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COVID-19 Waivers Related to Housing Choice Voucher Program

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Introduction:

On April 10, 2020, the U.S. Department of Housing and Urban Development (HUD) released a series of waivers and program updates, for the Public Housing and Housing Choice Voucher (HCV) programs. The waivers were issued by HUD’s Office of Public and Indian Housing (PIH) in [Notice PIH 2020-05, COVID-19 Statutory and Regulatory Waivers for the Public Housing, Housing Choice Voucher, Indian Housing Block Grant and Indian Community Development Block Grant programs, Suspension of Public Housing Assessment System and Section Eight Management Assessment Program.](#)

NOTE: On November 30, 2020, HUD released PIH Notice 2020-33(HA), REV-2 notifying PHA’s that previously approved waivers have been extended and include new deadlines. That same notice also provided additional waivers that PHAs can use. (HUD Waivers were previously revised on July 2, 2020 under PIH Notice 2020-13.)

Below is a list of waivers Housing Works has decided to implement for its Housing Choice Voucher Program.

HUD Waiver Type	Description of Waiver	Timeline
Family Income and Composition; Annual Examination – Income Verification requirements	<p>HUD is waiving the requirement that PHAs must use the income hierarchy described by PIH Notice 2018-18. HUD will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if a PHA opts to conduct annual recertifications rather than delaying them. PHAs may consider self-certification as the highest form of income verification to process annual reexaminations. This may occur over the telephone (but must be documented for the written record by PHA staff), through an email or postal mail with a self-certification form by the tenant, or through other electronic communication. Income and family composition examinations and recertifications do not have to be conducted in-person.</p> <p style="color: red;">Housing Works has elected to accept self-certifications for income changes by fax, mail, email, hand delivered to drop box or over the phone. HCV voucher holders are asked to continue to report changes in writing.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
Family Income and Composition; Interim Examinations	<p>HUD is waiving the requirements to use the income hierarchy described by PIH Notice 2018-18 and will allow PHAs to forgo third-party income verifications, including EIV. PHAs may consider self-certification as the highest form of income verification for interim reexaminations. Interim reexaminations are not required to be held in-person.</p> <p style="color: red;">Housing Works has elected to accept self-certifications for income changes by fax, mail, email, hand delivered to drop box or over the phone. HCV voucher holders are asked to continue to report changes in writing.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>

<p>Family Self-Sufficiency (FSS) Contract of Participation; Contract Extension</p>	<p>HUD will consider the circumstances surrounding COVID-19 to qualify as “good cause” to extend a family’s contract of participation in the FSS program.</p> <p>This waiver only applies to individuals participating in the FSS program.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
<p>Initial Inspection</p>	<p>A PHA may rely on the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit instead of conducting an initial inspection. A PHA may add other requirements or conditions to the owner’s certification. The PHA is required to conduct an HQS inspection on the units as soon as reasonably possible, but no later than June 30, 2021. The waiver may also apply to PHA-owned units.</p> <p>Housing Works has elected to accept self-certifications from an owner certifying that unit does not have any life-threatening conditions. The HQS Inspector will confirm with tenant over the phone. Self-certifications will be accepted by fax, mail, email, or hand delivered to drop box. Where a self-certification was used, Housing Works will inspect no later than 1-year anniversary date of owner’s certification.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p> <p>Physical Inspections due: 1 year from owner’s certification</p>
<p>Project-Based Voucher (PBV) Pre-HAP Contract Inspections, PHA Acceptance of Complete Units</p>	<p>A PHA may rely on the owner’s certification that the owner that has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. A PHA may add other requirements. The PHA must conduct an HQS inspection no later than June 30, 2021 but must do so as soon as reasonably possible. If there’s a requirement under the Agreement to enter into a Housing Assistance Payment (AHAP) contract for newly constructed or rehabilitated projects, the PHA may choose to allow the owner to certify that the PHA requirement has been met. The waiver may also apply to PHA-owned units, if the independent entity is unable to perform the inspection.</p> <p>Housing Works has elected to accept self-certifications from an owner certifying that unit does not have any life-threatening conditions. The HQS Inspector will confirm with tenant over the phone. Self-certifications will be accepted by fax, mail, email, or hand delivered to drop box. Where a self-certification was used, Housing Works will inspect no later than 1-year anniversary date of owner’s certification.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p> <p>Physical Inspections due: 1 year from owner’s certification</p>
<p>Biennial Inspections</p>	<p>The Department is waiving the requirement that PHAs inspect the unit not less than biennially (certain small, rural PHAs may inspect units triennially). All delayed biennial inspections must be completed as soon as reasonably possible, but no later than 1 year after the date of which the biennial inspection would have been required absent the waiver. This waiver may be applied to PHA-owned units if the independent entity is unable to perform the inspection.</p> <p>Housing Works has elected to temporarily postpone biennial inspections until local government removes social distancing measures. Inspections will be delayed as indicated on the waiver. The HQS Inspector must complete any inspections delayed as soon as reasonably possible, but no later than 1-year after the date of which the biennial inspection would have been required absent the waiver.</p> <p>Housing Works will resume biennial inspections by June 30, 2021 and will conduct all delayed biennial inspections no later than December 31, 2021.</p>	<p>Starting: April 10, 2020</p> <p>Resume by: June 30, 2021</p> <p>Complete by: December 31, 2021</p>
<p>Interim Inspections</p>	<p>This waiver states that if an HQS reported deficiency is life-threatening, the PHA must notify the owner of the reported life-threatening deficiency and the owner must correct it within 24 hours of the PHA notification or provide documentation that the deficiency does not exist. For non-life-threatening deficiencies, the PHA must notify the owner within 30 days and the owner must either make the repair</p>	<p>Starting: April 10, 2020</p>

	<p>or document that the deficiency does not exist within 30 days of the PHA notification. The PHA may add other requirements. The PHA is not required to conduct an on-site inspection to verify the repairs have been made, but may rely on alternative verification methods (photos, tenant certification, etc.). This waiver may apply to PHA-owned units where the independent entity is unable to perform the inspection.</p> <p>Housing Works has elected to rely on alternative verification methods to confirm that life-threatening conditions have been corrected within 24 hours of notification to owner of deficiencies. As indicated in the waivers, Housing Works will allow for repairs to be verified by alternative methods.</p>	<p>Ending: June 30, 2021</p>
PBV Turnover Unit Inspections	<p>The Department is waiving the regulation that requires a PBV unit inspection before the unit is leased to a new family. The PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add other requirements. The waiver may be applied to PHA-owned units if the independent entity is unable to complete inspections.</p> <p>Housing Works has elected to accept self-certifications from an owner certifying that unit does not have any life-threatening conditions. The HQS Inspector will confirm with tenant over the phone. Self-certifications will be accepted by fax, mail, email, or hand delivered to drop box. Where a self-certification was used for non-life threatening conditions, Housing Works will inspect no later than 1-year anniversary date of owner's certification.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p> <p>Physical Inspections due: 1 year from owner's certification</p>
HQS Quality Control Inspections (QCI)	<p>The Department is waiving its supervisory quality control inspections until June 30, 2021.</p> <p>Housing Works has elected to delay QC Inspections until June 30, 2021. QC Inspections will resume on July 1, 2021 unless waiver is subsequently extended.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
Homeownership Option – Initial HQS Inspection	<p>The Department is waiving the requirement for an initial HQS inspection before commencing monthly homeownership assistance payments. The family is still required to obtain an independent professional inspector and the PHA is still required to review the independent inspection and has discretion to disapprove the unit because of the contents of the inspection report.</p> <p>Housing Works has elected to use the inspection conducted by an independent professional inspector.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
Information When Family Is Selected – PHA Oral Briefing	<p>The Department is waiving the requirement that the PHA must give an oral briefing to families in the HCV and PBV programs. The PHA must instead conduct the briefing by other means such as webcast, video call, ex expanded information packet. The PHA must ensure that the method of communication for the briefing effectively communicates with, and allows for equal participation of, each family member, including those with vision, hearing, and other communication-related disabilities and ensures meaningful access for persons with limited English proficiency.</p> <p>For families selected from the waitlist, Housing Works has elected to complete oral briefings over the phone or video call. We will continue to comply with LEP requirements and grant reasonable accommodations requested.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
Term of Voucher – Extensions of Term	<p>The Department is waiving the requirement the voucher term extensions must be in accordance with the PHA administrative plan.</p> <p>Currently Housing Works issues voucher for 120 days with an additional 30-day extension as a reasonable accommodation. With the new waiver, Housing Works has elected to issue an additional one-time 120-day voucher for clients that</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>

	<p>request an extension. Client is required to request extension in writing but can also do so over the phone with proper documentation from Housing Specialist. Request for an extension must be received by June 30, 2021.</p>	
PHA Approval of Assisted Tenancy – When HAP Contract is Executed	<p>The Department is waiving the requirement that the HAP contract may not be executed 60 days after the lease term begins. A PHA may now execute a HAP contract after 60 days after the beginning of a lease and make HAP back to the beginning of the lease term. The HAP contract must be executed no later than 120 days from the beginning of the lease term.</p> <p>Housing Works has elected to grant an additional 60 days extension on execution of HAP contract. Execution of HAP contract must happen no later than 120 days from beginning date of lease.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
Automatic Termination of HAP Contract	<p>The Department is waiving the requirement to terminate a HAP contract 180 days after a housing assistance payment is reduced to \$0. This is in recognition that the COVID-19 emergency may cause the temporary addition of household members which causes the calculation of HAP to reach \$0. As an alternative requirement, the PHA, following a written notice to the owner and family, may extend the period of time following the last payment to the owner that triggers the automatic termination.</p> <p>Housing Works has elected to extend the 180 day “grace period” for families on Zero HAP. The extension beyond the 180 days may not extend beyond June 30, 2021. Housing Works will provide written notice to the owner and family.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
Increase in Payment Standard under HAP contract term	<p>The Department is waiving the requirement that if a payment standard is increased during the term of a HAP contract, the increased payment standard shall not be effective until the family’s first regular reexamination. Instead, the increased payment standard may be effective at any time (e.g., interim reexamination, owner rent increase) after the effective date as long as it is not later than then family’s first regular reexamination.</p> <p>Housing Works has elected to apply the increased payment standard any time after the effective date of the increase in the payment standard amount. For new payments standards that became effective on January 1st, increased payment standards can be applied with a family’s Interim re-examination if the re-examination occurs before their scheduled annual re-examination. This waiver is applicable until June 30, 2021.</p>	<p>Starting: June 1, 2020</p> <p>Ending: June 30, 2021</p>
Homeownership Option – Homeownership Counseling	<p>The Department is waiving briefing and counseling sessions to permit families to purchase a home without fulfilling the normally applicable pre-assistance homeownership counseling requirements, though HUD encourages families to continue the sessions that can be accomplished in accordance with social distancing directives.</p> <p>Housing Works has elected to permit a family to purchase a home under the HCV program without homeownership counseling until June 30, 2021.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
Family Unification Program (FUP) Youth Age Eligibility to Enter HAP Contract	<p>The Department is waiving the requirement that FUP youth must be not more than 24 years of age (not yet reached their 25th birthday) and is replacing it with the requirement that FUP youth be not more than 25 years of age (not yet reached their 26th birthday).</p> <p>Housing Works has elected to enter into a HAP contract for a FUP Eligible Youth before their 26th birthday.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>

<p>SEMAP (Section Eight Management Assessment Program)</p>	<p>HUD will not issue SEMAP scores that are pending or for fiscal years ending in 2020 unless a PHA requests a SEMAP score. HUD will carry forward the PHAs most recent SEMAP score on record.</p> <p>New SEMAP scores will issued by HUD beginning with PHAs that have a fiscal year end date of June 30, 2021.</p> <p>Housing Works has elected to not request a new SEMAP score for FYE 2020.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
<p>Administrative Plan</p>	<p>The regulation requires that any revisions of the PHA’s administrative plan must be formally adopted by the PHA Board of Commissioners or other authorized PHA officials. Recognizing the likely foreseeable difficulties in complying with this requirement in light of the COVID-19 pandemic, HUD is waiving the requirement to allow the PHA administrative plan to be revised on a temporary basis without Board approval through March 31, 2021. Any informally adopted revisions under this waiver authority must be formally adopted no later than June 30, 2021.</p> <p>Housing Works has elected to amend its Admin Plan and request board approval.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
<p>Absence from Unit</p>	<p>HUD is waiving this regulatory requirement to allow the PHA at its discretion to continue housing assistance payments and not terminate the HAP contract due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, caring for family members).</p> <p>Despite a family’s absence of more than 180 consecutive days, Housing Works has elected to allow a families absence as long as the tenancy is resumed by June 30, 2021.</p>	<p>Starting: April 10, 2020</p> <p>Ending: June 30, 2021</p>
<p>Family Unification Program: Length of Assistance for Youth</p>	<p>The statute limits the availability of assistance to a period “not to exceed 36 months.” COVID-19 may have resulted in job loss or the inability to identify a unit affordable to the youth without rental subsidy. As a result, the youth may again be at risk of homelessness at termination upon having received 36 months of assistance. To prevent such an outcome, HUD is waiving the statutory limitation and establishing an alternative requirement. Specifically, for FUP youth who will reach the 36-month limit between April 10, 2020, and June 30, 2021, a PHA may suspend terminations of assistance for a period of up to six months from the date the youth’s assistance would have been terminated absent this waiver. Depending on the timing and length of the suspension, impacted youth may have their assistance extended beyond June 30, 2021.</p> <p>Housing Works has elected to approve a six months extension to youths in need of assistance past the 36-month limit.</p>	<p>Starting: July 2, 2020</p> <p>Ending: June 30, 2021</p>
<p>Family Unification Program: Timeframe for Referral</p>	<p>The statute provides that assistance may be provided on behalf of “otherwise eligible youths who have attained at least 18 years of age and not more than 24 years of age and who have left foster care or will leave foster care within 90 days.” Due to the COVID-19 pandemic, it may be difficult for youth to find units that are available for lease within the 90- day timeframe, increasing the risk that such youth may experience homelessness. To prevent such an outcome, HUD is waiving the statutory limitation and establishing an alternative requirement. Specifically, PHAs may accept referrals from child welfare agencies for youth who will leave foster care within 120 days.</p> <p>Housing Works has elected to accept referrals from child welfare agencies for foster youth who will leave foster care within 120 days, instead of 90 days.</p>	<p>Starting: July 2, 2020</p> <p>Ending: June 30, 2021</p>

<p>Mandatory Removal of Unit from PBV Contract</p>	<p>Under the PBV program, a PHA is required to remove a unit from a PBV HAP contract after 180 days of zero housing assistance payments to the unit owner on behalf of the family residing in the unit. This situation arises when the family increases its income to such an extent that it no longer requires housing assistance. In recognition that the COVID19 pandemic is creating uncertainty for owners and families, HUD is waiving this requirement. As an alternative requirement, HUD is authorizing a PHA at its discretion to keep such units under contract for a period of time that exceeds 180 days but does not extend beyond June 30, 2021.</p> <p>Housing Works has elected to keep units that have exceeded 180 days of zero housing assistance for a period of time but will not extend beyond June 30, 2021.</p>	<p>Starting: July 2, 2020</p> <p>Ending: June 30, 2021</p>
<p>PBV HAP Contract: HQS Inspection to Add or Substitute Units</p>	<p>At the discretion of the PHA and subject to all PBV requirements (including the program cap and income-mixing requirements), the PHA may amend the HAP contract to add additional PBV contract units or to substitute a different unit for a previously covered contract unit. The PBV requirements include inspecting the proposed substitute or additional unit to determine that the unit meets HQS before it may be added to the HAP contract.</p> <p>HUD is waiving the HQS inspection requirement. In order to substitute or add a new unit to the PBV HAP contract, the PHA may rely on the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question instead of conducting an initial inspection. At minimum, the PHA must require the owner’s certification. However, the PHA may add other requirements or conditions in addition to the owner’s certification but is not required to do so.</p> <p>This waiver may also be applied to PHA-owned units if the independent entity is unable to perform the inspection.</p> <p>Housing Works will accept owner’s self-certification for an initial inspection ends on June 30, 2021. For any unit added to a PBV HAP contract based upon an owner’s self-certification, Housing Works will conduct an HQS inspection as soon as reasonably possible but no later than the 1-year anniversary of the date of the owner’s certification.</p>	<p>Starting: November 30, 2020</p> <p>Ending: June 30, 2021</p>
<p>Housing Quality Standards (HQS): Space and Security</p>	<p>The regulation establishes a minimum standard for adequate space for both an HCV- and PBV-assisted family. Specifically, it requires that each dwelling unit have at least 1 bedroom or living/sleeping room for each 2 persons. HUD is waiving this requirement for PHAs where the PHA wishes to assist a current participant that needs to add a member or members to the assisted household as a result of the COVID-19 pandemic, and the additional family members would result in the unit not meeting the space and security standards. This provision does not apply to an initial or new lease. A participant must not enter into a new lease for a unit that does not comply with the space and security standards.</p> <p>For any family occupying a unit that does not meet the space and security requirements pursuant to this waiver, the waiver will be in effect for the duration of the current lease term or one year from the date of this Notice, whichever period of time is longer. Housing Works will ensure that the file is documented appropriately. This waiver will only apply to contracts currently in effect.</p>	<p>Starting: November 30, 2020</p> <p>Ending: June 30, 2021</p>