|  |
| --- |
| **Guide for Review of Tenant-Based Rental Assistance (TBRA)****Projects and/or Policies & Procedures** |
| **Participating Jurisdiction:** | **Subrecipient:**Click or tap here to enter text. |
| **PJ Staff Consulted:**Click or tap here to enter text. |
| **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, regulation, NOFA, or grant agreement). 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 tenant-based rental assistance project files, the PJ’s tenant-based rental assistance 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 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 tenant-based rental assistance project 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 can use this Exhibit to review up to five tenant-based rental assistance project files. If additional files are included in the monitoring, 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 project 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 Exhibit 7-34 and 34-3 for Question 45.

**Check Program Areas Reviewed During Monitoring:**

[ ]  A. Commitment and Set-up;

[ ]  B. Participant Selection;

[ ]  C. Income Determination;

[ ]  D. TBRA Assistance Contract;

[ ]  E. TBRA Subsidy Administration;

[ ]  F. Lease Provisions;

[ ]  G. Property Requirements;

[ ]  H. Eligible Costs;

[ ]  I. Procurement and Contractor Oversight, if applicable; and

[ ]  J. Record Retention.

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

**For Project File Reviews:** Include the following information for each file reviewed. When completing the *project- specific Exhibit* questions that follow, include only the file number or Integrated Disbursement and Information System (IDIS) number as a reference to the project file reviewed.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **File #** | **Activity/Tenant Name [[1]](#footnote-1)** | **TBRA Subsidy Amount** | **Tenant Rent** | **Total Rent** | **Security Deposit Amount** | **Agreement Date** |
| **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. | Click or tap here to enter text. | 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. | Click or tap here to enter text. | 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. | Click or tap here to enter text. | 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. | Click or tap here to enter text. | 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. | Click or tap here to enter text. | Click or tap here to enter text. |

1. COMMITMENT AND SET-UP

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

1.

|  |  |
| --- | --- |
| Did the PJ certify its need for TBRA in its Consolidated Plan by documenting the local market conditions that led to the choice of using HOME funds for TBRA?[24 CFR 92.209(b) and 24 CFR 91.215(b)(1) (local governments) or 24 CFR 91.315(b)(1) (states)] | [ ]  Yes [ ]  No  |
| **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)] | Did the PJ set-up its TBRA program in IDIS following the execution of a written agreement with the subrecipient administering the program, or if the PJ is administering its own TBRA program, following the execution of a rental assistance contract with a tenant or owner of the housing?[24 CFR 92.502(b)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. PARTICIPANT SELECTION

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

3.

|  |
| --- |
| Does the program file include ***all*** the following documentation:[24 CFR 92.209(c) and 24 CFR 92.508(a)(2)(v)] |
| * Written tenant selection policies and procedures (i.e., tenant preferences)?
 | [ ]  Yes [ ]  No |
| * Supporting documentation for preferences for specific categories of individuals with disabilities?
 | [ ]  Yes [ ]  No |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

4.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Was the household selected in accordance with the tenant selection policies and criteria established by the PJ in its Consolidated Plan?[24 CFR 92.209(c) and 24 CFR 92.508(a)(3)(vi)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  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)] | *If the PJ has a preference for individuals with special needs,* does the household meet the eligibility criteria established by the PJ?[24 CFR 92.209(c)(2)(ii)] |
| [ ]  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 |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

6.

|  |  |
| --- | --- |
| *If the PJ has a preference for individuals with special needs,* do the PJ’s policies provide that services are not mandatory?[24 CFR 92.209(c)(2)(i)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

7.

|  |  |
| --- | --- |
| *Self Sufficiency Program Only*: Do the PJ’s policies and procedures provide that the tenant-based rental assistance is not terminated if the household fails to continue its participation in the self-sufficiency program?[24 CFR 92.209(c)(2)(iii)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

8.

|  |  |
| --- | --- |
| *If the PJ provides preferences for persons with special needs,* are the preferences applied consistently in the files reviewed?[24 CFR 92.209(c)(2)(v)] | [ ]  Yes [ ]  No [ ]  N/A |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

9.

|  |
| --- |
| *If the PJ requires tenants to use the TBRA within its jurisdictional boundaries*, is the unit located within the PJ’s boundaries?[24 CFR 92.209(d)] |
| 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 |
| **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)] | Did the PJ determine that the household is not a student that would be ineligible to receive Section 8 assistance in accordance with [24 CFR 5.612](https://www.govinfo.gov/content/pkg/CFR-2018-title24-vol1/xml/CFR-2018-title24-vol1-sec5-612.xml)?[24 CFR 92.2 definition of “Low-income Family”] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

11.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | *If the household has been identified as a potential low-income homebuyer through a lease-purchase agreement*, did the PJ ensure that the HOME TBRA payment is used to pay rent and not accumulate a downpayment for the purchase? (NOTE: the tenant’s contribution toward rent may be set-aside for downpayment)[24 CFR 92.209(c)(2)(iv)] |
| [ ]  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 |
| **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

12.

|  |  |
| --- | --- |
| 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 and 92.209(c)(1)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

13.

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

14.

| 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 used:*[ ]  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 [ ]  IRS adjusted gross income from 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  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

15.

| 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 |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

16.

|  |  |
| --- | --- |
| Do the project files demonstrate that the PJ consistently used only one definition of income to qualify program applicants?[24 CFR 92.203(c)] | [ ]  Yes [ ]  No  |
| **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)] | Did the PJ examine at least 2 months of source documentation when determining the household’s annual income?[24 CFR 92.203(a)(2)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  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)] | At the time of the income determination, did the PJ count the income of all members of the household and calculate the annual income by projecting the household’s prevailing rate of income?[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  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

19.

|  |  |
| --- | --- |
| Are procedures for projecting income applied consistently for all files reviewed?[24 CFR 92.203(d)(1)] | [ ]  Yes [ ]  No |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

20.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Did the PJ conduct the income determination of the household no more than 6 months before HOME funds were committed to the household?[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  |
| **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)] | Does the PJ re-determine the household’s income annually?[24 CFR 92.209(c)(1)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  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)] | Does the TBRA project file include records that demonstrate that the tenant is income-eligible?[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  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. TENANT RENTAL ASSISTANCE CONTRACT – REVIEW REQUIRED

Instructions: Since written agreements are central to initial and ongoing compliance with HOME requirements, reviewers monitoring TBRA **MUST** evaluate the written agreements for the HOME activities being monitored.

23.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Does the file include a copy of the rental assistance contract with the owner of the housing or with the family? [24 CFR 92.209(e) and 24 CFR 92.508(a)(3)(xiv)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  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)] | *If the rental assistance contract is with the owner*, does the file also include the written agreement with the family?[24 CFR 92.209(e) and 24 CFR 92.508(a)(3)(xiv)])] |
| [ ]  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 |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

25.

|  |
| --- |
| Does the rental assistance/security deposit contract with the tenant or property owner include each of the following:[24 CFR 92.504(c)(5)(iii)] |
| **Tenant-based Rental Assistance Contract** | **File #1:** | **File #2:** | **File #3:** | **File #4:** | **File #5:** |
| 1. Amount of assistance?
 | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No |
| 1. Term of the rental assistance does not exceed 24 months (renewal pending the availability of funds) in accordance with [24 CFR 92.209(e)](https://www.ecfr.gov/cgi-bin/text-idx?SID=016ff1418da4b232fcb1d6680a619d53&mc=true&node=pt24.1.92&rgn=div5#se24.1.92_1209)?
 | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No |
| 1. Term of the rental assistance begins on the first day of the lease term in accordance with [24 CFR 92.209(e)](https://www.ecfr.gov/cgi-bin/text-idx?SID=016ff1418da4b232fcb1d6680a619d53&mc=true&node=pt24.1.92&rgn=div5#se24.1.92_1209)?
 | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No |
| 1. *If participation in a self-sufficiency program is required*, the family’s failure to continue participation in the self-sufficiency program is not a basis for terminating the lease in accordance with [24 CFR 92.209(c)(iii)?](https://www.ecfr.gov/cgi-bin/text-idx?SID=016ff1418da4b232fcb1d6680a619d53&mc=true&node=pt24.1.92&rgn=div5#se24.1.92_1209)
 | [ ]  Yes [ ]  No [ ]  N/A | [ ]  Yes [ ]  No [ ]  N/A | [ ]  Yes [ ]  No [ ]  N/A | [ ]  Yes [ ]  No [ ]  N/A | [ ]  Yes [ ]  No [ ]  N/A |
| 1. PJ will determine rent reasonableness and disapprove a lease if rent is not reasonable in accordance with [24 CFR 92.209(f)](https://www.ecfr.gov/cgi-bin/text-idx?SID=016ff1418da4b232fcb1d6680a619d53&mc=true&node=pt24.1.92&rgn=div5#se24.1.92_1209)?
 | [ ]  Yes [ ]  No | [ ]  Ye s [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No |
| 1. PJ will conduct initial and annual inspections to ensure unit complies with housing quality standards set forth in [24 CFR 982.401](https://www.ecfr.gov/cgi-bin/text-idx?SID=c1df35dca001f47415443cd14ba6227d&mc=true&node=se24.4.982_1401&rgn=div8) in accordance with [24 CFR 92.209(i)](https://www.ecfr.gov/cgi-bin/text-idx?SID=016ff1418da4b232fcb1d6680a619d53&mc=true&node=pt24.1.92&rgn=div5#se24.1.92_1209)?
 | [ ]  Yes [ ]  No | [ ]  Ye s [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No |
| 1. PJ will review and approve lease to ensure compliance with requirements set forth in [24 CFR 92.253(a) and (b)](https://www.ecfr.gov/cgi-bin/text-idx?SID=016ff1418da4b232fcb1d6680a619d53&mc=true&node=pt24.1.92&rgn=div5#se24.1.92_1253)?
 | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

26.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Was the TBRA assistance contract signed and dated by both the PJ and the tenant or owner, or by the subrecipient and the tenant or owner if the subrecipient administers the TBRA?[24 CFR 92.504(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 |
| **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)] | *If the household has been identified as a potential low-income homebuyer through a lease-purchase agreement*, is the lease purchase agreement with monthly rental payments for a period up to 36 months (i.e., 24 months with a 12-month renewal)? [24 CFR 92.209(c)(2)(iv)] |
| [ ]  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 |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. TBRA SUBSIDY ADMINISTRATION

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project/Program files NOT REVIEWED

28.

|  |  |
| --- | --- |
| Does the program file include documentation establishing the PJ’s determination of its rent standard and minimum tenant contribution?[24 CFR 92.209(h) and 24 CFR 92.508(a)(2)(v)] | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

29.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Has the PJ established a rent standard based on either local market conditions or the Section 8 Housing Choice Voucher program?[24 CFR 92.209(h)(3)] | [ ]  Yes [ ]  No  |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

30.

|  |  |  |
| --- | --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | *If the rent standard is based on the Section 8 Housing Choice Voucher Program*, does it fall between 90% of the FMR and 110% the published FMR as defined in [24 CFR 982.503](https://www.ecfr.gov/cgi-bin/text-idx?SID=ef31b0a0519ab6dfcfa2584c0e02358f&mc=true&node=se24.4.982_1503&rgn=div8), or has HUD approved a community-wide exception rent for the area?[24 CFR 92.209(h)(3)(ii)] | [ ]  Yes [ ]  No [ ]  N/A |
| [ ]  Yes [ ]  No |  |
| **Describe Basis for Conclusion:**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)] | Is the monthly TBRA subsidy no more than the difference between the PJ’s rent standard for the unit size and 30% of the family’s adjusted income?[24 CFR 92.209(h)(1)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

32.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Did the PJ base the tenant’s rent contribution on the household’s adjusted income?[24 CFR 92.209(h)(1)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

33.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Is the household’s contribution toward rent at least equal to the PJ’s established minimum rent contribution?[24 CFR 209(h)(2)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  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)] | Did the PJ determine that the rent charged for the unit was reasonable?[24 CFR 92.209(f)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  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 security deposit assistance was provided*, was the amount less than or equal to 2 months’ rent?[24 CFR 92.209(j)(2)] |
| [ ]  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 |
| **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)] | Does the project file include records that document the calculation of the HOME subsidy and the tenant’s contribution to rent?[24 CFR 92.508(a)(3)(vi)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. LEASE PROVISIONS

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

37.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Does the project file include documentation that the PJ reviewed and approved the lease?[24 CFR 92.209(k) and 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  |
| **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)] | *If the date of the HOME written agreement with the tenant was after December 16, 2016*, did the tenant’s lease incorporate 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 |
| **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)] | Is the tenant’s lease free of ***all*** of the following prohibited lease terms:[24 CFR 92.209(g)] |
| [ ]  Yes [ ]  No |  | **File# 1:** | **File# 2:** | **File# 3:** | **File# 4:** | **File# 5:** |
|  | 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 |
|  | 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 |
|  | Excusing owner from responsibility for any action? | [ ]  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 |
|  | Waiver of legal proceedings relating to eviction? | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No | [ ]  Yes[ ]  No |
|  | Waiver of jury trial? | [ ]  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 |
|  | Tenant chargeable with cost of legal action regardless of outcome? | [ ]  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 |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

40.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Did the owner and tenant execute a lease for a period of at least one year, or shorter term by mutual agreement, as evidenced by signature of both parties?[24 CFR 92.209(g) and 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  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. PROPERTY REQUIREMENTS

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

41.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Initial occupancy: Does the file include documentation that the PJ conducted a Section 8 Housing Quality Standards (HQS) inspection at the time the lease was signed by the household?[24 CFR 92.209(i), 24 CFR 982.401, and 24 CFR 92.508(a)(3)(vi)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  | Date of Inspection: Click or tap here to enter text. |
| File #2: | [ ]  Yes [ ]  No  | Date of Inspection: Click or tap here to enter text. |
| File #3: | [ ]  Yes [ ]  No  | Date of Inspection: Click or tap here to enter text. |
|  | File #4: | [ ]  Yes [ ]  No  | Date of Inspection: Click or tap here to enter text. |
|  | File #5: | [ ]  Yes [ ]  No  | Date of Inspection: Click or tap here to enter text. |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

42.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Initial occupancy: Did the unit meet the HQS requirements (including applicable lead hazard reduction requirements) before execution of the tenant based rental assistance contract?[24 CFR 92.209(i) and 24 CFR 92.251(d)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

43.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Annual inspection: Does the file include documentation that the PJ conducted an annual Section 8 HQS inspection to determine the unit continued to meet HQS standards?[24 CFR 92.209(i); 92.504(d)(1)(iii); 24 CFR 92.508(a)(3)(vi)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  | Date of Inspection:Click or tap here to enter text. |
| File #2: | [ ]  Yes [ ]  No  | Date of Inspection:Click or tap here to enter text. |
| File #3: | [ ]  Yes [ ]  No  | Date of Inspection:Click or tap here to enter text. |
|  | File #4: | [ ]  Yes [ ]  No  | Date of Inspection:Click or tap here to enter text. |
|  | File #5: | [ ]  Yes [ ]  No  | Date of Inspection:Click or tap here to enter text. |
| **Describe Basis for Conclusion:**Click or tap here to enter text. |

1. ELIGIBLE COSTS

NOT REVIEWED DURING MONITORING – Check all that apply:

[ ]  Policies and Procedures NOT REVIEWED, and/or

[ ]  Project files NOT REVIEWED

44.

|  |  |
| --- | --- |
| Does the PJ have policies and procedures to comprehensively implement this requirement? [24 CFR 92.504(a)] | Were all HOME costs eligible?[24 CFR 92.209(a)] |
| [ ]  Yes [ ]  No | File #1: | [ ]  Yes [ ]  No  |
| File #2: | [ ]  Yes [ ]  No  |
| File #3: | [ ]  Yes [ ]  No  |
|  | File #4: | [ ]  Yes [ ]  No  |
|  | File #5: | [ ]  Yes [ ]  No  |
| **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 tenant based rental assistance program, the PJ must 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). 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 tenant based rental assistance program.

45.

|  |  |
| --- | --- |
| *If the PJ procured the services of a contractor to administer its tenant based rental assistance program*, 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. RECORD RETENTION

[ ]  NOT REVIEWED DURING MONITORING

46.

|  |  |
| --- | --- |
| Is the PJ retaining tenant-based rental assistance project records, including the tenant assistance contract, for five years after the period of rental assistance terminates?[24 CFR 92.508(c)(3)] | [ ]  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)