds, Low Income Housing Tax Credits, and non-federal funds) if those funds will be used in combination with NHHBG resources for a program activity.

**Line 1 Sources of Funding.** [NAHASDA § 803(c)(2)(C)(i)]

For the NHHP, this table identifies the estimated or anticipated sources of funding and the estimated amounts planned to be spent. The table is intended to identify all sources of funds to be expended on NHHBG-assisted program activities during the 12-month period. The Sources of Funding table must include the amounts of private loans or other loans that are intended to be used for NAHASDA-eligible activities, which will later be reimbursed with NHHBG funds. For example, assume that DHHL obtains a \$100,000 private loan for the acquisition of land that will be used to develop affordable housing for low-income Native Hawaiian families eligible to reside on the Hawaiian Home Lands. Later, DHHL will use its NHHBG funds to repay this loan. The \$100,000 of assistance must be listed as a source of funds in the table as “non-federal funds.” The DHHL is cautioned that all such transactions must follow all applicable NAHASDA and other federal rules, such as environmental review, labor standards, relocation/acquisition, etc. and be for an eligible program activity included in a NHHP that was determined by HUD to be compliant with NAHASDA.

Complete the **non-shaded** portions of the table to describe the estimated or anticipated sources of funding for the 12-month period.

For the APR, this table identifies the actual sources of funding received and expended during the 12-month period. Complete the **shaded** portions of the table to identify the actual amount of funds received and expended. Only report on funds actually received and under a grant agreement or other binding commitment during the 12-month period. [NAHASDA § 820(b)(1)]

**Line 2 Uses of Funding.** [NAHASDA § 803(c)(2)(C)(ii)]

For the NHHP, this table shows how the anticipated funds are planned to be used during the 12-month period. The table is organized by the programs identified in Section 3: Program Descriptions. Each intended program name and unique identifier from Section 3, Line 1.1 should appear as a row on this table. It is not acceptable to show a use of funds that does not correspond to a planned program activity. A separate row is included for Planning and Administration expenses and Loan Repayments (if any), respectively.

If DHHL plans to use some of its NHHBG funds during the 12-month period to repay an existing loan, then that planned repayment must be listed on the Loan Repayment row at the bottom of the Uses of Funding table. If DHHL lists a loan repayment, it must describe on Line 3 the associated loan and the eligible activity the loan repayment supports. DHHL must ensure that all NHHBG and other federal requirements were followed at the time that the project was initially funded with the loan. DHHL should not repay any loan

with NHHBG resources if the program activity was not previously listed in a NHHP that HUD determined to be compliant with NAHASDA.

Complete the **non-shaded** portions of the table to identify the estimated amount of NHHBG funds and all other funds to be spent for each program, planning and administration, and loan repayments (if any) during the 12-month period.

For the APR, complete the **shaded** portions of the table to identify the actual amount spent from NHHBG funds and all other funds for each program activity, Planning and Administration expenses, and Loan Repayments (if any) during the 12-month period. Only include actual funds expended, not commitments or planned draws. If DHHL spent funds for a new program or eligible activity that was not included in the NHHP found in compliance by HUD, it must submit an amended NHHP before the end of its fiscal year. [NAHASDA § 820(b)(1)]

**Line 3 Estimated Sources or Uses of Funding.** [NAHASDA § 803(c)(2)(C)]

This text box can be used to further explain any estimated amounts in the budget. If NHHBG resources will be leveraged with other funds for a program activity, DHHL must describe that planned leveraging here. If DHHL stated that it plans to use NHHBG grant funds or program income to repay an existing loan for any planned loan repayment, then it must also describe the loan to be repaid, the associated NAHASDA eligible activity, and the NHHP program associated with the loan.

**Line 4 APR.** [NAHASDA § 820(b)(1)]

This text box can be used to further describe any actual sources or uses of funding including leverage, if any. This box must be used if a loan repayment was listed on the Uses of Funding table. The text must describe how the repayment was used, including listing the NHHP program number associated with the repayment. In addition, this box should be used to describe any leveraged funds that were received during the 12-month period and expended in combination with NHHBG funds.

## SECTION 6: OTHER SUBMISSION ITEMS

**Line 1 Useful Life/Affordability Period(s).** [NAHASDA § 813] and 24 CFR § 1006.305 NAHASDA requires that housing units that are constructed, acquired, and/or rehabilitated with NHHBG resources remain affordable, i.e., available for use by low-income families over a period known as the “useful life” of the unit. DHHL must determine the useful life timeframe for the units that will be assisted with NHHBG resources during the 12-month period of the NHHP. See NHHBG Program Guidance 2013-03 for further information on Useful Life and Binding Commitments for the NHHBG Program.

The useful life/affordability period should be the remaining useful life of the property, as approved by HUD, or the longest feasible period of time consistent with sound economics and the purposes of NAHASDA, as approved by HUD. In determining a

property’s affordability period or useful life, DHHL could use a tiered schedule similar to that used in HUD’s HOME program to determine the affordability period. This would specify a number of years during which the housing must remain affordable, dependent on the amount of NHHBG resources being invested in the property per occurrence. For example:

<u>NHHBG Funds Invested</u>	<u>Affordability Period</u>
Less than \$5,000 .....	6 months
\$5,000 to \$15,000 .....	5 years
\$15,001 to \$40,000 .....	10 years
More than \$40,000 .....	15 years
New construction or acquisition of newly constructed housing .....	20 years

The dollar ranges and/or the corresponding number of years may differ from those shown above depending on local conditions. DHHL may choose to assign a longer affordability period to ensure the availability of a larger, continuing affordable housing supply for low-income families.

If DHHL chooses to use some other method of assigning the affordability period, the NHHP should describe how the method provides for an affordability period with appropriate consideration given to any unique local conditions. In setting a useful life/affordability period, a specific number of years should be given for the affordability period, not a range of years (e.g., not “30 to 40 years”) or a general statement. The number of years should also be without ambiguous qualification (e.g., “about,” “approximate,” “if properly maintained,” “planned,” “expected,” “estimated,” etc.) The designated affordability period should in no way be contingent on the continuation of NHHBG funding.

Provide a description of DHHL’s plan or system for determining the useful life/affordability period of the housing units assisted with NHHBG funds during the 12-month period. A record of the current, specific useful life/affordability period applicable to NHHBG-assisted housing units must be maintained in DHHL’s files and available for review for the duration of the useful life/affordability period.

**Line 2 Model Housing and Over-Income Activities.**

[NAHASDA § 810(b)(5) and 809(a)(2)(B)], 24 CFR § 1006.225 and 1006.301(b)

A Model Activity is one that is related to affordable housing but is not explicitly described as eligible in NAHASDA. See NHHBG Program Guidance 2014-02 for further information on Native Hawaiian Housing Block Grant Model Activities.

Line 2 is only applicable if DHHL intends to fund a Model Activity, **or** if it wishes to provide assistance for homeownership activities to Native Hawaiian households whose incomes exceed 100 percent of the area median income **or** anticipates expending more than 10 percent of its NHHP budget on assistance for homeownership activities for families whose incomes fall between 81 percent and 100 percent of the area median income.

DHHL must receive HUD approval to serve households above 100 percent of area median income, **or** to spend more than 10 percent of its NHHP budget to assist households between 81 percent and 100 percent of area median income.

If DHHL wishes to implement a Model Activity under NAHASDA, or if it wishes to provide assistance for homeownership activities to non-low-income households (as described in 24 CFR § 1006.301), those activities may be described in Line 2 or as a separate submission from the NHHP. If DHHL has not already included a completed Section 3 with the Model Activity request, DHHL **must** complete the NHHP portions of Section 3 (Program Descriptions) for each approved Model Activity by submitting a NHHP amendment. The amended NHHP, including the approved model activity, must be used when submitting the APR.

Any proposed Model Activity must be approved by HUD before incurring any expenses and beginning any work on that Model Activity.

**Line 3 Anticipated Planning and Administration Expenses.**

[NAHASDA § 802(d)] and 24 CFR § 1006.230

A term and condition of the NHHBG grant agreement between HUD and DHHL is that DHHL may budget and expend up to 20 percent of the funds from the grant award for administrative and planning expenses eligible under NAHASDA.

In Line 3, indicate whether DHHL intends to exceed the spending cap for Planning and Administration expenses as identified in its NHHBG grant agreement with HUD. Check the appropriate box, Yes or No.

If the response is yes, describe why the additional funds are needed for Planning and Administration costs.

**Line 4 Actual Planning and Administration Expenses.**

[NAHASDA § 802(d)], 24 CFR § 1006.230

In Line 4, indicate whether DHHL exceeded the spending cap for Planning and Administration expenses as identified in its NHHBG grant agreement with HUD. Check the appropriate box, Yes or No.

If the response is yes, indicate whether DHHL received prior HUD approval to exceed the spending cap on Planning and Administration expenses. Check the appropriate box, Yes or No.

If DHHL did not receive prior HUD approval to exceed the spending cap on Planning and Administration costs, describe the reason(s) for exceeding the cap.

## SECTION 7: NATIVE HAWAIIAN HOUSING PLAN CERTIFICATION OF COMPLIANCE

[NAHASDA § 803(c)(2)(E)]

By signing the NHHHP, DHHL certifies its compliance with Title VI of the Civil Rights Act of 1964 (42 USC Part 2000d et seq.) or the Fair Housing Act (42 USC 3601 et seq.), to the extent applicable, and ensures that DHHL has all appropriate policies and procedures in place to operate its planned programs. HUD monitors compliance by reviewing these written policies and procedures, ensuring that they are physically on file at DHHL's office and that staff are aware of them.

- Line 1:** DHHL must certify that it will comply with Title VI of the Civil Rights Act of 1964 or the Fair Housing Act and other federal statutes and regulations, to the extent that they are applicable.
- Line 2:** DHHL must certify that it will require adequate insurance coverage in compliance with NAHASDA requirements.
- Lines 3-5:** DHHL must certify whether certain policies are in effect and available for HUD review. Note that some of the policies may not be applicable depending on program design. For example, if DHHL only operates homeownership programs, not rental programs, then it should indicate "Not Applicable" on the form next to the items that are related to rental housing policies.

## SECTION 8: SELF-MONITORING

[NAHASDA § 819(b), 24 CFR § 1006.401]

Section 8, Self-Monitoring provides additional monitoring information for HUD. NAHASDA requires DHHL to conduct an annual review of the progress made during the 12-month period of its planned NHHBG program activities and housing assisted with NHHBG funds to assess compliance with NAHASDA requirements. The review shall include monitoring conducted by DHHL of all contractors involved in the administration of NHHBG activities.

DHHL must describe if and how it conducted self-monitoring or an annual compliance assessment. DHHL must then describe the monitoring or assessment results and planned corrections of the issues identified. If DHHL changed its self-monitoring plan and/or policy since the last year, DHHL should also submit a copy of the revised plan and/or policy.

- Line 1:** Indicate whether DHHL has a self-monitoring procedure and/or policy. Check the appropriate box, Yes or No.
- Line 2:** Indicate whether DHHL completed the annual compliance assessment of its NHHBG activities, including monitoring of its sub-recipients, as required. Check the appropriate box, Yes or No.

**Line 3:** Describe the self-monitoring activities conducted during the 12-month period, including housing inspections conducted. Describe the results of DHHL’s monitoring and inspection activities. DHHL shall explain the conclusions of its review and inspections including a description of accomplishments, identified improvements, performance deficiencies, and any corrective actions taken or plans to improve performance and ensure compliance with NHHBG requirements. DHHL should be specific about the monitoring activities and any corrective actions so that the HUD reviewer can understand DHHL’s self-monitoring process and results.

## SECTION 9: INSPECTIONS

[NAHASDA § 819(b)]

DHHL’s self-monitoring and monitoring of sub-recipients must include onsite inspection of NHHBG-assisted housing units to determine compliance with applicable requirements. The Inspection of Units table is used to record the results of the inspections of DHHL’s HUD-assisted housing. The requirement to periodically inspect units applies to all units under the DHHL’s control (i.e., while an NHHBG-assisted homeownership unit is being constructed/rehabilitated), including NHHBG-assisted units owned/operated by DHHL. DHHL is not required to inspect every assisted unit every year; however, over time, all units should be inspected. DHHL may take a representative sample of its units and rotate which units are inspected each year. DHHL is not required to inspect privately owned homeownership units after the NHHBG-assisted construction/rehabilitation is complete.

If DHHL conducted more than one inspection of the same unit during the 12-month period, DHHL should only report the condition of the unit based on the last inspection.

**Line 1: Inspection of Units.** Complete the Results of Inspections table as follows:

In Column B, enter the number of NHHBG-assisted housing units inspected during the 12-month period for each Activity listed on Rows a through d. Add the number of units inspected for all activities and enter the sum in the Total row.

In Column C, enter the total number of NHHBG-assisted housing units in DHHL’s inventory for each Activity listed on Rows a through d. Add the number of units in DHHL’s inventory for all activities and enter the sum in the Total row.

**Line 2:** Indicate whether DHHL complied with its inspection policy. Check the appropriate box, Yes or No.

**Line 3:** If the response in Line 2 is no, explain why DHHL did not comply with its inspection policy.



## SECTION 10: AUDITS

24 CFR § 1006.375(d)

As an NHHBG recipient, DHHL must comply with the requirements of the Single Audit Act and 2 CFR part 200, subpart F. These requirements mandate that DHHL have a financial audit conducted if it expends \$750,000 or more in Federal awards during its fiscal year. Section 10 of the APR is used to indicate whether DHHL is required to have an audit conducted.

If DHHL reached or exceeded the expenditure threshold, check the Yes box. If the Yes box is checked, DHHL is required to submit an audit that is compliant with 2 CFR Part 200 Subpart F to the Federal Audit Clearinghouse.

If DHHL's financial records document that it did not reach this expenditure threshold and a financial audit is not required, check the No box.

## SECTION 11: PUBLIC AVAILABILITY

[NAHASDA § 820(d)], 24 CFR § 1006.410(c)

NAHASDA requires that DHHL shall make the APR available to the beneficiaries of the Hawaiian Homes Commission Act for review and comment before it is submitted to HUD. Failure to make the APR available for public comment prior to submission may result in the APR being rejected for a statutory violation. A resubmitted APR requires public comment if significant changes were made such as new table data or new activities. There is no need for public comment on a resubmitted APR when only technical corrections were made.

**Line 1:** Indicate whether DHHL made this APR available to beneficiaries for review and comment before it was submitted to HUD. Check the appropriate box, Yes or No.

**Line 2:** If DHHL did not make the APR available to beneficiaries or answered "No" in Line 1, it must explain why not and when it plans to make the APR available.

**Line 3:** DHHL must summarize the comments it received and how it addressed these comments. DHHL does not have to provide each and every comment, but it should generally summarize all comments and describe its plan for addressing any significant issues.

## SECTION 12: JOBS SUPPORTED BY NAHASDA

[NAHASDA § 820]

The table in Section 12 provides HUD with the estimated number of permanent and temporary jobs that are paid each year in whole or in part with NHHBG funds. This estimate should include the number of DHHL staff positions, sub-recipient staff positions, and Contractor and Subcontractor staff positions.

HUD's Office of Labor Relations uses the definitions of permanent and temporary employment as provided below.

A permanent employee, full-time or part-time, is one whose employment agreement with the employer is not limited by duration and remains continuous until employment is terminated, voluntarily or otherwise, or unless the employment agreement is altered to include a limit on duration.

A temporary employee, full-time or part-time, is one whose employment agreement with the employer contains conditions under which the employment is limited by duration involving time or task (for example, not to exceed 6 months from hire, or on a date determined by the employer, or upon completion of a specified task(s)).

**Line 1:** Enter the number of **Permanent** jobs supported with use of NHHBG funds.

**Line 2:** Enter the number of **Temporary** jobs supported with use of NHHBG funds.

**Line 3:** Optional – enter additional information to describe the jobs reported in Lines 1-2 above.

**Section 3 of the HUD Act of 1968 Reporting Requirements:**

(24 CFR § 1006.375(e); § 75.25(a))

Section 3 of the HUD Act of 1968 was enacted to ensure, to the greatest extent feasible, that economic opportunities generated by certain HUD financial assistance expenditures are directed to low- and very low-income persons, particularly those who receive Federal financial assistance for housing and those residing in communities where the financial assistance is expended.

Pursuant to the Section 3 regulations in 24 CFR Part 75, the NHHBG program is subject to provisions that cover housing rehabilitation, housing construction, and other public construction projects when the total amount of HUD assistance to the project exceeds a threshold of \$200,000, and is defined as a Section 3 Project (see definition at [§ 75.3\(a\)\(2\)](#)).

The definition for the following additional terms can be found at [§ 75.5](#):

Labor Hours

Section 3 Worker

Targeted Section 3 Workers

NHHBG recipients (including DHHL, Subrecipients, Contractors, and Subcontractors) are subject to Section 3 reporting requirements at 24 CFR 75.25. The report may be based on the employer's good faith assessment of labor hours worked by full-time or part-time employees on all projects completed within the 12-month reporting period.

**Line 1:** Enter the total number of labor hours (i.e., paid hours) worked by persons on a Section 3 Project.

**Line 2:** Enter the total number of labor hours worked by Section 3 Workers.

**Line 3:** Enter the total number of labor hours worked by Targeted Section 3 Workers.

**List Qualitative Efforts Made if Section 3 Benchmarks Are Not Met:**

If the reporting of labor hours worked in Lines 1-3 does not meet the Section 3 benchmarks described in [§ 75.23](#), DHHL must report the qualitative nature of the activities it and its contractors and subcontractors pursued. A list of such qualitative efforts may include, but are not limited to the following:

- (1) Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.
- (2) Provided training or apprenticeship opportunities.
- (3) Provided technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).
- (4) Provided or connected Section 3 workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services.
- (5) Held one or more job fairs.
- (6) Provided or referred Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, child care).
- (7) Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
- (8) Assisted Section 3 workers to obtain financial literacy training and/or coaching.
- (9) Engaged in outreach efforts to identify and secure bids from Section 3 business concerns.
- (10) Provided technical assistance to help Section 3 business concerns understand and bid on contracts.
- (11) Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.
- (12) Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
- (13) Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.

- (14) Outreach, engagement, or referrals with the state one-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.

## **SECTION 13: NHHP WAIVER REQUESTS**

[NAHASDA § 802(b)(2)], 24 CFR 1006.20(b)

THIS SECTION OF THE NHHP IS ONLY REQUIRED IF DHHL IS REQUESTING A WAIVER OF A NHHP SECTION.

Complete Section 13 if DHHL is requesting a waiver of one or more sections of the NHHP.

**NOTE:** This is NOT a waiver of the NHHBG program requirements but rather a request to waive some of the NHHP submission items because DHHL cannot comply due to circumstances beyond its control.

**Line 1:** If DHHL needs a waiver of any sections of the NHHP, identify those sections by name and section number.

**Line 2:** Describe the reason(s) that DHHL is requesting the waiver(s) from Line 1.

**Line 3:** Describe the specific actions DHHL will take to ensure that it will be able to submit a complete NHHP in the future. Identify the administrative corrections DHHL intends to implement so that future NHHPs will be complete.

**Lines 4-7:** Identify DHHL and the official's name and title who is authorized to sign the waiver request. The official must sign and date the waiver request.

## **SECTION 14: NHHP AMENDMENTS**

24 CFR § 1006.101(d)

This section is only filled out if DHHL is making an official amendment to a NHHP that was previously determined to be in compliance by HUD, and DHHL is required to send the amended NHHP to HUD for review. DHHL may amend its NHHP at any time during the Program Year.

The only time a NHHP amendment must be submitted to HUD for review and determination of compliance is when DHHL is adding a new activity that was not described in the current NHHP that was determined to be in compliance by HUD.

DHHL is not required to submit an amended NHHP to HUD:

- If the revision simply alters the NHHP budget, including moving funds among planned tasks; or

- If it deletes a planned activity, *unless* the re-programmed funds from the budget amendment or task deletion will be used for a new task not currently in a NHHP determined by HUD to be in compliance.

**NOTE:**

Section 1 (Cover Page) is recommended but not required with a NHHP Amendment submission.

**Lines 1-10:** See Section 3 (Program Descriptions), Lines 1.1 through 1.10 for instructions on completing these lines.

**Line 11:** **Amended Sources of Funding.** The Amended Sources of Funding budget should show any new sources of funding associated with a new or revised program that were not included in the previously submitted NHHP. The amended budget should list all sources that were described in the previously submitted NHHP that will continue to be funded under the amended NHHP. In effect, the Amended Sources of Funding budget replaces the Sources of Funding budget. Complete the Amended Sources of Funding budget by inserting all existing sources from the Sources of Funding budget in Section 5 and change the amount of funding in Row 8 (Other Federal Funds) and/or Row 10 (Non-Federal Funds). For additional information on completing an Amended Sources of Funding budget, see Section 5, Line 1.

**Line 12:** **Amended Uses of Funding.** The Amended Uses of Funding budget is not just for the new or revised program but should list all programs that were described in the previously submitted NHHP that will continue to be funded under the amended NHHP.

In effect, the Amended Uses of Funding budget replaces the Uses of Funding budget. Complete the Amended Uses of Funding budget by inserting all existing programs from the Uses of Funding Budget in Section 5 and add a new row for each new or revised program. DHHL is required to fill out the budget on Line 12 for all NHHBG resources allocated to each of the NHHBG-eligible activities. The revised budget must include both the NHHBG funds from the current FY funding allocation and the NHHBG funds to be expended in the 12-month program year. DHHL is not required to include other funding sources such as Low-Income Housing Tax Credits (LIHTC) unless these funds will be combined with NHHBG resources. For additional information on completing a Uses of Funding budget, see Section 5, Line 2.

For example, assume that DHHL has \$500,000 in NHHBG grant and anticipated program income available. DHHL's initial NHHP submission planned on spending \$300,000 on a homeownership program, \$100,000 on a crime prevention program, and \$100,000 on planning and administration. Early in the year, DHHL decides that it really needs an owner-occupied unit rehabilitation program. So, it elects to cancel the crime prevention program and reduce the homeownership funding to \$250,000. The amended budget should show \$150,000

for owner-occupied rehabilitation, \$250,000 for homeownership and continue to show \$100,000 for planning and administration for a budget total of \$500,000. See Section 5, Line 3 in this guidance for more information.

**Line 13:** **Estimated Sources or Uses of Funding.** This text box can be used to further explain any estimated amounts in the budget. If NHHBG resources will be leveraged with other funds in the same projects or programs, DHHL must describe that planned leveraging in this box. DHHL also must use this box if it has stated that it plans to use NHHBG grant funds or NHHBG program income to repay an existing loan. In that case, describe the loan, the associated eligible activity, and the NHHP program number.

**Line 14:** **APR.** This text box can be used to further describe any actual expenditure during the 12-month period. This box must be used if a loan repayment has been listed on the Uses of Funding table. The text must describe how the repayment was used, including listing the NHHP program number associated with the repayment. In addition, this box should be used to describe any leveraged funds that were received during the 12-month period and expended in combination with NHHBG funds.

**Lines 15-18:** Identify DHHL and the official's name and title who is authorized to sign the NHHP Amendment. The official must sign and date the NHHP Amendment.