

### Subpart E—Monitoring and Accountability

#### § 1006.401 Monitoring of compliance.

(a) *Periodic reviews and monitoring.* At least annually, the DHHL must review the activities conducted and housing assisted with NHHBG funds to assess compliance with the requirements of the Act and this part. This review must encompass and incorporate the results of the monitoring by the DHHL of all contractors involved in the administration of NHHBG activities.

(b) *Review.* Each review under paragraph (a) of this section must include on-site inspection of housing to determine compliance with applicable requirements.

(c) *Results.* The results of each review under paragraph (a) of this section must be:

- (1) Included in a performance report of the DHHL submitted to HUD under § 1006.410; and
- (2) Made available to the public.

#### § 1006.410 Performance reports.

(a) *Requirement.* For each fiscal year, the DHHL must:

- (1) Review the progress the DHHL has made during that fiscal year in achieving goals stated in its housing plan; and
- (2) Submit a report in a form acceptable to HUD, within 60 days of the end of the DHHL's fiscal year, to HUD describing the conclusions of the review.

(b) *Content.* Each report submitted under this section for a fiscal year shall:

- (1) Describe the use of grant amounts provided to the DHHL for that fiscal year;
- (2) Assess the relationship of the use referred to in paragraph (b)(1), of this section, to the goals identified in its housing plan;
- (3) Indicate the programmatic accomplishments of the DHHL; and
- (4) Describe the manner in which the DHHL would change its housing plan as a result of its experiences administering the grant under the Act.

(c) *Public availability*—(1) *Comments by Native Hawaiians.* In preparing a report under this section, the DHHL shall make the report publicly available to Native Hawaiians who are eligible to

reside on the Hawaiian Home Lands and give a sufficient amount of time to permit them to comment on that report, in such manner and at such time as the DHHL may determine, before it is submitted to HUD.

(2) *Summary of comments.* The report under this section must include a summary of any comments received by the DHHL from beneficiaries under paragraph (c)(1) of this section, regarding the program to carry out the housing plan.

(d) *HUD review.* HUD will:

- (1) Review each report submitted under the Act and this part; and
- (2) With respect to each such report, make recommendations as HUD considers appropriate to carry out the purposes of the Act.

#### § 1006.420 Review of DHHL's performance.

(a) *Objective.* HUD will, at least annually, review DHHL's performance to determine whether the DHHL has:

- (1) Carried out eligible activities in a timely manner;
- (2) Carried out and made certifications in accordance with the requirements and the primary objectives of the Act and this part and with other applicable laws;
- (3) A continuing capacity to carry out the eligible activities in a timely manner;
- (4) Complied with its housing plan; and
- (5) Submitted accurate performance reports.

(b) *Basis for review.* In reviewing DHHL's performance, HUD will consider all available evidence, which may include, but not be limited to, the following:

- (1) The DHHL's housing plan and any amendments thereto;
- (2) Reports prepared by the DHHL;
- (3) Records maintained by the DHHL;
- (4) Results of HUD's monitoring of the DHHL's performance, including field evaluation of the quality of the work performed;
- (5) Audit reports;
- (6) Records of drawdowns on the line of credit;
- (7) Records of comments and complaints by citizens and organizations; and