

## Questionnaire on Compliance with NSP Tenant Protection Requirements

Date of NSP grantee's inquiry regarding status of the property: \_\_\_\_\_

1. On (date) , \_\_\_\_\_ became the Initial Successor in Interest (ISII) pursuant to a foreclosure on residential property located at: \_\_\_\_\_

2. Date of Notice of Foreclosure \_\_\_\_\_ (date)

On or after the date of notice of foreclosure, was the property occupied?  Yes  No

*(If property was NOT occupied, Tenant Protections do not apply.)*

3. Was the tenant occupying the property under a lease in effect **as of the date of notice of foreclosure**?

Yes  No

*(If YES, proceed to #5. If NO, proceed, below.)*

4. Was the lease or tenancy effective **after the date of notice of foreclosure**?  Yes  No

*(If YES, proceed to #6. If NO, Tenant Protections do not apply.)*

5. If the property was occupied under a "bona fide" lease or tenancy effective as of the date of the notice of foreclosure, what was the remaining term? \_\_\_\_\_ (end date)

A. Has tenant vacated the property?  Yes  No Date tenant moved: \_\_\_\_\_

B. Did the ISII allow the tenant to stay until the end of the lease term?  Yes  No

*(If YES, skip to D. If NO, answer C)*

C. If ISII did not allow tenant to stay through lease term, did the ISII sell the property to a purchaser who will occupy the unit as a primary residence?  Yes  No

*(If YES, go to D. If NO, abandon transaction; ineligible for NSP funding.)*

D. Did the ISII provide at least 90 days notice to move?  Yes  No

When did/will that 90-day notice expire? \_\_\_\_\_

E. Based on these facts, did ISII comply with NSP tenant protection requirements?

Yes  No

F. If the ISII did not comply and the tenant is still in occupancy will the grantee assume this responsibility?  Yes  No

6. If the property was occupied under a "bona fide" lease or tenancy effective **after the date of notice of foreclosure**, without a lease, or under lease terminable at will:

A. Has tenant vacated the property? Yes No Date tenant moved: \_\_\_\_\_

B. Did the ISII provide at least 90 days notice to move?  Yes  No  
When did/will that 90-day notice expire? \_\_\_\_\_

C. Based on these facts, did ISII comply with NSP tenant protection requirements?  
 Yes  No

D. If the ISII did not comply and the tenant is still in occupancy will the grantee assume this responsibility?  Yes  No

**7.** The use of NSP funds is subject to a determination by the grantee that the ISII complied with the tenant protection requirements of the Recovery Act, that the grantee will assume this responsibility if the ISII did not, or that the tenant protections are not applicable. If the grantee learns that the initial successor in interest did not comply with the NSP tenant protection requirements and a bona fide tenant was required to vacate the property contrary to the NSP requirements, abandon the transaction. NSP funds cannot be used for such properties.

**8.** If the property is occupied, or was vacated for the NSP-assisted project, the grantee must also determine if the occupant would be eligible as a displaced person under the URA.