

Attachment: Summary of Public Housing and HCV Waivers and Alternative Requirements (Refer back to the Notice using the item code for a full description and more detailed information.)

PIH 2021-14

This chart summarizes the waivers authorized under this notice and the availability period for each. As stated in Section 5, PHAs must keep written documentation on the waivers applied by the PHA as well as the effective dates. To fulfill those requirements, PHAs may but are not required to utilize the last two columns to record this information. Effective May 4, 2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
PH and HCV-1 PHA 5-Year and Annual Plan Submission Dates: Significant Amendment Requirements	<u>Statutory Authority</u> Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h)(2) <u>Regulatory Authority</u> § 903.5(a)(3), 903.5(b)(3), 903.21, 903.23	<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 12/31/20 	NO		
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"> 6/30/21 All reexams due in CY20 must be completed by 12/31/20. Reexams due between 1/1/21 and 12/31/21 need completed by 12/31/21	YES	May 4, 2020	
PH and HCV-3 Family Income & Composition: Annual Examination; Income	<u>Regulatory Authority</u> § 5.233(a)(2), 960.259(c), 982.516(a) <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	<ul style="list-style-type: none"> 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 PHAs that implement this waiver 	<ul style="list-style-type: none"> 12/31/21 	YES	April 10, 2020	

Verification Requirements		will be responsible for addressing material income discrepancies that may arise later				
---------------------------	--	---	--	--	--	--

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
PH and HCV-4 Family Income and Composition: 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)(a), 960.259(c) <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	<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"> • 12/31/21 	YES	April 10, 2020	
PH and HCV-5 EIV System Monitoring	<u>Regulatory Authority</u> § 5.233 <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	<ul style="list-style-type: none"> • Waives the mandatory EIV monitoring requirements. 	<ul style="list-style-type: none"> • 12/31/21 	NO		

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirements?	Date of PHA adoption	Manager's Comments
PH and HCV-6 FSS Contract of Participation	<u>Regulatory Authority</u> § 984.303(d)	<ul style="list-style-type: none"> Provides for extensions to FSS contract of participation. Pandemic is “good cause”. 	<ul style="list-style-type: none"> 12/31/21 	YES	April 10, 2020	
PH and HCV-7 Waiting List: Opening & Closing, Public Notice	<u>Regulatory Authority</u> § 982.206(a)(2) PIH Notice 2012-34	<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"> 12/31/21 	NO		
PH and HCV-8 Eligibility Determination: Income Verification	<u>Regulatory Authority</u> §§ 960.259(c), 982.201(e) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> Waives the third-party income verification requirements for applicants, and will allow PHAs to consider self-certification as the highest form of income verification at admission <ul style="list-style-type: none"> PHAs must review the EIV Income and IVT Reports to confirm/validate family reported income within 90 days 	<ul style="list-style-type: none"> 12/31/21 			
PH and HCV-9 Eligibility Determination: Social Security Number and Citizenship Verification	<u>Statutory Authority</u> 42 USC 1436a(d)(2) <u>Regulatory Authority</u> §§ 5.216(b)(2), (g), (h), 5.218, 5.508(b)(2)(ii), (b)(3)(ii), (g) <u>Sub-regulatory Guidance</u> Notice PIH 2012-10	<p>Waives the requirements to obtain and verify social security number documentation and documentation evidencing eligible noncitizen status before admitting applicants to the HCV and Public Housing programs</p> <ul style="list-style-type: none"> PHAs may accept self certification of date of birth and disability status if a higher level of verification is not immediately available. Individuals admitted under this waiver must provide the required 	<ul style="list-style-type: none"> 12/31/21 			

		documentation within 90 days of admission to be eligible for continued assistance				
HQS-1 Initial inspection	<u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(o)(8)(C) <u>Regulatory Authority</u> § 982.305(a), 982.305(b), 982.405	<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 6/30/2022 • Will include reminder that HQS waiver does not include a waiver of 24 CFR 35.15, visual assessment for deteriorated paint 	<ul style="list-style-type: none"> • 12/31/21 • 6/30/22 	YES	April 10, 2020	

<p><u>HQS-2: PBV</u> <u>Pre-HAP</u> <u>Contract</u> <u>Inspections,</u> <u>PHA acceptance</u> <u>of completed</u> <u>units</u></p>	<p><u>Statutory Authority:</u> Section 8(o)(8)(A)</p> <p><u>Regulatory Authority:</u> §§ 983.301(b), 983.156(a)(1)</p>	<ul style="list-style-type: none"> • Changes inspection requirements, allowing for owner certification that there are no life-threatening deficiencies • Where self-cert. was used, PHA must inspect the unit no later than 6/30/2022 	<ul style="list-style-type: none"> • 12/31/21 • 6/30/22 			
--	--	---	---	--	--	--

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
HQS-3 Initial Inspection: Non-Life-Threatening (NLT) Option	<u>Statutory Authority</u> Section 8(o)(8)(A)(ii) <u>Sub-Regulatory Guidance</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"> 12/31/21 	YES	April 10, 2020	
HQS-4 Initial HQS - Alternative Inspections	<u>Statutory Authority</u> Section 8(o)(8)(A)(iii) <u>Sub-Regulatory Guidance</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 6/30/2022 	<ul style="list-style-type: none"> 12/31/21 6/30/22 	YES	April 10, 2020	

<p>HQS-5 Biennial Inspections</p>	<p><u>Statutory Authority</u> Section 8(o)(D)</p> <p><u>Regulatory Authority</u> §§ 982.405(a), 983.103(d)</p>	<ul style="list-style-type: none"> • Allows for delay in biennial inspections • PHAs must require owner certification there are no life-threatening deficiencies • PHAs must conduct all delayed biennial inspections from CY 2020 as soon as reasonably possible but no later than 6/20/2022, and must conduct all delayed biennial inspections from CY 2021 as soon as reasonably possible but no later than 12/31/2022 	<ul style="list-style-type: none"> • 12/31/2021 • 6/30/2022 	<p>YES</p>	<p>April 10, 2020</p>	
---	--	--	---	------------	---------------------------	--

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
HQS-6 Interim Inspections	<u>Statutory Authority</u> Section 8(o)(8)(F) <u>Regulatory Authority</u> §§ 982.405(g), § 983.103(e)	<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"> • 12/31/21 	YES	April 10, 2020	
HQS-7 PBV Turnover Inspections	<u>Regulatory Authority</u> § 983.103(c)	<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 NLT than 6/30/2022 	<ul style="list-style-type: none"> • 12/31/21 • 6/30/22 			

<p>HQS-8: <u>PBV</u> <u>HAP Contract –</u> <u>HQS</u> <u>Inspections to</u> <u>Add or</u> <u>Substitute Units</u></p>	<p><u>Statutory Authority</u> Section 8(o)(8)(A) <u>Regulatory Authority</u> §§ 983.207(a), 983.207(b) <u>Sub-Regulatory</u> <u>Authority: HOTMA</u> HCV Federal Register Notice January 18, 2017</p>	<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 NLT 6/30/22 	<ul style="list-style-type: none"> • 12/31/21 • 6/30/22 			
--	---	---	---	--	--	--

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
HQS-9 HQS QC Inspections	<u>Regulatory Authority</u> § 982.405(b), 983.103(c)(3)	<ul style="list-style-type: none"> Provides for a suspension of the requirement for QC sampling inspections 	<ul style="list-style-type: none"> 12/31/21 	YES	April 10, 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	NO		
HQS-11 Homeownership Option: Initial HQS Inspection	<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"> 12/31/21 	N/A		
HCV-1 Administrative Plan	<u>Regulatory Authority</u> § 982.54 (a)	<ul style="list-style-type: none"> Establishes an alternative requirement that policies may be adopted without board approval until 9/30/21 Any provisions adopted informally must be adopted formally by 12/31/21 	<ul style="list-style-type: none"> 9/30/21 12/31/21	YES	April 10, 2020	

<p>HCV-2 PHA Oral Briefing Information When Family is Selected: PHA Oral Briefing</p>	<p><u>Regulatory Authority</u> § 982.301(a)(3) § 983.252(a)</p>	<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"> • 12/31/21 	<p>YES</p>	<p>April 10, 2020</p>	
---	---	--	--	------------	---------------------------	--

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
HCV-3 Term of Voucher - Extensions of Term	<u>Regulatory Authority</u> § 982.303(b)(1)	<ul style="list-style-type: none"> Allows PHAs to provide voucher extensions regardless of current PHA policy 	<ul style="list-style-type: none"> 12/31/21 	YES	April 10, 2020	
HCV-4 PHA Approval of Assisted Tenancy: When HAP Contract is Executed	<u>Regulatory Authority</u> § 982.305(c)	<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"> 12/31/21 	YES	April 10, 2020	
HCV-5 Absence from unit	<u>Regulatory Authority</u> § 982.312	<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"> 12/31/21 	YES	April 10, 2020	
HCV-6 Automatic Termination of the HAP Contract	<u>Regulatory Authority</u> § 982.455	<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"> 12/31/21 	YES	April 10, 2020	

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
HCV-7 Increase in Payment Standard During HAP Contract Term	<u>Regulatory Authority § 982.505(c)(4)</u>	<ul style="list-style-type: none"> Provides PHAs with the option to increase the payment standard for the family at any time after the effective date of the increase, rather than waiting for the next regular reexamination 	<ul style="list-style-type: none"> 12/31/21 	NO		
HCV-8 Utility Allowance Schedule: Required Review and Revision	<u>Regulatory Authority § 982.517</u>	<ul style="list-style-type: none"> Provides for delay in updating utility allowance schedule 	<ul style="list-style-type: none"> 12/31/21 	NO		
HCV-9 Homeownership Counseling	<u>Statutory Authority Section 8(y)(1)(D)</u> <u>Regulatory Authority § 982.630, 982.636(d)</u>	<ul style="list-style-type: none"> Waives the requirement for the family to obtain pre-assistance counseling 	<ul style="list-style-type: none"> 12/31/21 	N/A		

HCV-10 FUP: Youth Age Elibility to Enter HAP Contract	<u>Statutory Authority</u> Section 8(x)(2)	<ul style="list-style-type: none"> Allows PHAs to increase age to 26 for foster youth initial lease up 	<ul style="list-style-type: none"> 12/31/21 	N/A		
HCV-11 FUP: Length of Assitance for Youth	<u>Statutory Authority</u> Section 8(x)(2)	<ul style="list-style-type: none"> Allows PHAs to suspend terminations of assistance for FUP youth who will reach the 36 month limit between April 10, 2020 and December 31, 2020 	<ul style="list-style-type: none"> 12/31/21 	YES	July 2, 2020	
HCV 12 FUP: Timeframe for Referral	<u>Regulatory Authority</u> § 982.634(a)	<ul style="list-style-type: none"> Allows a PHAs to accept referrals of otherwise eligible youth who will leave foster care within 120 days 	<ul style="list-style-type: none"> 12/31/21 	YES	July 2, 2020	
HCV 13 Homeownership: Maximum Term of Assistance	<u>Regulatory Authority</u> § 982.634(a)	<ul style="list-style-type: none"> Allows a PHA to extend homeownership assistance for up to 1 additional year 	<ul style="list-style-type: none"> 12/31/21 	N/A		
HCV 14 Mandatory Removal of Unit from PBV HAP Contract	<u>Regulatory Authority</u> §§ 983.211(a); 983.258	<ul style="list-style-type: none"> Allows a PHA to keep a PBV unit under contract for a period of time that extends beyond 180 from the last HAP but does not extend beyond December 31, 2020 	<ul style="list-style-type: none"> 12/31/21 	YES	July 2, 2020	
HCV 15 Project Based Voucher (PBV) and Enhanced Voucher (EV Provisions on Under-Occupied	<u>Statutory Authority</u> 42 U.S.C. § 1437a(b)(3)(A) <u>Regulatory Authority</u> 24 CFR §§ 983.253(b), 983.260 <u>Sub-regulatory Guidance</u> Notice H 2019-9/PIH	<ul style="list-style-type: none"> Allows a PHA to permit a family to initially lease an under-occupied PBV or RAD PBV unit (a unit that has more bedrooms than what the family qualifies for under PHA subsidy standards) under certain circumstances as described, and to allow for the continued occupancy of 	<ul style="list-style-type: none"> 12/31/21 	YES	May 4, 2021	

Units	2019-23, Notice PIH 2016-02	PBV and EV families already under a lease for an under-occupied PBV, RAD PBV, or EV unit.				
PH-1 Fiscal closeout of Capital Grant Funds	<u>Regulatory Authority</u> § 905.322(b)	<ul style="list-style-type: none"> Extension of deadlines for ADCC and AMCC 	Varies by PHA: For grants that were open on March 19, 2020, the deadline for submission of grant closeout documents (ADCCs and AMCCs) is extended from 120 days to one year	N/A		
PH-2 Total Development Costs	<u>Regulatory Authority</u> § 905.314(c)(d)	<ul style="list-style-type: none"> Waives the TDC and HCC limits permitting approval of amounts in excess of published TDC by 25% to 50% on a case by case basis 	Applies to development proposals submitted to HUD no later than December 31, 2021	NO		

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
PH-3 Cost and Other limitations: Types of Labor	<u>Regulatory Authority</u> § 905.314(j)	<ul style="list-style-type: none"> Allows for the use of force account labor for modernization without HUD approval regardless of whether the PHA is a high performer 	<ul style="list-style-type: none"> 12/31/21 	NO		
PH-4 ACOP: Adoption of Tenant Selection Policies	<u>Regulatory Authority</u> § 960.202(c)(1)	<ul style="list-style-type: none"> Establishes an alternative requirement that policies may be adopted without board approval until 3/31/21 Any provisions adopted informally must be adopted formally by 6/30/21 	<ul style="list-style-type: none"> 9/30/21 12/31/21 	YES	April 10, 2020	
PH-5 CSSR	<u>Statutory Authority</u> Section 12(c) <u>Regulatory Authority</u> § 960.603(a) and 960.603(b)	<ul style="list-style-type: none"> Temporarily suspends CSSR 	<ul style="list-style-type: none"> N/A this waiver is superseded by 12.e. 	YES. Keep contact with tenants when enacting 4/1/2021. 90-day notice. Post notice on website & n/l	April 10, 2020	
PH-6 Energy Audits	<u>Regulatory Authority</u> § 965.302	<ul style="list-style-type: none"> Allows for delay in due dates of energy audits 	<ul style="list-style-type: none"> 12/31/21 	YES	April 10, 2020	

<p>PH-7 Over-income families</p>	<p><u>Statutory Authority</u> Section 16(a)(5) <u>Sub-Regulatory Guidance</u> Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit 83 FR 35490 Notice: Notice PIH 2019-11</p>	<ul style="list-style-type: none"> • Changes to timeframes for determination of over-income when a delay in the annual reexamination occurs as a result of adoption of waiver PH and HCV-2 	<ul style="list-style-type: none"> • 12/31/21 	<p>YES</p>	<p>April 10, 2020</p>	
--------------------------------------	---	---	--	------------	-----------------------	--

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
PH-8 Resident Council Elections	<u>Regulatory Authority</u> § 964.130(a)(1)	<ul style="list-style-type: none"> Provides for delay in resident council elections 	<ul style="list-style-type: none"> 12/31/21 	YES	April 10, 2020	
PH-9 Utility Allowance	<u>Regulatory Authority</u> § 965.507	<ul style="list-style-type: none"> Provides for delay in updating utility allowance schedule 	<ul style="list-style-type: none"> 6/30/21 	YES	April 10, 2020	
PH-10 Tenant notifications for Changes to Project Rules and Regulations	<u>Regulatory Authority</u> § 966.5	<ul style="list-style-type: none"> Advance notice not required except for policies related to tenant charges 	<ul style="list-style-type: none"> 12/31/21 	YES	April 10, 2020	
PH-11 Designated Housing Plan Renewals	<u>Statutory Authority</u> Section 7(f)	<ul style="list-style-type: none"> Extends the Plan's effective period through June 30, 2021, for Plans due to expire between July 2, 2020 and June 30, 2021 	<ul style="list-style-type: none"> 6/30/21 	YES	July 2, 2020	
PH-12 Public Housing Agency Annual Self-Inspections	<u>Statutory Authority</u> Section 6(f)(3) <u>Regulatory Authority</u> § 902.20(d)	<ul style="list-style-type: none"> Waives the Requirement that the PHA must inspect each project 	<ul style="list-style-type: none"> 12/31/20 	YES	July 2, 2020	

PH-13 Over-Income Limit: Termination Requirement	<u>Statutory Authority</u> Section 16(a) as amended by section 103 of HOTMA Implementation Notice: Housing Opportunity Through Modernization Act of 2016: Final Implementation of Public Housing Income Limit, 83 Fed. Reg. 35,490 (July 26, 2018)	<ul style="list-style-type: none"> • Waives the requirement that a family whose income has exceeded the over-income limit for locality for two consecutive years be terminated within 6 months of the third income determination. • As an alternative requirement, over-income families will remain public housing households instead of being terminated and will be charged the applicable FMR as the family's monthly rental amount. 	<ul style="list-style-type: none"> • 12/31/21 	YES	November 30, 2020	
PH-14 Annual Choice of Rent	<u>Statutory Authority:</u> 42 USC 1437a(a)(2)(A) <u>Regulatory Authority</u> § 960.253	<ul style="list-style-type: none"> • Allows PHA to give families up to two opportunities to choose between a flat rent and an income -based rent within the same one-year period. 	<ul style="list-style-type: none"> • 12/31/21 	YES	November 30, 2020	
11a PHAS	<u>Regulatory Authority</u> 24 CFR Part 902	<ul style="list-style-type: none"> • Allows for alternatives related to inspections • PHA to retain prior year PHAS score unless requests otherwise 	HUD will resume issuing new PHAS scores starting with PHAs with FYE dates of 12/31/21	YES	April 10, 2020	
11b SEMAP	<u>Regulatory Authority</u> 24 CFR Part 985	<ul style="list-style-type: none"> • PHA to retain prior year SEMAP score unless requests otherwise 	HUD will resume issuing new SEMAP scores starting with PHAs with FYE dates of 12/31/21	YES	April 10, 2020	

11b-1 SEMAP	<u>Regulatory Authority</u> § 985.105(d)	<ul style="list-style-type: none"> Allows field offices to perform remote SEMPA confirmatory review instead of an onsite confirmatory review before changing a PHA's rating from troubled to standard or high performer 	<ul style="list-style-type: none"> 12/31/21 	YES	November, 30, 2020	
11b-2 SEMAP	<u>Regulatory Authority</u> § 985.101(a)	<ul style="list-style-type: none"> Waives the requirement for PHAs to submit an annual SEMPA certification in PIC within 60 days of FYE during the period of time that HUD will roll forward prior year SEMAP scores 	<ul style="list-style-type: none"> 1/1/2022 	YES	November 30, 2020	
11c Uniform Financial reporting Standards: Filing of Financial Reports; Reporting Compliance Dates	<u>Regulatory Authority</u> §§ 5.801(c), 5.801(d)(1)	<ul style="list-style-type: none"> Allows for extensions of financial reporting deadlines 	Varies by PHA FYE	YES	April 10, 2020	

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption	Manager's Comments
12a Form HUD 50058	<u>Regulatory Authority</u> 24 CFR Part 908, § 982.158 <u>Sub-regulatory Guidance</u> PIH Notice 2011-65	<ul style="list-style-type: none"> • Waives the requirement to submit 50058 within 60 days • Alternative requirement to submit within 90 days of the effective date of action 	<ul style="list-style-type: none"> • 12/31/20 	NO		
12b Designated housing plan: HUD 60-Day Notification	<u>Statutory Authority</u> Section 7(e)(1)	<ul style="list-style-type: none"> • Allows for HUD to delay notification about designated housing plan 	<ul style="list-style-type: none"> • 7/31/20 	NO		
12c Deadline for reporting Operating and Capital Fund expenditures	<u>Statutory Authority</u> Section 9(j) <u>Regulatory Authority</u> § 905.306(d)(5)	<ul style="list-style-type: none"> • Provides an 18-month 24-month extension 	For all Capital Fund grants that were open on April 10, 2020, a 24-month extension from the obligation and expenditure end date in LOCCS as of April 10, 2020; For new Capital Fund grants opened between April 11, 2020 and December 31, 2020, a 24-month extension from the obligation and expenditure end dates in LOCCS as of December 31, 2020.	YES	April 10, 2020	

<p>12d Section 6(j) 1- and 2- Year Substantial Improvement Requirements</p>	<p><u>Statutory Authority</u> Section 6(j)(3)(B)(ii)</p> <p><u>Regulatory Authority</u> 24 CFR § 902.75(d)</p>	<ul style="list-style-type: none"> For PHAs designated as troubled prior to the date of this Notice that have not received a PHAS assessment for the first full fiscal year after the initial notice of the troubled designation, HUD will: (1) evaluate the 1-year substantial improvement benchmark based on the first released score for fiscal years ending on or after March 31, 2022; and, (2) toll the evaluation of the 2-year recovery benchmark to the next sequential fiscal year 	<p>The period of availability for this waiver and alternative requirement: (1) is effective on the date of this Notice; and, (2) will continue through March 31, 2023, at which time HUD will reevaluate any additional impacts of this waiver on any PHA in the process of being evaluated</p>	<p>NO</p>		
<p>12e Community Service and Self- Sufficiency Requirement t (CSSR) suspension</p>	<p>Statutory Authority Section 12(c)</p> <p>Regulatory Authority 24 CFR §§ 960.603(a), 960.603(b), 960.607, 966.4(1)(2)(iii)(D)</p>	<p>Waives the requirement that each non-exempt adult resident of public housing contribute 8 hours per month of community service and/or participation in an economic selfsufficiency program.</p> <p>This non-discretionary waiver also suspends enforcement of the requirement by all PHAs operating a public housing program</p>	<p>Effective for all annual reexaminations completed between publication date of this notice through April 30, 2022.</p>	<p>YES</p>	<p>May 4, 2021</p>	

MR-1 Family Income and Composition Delayed Annual Examination	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> 24 CFR § 882.515(a)	<ul style="list-style-type: none"> • Waives statutory and regulatory requirement to permit PHAs to delay annual reexaminations of Mod Rehab families 	<ul style="list-style-type: none"> • 12/31/21 	YES	November 30, 2020	
MR-0 Family Income and Composition: Annual examination; Income Verification Requirements	<u>Regulatory Authority:</u> § 5.233(a)(2) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> • Waives the requirements to use the income hierarchy described by Notice PIH 2018-18 and will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if the PHA wishes to conduct the annual reexam rather than delaying the family’s annual reexam as permitted un MR-1 	<ul style="list-style-type: none"> • 12/31/21 	YES	November 30, 2020	
MR-3 Family Income and Composition: Interim Examinations	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> 24 CFR §§ 5.233(a)(2), 882.515(b) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<p>Waives requirements to use the income verification hierarchy as described by Notice PIH 2018-18. Allows PHAs to forgo third-party income verification requirements for interim reexams, including the required use of EIV</p> <ul style="list-style-type: none"> · During the allowable period of eligibility, PHAs may consider self-certification as the highest form of income verification to process interim reexams 	<ul style="list-style-type: none"> • 12/31/21 	YES	November 30, 2020	
MR-4 Enterprise Income Verification (EIV) Monitoring	<u>Regulatory Authority</u> § 5.233 <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> • Waiving the mandatory EIV monitoring requirements. 	<ul style="list-style-type: none"> • 12/31/21 	YES	November 30, 2020	

MR-5 PHA Inspection Requirement: Annual Inspections	<u>Regulatory Authority</u> § 882.516(b)	<ul style="list-style-type: none"> • Waives the annual inspection requirement and allows PHAs to delay annual inspections for Mod Rehab units • All delayed annual inspections must be completed as soon as reasonably possible but no later than one year after the date the annual inspection would have been required absent the waiver 	• 12/31/21	YES	November 30, 2020	
MR-6 Adjustment of Utility Allowance	<u>Regulatory Authority</u> § 882.510	<ul style="list-style-type: none"> • Waives the requirement to allow PHAs to delay the review and update of utility allowances 	• 12/31/21	YES	November 30, 2020	
MS-1 Mainstream Initial Lease Term	<u>Statutory Authority</u> Section 8(o)(7)(A) <u>Regulatory Authority</u> § 982.309(a)(2)(ii)	<ul style="list-style-type: none"> • PHA may enter initial lease terms of less than one year regardless of whether the shorter lease term is a prevailing market practice 	• 12/31/21	YES	November 30, 2020	
MS-2 Mainstream Criminal Background Screening	<u>Statutory Authority</u> 42 U.S.C. 13663(a), 42 U.S.C. 13661 <u>Regulatory Authority</u> §§ CFR 5.856, 982.553(a)	<ul style="list-style-type: none"> • PHAs may establish, as an alternative requirement, screening requirements for applicants for Mainstream vouchers which are distinct from those in place for its HCV program in general 	• 12/31/21			
MS-3 Mainstream Age Eligibility to Enter HAP Contract Statutory Authority	<u>Statutory Authority</u> 42 U.S.C. 8013(k)(2)	<ul style="list-style-type: none"> • As an alternative requirement, the PHA may choose to expand the definition of an eligible non-elderly family member to include those who were issued a voucher prior to 	• 12/31/21			

		turning 62 and were not yet 63 on the effective date of the HAP Contract				
--	--	--	--	--	--	--

Attachment: Summary of IHBG and ICDBG Statutory and Regulatory Waivers and Alternative Requirements

COVID-19 Statutory and Regulatory Waivers for ONAP programs				
Item	Statutory and Regulatory Waivers	Waiver/Alternative Requirement Summary		Manager's Comments
13a. Application Process for IHBG-CARES Grants and Indian Housing Plan (IHP) Requirements	Statutory Authority: Section 101(b), Section 102, and Section 103 of NAHASDA Regulatory Authority: 24 C.F.R. §§ 1000.214; 1000.218;1000.220; 1000.224; 1000.226; 1000.228;1000.230; and 1000.232	1) <i>Abbreviated IHP to Receive IHBG-CARES Grant Funding</i> : Applicants for IHBG-CARES funding must submit an abbreviated IHP specifying how the funds will be used.		NO – N/A
		2) <i>Recipients that did Not Submit an IHP in FY2020</i> : A Tribe or TDHE that did not submit a timely or compliant IHP in FY 2020 may still qualify for an IHBG-CARES grant.		
		3) <i>IHP Certifications</i> : IHBG recipients that cannot provide HUD with IHP certifications may still submit an Abbreviated IHP provided an authorized official of the IHBG recipient provides a statement on inability to secure certifications.		
		4) <i>Reprogramming of FY2020 IHBG Funding</i> : FY2020 IHBG funds may be reprogrammed to address COVID-19 through streamlined process.		
13b. IHP Submission Deadline for Annual IHBG Formula Grants	Statutory Authority: Section 101(b) and 102(a) of NAHASDA, Regulatory Authority: 24 CFR §§ 1000.214, 1000.216, 1000.225	IHP Submission Deadlines Extended	Org. IHP Due Date	Extension
			1/17/2020	10/16/2020
			4/17/2020	10/16/2020
			7/18/2020	1/17/2021
13c. Annual Performance Report Submission Deadline	Statutory Authority: Sections 403 and 404 of NAHASDA, Regulatory Authority: 24 CFR § 1000.514	APR Submission Deadlines Extended	Org. APR Due Date	Extension
			3/30/2020	6/28/2020
			6/29/2020	9/27/2020
			9/20/2020	12/30/2020

13d. Income Verification	Regulatory Authority: 24 CFR § 1000.128	IHBG recipients may deviate from their current written admissions and occupancy policies, including allowing less frequent income recertifications, remote income verification, and self-certification over the phone or email.	
13e. Public Health Services	Statutory Authority: Section 202(3) of NAHASDA	Recipients may use IHBG-CARES funding to carry out a wide range of public health services.	
13f. COVID-19-related Assistance to Non-Low Income and Non-Native Families	Statutory Authority: Section 201(b) of NAHASDA, Regulatory Authority: 24 CFR §§ 1000.104, 1000.106, 1000.108, 1000.110; 1000.312, 1000.314, , 1000.318	Recipients may use IHBG-CARES funding to prevent, prepare for, and respond to COVID-19 through certain limited activities that provide assistance to all affected and threatened people without regard to income limits or Indian status.	
13g. Useful Life	Statutory Authority: Section 205 of NAHASDA, Regulatory Authority: 24 CFR §§ 1000.141, 1000.142, 1000.143, 1000.144, 1000.146, 1000.147	If the assistance is related to inhibiting the spread of COVID-19 to low- income Indian families and the Tribal community, Recipients may use IHBG-CARES funding to assist housing units without determining and maintaining affordability during their useful life.	
13h. Total Development Cost (TDC) Limits	Regulatory Authority: 24 CFR §§ 1000.156, 1000.158, 1000.160, 1000.162	Recipients may exceed TDC by 20 percent without HUD approval for dwelling and non-dwelling units developed, acquired or assisted to prevent, prepare for, and respond to COVID-19.	
13i. Prohibition Against Investment of CARES Act Grant Funds	Statutory Authority: Section 204(b) of NAHASDA, Regulatory Authority: 24 CFR § 1000.58	Recipients are prohibited from investing any IHBG funding provided under the CARES Act.	

<p>13j. IHBG-CARES Funds Not Counted in Undisbursed Funds Factor</p>	<p>Regulatory Authority: 24 CFR§ 1000.342</p>	<p>IHBG-CARES funds will not count towards an IHBG recipient's prior years' undisbursed funds when applying the Undisbursed Funds Factor under the IHBG formula.</p>	
<p>14a. Citizen Participation</p>	<p>Statutory Authority: Section 104 of the Housing and</p>		

	Community Development Act of 1974 (HCD Act) Regulatory Authority: 24 CFR § 1003.604	Indian tribes are not required to hold one or more meetings to obtain the views of residents before applying for ICDBG-CARES grant funding or amending their FY 2020 ICDBG grants to address COVID-19. .	
14b. Application Process for ICDBG-CARES Grants and Funding Criteria Regulatory Authority: 24 CFR §§ 1003.400, 1003.401, 1003.402; Section I.A.1.b. of FY19/20 ICDBG Notice of Funding Availability (NOFA)		1) <i>Criteria for Funding:</i> With respect to applications for ICDBG-CARES grants and FY 2020 ICDBG Imminent Threat grants to address the COVID-19 crisis, the urgency and immediacy of the threat will be presumed.	N/A
		2) <i>Grant Ceilings:</i> Current grant ceilings are waived for ICDBG-CARES and will be set in an ICDBG-CARES Implementation Notice to be published in the very near future.	
		3) <i>Reimbursement of Costs and Letter to Proceed:</i> ICDBG applicants and grantees to receive ICDBG-CARES grants do not have to demonstrate other Tribal funding sources cannot be made available to alleviate the threat and may use the funding to cover or reimburse costs to prevent, prepare for, and respond to COVID-19 without a Letter to Proceed from the area ONAP.	
		4) <i>Availability of Funds:</i> If ICDBG-CARES grant funds are not awarded in a fiscal year, HUD reserves the right to adjust how funding is awarded to ensure needs of Tribes are met, including possibly setting aside a portion of funding to address the needs of Tribes with the greatest needs.	
14c. Removal of Public Services 15% Cap under FY 2020 ICDBG Grants	Statutory Authority: Section 105 of the HCD Act; Regulatory Authority: 24 CFR § 1003.201(e); FY 19/20 ICDBG NOFA	HUD is eliminating the 15 percent cap on FY 2019/2020 ICDBG funding (both Single Purpose and Imminent Threat grants), to align with ICDBG Imminent Threat funding provided under the CARES Act.	
14d. Rental Assistance, Utility Assistance, Food, Clothing, and Other Emergency Assistance	Statutory Authority: Section 105 of the HCD Act; Regulatory Authority: 24 CFR § 1003.207(b)(4)	ICDBG grant funds may be used to provide emergency payments for low and moderate income individuals or families impacted by COVID-19 for items such as food, medicine, clothing, and other necessities, as well as utility payment assistance.	

14e. Purchase of Equipment	Regulatory Authority: 24 CFR §§ 1003.207(b)(1); 1003.201(c)(1)(ii)	Grantees may use of ICDBG funds for the purchase of medical and personal protective equipment to prevent, prepare for, and respond to the COVID-19.	
14f. Operating Expenses for Public Facilities	Regulatory Authority: 24 CFR § 1003.207(b)(2)	Grantees may use ICDBG funds to pay operating and maintenance expenses of any public facility, to the extent it is used for COVID-19-related purposes but not for staffing costs of public facilities.	
14g. New Housing Construction by Tribes	Statutory Authority: Section 105 of the HCD Act, Regulatory Authority: 24 CFR § 1003.207(b)(3)	ICDBG grantees may use ICDBG funds to carry out new housing construction under certain conditions without having to use a CBDO.	