

SECTION .1100 - PERFORMANCE

04 NCAC 19L .1101 REPORTING

- (a) Recipients shall submit an Annual Performance Report at the close of each fiscal year concurrently with the annual audit of the program required by Rule .0912 of this Subchapter. Failure to provide the APR and audit within 60 days of the end of the fiscal year may be grounds for withholding further grant payments until the APR and audit have been submitted. A performance report may also be required of the recipient prior to the grant closeout pursuant to Rule .0913 of this Subchapter.
- (b) The Annual Performance Report and any other performance report required prior to the grant closeout shall contain completed copies of all forms and narratives requested by the Department.
- (c) Between the required performance reporting dates, events may occur which have significant impact upon the project or program. In such cases, the recipient shall inform the Department as soon as the following types of conditions become known:
- (1) Problems, delays, or adverse conditions which will materially affect the ability to attain program objectives, prevent the meeting of time schedules and goals, or preclude the attainment of project work units by established time periods. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any Departmental assistance needed to resolve the situation.
 - (2) Favorable developments or events which enable meeting time schedules and goals sooner than anticipated or producing more work units than originally projected.
- (d) For both construction and nonconstruction grants, recipients shall notify the Department promptly whenever the amount of CDBG authorized funds is expected to exceed the needs of the recipient by more than five thousand dollars (\$5,000) or five percent of the Community Development grant, whichever is greater.
- (e) Recipients shall submit such reports as may be necessary, pursuant to the rules and regulations under Title VI, Civil Rights Act of 1964; Title VIII, Civil Rights Act of 1968; Section 3 of the Housing and Urban Development Act of 1968; Section 109 of the Housing and Community Development Act of 1974, as amended; Executive Order 11246, as amended; and Executive Order 11063.
- (f) Recipients will be required to report data annually as specified by the Division for the state's Comprehensive Housing Affordability Strategy (CHAS) for response by the Division to 24 CFR Part 91, State and Local Housing Affordability Strategies.
- (g) Recipients shall submit other reports as outlined in this Subchapter or as may be further required by the Division.

History Note: Authority G.S. 143B-10; 143B-431; 42 U.S.C.A. 5304(b)(4); 24 C.F.R. Part 91; 24 C.F.R. 570.490; 24 C.F.R. 570.491; Eff. July 1, 1982; Amended Eff. June 1, 1993; September 1, 1990; March 1, 1984; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.