

**Housing Choice Voucher (HCV) and Public Housing Program
COVID-19
Statutory and Regulatory Waivers**

On November 20, 2020, the United States Department of Housing and Urban Development (HUD) issued PIH Notice 2020-33 (amended from 2020-13 and 2020-05) which contains Statutory and Regulatory Waivers for the Public Housing, Housing Choice Voucher, Indian Housing Block Grant and Indian Community Development Block Grant programs. Suspension of the Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) has been implemented by HUD in response to COVID-19.

The waivers and alternative requirements identified in the above-mentioned PIH Notice allow Public Housing Agencies (PHAs) to keep public housing and housing choice voucher programs operational to the extent practical during the COVID-19 pandemic. The following chart provides a list of waivers and alternatives that Yolo County Housing (YCH) has adopted for the Low Rent Public Housing (LRPH) program, the Housing Choice Voucher (HCV) program and the Project Based Voucher (PBV) program. The “item” description below correlates with the sections identified in the Notice. Additional information related to these waivers can be found in PIH Notice 2020-33.

Note: Once the period of availability deadline listed below **OR** any extension to the availability deadline is provided by HUD, YCH has an obligation to resume normal policies and procedures outlined in its Admissions and Continued Occupancy Plan (ACOP) and its Administrative Plan. Adoption of any waiver or alternative does not relieve public housing residents, HCV program participants or landlords from the requirement of reporting **true and accurate information** to YCH at all times in order to effectively administer YCH public housing programs.

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA Implement Waiver?	Date of PHA adoption
PH and HCV-1 PHA 5-Year and Annual Plan	<u>Statutory Authority</u> Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h) <u>Regulatory Authority</u> § 903.5(a)(3), 903.5(b)(3), 903.21	<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 • 12/31/2020 	Yes	04/15/2020

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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"> 6/30/2021 All reexams due in CY 20 must be completed by 12/31/20. Reexams due between 1/1/21 and 6/30/21 would need to be completed by 6/30/21 	Yes	04/15/2020
PH and HCV-3 Family Income and Composition: Annual Examination; Income Verification Requirements	<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 will be responsible for addressing material income discrepancies that may arise later 	<ul style="list-style-type: none"> 6/30/2021 	Yes	04/15/2020

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PH and HCV-4 Interim reexaminations	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> § 5.233(a)(2), 982.516(c)(2), 960.257(a),(b) and (d), 960.259 <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"> • 6/30/2021 	Yes	04/15/2020
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"> • 6/30/2021 	Yes	5/13/2020
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 	<ul style="list-style-type: none"> • 6/31/2021 	Yes	5/13/2020
PH and HCV-7 Waiting List	<u>Regulatory Authority</u> § 982.206(a)(2) <u>PIH Notice 2012-34</u>	<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"> • 6/30/2021 	Yes	04/15/2020
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),	<ul style="list-style-type: none"> • Changes initial inspection requirements, allowing for owner certification that there are no life-threatening 	<ul style="list-style-type: none"> • 6/30/2021 	Yes	04/15/2020

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	<u>982.405</u>	<p>deficiencies</p> <ul style="list-style-type: none"> • Where self-certification was used, PHA must inspect the unit no later than 1-year anniversary of date of owner's certification • 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"> • 1-year anniversary of owner's certification 		
HQS-2: PBV Pre-HAP Contract Inspections, PHA acceptance of completed units	<p><u>Statutory Authority:</u> <u>Section 8(o)(8)(A)</u></p> <p><u>Regulatory Authority:</u> <u>§§ 983.301(b),</u> <u>983.156(a)(1)</u></p>	<ul style="list-style-type: none"> • Changes 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 1-year anniversary of date of owner's certification. 	<ul style="list-style-type: none"> • 6/30/2021 • 1-year anniversary of owner's certification 	Yes	04/15/2020

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HQS-3 Non-Life Threatening HQS - Initial Unit Approval	<u>Statutory Authority</u> Section 8(o)(8)(A)(ii) <u>Regulatory Authority</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"> 6/30/2021 	Yes	04/15/2020
HQS-4 Initial HQS – Alternative Inspections	<u>Statutory Authority</u> Section 8(o)(8)(A)(iii) <u>Regulatory Authority</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 1-year anniversary of date of owner’s certification. 	<ul style="list-style-type: none"> 6/30/2021 1-year anniversary of date of owner’s certification 	Yes	04/15/2020
HQS-5 Biennial Inspections	<u>Statutory Authority</u> Section 8(o)(D) <u>Regulatory Authority</u> §§ 982.405(a), 983.103(d)	<ul style="list-style-type: none"> Allows for delay in biennial inspections PHAs must require owner certification there are no life-threatening deficiencies All delayed biennial inspections must resume by 6/30/21 and completed by 12/31/21 	<ul style="list-style-type: none"> 6/30/2021 12/31/2021 	Yes	04/15/2020

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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"> • 6/30/2021 	Yes	04/15/2020
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 1-year anniversary of date of owner's certification 	<ul style="list-style-type: none"> • 6/30/2021 • 1-year anniversary of date of owner's certification 	Yes	04/15/2020
HQS-8: <u>PBV HAP Contract – HQS Inspections to Add or Substitute Units</u>	<u>Statutory Authority</u> Section 8(o)(8)(A) <u>Regulatory Authority</u> §§ 983.207(a), 983.207(b)	<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 1-year anniversary of date of owner's certification. 	<ul style="list-style-type: none"> • 6/30/2021 • 1-year anniversary of date of owner's certification 	Yes	04/15/2020

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HQS-9 HQS QC Inspections	<u>Regulatory Authority</u> § 982.405(b)	<ul style="list-style-type: none"> Provides for a suspension of the requirement for QC sampling inspections 	<ul style="list-style-type: none"> 6/30/2021 	Yes	04/15/2020
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	Yes	5/13/2020
HQS-11 Homeownership HQS	<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"> 6/30/2021 	Yes	5/13/2020
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 3/31/21 Any provisions adopted informally must be adopted formally by 6/30/21 	<ul style="list-style-type: none"> 3/31/2021 6/30/2021 	Yes	04/15/2020

HCV-2 PHA Oral Briefing	<u>Regulatory Authority</u> § 982.301(a)(3) § 983.252(a)	<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">• 6/30/2021	Yes	04/15/2020
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HCV-3 Term of Voucher – Extensions of Term	<u>Regulatory Authority § 982.303(b)(1)</u>	<ul style="list-style-type: none"> Allows PHAs to provide voucher extensions regardless of current PHA policy 	<ul style="list-style-type: none"> 6/30/2021 	Yes	04/15/2020
HCV-4 PHA Approval of Assisted Tenancy: When HAP Contract is Executed	<u>Regulatory Authority § 982.305(c)</u>	<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"> 6/30/2021 	Yes	5/13/2020
HCV-5 Absence from unit	<u>Regulatory Authority § 982.312</u>	<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"> 6/30/2021 	Yes	04/15/2020
HCV-6 Automatic Termination of the HAP Contract	<u>Regulatory Authority § 982.455</u>	<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"> 6/30/2021 	Yes	5/13/2020

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HCV-7 Increase in Payment Standard During HAP Contract Term	<u>Regulatory Authority</u> § 982.505©(4)	<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 to do so. 	<ul style="list-style-type: none"> 6/30/2021 	Yes	04/15/2020
HCV-8 Utility Allowance Schedule:	<u>Regulatory Authority</u> § 982.517	<ul style="list-style-type: none"> Provides for delay in updating utility allowance schedule 	<ul style="list-style-type: none"> 6/30/2021 	No	N/A
HCV-9 Homeownership Counseling	<u>Statutory Authority</u> Section 8(y)(1)(D) <u>Regulatory Authority</u> § 982.630, 982.636(d)	<ul style="list-style-type: none"> Waives the requirement for the family to obtain pre-assistance counseling 	<ul style="list-style-type: none"> 6/30/2021 	No	N/A
HCV-10 FUP Youth	<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"> 6/30/2021 	Yes	04/15/2020
HCV-11 FUP 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 - December 31, 2020 	<ul style="list-style-type: none"> 6/30/2021 	No	N/A

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HCV-12 Family Unification Program (FUP): Timeframe for Referral	<u>Statutory Authority</u> Section 8(x)(2)	<ul style="list-style-type: none"> Allows PHAs to accept referrals of otherwise eligible youth who will leave foster care within 120 days 	<ul style="list-style-type: none"> 6/30/2021 	Yes	11/20/2020
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	No	N/A
PH-2 Total Development Costs	<u>Regulatory Authority</u> § 905.314©	<ul style="list-style-type: none"> Waives the TDC and HCC limits permitting approval of amounts in excess of published TDE by 25% to 50% on a case by case basis. 	Applies to development proposals submitted to HUD no later than 12/31/2021	No	N/A
PH-3 Cost limitations	<u>Regulatory Authority</u> § 905.314(j)	<ul style="list-style-type: none"> Allows for the use of force account labor for modernization activities in certain circumstances 	<ul style="list-style-type: none"> 6/30/2021 	No	N/A
PH-4 ACOP	<u>Regulatory Authority</u> § 960.202©(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"> 3/31/2021 6/30/2021 	Yes	04/15/2020

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PH-5 CSSR	<u>Statutory Authority</u> Section 12© <u>Regulatory Authority</u> § 960.603(a) and 960.603(b)	<ul style="list-style-type: none"> Temporarily suspends Community Service and Self-Sufficiency Requirement (CSSR) 	<ul style="list-style-type: none"> 6/30/21 	Yes	04/15/2020
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 	One year beyond 2020 audit deadline	No	N/A
PH-7 Over-income families	<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	<ul style="list-style-type: none"> Changes to timeframes for determination of over-income 	<ul style="list-style-type: none"> 6/30/2021 	Yes	04/15/2020

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA Implement Waiver?	Date of PHA adoption
	Notice: Notice PIH 2019-11				
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"> 6/30/2021 	No	N/A
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"> 6/30/2021 	No	N/A
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"> 6/30/2021 	Yes	4/15/2020
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 6/30/21	N/A	N/A
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 6/30/21	N/A	N/A

11c Financial reporting	<u>Regulatory Authority</u> §§ 5.801©, 5.801(d)(1)	<ul style="list-style-type: none">Allows for extensions of financial reporting deadlines	Varies by PHA FYE	No	N/A
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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 	Yes	04/15/2020
12b Designated housing plan	<u>Statutory Authority</u> Section 7€(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 	N/A	N/A
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 a one-year extension 	One-year extension, however no programmatic expenditure end date shall be extended beyond one month prior to closure of relevant appropriations acc	No	N/A