

**Housing Choice Voucher (HCV) and Public Housing Program
COVID-19
Statutory and Regulatory Waivers**

On April 10, 2020, the United States Department of Housing and Urban Development (HUD) issued PIH Notice 2020-05 which contains Statutory and Regulatory Waivers for the Public Housing, Housing Choice Voucher, Indian Housing Block Grant and Indian Community Development Block Grant programs. Suspension of the Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) has been implemented by HUD in response to COVID-19.

The waivers and alternative requirements identified in the above-mentioned PIH Notice allow Public Housing Agencies (PHAs) to keep public housing and housing choice voucher programs operational to the extent practical during the COVID-19 pandemic. The following chart provides a list of waivers and alternatives that Yolo County Housing (YCH) has adopted for the Low Rent Public Housing (LRPH) program, the Housing Choice Voucher (HCV) program and the Project Based Voucher (PBV) program. The "item" description below correlates with the sections identified in the Notice. Additional information related to these waivers can be found in PIH Notice 2020-05.

Note: Once the period of availability deadline listed below **OR** any extension to the availability deadline is provided by HUD, YCH has an obligation to resume normal policies and procedures outlined in its Admissions and Continued Occupancy Plan (ACOP) and its Administrative Plan. Adoption of any waiver or alternative does not relieve public housing residents, HCV program participants or landlords from the requirement of reporting **true and accurate information** to YCH at all times in order to effectively administer YCH public housing programs.

| Item | Statutory and regulatory waivers | Summary of alternative requirements | Availability Period Ends | Did PHA implement waiver and alternative requirement ? | Date of PHA adoption |
|---|--|--|--|--|----------------------|
| PH and HCV-1 PHA 5-Year and Annual Plan | <u>Statutory Authority</u> Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h) <u>Regulatory Authority</u> § 903.5(a)(3), 903.5(b)(3), 903.21 | <ul style="list-style-type: none"> • Alternative dates for submission • Changes to significant amendment process | <ul style="list-style-type: none"> • Varies based on FYE • 7/31/20 | Yes | 04/15/2020 |

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| PH and HCV-2 Family income and composition – delayed annual reexaminations | <u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> § 982.516(a)(1), § 960.257(a) | <ul style="list-style-type: none"> Permits the PHA to delay the annual reexamination of income and family composition HCV PHAs must implement HCV-7 for impacted families if they implement this waiver | <ul style="list-style-type: none"> 12/31/20 | Yes | 04/15/2020 |
| PH and HCV-3 Annual reexamination Income Verification | <u>Regulatory Authority</u> § 5.233(a)(2) <u>Sub-regulatory Guidance</u> PIH Notice 2018-18 | <p>Waives the requirements to use the income hierarchy, including the use of EIV, and will allow PHAs to consider self-certification as the highest form of income verification</p> <ul style="list-style-type: none"> PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later | <ul style="list-style-type: none"> 7/31/20 | Yes | 04/15/2020 |
| PH and HCV-4 Interim reexaminations | <u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> § 5.233(a)(2), 982.516(c)(2), 960.257(b) and (d) <u>Sub-regulatory Guidance</u> | <ul style="list-style-type: none"> Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations | <ul style="list-style-type: none"> 7/31/20 | Yes | 04/15/2020 |

| PIH Notice 2018-18 | | | | | |
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| PH and HCV-5 EIV System Monitoring | <u>Regulatory Authority § 5.233</u> <u>Sub-regulatory Guidance PIH Notice 2018-18</u> | <ul style="list-style-type: none"> • Waives the mandatory EIV monitoring requirements. | <ul style="list-style-type: none"> • 7/31/20 | Yes | 05/13/2020 |
| PH and HCV-6 FSS Contract of Participation | <u>Regulatory Authority § 984.303(d)</u> | <ul style="list-style-type: none"> • Provides for extensions to FSS contract of participation | <ul style="list-style-type: none"> • 12/31/20 | Yes | 05/13/2020 |
| PH and HCV-7 Waiting List | <u>Regulatory Authority § 982.206(a)(2)</u> <u>PIH Notice 2012-34</u> | <ul style="list-style-type: none"> • Waives public notice requirements for opening and closing waiting list • Requires alternative process | <ul style="list-style-type: none"> • 7/31/20 | Yes | 04/15/2020 |
| HQS-1 Initial inspection | <u>Statutory Authority Section 8(o)(8)(A)(i), Section 8(o)(8)(C)</u> <u>Regulatory Authority § 982.305(a), 982.305(b), 982.405</u> | <ul style="list-style-type: none"> • Changes initial inspection requirements, allowing for owner certification that there are no life-threatening deficiencies • Where self-certification was used, PHA must inspect the unit no later than October 31, 2020. | <ul style="list-style-type: none"> • 7/31/20 • 10/31/20 | Yes | 04/15/2020 |
| HQS-2: PBV Pre-HAP Contract Inspections, PHA | <u>Statutory Authority: Section 8(o)(8)(A)</u> <u>Regulatory Authority: §§ 983.301(b),</u> | <ul style="list-style-type: none"> • Changes inspection requirements, allowing for owner certification that there are no life- threatening deficiencies | <ul style="list-style-type: none"> • 7/31/20 • 10/31/20 | Yes | 04/15/2020 |

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| acceptance of completed units | <u>983.156(a)(1)</u> | <ul style="list-style-type: none">Where self-certification was used, PHA must inspect the unit no later than October 31, 2020. | | | |
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| HQS-3 Non-Life Threatening HQS - Initial Unit Approval | <u>Statutory Authority</u> Section 8(o)(8)(A)(ii) <u>Regulatory Authority</u> HOTMA HCV Federal Register Notice January 18, 2017 | <ul style="list-style-type: none"> Allows for extension of up to 30 days for owner repairs of non-life threatening conditions | <ul style="list-style-type: none"> 7/31/20 | Yes | 04/15/2020 |
| HQS-4 Initial HQS – Alternative Inspections | <u>Statutory Authority</u> Section 8(o)(8)(A)(iii) <u>Regulatory Authority</u> HOTMA HCV Federal Register Notice January 18, 2017 | <ul style="list-style-type: none"> Under Initial HQS Alternative Inspection Option – allows for commencement of assistance payments based on owner certification there are no life-threatening deficiencies Where self-certification was used, PHA must inspect the unit no later than October 31, 2020. | <ul style="list-style-type: none"> 7/31/20 10/31/20 | Yes | 04/15/2020 |
| HQS-5 Biennial Inspections | <u>Statutory Authority</u> Section 8(o)(D) <u>Regulatory Authority</u> §§ 982.405(a), 983.103(d) | <ul style="list-style-type: none"> Allows for delay in biennial inspections All delayed biennial inspections must be completed as soon as reasonably possible but by no later than October 31, 2020. | <ul style="list-style-type: none"> 10/31/20 | Yes | 04/15/2020 |

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| HQS-6 Interim Inspections | <u>Statutory Authority</u> Section 8(o)(8)(F) <u>Regulatory Authority</u> §§ 982.405(g), § 983.103© | <ul style="list-style-type: none"> • Waives the requirement for the PHA to conduct interim inspection and requires alternative method • Allows for repairs to be verified by alternative methods | <ul style="list-style-type: none"> • 7/31/20 | Yes | 04/15/2020 |
| HQS-7 PBV Turnover Inspections | <u>Regulatory Authority</u> § 983.103© | <ul style="list-style-type: none"> • Allows for PBV turnover units to be filled based on owner certification there are no life-threatening deficiencies • Allows for delayed full HQS inspection | <ul style="list-style-type: none"> • 7/31/20 • 10/31/20 | Yes | 04/15/2020 |
| HQS-8: <u>PBV HAP Contract – HQS Inspections to Add or Substitute Units</u> | <u>Statutory Authority</u> Section 8(o)(8)(A) <u>Regulatory Authority</u> §§ 983.207(a), 983.207(b) | <ul style="list-style-type: none"> • Allows for PBV units to be added or substituted in the HAP contract based on owner certification there are no life-threatening deficiencies • Allows for delayed full HQS inspection | <ul style="list-style-type: none"> • 7/31/20 • 10/31/20 | Yes | 04/15/2020 |

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| HQS-9 HQS QC Inspections | <u>Regulatory Authority</u> § 982.405(b) | <ul style="list-style-type: none"> Provides for a suspension of the requirement for QC sampling inspections | <ul style="list-style-type: none"> 10/31/20 | Yes | 04/15/2020 |
| HQS—10 HQS Space and Security | <u>Regulatory Authority</u> § 982.401(d) | <ul style="list-style-type: none"> Waives the requirement that each dwelling unit have at least 1 bedroom or living/sleeping room for each 2 persons. | Remains in effect one year from lease term or date of notice, whichever is longer | Yes | 05/13/2020 |
| HQS-11 Homeownership HQS | <u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(y)(3)(B) <u>Regulatory Authority</u> § 982.631(a) | <ul style="list-style-type: none"> Waives the requirement to perform an initial HQS inspection in order to begin making homeownership assistance payments Requires family to obtain independent professional inspection | <ul style="list-style-type: none"> 7/31/20 | Yes | 05/13/2020 |
| HCV-1 Administrative Plan | <u>Regulatory Authority</u> § 982.54 (a) | <ul style="list-style-type: none"> Waives the requirement to adopt revisions to the admin plan | <ul style="list-style-type: none"> 7/31/20 | Yes | 04/15/2020 |
| HCV-2 PHA Oral Briefing | <u>Regulatory Authority</u> § 982.301(a)(3) § 983.252(a) | <ul style="list-style-type: none"> Waives the requirement for an oral briefing Provides for alternative methods to conduct required voucher briefing | <ul style="list-style-type: none"> 7/31/20 | Yes | 04/15/2020 |

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| HCV-3 Term of Voucher – Extensions of Term | <u>Regulatory Authority § 982.303(b)(1)</u> | <ul style="list-style-type: none"> • Allows PHAs to provide voucher extensions regardless of current PHA policy | <ul style="list-style-type: none"> • 7/31/20 | Yes | 04/15/2020 |
| HCV-4 PHA Approval of Assisted Tenancy | <u>Regulatory Authority § 982.305(c)</u> | <ul style="list-style-type: none"> • Provides for HAP payments for contracts not executed within 60 days • PHA must not pay HAP to owner until HAP contract is executed | <ul style="list-style-type: none"> • 7/31/20 | Yes | 05/13/2020 |
| HCV-5 Absence from unit | <u>Regulatory Authority § 982.312</u> | <ul style="list-style-type: none"> • Allows for PHA discretion on absences from units longer than 180 days • PHAs must not make HAP payments beyond 12/31/20 for units vacant more than 180 consecutive days | <ul style="list-style-type: none"> • 12/31/20 | Yes | 04/15/2020 |

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| <p>HCV-6 Automatic Termination of the HAP Contract</p> | <p><u>Regulatory Authority</u> § 982.455</p> | <ul style="list-style-type: none"> Allows PHA to extend the period of time after the last HAP payment is made before the HAP contract terminates automatically. | <ul style="list-style-type: none"> 12/31/20 | <p>Yes</p> | <p>05/13/2020</p> |
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