

#### **04 NCAC 19L .1103 MONITORING BY THE DIVISION**

(a) The Secretary shall, in addition to the annual audit, evaluate programs conducted under this Subchapter and their effectiveness in meeting the objectives of the CDBG Program.

(b) The Secretary may conduct such evaluation using Division personnel, or by contract or other arrangement with public or private agencies. The evaluations will consist of site visits as frequently as practical to:

- (1) Review Program accomplishments and management control systems as outlined in Paragraph (d) of this Rule; and
- (2) Provide such technical assistance as may be required.

(c) Recipients may be required to supply data or make available such records as are necessary for the accurate completion of these evaluations, including, but not limited to the following:

- (1) the approved CDBG application and any amendments thereto;
- (2) reports prepared by the recipient including the performance report described in Rule .1101;
- (3) records maintained by the recipient pursuant to Rule .0911;
- (4) results of the Division's monitoring of recipient performance;
- (5) audit reports;
- (6) records of drawdowns; and
- (7) records of comments and complaints by citizens and/or other organizations, or litigation.

(d) Review criteria:

- (1) Substantial progress. The Division will review a recipient's performance to determine the recipient's progress in carrying out approved activities and will take into account such factors as expenditure of funds, obligation of funds, award of third party contracts, and other measures of progress. The Division will compare a recipient's progress with that of other recipients of comparable size with similar activities and grant amounts. If a recipient's progress lags substantially behind that of other similar recipients, further reviews may be conducted to determine the reasons for a lack of progress.
- (2) Conformance with approved program. The Division will review a recipient's performance to determine whether the activities undertaken during the period under review conform substantially to the Community Development Program described in the application, including any amendments approved by the Division.
- (3) Compliance. The Division will review a recipient's performance to determine whether the program carried out complies with the requirements of the Act, this Subchapter, and other applicable laws and regulations.
- (4) Continuing Capacity. The Division will review a recipient's performance to determine whether the recipient has a continuing capacity to carry out the approved program in a timely manner.

*History Note: Authority G.S. 143B-10; 143B-431; 42 U.S.C.A. 5304(d)(2),(e); 24 C.F.R. 570.492; 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.*