

<b>Guide for Review of HOPWA CARES Act Grants Facility-based Projects</b>			
<b>Name of Grantee:</b>			
<b>Staff Consulted:</b>			
<b>Program Year Under Review:</b>			
<b>Name(s) of Reviewer(s):</b>		<b>Date:</b>	

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, 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 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 Space and Security to allow for Social Distancing within a Facility-Based Program: Reconfiguration of Communal Space
- A.2.** Waiver to the Space and Security to allow for Social Distancing withing a Facility-Based Program: Hotel/Motel Stay
- C.10.** Waiver to the Space and Security to allow for Social Distancing within a Facility-Based Program: Reconfiguration of Communal Space
- C.11.** Waiver to the Space and Security to allow for Social Distancing withing a Facility-Based Program: Hotel/Motel Stay
- C.18.** Waiver for Short-term Facility Stays for up to 120-days in a six month period
- D.21.** Waiver of Property Standards Requirements

These are the five sections of the HOPWA CARES Facility-based Projects 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. Development
- C. Facility Operations
- D. On-Site Review of Facility-Based Programs
- E. Review of Rent Standards and Resident Rent Payments in Facility-Based 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-D that apply to the grantee's use of the their FY 2020 formula funds for COVID-19 response. The monitor will utilize this exhibit to review the designated portion of FY

2020 funds for COVID-19 activities and HOPWA Exhibit (10-2) 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. Section B should be used to monitor all HOPWA-CV and HOPWA C-CV grant programs that utilized funds for rehabilitation and/or repairs on an existing HOPWA facility. Sections C-E should be utilized for only the review of all Facility-Based Programs that utilized HOPWA-CV and HOPWA-C-CV funds. 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 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.

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

6509.2 REV-7 CHG 4

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](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](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](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](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. Did the grantee use HOPWA funds to maintain social distancing (reconfiguration of common spaces) within a facility based program to address the need for adequate space and security to ensure affected eligible households were able to quarantine for the recommended allotted time frame by local health care professionals?  <i>If “yes” is checked, answer question b. Otherwise move to question 2</i></p>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>
<p>b. If the grantee used funds to address the need for adequate space and security, 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><b>NOTE:</b> Use the checklist below to assess and note compliance with the conditions on HUD’s waiver of the space and security assistance to respond to COVID-19.</p> <p><input type="checkbox"/> Grantee notified HUD two days before the grantee anticipates</p>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>

Housing Opportunities for Persons With AIDS (HOPWA) Program  
 Coronavirus Relief and Economic Security Act (CARES Act)

<p>using the waiver flexibility, as specified in the waiver memorandum that applied to the months reviewed.</p> <ul style="list-style-type: none"> <li><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 Space and Security waiver).</li> <li><input type="checkbox"/> The grantee only used the waiver for Space and Security costs for the recommended time frame set by local healthcare professionals.</li> <li><input type="checkbox"/> The grantee only provided Space and Security assistance as permitted by HUD’s March 31, 2020 waiver, which applied until December 30, 2021, and HUD’s December 30, 2021 waiver, which applied until March, 31, 2022,</li> </ul>	
<p>c. If the grantee did not meet the conditions for HUD’s waiver of the Space and Security regulation, were the non-CARES Act funds that were used for costs limited to FY2020 formula grant funds that the grantee identified and used as provided by Sections III.D and V of Notice CPD-20-05?</p> <p><b>NOTE:</b> Use the checklist below to assess and note compliance with the relevant conditions in section III.D and V of Notice CPD-20-05.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> All CARES Act funds were expended before any non-CARES Act funds were used to ensure adequate space and security as provided by Notice CPD-20-05.</li> <li><input type="checkbox"/> The <u>only</u> non-CARES Act funds used to pay costs to ensure adequate space and security were FY2020 formula grant funds that were identified and approved in the grantee’s FY2020 AAP (or a HUD-approved substantial amendment to the grantee’s FY2020 AAP) for providing adequate space and security to prevent, prepare for, or respond to coronavirus.</li> </ul> <p><i>[For FY2020 formula funds: 24 CFR 574.310(b)(2)(iii); FY2020 HOPWA Formula Grant Agreement, Article II; Notice CPD-20-05, Section V;                  For all other non-CARES Act funds: 24 CFR 574.310(b)(2)(iii)]</i></p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>  <b>Yes No N/A</b></p>
<p><b>Describe Basis for Conclusion:</b></p>	

2.

<p>a. Did the grantee use HOPWA funds to maintain social distancing within a facility based program by allowing for households to stay in a hotel/motel to address the need for adequate space and security to ensure affected eligible households were able to quarantine for the recommended allotted time frame by local health care professionals?                  If “yes” is checked, answer question b.</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>  <b>Yes No N/A</b></p>
---	--

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

6509.2 REV-7 CHG 4

<p>b. If the grantee used funds to address the need for adequate space and security, 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><b>NOTE:</b> Use the checklist below to assess and note compliance with the conditions on HUD’s waiver of the space and security assistance to respond to COVID-19.</p> <ul style="list-style-type: none"> <li><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.</li> <li><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 Space and Security waiver.</li> <li><input type="checkbox"/> The grantee only used the waiver for Space and Security costs for the recommended time frame set by local healthcare professionals.</li> <li><input type="checkbox"/> The grantee only provided Space and Security assistance as permitted by HUD’s March 31, 2020 waiver, which applied until December 30, 2021, and HUD’s December 30, 2021 waiver, which applied until March 31, 2021,</li> </ul>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>
<p>c. If the grantee did not meet the conditions for HUD’s waiver of the Space and Security waiver, were the non-CARES Act funds that were used for costs limited to FY2020 formula grant funds that the grantee identified and used as provided by Sections III.D and V of Notice CPD-20-05?</p> <p><b>NOTE:</b> Use the checklist below to assess and note compliance with the relevant conditions in section III.D and V of Notice CPD-20-05.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> All CARES Act funds were expended before any non-CARES Act funds were used to ensure adequate space and security as provided by Notice CPD-20-05.</li> <li><input type="checkbox"/> The <u>only</u> non-CARES Act funds used to pay costs to ensure adequate space and security were FY2020 formula grant funds that were identified and approved in the grantee’s FY2020 AAP (or a HUD-approved substantial amendment to the grantee’s FY2020 AAP) for providing adequate space and security to prevent, prepare for, or respond to coronavirus.</li> </ul> <p><i>[For FY2020 formula funds: 24 CFR 574.310(b)(2)(iii); FY2020 HOPWA Formula Grant Agreement, Article II; Notice CPD-20-05, Section V;  For all other non-CARES Act funds: 24 CFR 574.310(b)(2)(iii)]</i></p>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	

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

6509.2 REV-7 CHG 4

<p>d. Did the grantee or its project sponsors have policies in place regarding hotel/motel stays that detail time limits as well as processes for granting extensions based on documented household health and safety concerns in accordance with CDC guidance, if needed?</p> <p>[Notice CPD-20-05, Section III.D]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	

3.

<p>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 and use the flexibilities described in section III.B, III.C or III.D of Notice 20-05?</p> <p><i>If “yes,” answer questions 4.</i></p> <p><i>If “no,” the rest of the questions in this section do not apply and should be marked “N/A.”</i></p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	

4.

<p>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.D of Notice 20-05?</p> <p>[ FY2020 Formula Grant Agreement, Article II; Notice CPD-20-05, Section V]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	
<p>b. Did the grantee limit the use of flexibilities described in section III.D of Notice 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 FY 2020 AAP that the grantee submitted for HUD approval?</p> <p>[Notice CPD-20-05, Section V]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	

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

6509.2 REV-7 CHG 4

**B. DEVELOPMENT**

5.

<p>Were HOPWA CARES Act funds utilized for the rehabilitation or repair of current HOPWA Facility Based Programs or community residences in order to prevent, prepare for, and respond to COVID-19?  [Notice CPD-20-05, Section III;24 CFR 574.300(b)(3)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes    No    N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	

6.

<p>Does the grantee adequately track and observe the “Minimum Use Periods” for development activities related to new construction, acquisition, rehabilitation, and repair of facilities to provide housing and services or has the grantee been granted a valid waiver of the minimum use period?   Note: In the case of assistance involving new construction, substantial rehabilitation or acquisition of a building or structure, the minimum use period is 10 years. In the case of non-substantial rehabilitation or repair of a building or structure, the minimum use period is 3 years. HUD can grant a waiver of the 10 or 3 year minimum use period.  [24 CFR 574.310(c)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes    No    N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	

7.

<p>In reviewing compliance with the use periods for facilities, does an examination of related Grantee records, such as restrictive covenants, verify that the structures are to provide housing or assistance for the stipulated number of years (10 years for projects involving new construction, substantial rehabilitation, acquisition; 3 years for projects involving non-substantial rehabilitation; or the time period specified in the waiver)?  [24 CFR 574.310(c)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes    No    N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	

8.

<p>If the project included rehabilitation, repair, or conversion, did the work performed satisfactorily follow development standards for environmental procedures and standards, including environmental clearances?  [24 CFR 574.510]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes    No    N/A</b>
--	---

**Describe Basis for Conclusion:**

9.

<p>If the project included rehabilitation, repair, conversion, acquisition, short-term rent, mortgage, and utility assistance, permanent housing placement, or tenant-based rental assistance did the work performed comply with lead-based paint requirements?</p> <p>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]</p>	<input type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>	<input type="checkbox"/> <b>N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>			

C. Facility Operations

10.

<p>a. Did the grantee use HOPWA funds to maintain social distancing (reconfiguration of common areas) within a facility based program to address the need for adequate space and security to ensure affected eligible households were able to quarantine for the recommended allotted time frame by local health care professionals? <i>If “yes” is checked, answer question b. If “no” is checked, proceed to the next question.</i></p>	<input type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>	<input type="checkbox"/> <b>N/A</b>
<p>b. If the grantee used funds to address the need for adequate space and security, 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><b>Note:</b> Use the checklist below to assess and note compliance with the conditions on HUD’s waiver of the space and security assistance to respond to COVID-19.</p> <ul style="list-style-type: none"> <li><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.</li> <li><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 Space and Security waiver.</li> <li><input type="checkbox"/> The grantee only used the waiver for Space and Security costs for</li> </ul>	<input type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>	<input type="checkbox"/> <b>N/A</b>

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

6509.2 REV-7 CHG 4

<p>the recommended time frame set by local healthcare professionals.</p> <p><input type="checkbox"/> Effective dates: Except for the retroactive effect provided by section III.D of Notice CPD-20-05 (discussed in the instructions above), the space and security waiver was only effective for the following timeframes: March 31, 2020 through March 31, 2022. [ 24 CFR 574.310(b)(2)(iii); Notice CPD-20-05, Section V]</p>	
<b>Describe Basis for Conclusion:</b>	

11.

<p>a. Did the grantee use HOPWA funds to maintain social distancing and/or provide hotel and/or motels stays to address the need for adequate space and security to ensure affected eligible households were able to quarantine for the recommended allotted time frame by local health care professionals? <i>If “yes” is checked, answer question b.</i></p>	<p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b></p>
<p>b. If the grantee used funds to address the need for adequate space and security, did the grantee meet HUD’s conditions for waiving this limitation in response to COVID-19? <b>Note:</b> Use the checklist below to assess and note compliance with the conditions on HUD’s waiver of the space and security assistance to respond to COVID-19.</p> <p><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.</p> <p><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 Space and Security waiver.</p> <p><input type="checkbox"/> The grantee only used the waiver for Space and Security costs for the recommended time frame set by local healthcare professionals.</p> <p><input type="checkbox"/> Effective dates: Except for the retroactive effect provided by section III.D of Notice CPD-20-05 (discussed in the instructions above), the space and security waiver was only effective for the following timeframes: March 31, 2020 through March 31, 2022. [ 24 CFR 574.310(b)(2)(iii); Notice CPD-20-05, Section V]</p>	<p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b></p>
<b>Describe Basis for Conclusion:</b>	

12.

<p>Do the HOPWA-assisted projects demonstrate adequate capacity to administer the activities outlined in Notice CPD-20-05 to prevent, prepare for, and respond to COVID-19?</p>	<p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b></p>
---	---

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

6509.2 REV-7 CHG 4

[24 CFR 574.410; Notice CPD-20-05, Section V]	
<b>Describe Basis for Conclusion:</b>	

13.

<p>If the grantee funds operating costs in community residences as allowed under Notice CPD-20-05 to prevent, prepare for, and respond to COVID-19, has the grantee or project sponsor(s) obtained and maintained certifications for the agreement of services at the community residence, the adequacy of funding, and the capability of the service providers?  [24 CFR 574.340(b)(1)-(3); Notice CPD-20-05, Section V]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes    No    N/A</b>
<b>Describe Basis for Conclusion:</b>	

14.

<p>Does the grantee ensure confidentiality and physical security of client records and the address/location for facilities leased or operated with HOPWA funds?  [24 CFR 574.440]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes    No    N/A</b>
<b>Describe Basis for Conclusion:</b>	

15.

<p>Does the grantee have procedures for ensuring that property and assets acquired with CARES Act funds for use at HOPWA-assisted facilities are used for authorized purposes under Notice CPD-20-05 to prevent, prepare for, and respond to COVID-19?  [24 CFR 574.500; Notice CPD-20-05, Section V]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes    No    N/A</b>
<b>Describe Basis for Conclusion:</b>	

16.

<p>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)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes    No    N/A</b>
<b>Describe Basis for Conclusion:</b>	

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

6509.2 REV-7 CHG 4

17.

<p>a. For short-term facilities such as overnight shelters, does the grantee and/or project sponsor comply with residency limitations of not providing shelter for more than 50 families or individuals at any single time?</p> <p><i>If “no” continue to question b</i></p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes   No   N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	
<p>b. If grantee and/or project sponsor does not comply with limitations of not providing shelter for more than 50 families or individuals at any single time is there documentation of a HUD waiver?  [24 CFR 574.330; 24 CFR 574.330(b)(2)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes   No   N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	

18.

<p>a. For short-term facilities such as overnight shelters, did the grantee utilize funds to allow for short-term supported facilities to provide residence for any individual for a period up to 120 days in a six-month period?  <i>If “yes” is checked, answer question b.</i></p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes   No   N/A</b>
<p><b>Describe Basis for Conclusion:</b></p>	
<p>c. If the grantee used funds to address the need for longer time limits on STRMU assistance, did the grantee meet HUD’s conditions for waiving this limitation in response to COVID-19?</p> <p><b>Note:</b> Use the checklist below to assess and note compliance with the conditions on HUD’s waiver of the time limits for STRMU assistance to respond to COVID-19.</p> <ul style="list-style-type: none"> <li><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.</li> <li><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 time limits to STRMU waiver.</li> <li><input type="checkbox"/> The grantee only used the waiver for STRMU costs for the recommended time frame set by local healthcare professionals.</li> <li><input type="checkbox"/> Effective dates: The time limits for STRMU waiver was only</li> </ul>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes   No   N/A</b>

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

6509.2 REV-7 CHG 4

<p style="text-align: center;">effective for the following timeframes: March 31, 2020 through December 31, 2022.</p> <p>[24 CFR 574.330; Notice CPD-20-05, Section III.C; Grant Agreement, Articles II and XVII (HOPWA-CV)/Articles II and XX (HOPWA-CV-C)]</p>	
<b>Describe Basis for Conclusion:</b>	

19.

<p>For short-term facilities, such as overnight shelters, does the grantee and/or project sponsor, to the maximum extent practicable, provide the assisted individual an opportunity for placement in permanent housing or in a living environment appropriate to their needs?</p> <p>[24 CFR 574.330©(d)]</p>	<table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><b>Yes</b></td> <td><b>No</b></td> <td><b>N/A</b></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<b>Yes</b>	<b>No</b>	<b>N/A</b>					
<b>Describe Basis for Conclusion:</b>							

20.

<p>For short-term facilities, 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?</p> <p>[24 CFR 574.330(e)]</p>	<table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><b>Yes</b></td> <td><b>No</b></td> <td><b>N/A</b></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<b>Yes</b>	<b>No</b>	<b>N/A</b>					
<b>Describe Basis for Conclusion:</b>							

D. ON-SITE REVIEW OF Facility-Based Programs

21.

<p>Do grantee and/or project sponsor files verify that housing quality standards are being met through a physical inspection of the facility?</p> <p><b>NOTE:</b> HUD provided partial waivers of 24 CFR 574.320(b) to allow for remote inspection of units, under the following conditions:  <b>NOTE:</b> Use the checklist below to assess and note compliance with the conditions on HUD’s partial waiver of housing quality standards inspections to respond to COVID-19.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> HUD Notification: Grantee <b>MUST</b> notify HUD two days before the grantee anticipates using the waiver flexibility, as specified in the waiver memorandum.</li> <li><input type="checkbox"/> Documentation of need: Grantee <b>MUST</b> 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.</li> <li><input type="checkbox"/> Visual Inspection: The recipient or project sponsor must visually</li> </ul>	<table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><b>Yes</b></td> <td><b>No</b></td> <td><b>N/A</b></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<b>Yes</b>	<b>No</b>	<b>N/A</b>					

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

6509.2 REV-7 CHG 4

<p>inspect the unit using technology, such as video streaming, to ensure the unit meets HQS before any assistance is provided.</p> <p><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.</p> <p>(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.</p> <p>(c) For use of the June 30, 2021 waiver: The grantee or project sponsor <b>MUST</b> have written policies to physically reinspect the units not previously physically inspected by December 31, 2021.</p> <p>(d) For use of the December 31, 2021 waiver: The grantee or project sponsor <b>MUST</b> have written policies that require physical reinspection of the units not previously physically inspected by June 30, 2022.</p> <p><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:</p> <p>(a) The March 31, 2020 waiver was made effective until March 30, 2021, but only applied for tenant-based rental assistance.</p> <p>(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)</p> <p>(c) The March 31, 2021 waiver was made effective for all applicable housing types until June 30, 2021.</p> <p>(d) The June 30, 2021 waiver was made effective for all applicable housing types until September 30, 2021.</p> <p>(e) The December 31, 2021 waiver was made effective for all applicable housing types until until March 31, 2022.</p> <p>[24 CFR 574.310(b)(2); Notice CPD-20-05, Section X]</p>	
<b>Describe Basis for Conclusion:</b>	

22.

<p>Does the facility provide safe and sanitary housing that is in compliance with all applicable State and local housing codes, licensing requirements, and any other requirements in the jurisdiction in which the housing is located regarding the condition of the structure and the operation of the housing?</p> <p>[24 CFR 574.310(b)(1)]</p>	<table style="margin: auto;"> <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;"><b>Yes</b></td> <td style="text-align: center;"><b>No</b></td> <td style="text-align: center;"><b>N/A</b></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<b>Yes</b>	<b>No</b>	<b>N/A</b>					
<b>Describe Basis for Conclusion:</b>							

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

6509.2 REV-7 CHG 4

23.

<p>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?</p> <p>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]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<b>Describe Basis for Conclusion:</b>	

24.

<p>This question reviews the habitability standards required for all housing assisted under 24 CFR 574.300(b)(3),(4),(5), and (8). These requirements apply to Facility-based programs when the organization owns or leases the units, Master Leasing programs when the organization is the tenant subletting to households, and TBRA programs where the organization is responsible for approving the unit the tenant rents. Grantees and project sponsors are required to ensure all housing quality standards at 24 CFR 574.310(b) are met for covered housing assistance.</p>	
<p>Based on your on-site review, and staff interviews:</p>	
<p>a. Is the facility structurally sound so as not to pose any threat to the health and safety of the occupants and so as to protect the residents from hazards?  [24 CFR 574.310(b)(2)(i)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p>b. Is the housing accessible and capable of being utilized without unauthorized use of other private properties?  [24 CFR 574.310(b)(2)(ii)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p>c. Does the structure provide alternate means of egress in case of fire?  [24 CFR 574.310(b)(2)(ii)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p>d. Are residents provided an acceptable place to sleep?  [24 CFR 574.310(b)(2)(iii)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p>e. Are rooms and space provided with natural or mechanical ventilation, and free of pollutants in the air at levels that threaten the health of residents?  [24 CFR 574.310(b)(2)(iv)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p>f. Is the water supply free from contamination at levels that threaten the health of individuals?  [24 CFR 574.310(b)(2)(v)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>
<p>g. Does the housing have adequate heating and/or cooling facilities in proper operating condition?  [24 CFR 574.310(b)(2)(vi)]</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes No N/A</b>

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

6509.2 REV-7 CHG 4

h. Does the housing have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of residents? [24 CFR 574.310(b)(2)(vii)]	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>
i. Are sufficient electrical sources provided to permit use of essential electrical appliances while assuring safety from fire? [24 CFR 574.310(b)(2)(vii)]	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>
j. Do food preparation areas contain suitable space and equipment to store, prepare, and serve food in a sanitary manner? [24 CFR 574.310(b)(2)(viii)]	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>
k. Is the housing and any equipment maintained in sanitary condition? [24 CFR 574.310(b)(2)(ix)]	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>
<b>Describe Basis for Conclusion:</b>  	

F. Review of Rent Standards and Resident Rent Payments in Facility-Based Programs

25.

Does the grantee have a method of tracking client annual income re-certifications (all facility-based assistance) and resident rent payment determinations (except for short-term facilities)? [24 CFR 574.310; 24 CFR 574.320; 24 CFR 574.500(b)(2)]	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>
<b>Describe Basis for Conclusion:</b>  	

26.

a. Except for short-term facilities, do records document that the resident rent payments charged to the household comply with resident rent payments standards and were updated annually? <b>NOTE:</b> The rent standard requirements at 24 CFR 574.320(a)(1) and corresponding COVID-19 waiver flexibility are addressed in the next question. <b>If the “no” box is checked, please proceed to part b.</b>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>
<b>Describe Basis for Conclusion:</b>  	
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	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>N/A</b>

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

6509.2 REV-7 CHG 4

<p>conditions and limits HUD established for its waiver of 24 CFR 574.320(a)(2)?</p> <p><b>NOTE:</b> HUD allowed grantees to utilize the FMR rent standard waiver under the following conditions:  <b>NOTE:</b> Use the checklist below to assess and note compliance with the conditions on HUD’s rent standard waiver.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> HUD Notification: Grantee <b>MUST</b> notify HUD two days before the grantee anticipates using the waiver flexibility, as specified in the waiver memorandum.</li> <li><input type="checkbox"/> Documentation of need: Grantee <b>MUST</b> 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.</li> <li><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).</li> <li><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.</li> <li><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 the following timeframes: <ul style="list-style-type: none"> <li>a. For tenant-based rental assistance: March 31, 2020 until March 30, 2021</li> <li>b. For all rental assistance types: May 22, 2020 until March 31, 2022</li> </ul> </li> </ul> <p>[24 CFR 574.320(a)(2); CPD-20-05, Section XII]</p>	
<b>Describe Basis for Conclusion:</b>	

27.

<p>a. 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?</p> <p>[24 CFR 574.320(a)(3)]</p>	<table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><b>Yes</b></td> <td><b>No</b></td> <td><b>N/A</b></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<b>Yes</b>	<b>No</b>	<b>N/A</b>					
<b>Describe Basis for Conclusion:</b>							

Exhibit 36-3B 6509.2 REV-7 CHG 4  
Housing Opportunities for Persons With AIDS (HOPWA) Program  
Coronavirus Relief and Economic Security Act (CARES Act)

28.

Except for short-term facilities, are 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"/> <b>Yes    No    N/A</b>
<b>Describe Basis for Conclusion:</b>  	

29.

Except for short-term facilities, are 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"/> <b>Yes    No    N/A</b>
<b>Describe Basis for Conclusion:</b>  	

30.

Do projects require participants to pay additional fees besides rent (participant rent payment not required for short-term facilities)? [24 CFR 574.430]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Yes    No    N/A</b>
<b>Describe Basis for Conclusion:</b>  	