

**To: Staff**  
**From: John Hodge, Executive Director**  
**Date: April 22, 2020**  
**RE: General Waiver HUD Notice 2020-05**

**Based upon the general waivers authorized by the Secretary of Housing & Urban Development and Board of Commissioners Resolution of April 14, 2020 authorizing the Executive Director to implement those waivers as necessary to maintain safe operations of BHA programs and activities, the following temporary amendments are made to BHA policies and procedures:**

**Administrative & Continued Occupancy Plan for Public Housing & the Section 8 Administrative Plan:**

**Family income & composition:**

BHA shall not be required to process Annual Recertifications upon their actual due dates. Staff shall have until December 31, 2020 to process annual recertifications in accordance to federal regulations. BHA will continue to process interim recertifications in the instances of a decrease in household income and may do so using alternative means such as emails, telephonic and video conferencing methods.

**Income verifications:**

The BHA is effectively waiving the necessity of obtaining 3rd party verifications however staff can continue to use 3<sup>rd</sup> party verification where they can safely obtain required information in a timely manner. In lieu of this, staff may use self-certification as highest form of verification. A written record of how the self-certified information was obtained shall be documented. Use of alternative forms of briefing: mail, phone, or email shall be accepted. When processing these interims, staff will incorporate procedures to remind families of their obligations to provide accurate information and that the self-certifications will be verified when such time permits. The BHA will enforce any discrepancies that arise once we begin verifying income again. **We need to inform our residents that we will be verifying so it is imperative they do not provide any false information.** This policy amendment is in effect until July 31, 2020.

**This same policy amendment applies to change in family composition.** BHA will continue to conduct criminal background checks on any adult members being requested to add to the household. This amendment is in effect until July 31, 2020.

**EIV Monitoring:**

BHA will discontinue EIV monitoring until July 31,2020.

**Initial Inspection:** BHA will not be performing on-site inspections for initial lease ups unless the unit is vacant. In lieu of the normal inspection, the Owner is required to provide written certification that they have no reasonable basis to have knowledge that life-threatening conditions exist in the unit in question. They shall also certify that all appliances and unit

equipment such as sinks and toilets are in good working order. This certification shall be temporary, and all new units shall be **inspected by Oct 31,2020**. BHA shall accept facsimiles, emails or letters as written documentation. This amendment shall also apply to units controlled by BHA. This amendment is in effect until July 31, 2020.

**PBV Preliminary HAP, PHA acceptance:**

Same as initial inspections, owner may certify units have no life-threatening deficiencies and unit equipment are in good working order. All inspections shall be performed by October 31, 2020 and this amendment shall be in effect until July 31, 2020.

**HQS Non-Life-Threatening (NLTs) deficiencies:**

In the event that an inspection or owner certification identifies non-life-threatening deficiencies, the BHA shall provide an additional 30 days to correct (In effect 60 days) to make repairs. If repairs are not made, BHA must withhold payment. This applies to both tenant based and project-based units. This amendment is in effect until July 31, 2020 or 30days after the extension has been granted. (If extension was granted on July 15<sup>th</sup>, then they would have until August 15<sup>th</sup> to make repairs.)

**Alternative Inspection Option:**

If unit had an alternative inspection performed by another credentialed agency (such as an inspection performed by MSHA for a LIHTC unit) within last 24 months, the requirement we must do our own is waived as long as we get an owner certification of NLT conditions. Inspection must be performed by Oct 31, 2020.

This amendment is in effect until July 31, 2020.

**Biennial Inspections:**

For those units presently under a biennial inspection that is now due, the inspection may be delayed. An inspection must be performed by Oct. 31, 2020.

This amendment is in effect until July 31, 2020.

**Interim Inspections:**

If a tenant calls with a life-threatening condition to the unit, BHA must notify owner and ask they correct within 24 Hours or the owner can certify that the deficiency does not exist. If an NLT condition exists, BHA will notify owner and give them 30 days (with ability to provide an additional 30 days) to fix or owner certify the deficiencies do not exist. Applies to Tenant based vouchers, PBVs and PHA controlled units.

This amendment is in effect until July 31, 2020.

**PBV Unit turnovers:**

The BHA will waive the inspection and rely on owner certification that no NLTs exist. Unit must be inspected by October 31, 2020.

This amendment is in effect until July 31, 2020.

**PBV HAP contracts: addition or substitution of units:**

When an owner is looking to add or substitute units, the inspection is waived, BHA will rely on Owner Certification. Still must inspect the unit by 10/31/2020.

This amendment is in effect until July 31, 2020.

**HQS Quality Control:**

BHA will not perform Quality Controlled Inspections Waived.

This amendment is in effect until Oct. 31, 2020

**HQS standards or space and security:**

BHA may add member to existing household even if it leads to over housed conditions for CoVid 19 reasons. This does not apply to a new lease.

Applies for the duration of the current lease term.

**Family Selection:**

Oral briefings are hereby not required. BHA will use other means such as video call or an expanded packet. BHA will continue to ensure all recipients have access to materials and will follow all Section 504 guidelines for those needing assistance.

This amendment is in effect until July 31, 2020.

**Voucher Extensions:**

BHA will temporarily suspend its Admin Plan and may grant extensions at our discretion. Given the current difficulties imposed due to Covid19 restrictions, staff will consider the current conditions of the rental market and the ability of voucher recipients to safely search for suitable housing.

This amendment is in effect until July 31, 2020.

**Approval of assisted tenancy: HAP**

The BHA shall extend the time necessary to execute the HAP contract from sixty (60) days to One Hundred twenty (120) days.

This amendment is in effect until July 31, 2020.

**Absence from the unit:**

The current rule is you may not be absent from your unit for more than 180 days. The BHA may extend this time period at its discretion due to extenuating circumstances such as being in the hospital or caring for a family member. The time period shall not extend beyond December 31, 2020. If by Dec 31, 2020 a tenant has been absent for a period longer than 180 days, the BHA shall make no further payments and shall terminate the HAP contract if still absent by then.

This amendment is in effect until July 31, 2020.

**Automatic Termination of the HAP contract:**

The Automatic termination of HAP after 180 days of zero hap is waived. An extension of the zero HAP rule shall be permitted at the discretion of BHA but shall not extend beyond Dec 31, 2020. This amendment is in effect until July 31, 2020.

**Increase in Payment Standard under HAP term:**

BHA shall apply the current PS, if higher, during any interim but not later than effective date of family's first regular reexamination following the change. This amendment is in effect until July 31, 2020.

## **Other Policy Amendments:**

### **50058 Reporting:**

We now have to submit within 90 days of any action recorded on line 2b.

HUD encourages us to continue to submit within 60 days if operationally able to do so.

HUD to issue further guidance on how to work around fatal errors that will result in these changes to our procedures. For fatal errors, HUD will not require 50058 to be resubmitted until guidance provided.

### **Tenant notification of rules & Regs:**

Waive 30-day notice for notifying residents of changes, **must provide advanced notice relating to tenant charges.**

### **Community Service:**

Waiving noncompliance enforcement, suspending requirements of tenants to perform. Report as exempt for those that are or pending for those otherwise eligible but we are prevented from determining compliance.

Change is effective until March 31, 2021