

## **Board Resolution for Agencies with Vouchers only**

The Department of Housing and Urban Development has authorized all public housing authorities to implement certain waivers from its normal requirements without prior HUD approval (PIH Notice 2020-05, **SUBJECT: 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**).

Be it resolved by the Ilion Housing Authority that due to the COVID-19 emergency, it has chosen to implement the following waivers all of which were implemented on April 23, 2020. They are being ratified by the Board of Commissioners on May 19, 2020. Any HUD extension of the dates mentioned below shall be automatically approved by the Housing Authority without further Board action.

The waivers selected are based on the Ilion Housing Authority's local situation. The descriptions of the specific waivers below are summaries. The PHA shall fully understand and comply with the waivers as described in the HUD Notice in all their particularities.

The Executive Director is hereby delegated the express authority to nullify any waiver and end this modification of the procedures and/or policies at such time as the Executive Director determines appropriate. Also, the Executive Director may choose to not take advantage of any of these waivers at the Executive Director's sole discretion.

**NOTE: The use of these waivers is at the discretion of the individual PHA. As stated in the Notice, a PHA may choose to apply all, some, or none of the waivers to their HCV program.**

### **PUBLIC HOUSING AND HOUSING CHOICE VOUCHERS**

#### **PH and HCV-1: PHA 5-Year and Annual Plan Submission Dates, Significant Amendment Requirements**

**Agency Plans** – The PHA hereby adopts the authority granted by HUD to delay submission of its agency plan **according to the dates provided in the HUD notice**.

**Significant Amendments** – The PHA adopts the waiver of the significant amendment process until July 31, 2020.

#### **PH and HCV-3: Family Income and Composition: Annual Examination - Income Verification requirements**

The PHA will take advantage of the HUD waiver that allows the PHA to not follow the income hierarchy of PIH Notice 2018-18. The PHA will consider resident and participant self-certification as the highest form of income verification for exams done prior to July 31, 2020. The self-

certification may occur over the telephone extemporaneously documented by the PHA's staff, or via email or regular mail.

If the PHA later determines that there are material discrepancies in a self-certification, the PHA will take the appropriate enforcement actions according to the PHA's policy.

## **HOUSING QUALITY STANDARDS (HQS) INSPECTIONS**

### **HQS-1: Initial Inspection Requirements**

The Housing Authority is accepting HUD's waiver of initial inspections not being required prior to the beginning of the initial lease term. Instead, the PHA will accept an owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units. The PHA reserves the right to add other requirements or conditions to this owner certification. In any event, the PHA will conduct an HQS inspection of all units as soon as reasonably practical, but no later than October 31, 2020. This waiver is applicable until July 31, 2020.

### **HQS-2: Project-Based Voucher (PBV) Pre-HAP Contract Inspections, PHA Acceptance of Completed Units**

The Housing Authority is accepting HUD's waiver of an inspection of a rehabilitated and/or newly constructed unit before entering a HAP contract. The same conditions in timeframes as expressed in HQS-1 above apply here.

### **HQS-3: Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option**

The PHA is utilizing the option provided by HUD to approve HAP contracts and begin making housing assistance payments on a unit that fails initial HQS inspection providing the failure is solely for non-life threatening deficiencies. This option is available for both tenant-based and project-based units. The owner shall be given 60 days instead of the normal 30 days to repair any non-life-threatening deficiencies. The ability to extend for 60 days ends on July 31, 2020.

### **HQS-4: HOS Initial Inspection Requirement – Alternative Inspection Option**

HOTMA authorized housing authorities to allow a unit to be occupied prior to the initial inspection if the unit has passed an alternative inspection as allowed in the Administrative Plan within the previous 24 months. The housing authority had to inspect the unit within 15 days of the RFTA. HUD is waiving the 15-day inspection requirement and allowing just the alternative inspection to suffice so long as the owner certifies that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add additional requirements or

conditions. In any event, the initial HQS inspection must be conducted no later than October 31, 2020. This option is available for both tenant-based and project-based units. This waiver is valid until July 31, 2020.

#### **HQS-5: HOS Inspection Requirement – Biennial Inspections**

Inspections must be made every other year or every third year depending upon the housing authority and the PHA's Administrative Plan. HUD is waiving these inspection periods so long as the inspections are completed as soon as reasonably possible, but no later than October 31, 2020.

#### **HQS-6: HOS Interim Inspections**

Interim inspections requested prior to July 31, 2020 do not have to follow the normal regulatory timeframes. Instead they must be made as soon as feasible. As a condition of this change the PHA is required to notify the owner of a reported life-threatening deficiency. The owner must either correct the life-threatening deficiency within 24 hours or provide adequate documentation that the reported deficiency does not exist. In the case of non-life-threatening deficiencies, the owner must make the repair or document that the deficiency does not exist within 30 days or any approved extension that the PHA makes. The PHA is not required to conduct an on-site inspection to verify the repairs have been made but may rely on an alternative verification method such as photographs or tenant certifications.

#### **HQS-7: PBV Turnover Unit Inspections**

Normally when a project-based voucher turns over, an inspection is made. This waiver allows the PHA to accept an owner certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist and allow the new tenant to move in. The PHA reserves the right to add additional requirements or conditions. In any event, an inspection must be completed as soon as reasonably possible, but no later than October 31, 2020. The authority for this waiver ends on July 31, 2020.

#### **HQS-8: PBV HAP Contract – HOS Inspections to Add or Substitute Units**

At the discretion of the housing authority and subject to all PBV requirements a PHA can allow a substitution of one unit for a previously covered unit. Normally the new unit must be inspected prior to the initial occupancy.

HUD has waived the pre-occupancy inspection requirement. A substitution can be made upon the owner's certification that the owner has no reasonable basis to have knowledge that life-

threatening conditions exist in the unit. The PHA can add additional conditions or requirements. This waiver ends on July 31, 2020 and all inspections must be made prior to October 31, 2020.

### **HQS-9: HOS Quality Control Inspections**

The requirement for PHAs to conduct supervisory quality control inspections of a sample of units under contract is waived until October 31, 2020.

### **HQS-10: Housing quality standards: Space and Security**

The regulation establishes a minimum standard for adequate space for assisted families. It requires at least one bedroom or living/sleeping room for each 2 persons. For people continuing to live in the same unit who need to add a person or persons to their lease because of the COVID-19 emergency, the minimum space requirement is waived. This does not apply to an initial or new lease. This waiver is in effect for the duration of the current lease term or through April 10, 2021, whichever period of time is longer.

## **HOUSING CHOICE VOUCHER PROGRAM**

### **HCV-1: Administrative Plan**

HUD is waiving the requirement that all changes to the Administrative Plan be approved by the Board of Commissioners prior to adoption. Instead, the Board must approve revisions as soon as practical, but no later than July 31, 2020.

### **HCV-2: Information When Family is Selected - PHA Oral Briefing**

HUD requires that all families participating in the HCV or PBV program should be given an oral briefing prior to admission. This requirement is being waived and, as a substitute, HUD will allow things like webcasts, video calls, or expanded information packets as substitutes. Section 504 and the ADA requirements remain. This waiver expires on July 31, 2020.

### **HCV-3: Term of Voucher – Extensions of Term**

HUD is waiving the requirement for voucher extensions to be according to the Administrative Plan. Instead, HUD is allowing the PHA to extend the term of vouchers according the needs of the PHA's community. This authority expires on July 31, 2020.

#### **HCV-4: PHA Approval of Assisted Tenancy – When HAP Contract is Executed**

HUD is waiving the requirement that a HAP contract be executed within 60 days of the beginning of the lease and extending that term to 120 days from the beginning of the lease. This waiver expires July 31, 2020.

#### **HCV-5: Absence from Unit**

The regulation requires that a family not be absent from a unit for more than 180 consecutive calendar days for any reason. Due to the COVID-19 emergency, this is being waived in the case of extenuating circumstances (e.g. hospitalizations, extended stays at nursing homes, caring for family members). This waiver expires on December 31, 2020.

#### **HCV-6: Automatic Termination of HAP contract**

A HAP contract is typically terminated 180 days after the last HAP payment to the owner. This waiver removes the 180-day limit and substitutes a time set by the PHA. This waiver expires on December 31, 2020.

#### **HCV-7: Increase in payment standard under HAP contract term**

The regulation requires that if the payment standard amount increases during a HAP contract, the new payment standard shall be effective on a family's first reexamination on or after the increase in the payment standard. HUD is waiving this requirement and allowing the PHA to apply the increased payment standard at any time after the effective date of the new payment standard, provided that the increased payment standard is used no later than the effective date of the family's first regular reexamination following the change.

If the PHA adopted the waiver in PH and HCV-2 the PHA must use the increased payment standard beginning on the date of the family's first regular examination that would have been effective in the absence of the waiver. Alternatively, the PHA can conduct an interim reexamination where the only change is the increased payment standard amount. This waiver expires December 31, 2020.

#### **HCV-8: Utility allowance schedule – required review and revision**

This waives the requirement to revise the PHA's utility allowance if there is been a change of 10% or more in a utility rate. This waiver expires December 31, 2020.

## 11. PHAS, SEMAP, and Uniform Financial Reporting Standards

### a. PHAS

HUD is suspending physical inspections for housing authorities unless the PHA requests a new PHAS score. New PHAS scores will not be issued for PHAs with a fiscal year ending on or before December 31, 2020. PHAS scoring will resume for PHAs with fiscal years ending March 31, 2021.

### b. SEMAP

SEMAP scores are being suspended for PHAs whose fiscal year ends on or before December 31, 2020 unless the PHA requests a new SEMAP score SEMAP scores will resume for PHAs with fiscal years ending March 31, 2021.

### c. Uniform financial reporting standards: Filing of financial reports: Reporting Compliance Dates

HUD is extending the required date for filing various financial reports according to a schedule set forth in the notice for all agencies with fiscal years ending before June 30, 2020.