

Memo

To: All Managers, All Clerks, Compliance
From: Ken Kugler
Date: April 16, 2020
Re: COVID-19 Statutory and Regulatory Waivers for HCV

Under the authority provided under Coronavirus Aid, Relief and Economic Security CARES; HUD published Notice PIH 2020-05 on April 10, 2020. The notice outlines available waivers to statutory requirements for the HCV Program. HATC is enacting the following available waivers for its HCV Program effective today:

HOUSING CHOICE VOUCHER PROGRAM WAIVERS – HOUSING QUALITY STANDARDS (HQS) INSPECTIONS

HQS-1: Initial Inspection Requirements: Section 8(o)(8)(A)(i) requires that the PHA must inspect the unit before any assistance payment is made to determine whether the unit meets HQS. Section 8(o)(8)(C) 13 requires the PHA to conduct the initial inspection within certain time frames after receiving the RFTA. Section 982.305 provides that the PHA may not approve the assisted tenancy or execute a HAP contract until the unit has been inspected by the PHA and passes HQS. Additionally, Section 982.305 requires that the PHA must inspect the unit to determine that the unit satisfies the HQS before the beginning of the initial lease term.

HUD is waiving these requirements and providing an alternative requirement. In order to place the unit under HAP contract and commence making payments, 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 this owner certification. The PHA is required to conduct an HQS inspection on the unit as soon as reasonably possible but no later than October 31, 2020.

HATC will be enacting this specific waiver for any initial/original inspections in which the unit is already occupied and the HQS inspection cannot be performed by HATC due to the concern of our inspectors being exposed to COVID-19. Both the owner and the tenant must execute the Self Certification Form (Form 840). In this scenario, the overseeing clerk will not set up an inspection on Elite but rather complete the RFTA and manually impute the date of the approved inspection with the date that the Self Certification was executed. Please note, that HATC retains the authority to conduct the HQS inspection as soon as reasonably possible and will inspect the unit no later than October 31, 2020.

Furthermore, HATC is temporarily modifying its internal procedure; as it pertains to HATC's administrative requirement for an existing HCV assisted unit to have an approved HQS inspection prior to renewing an existing HCV lease. HATC will allow the noted HCV participants and landlords and to fulfill the approved HQS inspection requirement by executing a Self Certification Form (Form 840). HATC will retain the authority to perform to conduct the HQS inspection as soon as reasonably possible and will inspect the unit no later than December 31, 2020. Please review the terms of the attached Self Certification Form (Form 840).

HOUSING CHOICE VOUCHER PROGRAM WAIVERS – GENERAL

HCV-1: Administrative plan

Regulatory Authority: 24 CFR § 982.54 (a)

Description: 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 foreseeable difficulties in complying with this requirement in light of the COVID-19 emergency, HUD is waiving the requirement to allow the PHA administrative plan to be revised on a temporary basis without Board approval. As an alternative requirement any informally adopted revisions under this waiver authority must be formally adopted as soon as practicable following June 30, 2020, but no later than July 31, 2020.

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

Regulatory Authority: 24 CFR § 982.301(a)(3), § 983.252(a)

The regulation requires when the PHA selects a family to participate in either the HCV or PBV program, the PHA must give the family an oral briefing. HUD is waiving this requirement and as an alternative requirement allowing the PHA to conduct the briefing by other means such as a webcast, video call, or expanded information packet. Section 504 and the ADA require PHAs to ensure effective communication with applicants, participants and members of the public in all communications and notices. 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. HATC will discontinue this waiver no later than July 31, 2020. Compliance will be following up with an alternative method of how HATC will be conducting its HCV oral briefings.

HCV-3: Term of Voucher – Extensions of Term

Regulatory Authority: 24 CFR § 982.303(b)(1)

The regulation provides that at its discretion, the PHA may grant a family one or more extensions of the initial voucher term in accordance with the PHA policy as described in the PHA administrative plan. HUD is waiving the requirement that the extension(s) must be accordance with the PHA's administrative plan in order to allow the PHA to provide extensions even though it has been unable to formally amend its policy in the administrative plan. HATC will be enacting this waiver until it no longer finds it necessary or through July 31, 2020.

If you have any questions please feel free to contact myself at (559) 627-3700 Ext. 114 or Miguel Perez at (559) 627-3700 Ext. 116.

Thank you.

Memo

To: All Managers, All Clerks, Compliance
From: Ken Kugler
Date: July 7, 2020
Re: COVID-19 Statutory and Regulatory Waivers for HCV

Under the authority provided under Coronavirus Aid, Relief and Economic Security CARES; on July 2, 2020 HUD published Notice PIH 2020-13 which supersedes Notice PIH 2020-05. This notice outlines the extension and revisions to the available waivers, that were made available through Notice PIH 2020-05, to statutory requirements for the Housing Choice Voucher (HCV) Program. HATC is enacting the following available waiver extensions for its HCV Program effective today:

HOUSING CHOICE VOUCHER PROGRAM WAIVERS – HOUSING QUALITY STANDARDS (HQS) INSPECTIONS

HQS-1: Initial Inspection Requirements:

For all original HCV contracts that were approved through the utilization of Self Certification Form the PHA was initially required to conduct an HQS inspection on the unit as soon as reasonably possible but no later than October 31, 2020. PHAs are now required to perform the inspection of the unit no later than 1 year from the date of the owner’s certification, rather than no later than October 31, 2020. However, please note that HATC has discontinued the

utilization of the Self Certification Form for all future original and renewal HCV contracts as of June 11, 2020.

Furthermore, HATC had also temporarily modified its internal procedure; as it pertains to HATC's administrative requirement for an existing HCV assisted unit to have an approved HQS inspection prior to renewing an existing HCV lease. HATC allowed the noted HCV participants and landlords and to fulfill the approved HQS inspection requirement by executing a Self-Certification Form (Form 840). HATC had previously required that all renewal contracts that were approved by utilizing a Self-Certification Form to perform an HQS inspection prior to December 31, 2020. HATC will now require that any renewal HCV contracts that were approved with a Self-Certification Form from April 16, 2020 through June 11, 2020; to be inspected prior to renewing their contract at their next 2021 annual. This will eliminate the backlog of renewal inspections that needed to be performed prior to December 31, 2020.

HOUSING CHOICE VOUCHER PROGRAM WAIVERS – GENERAL

HCV-1: Administrative plan

Regulatory Authority: 24 CFR § 982.54 (a)

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 foreseeable difficulties in complying with this requirement in light of the COVID-19 emergency, HUD is waiving the requirement to allow the PHA administrative plan to be revised on a temporary basis without Board approval. The period of availability for this waiver has been revised; the PHA must formally adopt such revision no later than December 31, 2020.

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

Regulatory Authority: 24 CFR § 982.301(a)(3), § 983.252(a)

The regulation requires when the PHA selects a family to participate in either the HCV or PBV program, the PHA must give the family an oral briefing. HUD is waiving this requirement and as an alternative requirement allowing the PHA to conduct the briefing by other means such

as a webcast, video call, or expanded information packet. Section 504 and the ADA require PHAs to ensure effective communication with applicants, participants and members of the public in all communications and notices. 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. The period of availability for this waiver has been revised; to expire on December 31, 2020.

HCV-3: Term of Voucher – Extensions of Term

Regulatory Authority: 24 CFR § 982.303(b)(1)

The regulation provides that at its discretion, the PHA may grant a family one or more extensions of the initial voucher term in accordance with the PHA policy as described in the PHA administrative plan. HUD is waiving the requirement that the extension(s) must be in accordance with the PHA's administrative plan in order to allow the PHA to provide extensions even though it has been unable to formally amend its policy in the administrative plan. The period of availability for this waiver has been revised; to expire on December 31, 2020

If you have any questions please feel free to contact myself at (559) 627-3700 Ext. 114 or Miguel Perez at (559) 627-3700 Ext. 116.

Thank you.

Memo

To: All Managers, All Clerks, Compliance
From: Ken Kugler
Date: November 25, 2020
Re: COVID-19 Statutory and Regulatory Waivers for PH

Under the authority provided under Coronavirus Aid, Relief and Economic Security CARES; on July 2, 2020 HUD published Notice PIH 2020-13 which supersedes Notice PIH 2020-05. This notice outlines the implantation of waiver Public Housing (PH-5) Community Service and Self Sufficiency requirements.:

PH-5: Community Service and Self-Sufficiency Requirement (CSSR)

Regulatory Authority: 24 CFR § 960.603(a) and 960.603(b)

The statute and regulations require that each adult resident of public housing, except for any family member that is exempt, must contribute 8 hours per month of community service or participate in an economic self-sufficiency program or a combination of both. A family's noncompliance with the service requirement is grounds for non-renewal of the lease at the end of the lease term. HUD is waiving this requirement and is alternatively suspending the community service and self-sufficiency requirement. If a PHA adopts this waiver, tenants will not be subject to this requirement at the family's next annual reexamination. Upon the family's next annual reexamination, PHAs should report on Form HUD-50058 each individual's CSSR status as either exempt for those that are exempt, or pending for those that are otherwise eligible but for which the suspension prevents a housing authority from determining

compliance. After a PHA completes an annual reexamination for any family, the CSSR becomes effective again for family members for the subsequent annual reexamination cycle. Period of Availability: The period of availability ends on March 31, 2021.

If you have any questions please feel free to contact myself at (559) 627-3700 Ext. 114 or Miguel Perez at (559) 627-3700 Ext. 116.

Thank you.

Memo

To: All Managers, All Clerks, Compliance
From: Ken Kugler
Date: December 22, 2020
Re: COVID-19 Statutory and Regulatory Waivers for HCV

Under the authority provided under Coronavirus Aid, Relief and Economic Security CARES; on November 30, 2020 HUD published Notice PIH 2020-33 (HA), REV-2 which supersedes Notice PIH 2020-13. This notice outlines the extension and revisions to the available waivers, that were made available through Notice PIH 2020-05 and PIH 2020-13 to statutory requirements for the Housing Choice Voucher (HCV) Program. HATC is choosing to continue to enact the following waivers for its HCV Program through June 30, 2021.

HOUSING CHOICE VOUCHER PROGRAM WAIVERS – GENERAL

HCV-1: Administrative plan

Regulatory Authority: 24 CFR § 982.54 (a)

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 foreseeable difficulties in complying with this requirement in light of the COVID-19 emergency, HUD is waiving the requirement to allow the PHA administrative plan to be revised

on a temporary basis without Board approval. The period of availability for this waiver has been revised; the PHA must formally adopt such revision no later than June 30, 2021.

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

Regulatory Authority: 24 CFR § 982.301(a)(3), § 983.252(a)

The regulation requires when the PHA selects a family to participate in either the HCV or PBV program, the PHA must give the family an oral briefing. HUD is waiving this requirement and as an alternative requirement allowing the PHA to conduct the briefing by other means such as a webcast, video call, or expanded information packet. Section 504 and the ADA require PHAs to ensure effective communication with applicants, participants and members of the public in all communications and notices. 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. The period of availability for this waiver has been revised; to expire on June 30, 2021.

HCV-3: Term of Voucher – Extensions of Term

Regulatory Authority: 24 CFR § 982.303(b)(1)

The regulation provides that at its discretion, the PHA may grant a family one or more extensions of the initial voucher term in accordance with the PHA policy as described in the PHA administrative plan. HUD is waiving the requirement that the extension(s) must be in accordance with the PHA's administrative plan in order to allow the PHA to provide extensions even though it has been unable to formally amend its policy in the administrative plan. The period of availability for this waiver has been revised; to expire on June 30, 2021.

If you have any questions please feel free to contact myself at (559) 627-3700 Ext. 114 or Miguel Perez at (559) 627-3700 Ext. 116.