

Exhibit 36-3A
Housing Opportunities for Persons With AIDS (HOPWA) Program
Coronavirus Relief and Economic Security Act (CARES Act)

Guide for Review of HOPWA CARES Act Grants Housing Planning and Rent Subsidies	
Name of Grantee:	
Staff Consulted:	
Program Year Under Review:	
Name(s) of Reviewer(s):	Date:

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFO, 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 monitor core HOPWA program requirements for all HOPWA formula (HOPWA-CV) and HOPWA competitive (HOPWA-C-CV) CARES Act grants. This Exhibit is also to be used as explained below to monitor FY2020 grant funds that were used in accordance with the flexibilities HUD provided under Section V of Notice CPD-20-05. The Exhibit's questions that pertain to HUD's COVID-19 waivers, which applied to all HOPWA grants, should also be used when monitoring any HOPWA grants subject to those waivers. The questions pertaining to the COVID-19 waivers are as follows:

- A.1.** Waiver to the Time Limit for Short-Term Rent, Mortgage, and Utility Payments
- C. 19.** Waiver of Source Documentation Requirement for Income and HIV Status Determinations
- D. 27.** Waiver of Submission Deadlines for Consolidated Annual Progress and Evaluation Reports (CAPER) and Annual Progress Reports (APR)
- G.35.** Waiver of the Rent Standard for HOPWA Rental Assistance
- G. 40.** Waiver of Property Standards Requirements for HOPWA Rental Assistance

These are the seven sections of the HOPWA CARES Housing Planning and Rent Subsidies Monitoring Exhibit:

- A. Questions Specific to FY 2020 grant funds that were used in accordance with the flexibilities HUD provided under Section V of Notice CPD-20-05
- B. Grant Administration and Responsibilities
- C. Client Eligibility and Assessment
- D. Record Retention and Access
- E. Reporting
- F. Short-Term Rent, Mortgage and Utility (STRMU) Programs
- G. Rental Assistance Programs

If a grantee designated all or a portion of its FY2020 HOPWA Formula allocation on allowable COVID-19 activities in its Annual Action Plan (AAP), monitors should utilize Section A as well as any of Sections B-G that apply to the grantee's use of their FY 2020 formula funds for COVID-19 response. The monitor will utilize this Exhibit to review the designated portion of FY

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2020 funds for COVID-19 activities and HOPWA Exhibit (10-1) to monitor any FY 2020 funds not specifically designated for COVID-19 activities.

If the grantee did not designate FY 2020 HOPWA Formula funds for COVID-related activities, the monitor should move directly to Section B and all other areas that apply to the grantee's HOPWA-CV or HOPWA-C-CV grants. Sections B-D should be used to monitor all HOPWA-CV and HOPWA C-CV grant programs. Sections E and F should be used for HOPWA-CV and HOPWA-C-CV grants utilized for STRMU (Section E) and Rental Assistance Program (Section G) activities. Programs that utilized CARES-Act funds for facility-based activities should use HOPWA CARES Act Facility Based Activities Exhibit in addition to this Exhibit to monitor those specific program activities. Reviewers should use a combination of file samples, support documentation, and staff interviews to complete this Exhibit.

Applicable Requirements and Waivers

Notice CPD-20-05: <https://www.hud.gov/sites/dfiles/OCHCO/documents/2020-05cpdn.pdf>

In addition to the applicable requirements at 24 CFR part 574, this Exhibit assesses compliance with the specific requirements established for CARES Act funding, as provided by the HOPWA-CV and HOPWA-C-CV grant agreements and Notice CPD-20-05: Coronavirus Aid, Relief, and Economic Security Act Implementation Instructions and Related Flexibilities for the Housing Opportunities for Persons With AIDS Program. Notice CPD-20-05, which HUD issued on May 8, 2020 and is incorporated by Article II of the HOPWA-CV and HOPWA-CV grant agreements, clarifies the requirements and authorities provided for HOPWA grants made under the CARES Act.

Importantly, section XII of Notice CPD-20-05 also provided:

- (1) HOPWA waivers HUD made available on March 31, 2020 for COVID-19 response were made applicable under the same conditions for HOPWA-CV and HOPWA-C-CV grants, except that the waivers could also be applied retroactively as described below.
- (2) Regulatory waiver flexibilities offered by HUD specific to the use of amounts in the HOPWA program in response to the COVID-19 pandemic may be deemed effective as of the date a grantee began preparing for coronavirus, which HUD shall presume to be no earlier than January 21, 2020, provided that grantees and project sponsors must:
 - a. maintain documentation demonstrating when the recipient began preparing for COVID-19, such as notes on formal planning meetings or call; and
 - b. maintain documentation to support any costs incurred by the recipient that the recipient plans to cover or reimburse with CARES Act grant funding.

HOPWA Waivers to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19

HUD issued a series of memoranda explaining the availability of waivers for certain regulatory requirements associated with several CPD grant programs, including HOPWA CARES Act and non-CARES Act grants, to prevent the spread of COVID-19 and to facilitate assistance to

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eligible communities and households economically impacted by COVID-19. Links to the waiver memoranda are included below as a reference for monitors. Each Exhibit question provides required information on the applicability of the COVID-19 waivers.

March 31, 2020 waivers:

<https://www.hud.gov/sites/dfiles/CPD/documents/Availability-of-Waivers-of-CPD-Grant-Program-and-Consolidated-Plan-Requirements-to-Prevent-the-Spread-of-COVID-19-and-Mitigate-Economic-Impacts-Caused-by-COVID-19.pdf>

May 22, 2020 waivers:

https://www.hud.gov/sites/dfiles/CPD/documents/Additional_Waivers_for_CPD_Grant_Programs_to_Prevent_COVID-19_Spread_and_Mitigate_COVID-19_Economic_Impacts.pdf

March 26, 2021 waivers:

https://www.hud.gov/sites/dfiles/CPD/documents/DI-7782-MegaWaiver-5-for-CPD_v2-3-26-2021_JAJ_signed.pdf

June 30, 2021 waivers:

https://www.hud.gov/sites/dfiles/CPD/documents/signed-2021-MegaWaiver-6_Final.pdf

December 31, 2021 waivers:

https://www.hud.gov/sites/dfiles/CPD/documents/Additional_Waivers_CPD_COVID19_December_2021.pdf

Questions:

A. Questions Specific to FY 2020 grant funds that were used in accordance with the flexibilities HUD provided under Section V of Notice CPD-20-05

1.

<p>a. If the grantee used HOPWA funds to provide rent, mortgage, and utilities payments to prevent the homelessness of the tenant or mortgagor of a dwelling, were the payments for each family limited to costs that accrued over a period of no more than 21 weeks in any 52 week period? <i>If “no” is checked, answer question b.</i></p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>b. If the 21-week limit was exceeded, did the grantee meet HUD’s conditions for waiving this limitation in response to COVID-19? <i>If “no” is checked, answer question c.</i></p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>NOTE: Use the checklist below to assess and note compliance with the</p>	

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<p>conditions on HUD’s waiver of the 21-week limit on STRMU assistance to respond to COVID-19.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Grantee notified HUD two days before the grantee anticipates using the waiver flexibility, as specified in the waiver memorandum that applied to the months reviewed. <input type="checkbox"/> Grantee’s program records include written documentation of the specific conditions that justify the grantee’s use of the waiver, consistent with HUD’s justifications and limitations on the waiver (e.g., the records describe the financial and/or health problems the pandemic caused or exacerbated in the community, which justify the grantee’s use of the STRMU waiver to provide longer assistance with rent, mortgage or utility costs to prevent homelessness where permanent housing could not be achieved within 21 weeks.) <input type="checkbox"/> The grantee or project sponsor documented that a good faith effort had been made <u>on an individual household basis</u> to assist the household to achieve permanent housing within 21 weeks but that financial needs and/or health and safety concerns prevented the household from doing so. <input type="checkbox"/> The grantee or project sponsor established written policies and procedures outlining efforts to regularly reassess the needs of assisted households as well as processes for granting extensions based on documented financial needs and/or health and safety concerns. <input type="checkbox"/> The grantee only used the waiver for STRMU costs accruing up to 52 weeks to prevent the homelessness of the tenant or mortgagor of a dwelling. <input type="checkbox"/> The grantee only provided STRMU assistance as permitted by the waiver <u>during the period the waiver applied</u>. HUD’s March 31, 2020 waiver, which applied until June 30, 2021, and HUD’s June 30, 2021 waiver, which applied until December 31, 2021. 	
<p>c. If the grantee did not meet the conditions for HUD’s waiver of the 21-week limit, were the non-CARES Act funds that were used for costs exceeding 21 weeks limited to FY2020 formula grant funds that the grantee identified and used as provided by Sections III.C and V of Notice CPD-20-05?</p> <p>NOTE: Use the checklist below to assess and note compliance with the relevant conditions in section III.C and V of Notice CPD-20-05. Note that all boxes must be checked to answer Yes above.</p> <ul style="list-style-type: none"> <input type="checkbox"/> All CARES Act funds were expended before any non-CARES Act funds were used to make STRMU payments for up to 24 months as provided by Notice CPD-20-05. <input type="checkbox"/> The <u>only</u> non-CARES Act funds used to pay costs exceeding the 21-week limit on STRMU payments were FY2020 formula grant funds that were identified and approved in the grantee’s FY2020 	<div style="display: flex; justify-content: space-around; align-items: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </div> <p>Yes No N/A</p>

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AAP (or a HUD-approved substantial amendment to the grantee’s FY2020 AAP) for providing up to 24 months of STRMU assistance to prevent, prepare for, or respond to coronavirus. <input type="checkbox"/> The total STRMU assistance provided to any individual or family did not exceed a period of 24 consecutive months. [For FY2020 formula funds: 24 CFR 574.330(a)(1); FY2020 HOPWA Formula Grant Agreement, Article II; Notice CPD-20-05, Section V; For all other non-CARES Act funds: 24 CFR 574.330(a)(1)]	
Describe Basis for Conclusion:	

2.

Did the grantee or its project sponsors utilize any FY2020 Formula HOPWA grant funds for allowable activities to prevent, prepare for and respond to the COVID-19 pandemic use the flexibilities described in section III.B, III.C or III.D of Notice 20-05 for any HOPWA grants other than HOPWA-CV or HOPWA-C-CV? If “no,” the rest of the questions in this section do not apply and should be marked “N/A.”	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

3.

a. Did the grantee expend all HOPWA funds it received under the CARES Act BEFORE the grantee began using its FY2020 Formula HOPWA grant funds in accordance with the flexibilities described in section III.B, III.C and III.D of Notice 20-05? [FY2020 Formula Grant Agreement, Article II; Notice CPD-20-05, Section V]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
b. Did the grantee limit the use of flexibilities described in section III.B, III.C and III.D of Notice CPD-20-05 to the portion of the grantee’s FY2020 HOPWA formula grant that the grantee designated for activities to prevent, prepare for, and respond to COVID-19 in either the grantee’s initial approved FY2020 AAP or an amendment to its FY2020 AAP that the grantee timely submitted for HUD approval? [Notice CPD-20-05, Section V]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

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4.

<p>a. Did the grantee use more than 3% of its FY2020 grant for the grantee’s administrative costs? <i>If yes, answer b and c, below. If no, skip b and c and go to the next question. For questions b and c, the term “covid-19 response” refers to activities to prevent, prepare for, and respond to the COVID-19 pandemic as described in section V of Notice CPD-20-05.</i></p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
<p>b. Were the total FY2020 grant charges for the grantee’s administrative costs allocable to COVID response equal to or less than 6% of the portion of FY2020 formula HOPWA funding the grantee identified for COVID response in its approved con plan submissions? [FY2020 Formula Grant Agreement, Articles II and XVII; Notice CPD-20-05, Section III.B. Administrative Costs]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
<p>c. Were the remaining FY2020 grant charges for the grantee’s administrative costs equal to or less than 3% of the portion of FY2020 formula HOPWA funding that the grantee did NOT identify for COVID response in its approved con plan submissions? [FY2020 Formula Grant Agreement, Articles II and XVII; Notice CPD-20-05, Section III.B; 24 CFR 574.300(b)(10)(i)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

5.

<p>a. Did the project sponsor use more than 7% of its subaward of the FY2020 grant for administrative costs? <i>If yes, answer b and c, below. If no, skip b and c and go to the next question. For questions b and c, the term “COVID-19 response” refers to activities to prevent, prepare for, and respond to the COVID-19 pandemic as described in section V of Notice CPD-20-05.</i></p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
<p>b. Were the total FY2020 grant charges for project sponsor administrative costs allocable to COVID response equal to or less than 10% of each project sponsor’s subaward of the portion of FY2020 formula HOPWA funding the grantee identified for COVID response in its approved con plan submissions? [FY2020 Formula Grant Agreement, Articles II and XVII; Notice CPD-20-05, Section III.B. Administrative Costs]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

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<p>c. Were the remaining FY2020 grant charges for project sponsor administrative costs equal to or less than 7% of each project sponsor's subaward of the portion of FY 2020 formula HOPWA funding that the grantee did NOT identify for COVID response in its approved con plan submissions? [FY2020 Formula Grant Agreement, Articles II and XVII; Notice CPD-20-05, Section III.B. Administrative Costs]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

B. GRANT ADMINISTRATION AND RESPONSIBILITIES

6.

<p>a. <u>Formula Grantees</u>: Are the activities provided consistent with the community needs for COVID-19 preparedness and response that were described in the HUD-approved AAP or Substantial Amendment for HOPWA funding under the CARES Act? [Grant Agreement, Article II; Notice CPD-20-05, Section III.A]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
<p>b. <u>Competitive Grantees</u>: Are the activities provided consistent with the community needs for COVID-19 preparedness and response that were described in the HUD-approved descriptive package/submission for additional HOPWA funds under the CARES Act? [Grant Agreement, Article II; Notice CPD-20-05, Sections III.A and VII]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

7.

<p>Does the grantee and its project sponsors demonstrate cooperation and coordination with relevant government agencies responsible for services in the area served by the grantee for eligible persons and other public and private organizations and agencies providing services for such eligible persons? [24 CFR 574.420(a)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

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8.

<p>Does the grantee only use funds for eligible HOPWA activities in 24 CFR 574.300(a) and (b) that were needed to prevent, prepare for, and respond to COVID-19 and the additional activities allowed by the CARES Act and Section III of Notice CPD-20-05? [24 CFR 574.300(a) and (b); Grant Agreement, Article II; Notice CPD-20-05, Section III]</p>	<p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A </p>
<p>Describe Basis for Conclusion:</p>	

9.

<p>If the grantee used its funds for expenditures made before the grant's period of performance, does the supporting documentation show the costs were otherwise allowable; the expenditures were needed to prevent, prepare for, and respond to coronavirus; and the expenditures were made after the later of January 21, 2020 or the date the grantee began preparing for COVID-19, as demonstrated by documentation maintained by the grantee, such as notes on formal planning meetings or calls to prepare for coronavirus? [Grant Agreement, Articles II and III; Notice CPD-20-05, Section III.A]</p>	<p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A </p>
<p>Describe Basis for Conclusion:</p>	

10.

<p>Is the grantee in compliance with the grantee administrative costs cap of six (6) percent of the grant amount? [Grant Agreement, Articles II and XVII (HOPWA-CV)/Articles II and XX (HOPWA-CV-C); Notice CPD-20-05, Section III.B]</p>	<p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A </p>
<p>Describe Basis for Conclusion:</p>	

11.

<p>Did the grantee allow no more than ten (10) percent of each subaward to be used for that project sponsor's administrative costs? [Grant Agreement, Articles II and XVII (HOPWA-CV)/Articles II and XX (HOPWA-CV-C); Notice CPD-20-05, Section III.B]</p>	<p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A </p>
<p>Describe Basis for Conclusion:</p>	

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12.

<p>a. Did the grantee employ procedures to ensure HOPWA grant funds were not used to make payments for health services for any item or service to the extent that payment has been made with respect to that item or service under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or by an entity that provides health services on a prepaid basis? [24 CFR 574.310(a)(2)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
<p>b. If the grantee has used HOPWA funds for health services or medical payments, does a review of selected client files document that the grantee and/or project sponsor have verifiable means of assuring that any such payments are: NOTE: Use the checklist below to assess and note compliance with the conditions on a use of grant funds for health services and medical payments. All boxes must be checked to answer Yes above.: <input type="checkbox"/> Not otherwise reasonably expected to be made under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or by an entity that provides health services on a prepaid basis; <input type="checkbox"/> Consistent with the grantee's community needs for COVID-19 preparedness and response; and <input type="checkbox"/> Not a prohibited duplication of benefits? [24 CFR 574.310(a); Grant Agreement, Articles II and XVIII (HOPWA-CV)/Articles II and XXI (HOPWA-CV-C); Notice CPD-20-05, Section III.A]]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion	

13.

<p>a. Has the grantee established written procedures and undertaken staff training efforts to ensure confidentiality and physical security of information regarding individuals receiving HOPWA assistance, including names and addresses? [24 CFR 574.500(a); 24 CFR 574.440]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
<p>b. Do grantees and/or project sponsors only release or provide access to information on a client's HIV/AIDS status or other related client eligibility documentation to qualified individuals who determine eligibility or provide support, or who oversee the provision of</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A

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HOPWA assistance? [24 CFR 574.440]	
Describe Basis for Conclusion:	

14.

a. Does the grantee have a written “termination of assistance” policy that meets the minimum due process requirements in 24 CFR 574.310(e)(2)(ii)? [24 CFR 574.500(a); 24 CFR 574.310(e)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
b. If a program participant has been terminated for violating program conditions, was the process and determination for termination consistent with the organization’s policy? [24 CFR 574.500(a); 24 CFR 574.310 (e)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

15.

a. If the grantee or any of its project sponsors engages in explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization), are the HOPWA-supported activities run by the grantee or project sponsor clearly separated in time or location from explicitly religious activities? [24 CFR 574.300(c); 24 CFR 5.109(e)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
b. If the grantee or any of its project sponsors engages in explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization), is participation in explicitly religious activities <u>voluntary</u> for the beneficiaries of the HOPWA-supported activities run by the grantee or project sponsor? [24 CFR 574.300(c); 24 CFR 5.109(e)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

16.

Does the grantee have a system in place for complying with all requirements of the Federal award, including the Federal Funding	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
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Accountability and Transparency Act (FFATA) and System for Award Management (SAM) requirements provided under 2 CFR parts 25 and 170? (If yes, describe the system.) [2 CFR 200.300(b); 24 CFR 574.605]	
Describe Basis for Conclusion:	

17.

Does the grantee monitor its activities to assure compliance with applicable program requirements and that performance expectations are being achieved? NOTE: Monitoring by the grantee must cover each program, function, or activity. [2 CFR 200.329(a); 24 CFR 574.605; 24 CFR 574.500]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

18.

If the award being monitored has been closed out, did the grantee: <ul style="list-style-type: none"> • Repay any funds owed to HUD as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustments? • Comply with the audit requirements in Subpart F of 2 CFR part 200? • Comply with property management and disposition requirements in Subpart D, §§200.310 – 200.316, as applicable? [2 CFR 200.344; 24 CFR 574.605; 24 CFR 574.650]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

C. CLIENT ELIGIBILITY AND ASSESSMENT

19.

a) Do client files contain medical documentation confirming that at least one family member has HIV/AIDS diagnosis?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
b) If the answer to question <i>a</i> is “no,” did the grantee (and project sponsor, if applicable) meet the conditions for HUD’s waiver of the requirement to document that assistance was limited to eligible persons, as defined in 24 CFR 574.3? NOTE: HUD’s March 31, 2020 waiver, which applied until June 30, 2021, and HUD’s June 30, 2021 waiver, which applied until September, 30, 2021,	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A

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<p>allowed grantees to rely on self-certifications of HIV states and income, subject to the following conditions:</p> <p>NOTE: Use the checklist below to assess and note compliance with the conditions on HUD’s waiver of documentation of client eligibility to respond to COVID-19.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Grantee MUST notify HUD two days before the grantee anticipates using the waiver flexibility, as specified in the waiver memorandum. <input type="checkbox"/> Grantee MUST update its program records to include written documentation of the specific conditions that justify the recipient’s use of the waiver, consistent with HUD’s justifications and limitations on the waiver. <input type="checkbox"/> For March 31, 2020 waiver, grantee also MUST require written certification of the household seeking assistance of their HIV status and income, and agree to obtain source documentation of HIV status and income eligibility within 3 months of public health officials determining no additional special measures are necessary to prevent the spread of COVID-19. <input type="checkbox"/> For June 30, 2021 waiver, grantee also MUST require written certification of the household seeking assistance of their HIV status and income and agree to obtain source documentation of HIV status and income eligibility by September 30, 2021. <p>[24 CFR 574.500(a); 24 CFR 574.530]</p>	
Describe Basis for Conclusion:	

20.

<p>a. For HOPWA activities that are income-restricted, do the client files show the grantee (or its project sponsor) obtained and maintained documentation verifying the income for each adult member in the household in the timeframe specified above (i.e. for the June 30, 2021 waiver, by September 30, 2021)?</p> <p>NOTE: A person with AIDS or related diseases or a family member regardless of income is eligible to receive housing information services, as described in § 574.300(b)(1). Any person living in proximity to a community residence is eligible to participate in that residence's community outreach and educational activities regarding AIDS or related diseases, as provided in § 574.300(b)(9). For all other HOPWA assistance, the client files must show the grantee or project-sponsor only provided the assistance to clients whose incomes did not exceed HUD’s “low-income” limit for the area.</p>	<table style="margin: auto;"> <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					
Describe Basis for Conclusion:							
<p>a. If the clients files do not show verification of income through source documents/third parties or the grantee or project sponsor claims to have used HUD’s waiver of the income documentation requirements,</p>	<table style="margin: auto;"> <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					

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<p>did the grantee and project sponsor satisfy the conditions for HUD’s income documentation waiver? NOTE: To answer this question, please refer back to the “Note” for the preceding question, which lists the conditions that applied to HUD’s March 31, 2020 waiver (effective until June 30, 2021) and June 30, 2021 waiver (effective until September, 30, 2021), which allowed grantees to rely on self-certifications of HIV status and income. [24 CFR 574.500(a); 24 CFR 574.530]</p>	
Describe Basis for Conclusion:	
<p>b. Did the grantee update client eligibility records no less than annually? [Grant Agreement, Article XV (HOPWA-CV)/Article XVII (HOPWA-C-CV)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
<p>a.</p> Describe Basis for Conclusion:	

21.

<p>Does the client file provide documentation of all persons residing in the household during the period(s) of HOPWA assistance? [24 CFR Part 574.3]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

22.

<p>a. Did the grantee and/or project sponsors ensure all activities were carried-out in compliance with grant requirements? <ul style="list-style-type: none"> • Operate the program in accordance with regulations and other applicable HUD regulations; • Conduct an ongoing assessment of the housing assistance and supportive services required by the participants in the program; • Assure the adequate provision of supportive services to participants in the program; and • Comply with such other terms and conditions; including recordkeeping and reports (which must include racial and ethnic data on participants) for program monitoring and evaluation purposes, as HUD may establish for purposes of carrying out the program in an effective and efficient manner. [24 CFR 574.500(b); Grant Agreement]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

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D. RECORD RETENTION AND ACCESS

23.

Does the grantee ensure that records are maintained for a four-year period to document compliance with the covered HOPWA award, including current and accurate data on the race and ethnicity or program participants? [24 CFR 574.530]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

24.

For formula grantees: Do the grantee's recordkeeping policies ensure records relating to the use of HOPWA assistance are maintained for at least 5 years to assure the grantee can meet its obligations for providing reasonable access to records as required by the grantee's citizen participation plan and 24 CFR part 91? [24 CFR 91.105(h) (for local governments); 24 CFR 91.115(g) (for states)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

25.

Does HUD have access to all documents, papers, or other records of the grantee that are pertinent to the HUD award, in order to make audits, examinations, excerpts, and transcripts, including timely and reasonable access to the grantee's personnel for purposes of interviews and discussions related to such documents? [24 CFR 574.605; 2 CFR 200.337(a)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

E. REPORTING

26.

a. Is the grantee implementing program activities that specifically target homeless populations?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
b. If the grantee uses homelessness or chronic homelessness as primary client eligibility criteria, and the grantee uses a Homeless Management Information System ("HMIS") to track services for	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A

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homeless clientele, has the grantee made sure medical information and HIV status are not shared with providers that do not have direct involvement in the eligible person's case management, treatment, and care in line with their signed release of information? [Grant Agreement, Article IX (HOPWA-CV)/Article X (HOPWA-C-CV)]	
Describe Basis for Conclusion:	

27.

<p>a. Formula Only- In reporting to HUD in the CAPER does the grantee collect complete, accurate, timely, and comprehensive performance data for all HOPWA activities funded through the CARES Act or FY20 funding designated for COVID-19-related activities? NOTE: For HOPWA Formula grants, the CAPER is due within 90 days after the end of the jurisdiction's program year. However, section X of Notice CPD-20-05 provided an extension of up to 90 days to any HOPWA grantee with a CAPER or APR due to HUD within six months of May 8, 2020, as long as the grantee submitted an email to HOPWA@hud.gov and notified the grantee's local HUD Field Office. [For HOPWA-CV: 24 CFR 574.520(a), 24 CFR 91.520(a), and Grant Agreement, Article XI; For HOPWA-C-CV: 24 CFR 574.520(a), Grant Agreement, Article XII]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
<p>b. Formula Only - Does the grantee have a tracking system or other method of documenting the receipt, review, and correction (as needed) of the annual performance reports which are used to report to HUD through the grantee's CAPER? [24 CFR 574.500(a) and 24 CFR 574.520]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	
<p>c. Competitive Only - In reporting to HUD in the APR, does the grantee collect complete, accurate, timely, and comprehensive performance data that is separate from grantees' regular HOPWA Competitive grant for all its HOPWA activities? NOTE: . . For HOPWA Competitive grants, the APR is due to HUD within 90 days of the end of each 12-month operating period until all Grant Funds are expended. However, section X of Notice CPD-20-05 provided an extension of up to 90 days to any HOPWA grantee with a CAPER or APR due to HUD within six months of May 8, 2020, as long as the grantee submitted an email to HOPWA@hud.gov and notified the grantee's local HUD Field Office. [For HOPWA-CV: 24 CFR 574.520(a), 24 CFR 91.520(a), and Grant Agreement, Article XI; For HOPWA-C-CV: 24 CFR 574.520(a), Grant Agreement, Article XII]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A

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Describe Basis for Conclusion:	
<p>d. Competitive Only - Does the grantee have a tracking system or other method of documenting the receipt, review, and correction (as needed) of the annual performance reports to ensure there is no duplication of services with non-CARES Act HOPWA Competitive grant? [24 CFR 574.500(a) and 24 CFR 574.520]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

28.

<p>Is each CAPER or APR submitted to HUD accurate, complete, and consistent with information in the Integrated Disbursement and Information System (IDIS) for the year covered by the CAPER or APR? [24 CFR 574.500(a) and (b)(4); 574.605; 2 CFR 200.302(b)(2)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

29.

<p>Is the CAPER or APR submitted to HUD accurate, complete, and consistent with the recipient's support documentation for the actual outputs, outcomes, and funds expended for housing and support services provided during the reporting period being reviewed? [24 CFR 574.500(a) and (b)(4); 574.605; 2 CFR 200.302(b)(2) and (b)(3)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

F. SHORT-TERM RENT, MORTGAGE AND UTILITY (STRMU) PROGRAMS

30.

<p>Does the grantee have agreements with project sponsors for the use of a standard grant-wide tracking method for short-term rent, mortgage and utility assistance (STRMU) so that the time limitations are consistently and accurately enforced? [24 CFR 574.330; 24 CFR 574.500(a); 24 CFR 574.605; 2 CFR 200.303(a)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

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31.

Does the grantee and/or project sponsor comply with time limitations on short-term rent, mortgage, and utility payments by not providing any individual more than 24 months of assistance? [Notice CPD-20-05, Section III.C; Grant Agreement, Articles II and XVII (HOPWA-CV)/Articles II and XX (HOPWA-CV-C)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

32.

Is STRMU assistance consistent with an assessment of the family's housing or utility needs and connected to the establishment of a related individual housing service plan to address those on-going needs? [24 CFR 574.330(d); 574.500(b)(2) and (b)(4)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

33.

For STRMU assistance, does the grantee and/or project sponsor provide the opportunity for case management services from the appropriate social service agencies to assisted individuals, if eligible? [24 CFR 574.330(e)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

G. RENTAL ASSISTANCE PROGRAMS

34.

Does the grantee have a method of tracking client annual income recertifications and resident rent payment determinations? [24 CFR 574.310; 24 CFR 574.320; 24 CFR 574.500(b)(2)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

35.

a. Based on a sample review of client files, do records document that the resident rent payments charged to the household comply with resident rent payments standards and were updated annually?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
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<p>NOTE: The rent standard requirements at 24 CFR 574.320(a)(1) and corresponding COVID-19 waiver flexibility are addressed in the next question.</p> <p>If the “no” box is checked, please proceed to part b.</p>							
<p>Describe Basis for Conclusion:</p>							
<p>b. If the grantee or project sponsor did not use a rent standard that complied with 24 CFR 574.320(a)(2) as part of determining the maximum subsidy under 24 CFR 574.320(a)(1), did the grantee meet the conditions and limits HUD established for its waiver of 24 CFR 574.320(a)(2)?</p> <p>NOTE: HUD allowed grantees to utilize the FMR rent standard waiver under the following conditions: NOTE: Use the checklist below to assess and note compliance with the conditions on HUD’s rent standard waiver. Note that all boxes must be checked to answer Yes above.</p> <ul style="list-style-type: none"> <input type="checkbox"/> HUD Notification: Grantee MUST notify HUD two days before the grantee anticipates using the waiver flexibility, as specified in the waiver memorandum. <input type="checkbox"/> Documentation of need: Grantee MUST update its program records to include written documentation of the specific conditions that justify the recipient’s use of the waiver, consistent with HUD’s justifications and limitations on the waiver. <input type="checkbox"/> Grantees and project sponsors must still ensure the reasonableness of rent charged for a unit in accordance with §574.320(a)(3). <input type="checkbox"/> To qualify for the initial waivers made available through May 21, 2021, HOPWA grantees were to establish and use rent standards, by unit size, that were reasonable, and based upon rents being charged for comparable unassisted units in the area, taking into account the location, size, type, quality, amenities, facilities, management and maintenance of each unit. <input type="checkbox"/> Effective dates: Except for the retroactive effect provided by section XII of Notice CPD-20-05 (discussed in the instructions above), the FMR waiver was only effective for for the following timeframes: <ul style="list-style-type: none"> a. For tenant-based rental assistance: March 31, 2020 until March 30, 2021 b. For all rental assistance types: May 22, 2020 until March 31, 2022 <p>[24 CFR 574.320(a)(2)]</p>	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">Yes</td> <td style="text-align: center;">No</td> <td style="text-align: center;">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					

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Describe Basis for Conclusion:

36.

Based on a sample review of client files, do records show that rent reasonableness requirements were documented and applied correctly and updated on an annual basis? [24 CFR 574.320(a)(3)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

37.

Are rental assistance projects providing participants with reimbursements for utility payments based on a current utility schedule? [24 CFR 574.310(d)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

38.

Are rental assistance projects requiring the participant to pay amounts over the calculated resident rent payment? [24 CFR 574.320]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

39.

Did rental assistance projects require participants to pay additional fees besides rent? [24 CFR 574.430]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

40.

Do grantee and/or project sponsor files verify that housing quality standards are being met in connection with providing rental assistance? NOTE: HUD provided partial waivers of 24 CFR 574.320(b) to allow for remote inspection of units, under the following conditions: NOTE: Use the checklist below to assess and note compliance with the conditions on HUD's partial waiver of housing quality standards	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
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<p>inspections to respond to COVID-19. Note that all boxes must be checked to answer Yes above.</p> <ul style="list-style-type: none"> <input type="checkbox"/> HUD Notification: Grantee MUST notify HUD two days before the grantee anticipates using the waiver flexibility, as specified in the waiver memorandum. <input type="checkbox"/> Documentation of need: Grantee MUST update its program records to include written documentation of the specific conditions that justify the recipient's use of the waiver, consistent with HUD's justifications and limitations on the waiver. <input type="checkbox"/> Visual Inspection: The recipient or project sponsor must visually inspect the unit using technology, such as video streaming, to ensure the unit meets HQS before any assistance is provided. <input type="checkbox"/> (a) For use of the March 31 and May 22, 2020 waivers: The recipient or subrecipient must have written policies to physically reinspect the unit after health officials determine special measures to prevent the spread of COVID-19 are no longer necessary. (b) For use of the March 31, 2021 waiver: The grantee or project sponsor must have written policies to physically reinspect the unit within 3 months after the health officials determine special measures to prevent the spread of COVID-19 are no longer necessary. (c) For use of the June 30, 2021 waiver: The grantee or project sponsor MUST have written policies to physically reinspect the units not previously physically inspected by December 31, 2021. (d) For use of the December 31, 2021 waiver: The grantee or project sponsor MUST have written policies that require physical reinspection of the units not previously physically inspected by June 30, 2022. <input type="checkbox"/> Effective dates: Except for the retroactive effect provided by section XII of Notice CPD-20-05 (discussed in the instructions above), the HOPWA Quality Standards waiver was only effective for for the following timeframes: (a) The March 31, 2020 waiver was made effective until March 30, 2021, but only applied for tenant-based rental assistance. (b) The May 22, 2020 waiver was made effective until May 21, 2021, and applied for all housing types subject to 24 CFR 574.320(b) (c) The March 31, 2021 waiver was made effective for all applicable housing types until June 30, 2021. (d) The June 30, 2021 waiver was made effective for all applicable housing types until September 30, 2021. (e) The December 31, 2021 waiver was made effective for all applicable housing types until until March 31, 2022. <p>[24 CFR 574.310(b)(2)]</p>	
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Describe Basis for Conclusion:

41.

Does the grantee have verification procedures to ensure compliance with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and implementing regulations for rental assistance where housing was constructed prior to 1978? If Yes, please ensure Chapter 24 of the CPD Monitoring Handbook is reviewed for Lead Based Paint Compliance [24 CFR 574.635 and 24 CFR Part 35]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion:			

42.

Has the grantee established and maintained adequate procedures to prevent duplication of benefits with CARES Act funds? [Notice CPD-20-05, Section III.A; Grant Agreement, Article II and XVIII (HOPWA-CV)/Article II and XXI (HOPWA-CV-C)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion:			