|  |
| --- |
| **Guide for Review of Rental Project Compliance****and/or Policies & Procedures** |
| **Participating Jurisdiction:**Click or tap here to enter text. | **Subrecipient:**Click or tap here to enter text. |
| **PJ Staff Consulted:**Click or tap here to enter text. |
| **Project Owner:**Click or tap here to enter text. | **Project Address:**Click or tap here to enter text. |
| **Period of affordability:**Click or tap here to enter text. | **Number of HOME-assisted Units:****Fixed or Floating:** [ ]  Fixed [ ]  Floating |
| **Name of HUD Reviewer(s):**Click or tap here to enter text. | **Date of Review:**Click or tap here to enter text. |
| **Type of Monitoring Review:** | [ ]  Project File Review[ ]  Policies & Procedures Review[ ]  Combined: Project and Policies & Procedures Review |

**NOTE:** All questions contain the citation for the source of the requirement (statute or regulation). If the requirement is not met, HUD must make a finding of noncompliance.

|  |
| --- |
| **File Selection Summary****(Required)** |
| **Program Year(s) Reviewed:** | Click or tap here to enter text. |
| **Number of Files Reviewed:** | Click or tap here to enter text. |
| **How were files selected?** | [ ]  Random [ ]  Non-Random [ ]  Statistical [ ]  Combination (describe):Click or tap here to enter text. |
| **Were additional files selected for review?** | [ ]  Yes [ ]  No |
| **If additional files were selected for review, why were files added to the monitoring**?(select all that apply) | [ ]  Expand the sample to include a file(s) from each staff person working in the respective program area being monitored. [ ]  Expand the sample to include additional files with the same characteristics, (i.e., same problem category, staff person, activities or other characteristics). [ ]  Expand the sample to determine whether problems are isolated events or represent a systemic problem.[ ]  Expand the sample to include files the reviewer has reason to believe may have compliance problems or that are substantially different in terms of size, complexity, or other factors from other projects the PJ has undertaken.[ ]  Other, please specify: Click or tap here to enter text. |

**Instructions:**

* This Exhibit is used to monitor a PJ’s completed HOME-assisted rental projects for compliance with the HOME regulations during the period of affordability, the PJ’s rental compliance program policies and procedures, or a combination of both project files and policies and procedures. Reviewers should note the type of review completed in the check box above. The reviewer should use Exhibit 7-29, *Guide for Review of Rental Development or Rehabilitation Projects and/or Policies and Procedures* when monitoring HOME-assisted rental projects from development through lease-up of the units.
* The HOME regulation at [24 CFR 92.504(a)](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-504) requires PJs to have comprehensive written HOME program policies and procedures. Where applicable, this Exhibit pairs each policies and procedures requirement with its rental project compliance requirement. As noted above, the reviewer may use this Exhibit to complete a project file review, a policies and procedures review, or a combination of both project files and policies and procedures. Reviewers are not required to complete both questions if the monitoring is not addressing both policies and procedures and project requirements. However, if project noncompliance is found, the reviewer *must* examine the related policies and procedures to determine if the finding is associated with a lack of policies and procedures, or a failure of PJ staff to follow the written policies and procedures.
* Reviewers should use one Exhibit for each project monitored. The Exhibit provides for the review of up to ten HOME-assisted units in a project. If the project includes more than ten HOME-assisted units, the reviewer should complete another copy of the Exhibit. Section 7-4 in the introduction to this Chapter provides guidance on the number of files to review. Reviewers *must* complete the File Selection Summary table at the beginning of this Exhibit.
* Reviewers must adequately describe the basis for any findings in the “Describe Basis for Conclusion” section of each question, being careful to note which unit file is noncompliant and why.
* The Exhibit is divided into ten program areas. Based on the risk assessment and the notification letter sent to the PJ, check the program area(s) under review. Reviewers should make every effort to review as many program area sections as possible during the monitoring to obtain an accurate representation of the PJ’s compliance with the HOME program requirements. If a specific program area is not examined, check the “Not Reviewed During Monitoring” box at the beginning of the applicable program area section, and note the reason why the section was not reviewed in the “Describe the Basis for Conclusion” text box of the first question under the applicable program area section.
* This Exhibit requires the completion of other Exhibits: Exhibit 7-34 and 34-3 for Question 44.

**Check Program Areas Reviewed During Monitoring:**

[ ]  A. Tenant Selection;

[ ]  B. Income Determination;

Initial Income Determination;

Annual Income Recertification;

[ ]  C. Lease Compliance;

[ ]  D. Rent Compliance;

Initial Rents;

Subsequent Rents;

[ ]  E. Ongoing Occupancy Requirements;

[ ]  F. Property Standards;

[ ]  G. Eligible Costs;

[ ]  H. Procurement and Contractor Oversight (if applicable);

[ ]  I. Project Completion and Lease-up; and

[ ]  J. Record Retention.

* The questions in this Exhibit may also be used as an interview instrument for program staff.

**Project Compliance Review:** Include the following information for each tenant/unit file reviewed. When completing the *project-specific Exhibit* questions that follow, include only the file or unit number as a reference to the tenant/unit file reviewed.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **File#** | **Unit Number[[1]](#footnote-1)** | **Bedroom Size** | **Rent** | **Tenant Income** | **High or Low HOME Rent** | **Date of Lease** |
| **1.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |
| **2.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |
| **3.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |
| **4.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |
| **5.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |
| **6.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |
| **7.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |
| **8.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |
| **9.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |
| **10.** | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | [ ]  High [ ]  Low | Click or tap here to enter text. |

1. TENANT SELECTION

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

1.

|  |  |
| --- | --- |
| *If the project contains five or more HOME-assisted units,* did the PJ impose its adopted affirmative marketing requirements on the project? NOTE: If monitoring for compliance with affirmative marketing requirements, use Exhibit 22-3 *Guide for Review of Civil Rights-Related Program Requirements for the HOME Investment Partnerships Program.*[24 CFR 92.351(a) and 24 CFR 92.253(d)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

2.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Does the project owner have written tenant selection policies and criteria that address *all* of the following:[24 CFR 92.253(d)] |
| [ ]  Yes [ ]  No | Limits housing to very low- and low-income households, | [ ]  Yes [ ]  No  |
|  | *If permitted in its written agreement with the PJ (and only if described in the PJ’s consolidated plan),* limits eligibility or gives a preference to a particular population in accordance with [24 CFR 92.253(d)(3)](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-253)? | [ ]  Yes [ ]  No [ ]  N/A |
| Does not exclude an applicant because the applicant is a holder of a certificate or voucher under the Section 8 Tenant-based assistance or Housing Choice Voucher program, or comparable HOME TBRA document? | [ ]  Yes [ ]  No  |
| Provides for the selection of tenants from a written waiting list in the chronological order of their application insofar as is practicable? | [ ]  Yes [ ]  No  |
| Gives applicants prompt written notification of rejection and the reason for rejection? | [ ]  Yes [ ]  No  |
| Complies with the VAWA requirements prescribed in [24 CFR 92.359](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-359)? | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. INCOME DETERMINATION

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

*Initial Income Eligibility Determination*

3.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ determine that the household qualified as low-income?[24 CFR 92.203(a)(1)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
|  | File #6: | [ ]  Yes [ ]  No  |
|  | File #7: | [ ]  Yes [ ]  No  |
|  | File #8: | [ ]  Yes [ ]  No  |
|  | File #9: | [ ]  Yes [ ]  No  |
|  | File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

4.

|  |
| --- |
| Did the PJ use the applicable income limits when determining the household’s income?[24 CFR 92.203] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
|  | File #6: | [ ]  Yes [ ]  No  |
|  | File #7: | [ ]  Yes [ ]  No  |
|  | File #8: | [ ]  Yes [ ]  No  |
|  | File #9: | [ ]  Yes [ ]  No  |
|  | File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

5.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ use one of the two allowable definitions of annual income noted below to qualify the household’s income? *Check definition of income used in this project or the PJ’s rental program:*[ ]  Definition of annual income found at [24 CFR 5.609](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec5-609), or[ ]  Adjusted gross income as defined under IRS Form 1040[24 CFR 92.203(b)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
|  | File #6: | [ ]  Yes [ ]  No  |
|  | File #7: | [ ]  Yes [ ]  No  |
|  | File #8: | [ ]  Yes [ ]  No  |
|  | File #9: | [ ]  Yes [ ]  No  |
|  | File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

6.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | *If using the definition of annual income found at* [*24 CFR 5.609*](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec5-609), did the PJ correctly apply income inclusions and exclusions?[24 CFR 92.203(b)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No [ ]  N/A |
| File #2: | [ ]  Yes [ ]  No [ ]  N/A |
| File #3: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #4: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #5: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #6: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #7: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #8: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #9: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #10: | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

7.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ examine at least two months of source documentation when determining the household’s annual income?[24 CFR 92.203(a)(1)(i)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
|  | File #6: | [ ]  Yes [ ]  No  |
|  | File #7: | [ ]  Yes [ ]  No  |
|  | File #8: | [ ]  Yes [ ]  No  |
|  | File #9: | [ ]  Yes [ ]  No  |
|  | File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

8.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ count the income of all members of the household and calculate the household’s annual income by projecting the prevailing rate of income of the family at the time of the determination?[24 CFR 92.203(d)(1)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
|  | File #6: | [ ]  Yes [ ]  No  |
|  | File #7: | [ ]  Yes [ ]  No  |
|  | File #8: | [ ]  Yes [ ]  No  |
|  | File #9: | [ ]  Yes [ ]  No  |
|  | File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

9.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Was the income determination of the household conducted no more than 6 months before the execution of the lease?[24 CFR 92.203(d)(2)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
|  | File #6: | [ ]  Yes [ ]  No  |
|  | File #7: | [ ]  Yes [ ]  No  |
|  | File #8: | [ ]  Yes [ ]  No  |
|  | File #9: | [ ]  Yes [ ]  No  |
|  | File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

10.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Does the project file include records that demonstrate that the household was income-eligible at initial lease-up?[24 CFR 92.508(a)(3)(v)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
|  | File #6: | [ ]  Yes [ ]  No  |
|  | File #7: | [ ]  Yes [ ]  No  |
|  | File #8: | [ ]  Yes [ ]  No  |
|  | File #9: | [ ]  Yes [ ]  No  |
|  | File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

*Annual Income Recertification*

11.

|  |
| --- |
| Did the project owner annually recertify the household’s income by using one of the following three methods as prescribed in [24 CFR 92.203](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-203)(a)(1)(i), (ii) and (iii)?* Examine at least 2 months of source documentation evidencing annual income for the family;
* Obtain from the family a written statement of the amount of the family’s annual income and family size, along with a certification that the information is complete and accurate, and the family will provide source documentation upon request; or
* Obtain a written statement from the administrator of a government program under which the family receives benefits, and which examines each year the annual income of the family. The statement must indicate the family’s size and the amount of the family’s annual income, or it must indicate the current dollar limit for very low- or low-income families for the family size of the tenant and state that the tenant’s annual income does not exceed this limit.

[24 CFR 92.252(h)] |
| File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
| File #4: | [ ]  Yes [ ]  No  |
| File #5: | [ ]  Yes [ ]  No  |
| File #6: | [ ]  Yes [ ]  No  |
| File #7: | [ ]  Yes [ ]  No  |
| File #8: | [ ]  Yes [ ]  No  |
| File #9: | [ ]  Yes [ ]  No  |
| File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

12.

|  |  |
| --- | --- |
| *In projects with an affordability period of 10 or more years where a household’s income is recertified using a statement and certification*, is the project owner using at least 2 months of source documentation every 6th year of the affordability period to recertify the annual income of the household?[24 CFR 92.252(h)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

13.

|  |  |
| --- | --- |
| Do files demonstrate that only one of the following definitions of annual income was used to recertify all HOME-assisted tenants in the project?*Check definition of income used:*[ ] [24 CFR 5.609](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec5-609) definition of annual income [ ] Adjusted gross income as defined under IRS Form 1040[24 CFR 92.203(c)] | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

14.

|  |
| --- |
| Does the project file include records that demonstrate that the household was income-eligible at recertification?[24 CFR 92.508(a)(3)(v)] |
| File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
| File #4: | [ ]  Yes [ ]  No  |
| File #5: | [ ]  Yes [ ]  No  |
| File #6: | [ ]  Yes [ ]  No  |
| File #7: | [ ]  Yes [ ]  No  |
| File #8: | [ ]  Yes [ ]  No  |
| File #9: | [ ]  Yes [ ]  No  |
| File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. LEASE COMPLIANCE

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

15.

|  |
| --- |
| Did the project owner execute a lease with the household, and was the lease for a period of not less than one year, unless the project file documents that a shorter term was mutually agreed upon by both the tenant and the project owner?[24 CFR 92.253(a)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
|  | File #6: | [ ]  Yes [ ]  No  |
|  | File #7: | [ ]  Yes [ ]  No  |
|  | File #8: | [ ]  Yes [ ]  No  |
|  | File #9: | [ ]  Yes [ ]  No  |
|  | File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

16.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | *If the date of the HOME funding commitment for the project was after December 16, 2016*, did the PJ ensure that the project’s lease incorporates the VAWA lease addendum required in accordance with [24 CFR 92.359(e)](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-359)?[24 CFR 92.253(a)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No [ ]  N/A |
| File #2: | [ ]  Yes [ ]  No [ ]  N/A |
| File #3: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #4: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #5: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #6: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #7: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #8: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #9: | [ ]  Yes [ ]  No [ ]  N/A |
|  | File #10: | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

17.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Is the tenant’s lease free of the following prohibited lease terms:[24 CFR 92. 253(b)] |
| [ ]  Yes [ ]  No |  | **File #1:** | **File #2:** | **File #3:** | **File #4:** | **File #5:** | **File #6:** | **File #7:** | **File #8:** | **File #9:** | **File #10:** |
|  | Agreement to be sued, admit guilt, or judgement in favor of landlord in a lawsuit over the lease? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
|  | Treatment of property (ability to take, hold or sell property of household without notice to tenant or court decision unless tenant has moved out and state law allows)? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
|  | Excusing owner from responsibility for any action? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
|  | Waiver of notice of lawsuit? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
|  | Waiver of legal proceedings relating to eviction? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
|  | Waiver of jury trial? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
|  | Waiver of right to appeal court decision? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
|  | Tenant chargeable with cost of legal action regardless of outcome? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
|  | Mandatory supportive services other than a tenant in transitional housing? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

18.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Does the project file include records that demonstrate that each tenant’s lease complies with the tenant and participant protections of [24 CFR 92.253](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-253)?[24 CFR 92.508(a)(3)(ix)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
|  | File #6: | [ ]  Yes [ ]  No  |
|  | File #7: | [ ]  Yes [ ]  No  |
|  | File #8: | [ ]  Yes [ ]  No  |
|  | File #9: | [ ]  Yes [ ]  No  |
|  | File #10: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. RENT COMPLIANCE

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

*Initial Rents at Lease-up*

19.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ review and approve the initial project rents?[24 CFR 92.252(d)(2)] | [ ]  Yes [ ]  No |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

20.

|  |  |
| --- | --- |
| Did the project’s initial rent structure meet HOME requirements (i.e., rents no greater than the high HOME rents, and in projects with five or more HOME-assisted units, at least 20% of the HOME units charged rents no higher than the low HOME rents)?[24 CFR 92.252(a) and (b)] | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

21.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | *If tenants will pay utilities and services*, did the PJ use the HUD Utility Schedule Model or otherwise determine the utility allowance for the project based on the type of utilities used at the project?[24 CFR 92.252(d)(1)] | [ ]  Yes [ ]  No |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

22.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | *If tenants will pay utilities and services*, did the PJ determine that the rents do not exceed the maximum rent minus the monthly allowance for utilities and services?[24 CFR 92.252(d)(2)] | [ ]  Yes [ ]  No [ ]  N/A |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

*Subsequent Rents*

23.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ provide the project owner with information on updated HOME rent limits so that rents may be adjusted (not to exceed the maximum HOME rent limits) in accordance with the written agreement between the PJ and the project owner?[24 CFR 92.252(f)(2)] | [ ]  Yes [ ]  No |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

24.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ annually review and approve the project’s rents?[24 CFR 92.252(f)(2)] | [ ]  Yes [ ]  No |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

25.

|  |
| --- |
| Is the project owner charging the correct HOME rent based on the unit designation? [24 CFR 92.252(a) and (b)] |
| File #1: | [ ]  Yes [ ]  No |
| File #2: | [ ]  Yes [ ]  No |
| File #3: | [ ]  Yes [ ]  No |
| File #4: | [ ]  Yes [ ]  No |
| File #5: | [ ]  Yes [ ]  No |
| File #6: | [ ]  Yes [ ]  No |
| File #7: | [ ]  Yes [ ]  No |
| File #8: | [ ]  Yes [ ]  No |
| File #9: | [ ]  Yes [ ]  No |
| File #10: | [ ]  Yes [ ]  No |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

26.

|  |  |
| --- | --- |
| *If tenants are responsible for paying utilities*, is the correct utility allowance deducted from the applicable HOME rents? [24 CFR 92.252(d)(2)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

27.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Does the project file include records for each household demonstrating that each HOME-assisted unit in the project meets the rent and income requirements of [24 CFR 92.252](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-252)?[24 CFR 92.508(a)(3)(vii)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No |
| File #2: | [ ]  Yes [ ]  No |
| File #3: | [ ]  Yes [ ]  No |
|  | File #4: | [ ]  Yes [ ]  No |
|  | File #5: | [ ]  Yes [ ]  No |
|  | File #6: | [ ]  Yes [ ]  No |
|  | File #7: | [ ]  Yes [ ]  No |
|  | File #8: | [ ]  Yes [ ]  No |
|  | File #9: | [ ]  Yes [ ]  No |
|  | File #10: | [ ]  Yes [ ]  No |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. ONGOING OCCUPANCY REQUIREMENTS

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

28.

|  |  |
| --- | --- |
| As tenants vacate low HOME rent units, is the project owner renting the units to households with incomes below 50% of area median income?[24 CFR 92.252(i)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

29.

|  |  |
| --- | --- |
| *If the HOME-assisted units are fixed*, when a tenant’s income increases above 80% of area median income, is the project owner increasing the rent to the lesser of the amount payable by the tenant under state or local law, or 30% of the tenant’s adjusted income, except that tenants of HOME-assisted units that have been allocated low-income housing tax credits (LIHTC) must pay the rent governed by LIHTC?[24 CFR 92.252(i)(2)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

30.

|  |  |
| --- | --- |
| *If the HOME-assisted units float*, when a tenant’s income increases above 80% of area median income, is the project owner increasing the rent to the lesser of 30% of adjusted income or market rent (except that tenants of HOME-assisted units that have been allocated low-income housing tax credits (LIHTC) must pay rent governed by LIHTC), and leasing the next available, comparable unit to a HOME-eligible tenant?[24 CFR 92.252(i) and (j)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. PROPERTY STANDARDS

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

Completion Date: Click or tap here to enter text.

First On-going Inspection Date: Click or tap here to enter text.

Date of Most Recent Inspection: Click or tap here to enter text.

31.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ conduct an on-site inspection of the project within 12 months of project completion to determine compliance with the property standards at [24 CFR 92.251](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-251)?[24 CFR 92.504(d)(1)(ii)(A)] | [ ]  Yes [ ]  No  |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

32.

|  |
| --- |
| Does the PJ have ongoing property condition standards including all the following:[24 CFR 92.251(f)] |
| State and local codes, ordinances and requirements, or in the absence of such codes, the inspectable items and areas prescribed by HUD based on HUD’s Uniform Physical Condition Standards? | [ ]  N/A**\*HUD has not yet issued guidance on the minimum deficiencies that must be corrected under a PJ’s ongoing property condition standards.** |
| Health and safety standards that address life-threatening deficiencies?  | [ ]  Yes [ ]  No  |
| *If applicable*, ongoing lead-based paint maintenance requirements of [24 CFR part 35.935](https://www.govinfo.gov/content/pkg/CFR-2012-title24-vol1/pdf/CFR-2012-title24-vol1-sec35-935.pdf)? | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

33.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and written procedures to comprehensively implement this requirement?[24 CFR 92.504(a),24 CFR 92.252(f)(5)] | After the first ongoing periodic inspection within 12-months of project completion, has the PJ conducted an on-site inspection of the project at least every three years during the period of affordability to determine compliance with the on-going property standards at [24 CFR 92.251(f)](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-251)?[24 CFR 92.504(d)(1)(ii)(A)] | [ ]  Yes [ ]  No [ ]  N/A |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

34.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | *If the latest project inspection identified deficiencies for any of the inspectable items in the PJ’s ongoing property standards*, did the PJ conduct a follow-up inspection within 12 months to ensure all deficiencies were corrected?Note: PJ may establish a list of non-hazardous deficiencies for which correction may be verified by third part documentation.[24 CFR 92.504(d)(1)(ii)(B)] | [ ]  N/A**\* HUD has not yet issued guidance on the minimum deficiencies that must be corrected under a PJ’s ongoing property condition standards.** |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

35.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | *If the latest project inspection identified health and safety deficiencies*, were the deficiencies corrected immediately and did the PJ adopt a more frequent inspection schedule for the property?[24 CFR 92.504(d)(1)(ii)(B)] | [ ]  Yes [ ]  No [ ]  N/A |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

36.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ inspect a sample of units appropriate for the size of the HOME-assisted property? If the project includes one to four HOME-assisted units, the PJ must inspect 100% of the HOME units and the inspectable items (site, building exterior, building systems, and common areas) for each building housing the HOME units.[24 CFR 92.504(d)(1)(ii)(D)] | [ ]  Yes [ ]  No  |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

37.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | *If the project includes ten or more units*, has the PJ conducted an annual assessment of the project’s financial condition to determine the continued financial viability of the project?[24 CFR 92.504(d)(2)] | [ ]  Yes [ ]  No [ ]  N/A |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

38.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Does the project file include records that demonstrate that the project owner annually certified to the PJ that each building and all HOME-assisted units in the project were suitable for occupancy based on State and local health, safety codes and requirements, and the ongoing property standards established by the PJ in accordance with [24 CFR 92.251](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-251)?[24 CFR 92.508(a)(3)(iv); 24 CFR 92.504(d)(1)(ii)(C)] | [ ]  Yes [ ]  No  |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

39.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | *If the project includes ten or more units*, does the project file include records that demonstrate that the PJ conducted an annual assessment of the project’s financial condition to determine the financial viability of the project in accordance with [24 CFR 92.504(d)(2)](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-504)?[24 CFR 92.508(a)(3)(iv)] | [ ]  Yes [ ]  No [ ]  N/A |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. ELIGIBLE COSTS

[ ]  NOT REVIEWED DURING MONITORING

40.

|  |  |
| --- | --- |
| *If the PJ charges the project owner an annual compliance monitoring fee*, was the fee included in the original project underwriting and based on the average actual cost of performing the monitoring of HOME-assisted rental projects?[24 CFR 92.214(b)(1)(i)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

41.

|  |  |
| --- | --- |
| *If the project owner charges an application fee to prospective tenants*, is the fee reasonable?[24 CFR 92.214(b)(3)(i)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

42.

|  |  |
| --- | --- |
| *If the project owner charges a parking fee*, is the fee customary for rental projects in the neighborhood?[24 CFR 92.214(b)(3)(ii)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

43.

|  |  |
| --- | --- |
| *If the project owner charges fees for services such as bus transportation or meals*, are the services voluntary and fees charged only for services that are provided to the tenant?[24 CFR 92.214(b)(3)(iii)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. PROCUREMENT AND CONTRACTOR OVERSIGHT, if applicable

Instructions: If the PJ procured the services of a contractor to administer its rental compliance program, the PJ must adhere to the procurement requirements of 2 CFR part 200. The HOME regulations at [24 CFR 92.504(b)](https://www.govinfo.gov/app/details/CFR-2018-title24-vol1/CFR-2018-title24-vol1-sec92-504) require the PJ to execute a written agreement with the contractor. Reviewers must complete the following Exhibits: Exhibit 7-34, *Guide for Review of Contractor Written Agreement* **and** Exhibit 34-3, *Guide for Review of Procurement.*

[ ]  NOT REVIEWED DURING MONITORING

[ ]  NOT APPLICABLE – Procurement and Contractor Oversight not applicable to the PJ’s rental compliance program.

44.

|  |  |
| --- | --- |
| *If the PJ procured the services of a contractor to administer its rental compliance functions*, did the PJ adhere to the procurement requirements of [2 CFR part 200](https://www.govinfo.gov/app/details/CFR-2014-title2-vol1/CFR-2014-title2-vol1-part200)? Summarize the results of Exhibits 7-34 and 34-3 to answer this question.[24 CFR 92.504(b)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusions:** Click or tap here to enter text. |

1. PROJECT COMPLETION AND LEASE-UP

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

45.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Was all project completion information entered into IDIS within 120 days of the final project draw? The data entered in IDIS (e.g., project address, number of units, beneficiary information) should accurately reflect the data included in the written agreement and project files.[24 CFR 92.502(d)(1)] | [ ]  Yes [ ]  No  |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

46.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement?[24 CFR 92.504(a)] | Did the PJ determine that all HOME-assisted units were rented to eligible tenants no later than 18 months after the date of project completion or if not, did the PJ repay the HOME funds invested in the vacant units?[24 CFR 92.252] | [ ]  Yes [ ]  No  |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. RECORD RETENTION

[ ]  NOT REVIEWED DURING MONITORING

47.

|  |  |
| --- | --- |
| Is the PJ retaining rental project records for five years after project completion?[24 CFR 92.508(c)(1)] | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

48.

|  |  |
| --- | --- |
| Is the PJ retaining individual tenant income verifications, project rents and inspection records for the most recent five-year period until five years after the period of affordability terminates?[24 CFR 92.508(c)(1)] | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

49.

|  |  |
| --- | --- |
| Is the PJ retaining rental project written agreement records for five years after the agreement terminates?[24 CFR 92.508(c)(4)] | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. The inclusion of personally identifiable information (PII) should be limited. PII includes any information that is linked or linkable to an individual, such as first and last name, home or cell telephone numbers, address, and social security numbers. To the greatest extent feasible, monitors should use a method of identifying files reviewed that does not include PII. [↑](#footnote-ref-1)