



MONACAN INDIAN NATION HOUSING DEPARTMENT
PO BOX 960 AMHERST, VA 24521
SELF MONITORING
POLICY & PROCEDURES



Monacan Indian Nation SELF MONITORING POLICY

Whereas, the Native American Housing and Self-Determination Act of 1996 (NAHASDA) assists and promotes affordable housing activities to develop, maintain, and operate housing in a safe and healthy environment on Indian reservations and in other Indian Areas for occupancy by low-income families;

Whereas, recipients of NAHASDA Indian Housing Block Grant (IHBG) funds are responsible for monitoring grant activities, ensuring compliance with applicable federal requirements, and monitoring performance goals under the Indian Housing Plan (IHP);

Whereas, NAHASDA §403(b) requires IHBG recipients to prepare a compliance assessment at least annually;

Whereas, the MIN- Monacan Indian Nation received IHBG funds for the current program year to support the affordable housing goals and objectives of its IHP;

Therefore, be it resolved, that the Monacan Indian Nation- MIN acknowledges it is required to conduct an annual assessment of its adherence to NAHASDA's applicable federal requirements through a self-monitoring process; that the self-monitoring process will be conducted by an impartial reviewer; that results of this assessment will be made accessible to the public; and that recommendations to improve areas of significant compliance deficiencies will be developed and implemented during the proceeding program year.

In witness whereof, this Resolution is adopted as of this 9th day of April, 2020.

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SECTION 1

POLICY STATEMENT

The governing body of the MINHD recognizes the fact that they are responsible for establishing a self-monitoring policy and conducting compliance assessments as required by Section 403 of the Native American Housing and Self-Determination Act of 1996 (NAHASDA) and 24CFR 1000 Subpart F entitled 'Recipient Monitoring Oversight, and Accountability'. This policy is to be utilized by the MINHD staff to monitor and assess the activities of the MINHD to ensure compliance with applicable Federal requirements and monitoring performance goals described in the MINHD's Indian Housing Plan (IHP).

As the NAHASDA beneficiary, the MIN is responsible for monitoring programmatic and compliance requirements of the IHP and NAHASDA. Therefore, the MINHD will prepare periodic progress reports to submit to the MIN, along with the annual assessment, the Annual Performance Report (APR), and a copy of the fiscal audit conducted.

This policy is intended to establish an easy to use compliance assessment system that includes self-monitoring procedures to be used by the MINHD as a management tool in operating as a property management business.

SECTION 2

CONDUCTING COMPLIANCE ASSESSMENTS

- 2.1. Approaches.** The Executive Director/Tribal Chairperson shall determine each year what approach to take in conducting self-monitoring compliance assessments in accordance with this policy. The Tribal Administrator shall assure that the assessments are conducted with an objective and impartial perspective and that no one is reviewing their own work. The approaches that may be used to conduct the compliance assessments include, but are not limited to, the following:
- A. Develop a Housing Assessment Committee comprised of staff, members of the governing body and/or council
 - B. Utilize the Tribe's Internal Audit Division (if applicable)
 - C. Procure the services of an outside third party who has the technical knowledge and experience in the areas being assessed.
- 2.2. Methods.** The Tribal Administrator shall work with the compliance assessor(s) to determine the most effective method, or combination of methods, to utilize in conducting the self-monitoring compliance assessments in accordance with this policy. Conducting the compliance assessments may be achieved through the following methods:
- A. Interviews with managers and/or program administrators.** The assessor shall complete the self-monitoring checklists that are included as an appendix to this policy by conducting one-on-one interviews with the respective managers or administrative personnel to obtain their insights into how they adhere to specific compliance questions. The assessor shall gather a sufficient amount of corroborating information to exercise his/her judgment in determining the consistency and degree of adherence to the applicable regulatory requirements.
 - B. Facilitated sessions.** An independent third-party shall act as a facilitator and conduct self-assessment workshops with the managers and administrative staff to talk through the monitoring checklist questions as a group. The role of the facilitator shall be to lead the group's discussion and bring the group to consensus on the appropriate response to compliance questions.
 - C. Standard Operating Procedures Review.** The assessor shall review the MINHD's standard operating procedures including all of the policies and governing

documents required by NAHASDA, as well as, the MINHD's contracts and established internal controls. The assessor shall analyze how well the staff adheres to the adopted policies and procedures. The assessor shall also select a random sample of transaction files and determine whether the documentation included and recorded in the files conform with established operating procedures. The assessor shall compile and analyze the information and answer the compliance questions on the checklist.

SECTION 3

CONDUCTING COMPLIANCE ASSESSMENTS

3.1. Monitoring Strategy and Plan

- A. The MINHD Tribal Administrator shall develop and complete a Monitoring Plan each plan year, encompassing the following items:
 - 1. The self-monitoring compliance assessments start and completion dates.
 - 2. Approach to take to conduct and complete the different compliance assessments as described in Section 2.1.A.
 - 3. Frequency of conducting and completing the compliance assessments (annually, semi-annually, quarterly)
 - 4. Procedures to resolve any identified deficiencies or concerns

- B. The MINHD's Tribal Administrator shall provide a copy of the Monitoring Strategy and Plan to all staff and to the MINHD governing body. Any amended plans will be distributed to the same individuals.

3.2. Areas to be Monitored for Compliance

- A. Areas to be monitored.
 - (1) APR Development & IHP Monitoring
 - (2) Organizational Control Environment
 - (3) Resident Eligibility & Service Standards
 - (4) Fiscal & Financial Management
 - (5) Procurement & Contract Administration

- (6) Labor Standards & Construction Management
- (7) Environmental Review

B. Additions to List. The Tribal Administrator may add any additional areas to the list as recommended by the governing body or any HUD notices, guidance's, or guidebooks.

3.3. Resolution of Noncompliance Areas and Issues

A. Recommendations

- (1) If deficiencies are discovered during the assessments performed in accordance with these procedures, the Tribal Administrator will establish a Recommendations for Improvement Plan with target dates and corrective actions to ensure resolution and to prevent the recurrence of the deficiencies
- (2) The Recommendations for Improvement Plan will be submitted to the MINHD governing body within 30 days of completion of the assessments.

B. Oversight responsibility. The Tribal Administrator will be responsible for providing oversight to ensure that all deficiencies are corrected and for concurring on the closure of each identified deficiency.

3.4. Reporting

The MINHD's self-monitoring compliance assessment activities conducted in accordance with this policy shall be summarized in a report and presented to the MIN. The self-monitoring compliance checklist is not required to be submitted with the APR; however, a summary of the self-monitoring activities should be included, along with the appropriate required responses on the APR form to demonstrate that the MINHD is in compliance with 24CFR § 1000.502.



Enacted, on this day, 9 of 4, 20, in Amherst, Virginia.


Chief Kenneth Branham

4-9-20
Date

APPENDIX A

Recommendations for Improvement Plan Template

Recommendations for Improvement Plan Template

Compliance Assessment Area: _____
For Program (fiscal) Year: _____

Compliance Deficiencies	Improvement Target	Action Steps	Responsibilities	Budget Implication(s)	Target Date(s)

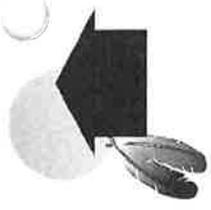


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RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
<p>I. Purpose</p> <p>IHBG recipients are required to complete an annual self-monitoring compliance assessment (Assessment) of adherence to IHBG program requirements and applicable statutes. Self-monitoring activates the tribal self-determination framework envisioned under NAHASDA. Beneficiaries and recipients of assistance are expected to be accountable for their stewardship of NAHASDA resources. An Assessment system assists IHBG recipients to identify weak management practices that may lead to later consequences that could lessen the ability of the organization to provide affordable housing. Self-monitoring builds organizational capacity by learning from mistakes and successes to improve the way housing activities and programs operate.</p> <p>The following questions should assist the reviewer in evaluating the recipient's Assessment process.</p>	<p>NAHASDA, Section 403(b)</p> <p>2 CFR 200.328(a)</p> <p>24 CFR 1000.502(a) and (b)</p>	<p>Program Guidance 2007-08 and 2005-04, (Tribes/ TDHEs)</p> <p>HUD-52737 (IHP/APR)</p>		
<p>II. Pre-Visit Preparation</p> <p>A. If ONAP has entered into a Self-Monitoring Mutual Agreement (SMMA) with the recipient, review the SMMA, as well as:</p>	<p>24 CFR 1000.503(d)</p>			
<p>1. The self-monitoring plan or policy or revised plan or policy.</p>				



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
2. The latest Assessment conducted and submitted by the recipient and the results.				
3. The actions proposed or taken to correct any deficiencies noted in the Assessment.				
<p>B. If available, review the following documents:</p> <ol style="list-style-type: none"> 1. Most recent IHP, approved IHP amendments, IHP amendments in process 2. Section 10 of latest APR. Based on any deficiencies identified in Section 10, identify areas for additional attention during site review. 3. Previous monitoring findings in the areas of procurement, Indian preference, contract administration, and/or Section 3. 4. Financial audits and OIG audits findings and/or work papers in the areas of procurement, Indian preference, contract administration, and/or Section 3. 5. Corrective actions status for findings in any of these areas. 6. Previous and current enforcement actions. 7. Valid complaints received in the areas of procurement, occupancy, Indian preference, contract administration, and/or Section 3. 9. Relevant correspondence 				



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
<p>III. On-Site Review</p> <p>Under NAHASDA, both the recipient and the grant beneficiary have a role in reviewing the activities conducted and housing assisted to assess compliance with the requirements of NAHASDA. The sections below review each entity's role.</p> <p>Review the sampling methods in the General Instructions.</p>	<p>NAHASDA, Section 403(b) 24 CFR 1000.502(a) and (b) 24 CFR 1000.503(b) and (c)</p>	<p>Program Guidance 2007-08 and 2005-04, (Tribes/ TDHEs)</p>		
<p>IV. Recipient Responsibilities (TDHE or Tribe)</p> <p>A. If the recipient has a Self-Monitoring Policy, the reviewer should review the policy to assist in determining whether the recipient's plan or process has been followed.</p> <ol style="list-style-type: none"> 1. Is a self-monitoring plan or process in place? 2. Does the self-monitoring plan indicate there could be a conflict of interest in regards to the person conducting the Assessment? 	<p>NAHASDA, Section 403(b)</p>			



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
3. Review the recipient's Assessments.				
4. Are Assessments completed at least annually?	24 CFR 1000.502(a) and (b)			
5. Are the Assessments adequate?	24 CFR 1000.502(b) and .506			
a. Is the recipient providing regular Assessment reports to the BOC or Tribal officials?				
b. Does the Assessments process include an analysis of the planned activities identified in the IHP?				
c. If so, does the Assessment provide information concerning the status of the planned activities?				
B. Has the recipient noted any deficiencies or areas of noncompliance with NAHASDA and other applicable regulations?				
1. If so, does the recipient have an adequate corrective action plan or strategy in place to address those deficiencies or violations?	24 CFR 1000.508			



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
2. If deficiencies are identified in the Annual Performance Report (APR) with corrective actions, test on site to confirm the statements.	24 CFR 1000.512	HUD-52737 (IHP/APR)		
3. Test for completion and effectiveness of corrective actions.				
<p>C. Has HUD's on-site monitoring review identified deficiencies or areas of noncompliance that were not identified in the recipient's Assessments?</p> <p>If yes, the reviewer should make an additional finding or concern in this area citing that its Assessments process is not adequate to ensure compliance with applicable Federal requirements.</p> <p>If no Assessment deficiencies are identified, go to question 2.</p>	24 CFR 1000.508			
<p>1. Has the recipient made progress from year to year in addressing deficiencies identified in the Assessments?</p> <p>NOTE. The most efficient way to determine progress over time is to design an exception chart, identifying by year, the problem, and corrective actions determined</p>				



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
and taken. Progress over time should result in fewer problems each year.				
2. Has the recipient made the results of its Assessment available to the public? (Determine this from either the APR or from management and staff interviews.)	24 CFR 1000.518	Section 10 of the IHP/APR		
V. Recipient Responsibilities If TDHE Is Recipient				
Has the TDHE submitted periodic progress reports to the Tribe, including the Assessment, APR, and audit reports? Note: This may have to be determined when reviewing the tribe to ensure the TDHE has met its responsibilities.	24 CFR 1000.502(b) and .506			
VI. Tribe Responsibilities If TDHE is Recipient				
When the recipient is a TDHE, the tribe is responsible for monitoring programmatic and compliance requirements by requiring the TDHE to prepare periodic progress reports including the Assessment, APR, and audit reports.				
A. Has the tribe established a schedule for the TDHE to submit Assessment reports and has the tribe provided the schedule to the TDHE?	24 CFR 1000.502(b)			



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
B. If yes, is the TDHE submitting the Assessment reports to the Tribe according to the schedule established?	24 CFR 1000.506			
C. Has the Tribe monitored the TDHE to determine whether the TDHE is meeting the programmatic and compliance requirements of the IHP and NAHASDA?	24 CFR 1000.506			
1. If yes, has the Tribe identified any compliance concerns?	24 CFR 1000.510			
2. If yes, has the TDHE addressed these concerns?	24 CFR 1000.510			
3. If no, include the finding in the monitoring report to the TDHE and send a letter to the Tribe notifying them of the finding.				
VII. Subrecipients				
A. Are subrecipients contractually involved in the recipient's IHBG activities?	2 CFR 200.330 and .331			
1. If so, is the recipient monitoring the subrecipients for compliance with the subrecipient agreement and applicable NAHASDA requirements?	2 CFR 200.331			



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
2. Use the above questions to evaluate the recipient's monitoring of its subrecipients -- this may cover area(s) that ideally should have been included in a contract and were not.				
B. Are subrecipients included in the Assessments process?				
VIII. Self-Monitoring Mutual Agreements				
A. Has ONAP entered into a SMMA with the recipient? If so,	24 CFR 1000.503(d)			
1. Has the self-monitoring plan and/or policy been revised since the SMMA was executed?				
a. If so, does it still address all the items contained in the Program Guidance under the "Initial Review" section?				
b. If not, the SMMA should be reviewed and possibly terminated.				
2. Was the Assessment conducted by an independent person.				
3. If corrective actions were identified in the last Assessment, have they been taken?				



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
4. If so, have the deficiencies been corrected?				
5. Has the reviewer identified any findings that were not identified in the recipient's last Assessments? a. If the violation(s) occurred after the last Assessment, make additional finding(s) in this area. b. If the violation(s) occurred prior to the last Assessment, make additional finding(s) and contact the Area ONAP to terminate the SMMA.				
X. Summary A. Summarize the results of the review in a work paper. B. Discuss significant issues with Supervisor. C. Develop findings, including questioned costs and corrective actions, as appropriate. D. Develop concerns because they could lead to a violation E. Develop report language, including any findings and concerns. F. If there are any major issues identified in this review and the recipient has approval to invest, determine if a withdrawal of investment authority should be recommended.				



Office of Native American Programs

Self-Monitoring
Monitoring Plan (IHBG Only)
RECIPIENT

Reviewer Name:	
Review Date(s):	

Attach supporting documents to back of this page.