



SOMERVILLE HOUSING AUTHORITY

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COVID-19 STATUTORY AND REGULATORY WAIVERS

On April 10, 2020, the U.S. Department of Housing and Urban Development (HUD) issued PIH Notice 2020-05 providing guidance to Public Housing Authorities (PHAs) in response to the COVID-19 national emergency. Additionally, an updated PIH Notice 2020-13(HA), REV-1 was issued on July 2, 2020 and an updated PHI 2020-33(HA), REV-2 was issued on November 30, 2020 providing HUD with broad authority under the CARES ACT to waive or establish alternative requirements for numerous statutory and regulatory requirements for the Public Housing program and Housing Choice Voucher (HCV) program. These waivers are intended to provide PHAs with the flexibility to adjust program practices, prioritize critical functions and ensure the health and safety of residents, employees and partners while having minimal impact on program participants. The implementation of these waivers is at the discretion of the Somerville Housing Authority (SHA).

Translation and interpretation services are available upon request by appointment only
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Servicio de traducción e intepretación estan disponibles, con cita, una vez que lo solicite
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**Attachment I: 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.)**

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.

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
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), 903.13(c), 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 Examinations	<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 6/30/21 would need to be completed by 6/30/21.	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20

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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> Notice PIH 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"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
PH and HCV-4 Family Income and Composition: Interim Examinations	<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(c) <u>Sub-regulatory Guidance</u> Notice PIH 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"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20

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PH and HCV-5 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"> • Waives the mandatory EIV monitoring requirements 	<ul style="list-style-type: none"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
PH and HCV-6 Family Self-Sufficiency (FSS) Contract of Participation: Contract Extension	<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"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
PH and HCV-7 Waiting List: Opening and Closing; Public Notice	<u>Regulatory Authority</u> § 982.206(a)(2) <u>Sub-regulatory Guidance</u> Notice PIH 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"> • 6/30/21 	NO	
HQS-1 Initial Inspection Requirements	<u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(o)(8)(C)	<ul style="list-style-type: none"> • Changes initial inspection requirements, allowing for owner certification that there are no life-threatening deficiencies 	<ul style="list-style-type: none"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20

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	<u>Regulatory Authority</u> §§ 982.305(a), 982.305(b), 982.405	<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 date of owner's certification 		
HQS-2: Project-Based Voucher (PBV) Pre-HAP Contract Inspections: PHA Acceptance of Completed Units	<u>Statutory Authority:</u> Section 8(o)(8)(A) <u>Regulatory Authority:</u> §§ 983.103(b), 983.156(a)(1)	<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"> 6/30/21 1-year anniversary of date of owner's certification 	YES	11/30/20

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
<p>HQS-3 Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option</p>	<p><u>Statutory Authority</u> Section 8(o)(8)(A)(ii)</p> <p><u>Sub-regulatory Guidance</u> HOTMA HCV Federal Register Notice January 18, 2017</p>	<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"> 6/30/21 	<p>YES</p>	<p>4/13/20 READOPTED 7/7/20 READOPTED 11/30/20</p>
<p>HQS-4 HQS Initial Inspection Requirement: Alternative Inspection Option</p>	<p><u>Statutory Authority</u> Section 8(o)(8)(A)(iii)</p> <p><u>Sub-regulatory Guidance</u> HOTMA HCV Federal Register Notice January 18, 2017</p>	<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"> 6/30/21 1-year anniversary of date of owner's certification 	<p>YES</p>	<p>4/13/20 READOPTED 7/7/20 READOPTED 11/30/20</p>

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HQS-5 HQS Inspection Requirement: 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 be completed by 12/31/21 	<ul style="list-style-type: none"> • 6/30/21 • 12/31/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
HQS-6 HQS 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"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
HQS-7 PBV Turnover Unit Inspections	<u>Regulatory Authority</u> § 983.103(c)	<ul style="list-style-type: none"> • Allows PBV turnover units to be filled based on owner certification there are no life-threatening deficiencies 	<ul style="list-style-type: none"> • 6/30/21 	YES	11/30/20

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		<ul style="list-style-type: none"> Allows for delayed full HQS inspection NLT than 1-year anniversary of date of owner's certification 	<ul style="list-style-type: none"> 1-year anniversary of date of owner's certification 		
<p>HQS-8: PBV HAP Contract: HQS Inspections to Add or Substitute Units</p>	<p><u>Statutory Authority</u> Section 8(o)(8)(A)</p> <p><u>Regulatory Authority</u> §§ 983.207(a), 983.207(b)</p> <p><u>Sub-regulatory Guidance</u> HOTMA 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 1-year anniversary of date of owner's certification 	<ul style="list-style-type: none"> 6/30/21 1-year anniversary of date of owner's certification 	NO	
<p>HQS-9 HQS Quality Control Inspections</p>	<p><u>Regulatory Authority</u> §§ 982.405(b), 983.103(e)(3)</p>	<ul style="list-style-type: none"> Provides for a suspension of the requirement for QC sampling inspections 	<ul style="list-style-type: none"> 6/30/21 	YES	<p>4/13/20 READOPTED 7/7/20 READOPTED 11/30/20</p>

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HQS-10 Housing Quality Standards: 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 this Notice, whichever is longer	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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"> • 6/30/21 	NO	
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"> • 3/31/21 • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
HCV-2 Information When Family is Selected: PHA Oral Briefing	<u>Regulatory Authority</u> §§ 982.301(a)(1), 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"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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 	<ul style="list-style-type: none"> • 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20

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		12/31/20 for units vacant more than 180 consecutive days			
HCV-6 Automatic Termination of 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"> 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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"> 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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"> 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20

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HCV-9 Homeownership Option: 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"> • 6/30/21 	NO	
HCV-10 Family Unification Program (FUP): FUP Youth Age Eligibility 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"> • 6/30/21 	NO	
HCV-11 Family Unification Program (FUP): Length of Assistance 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"> • 6/30/21 	YES	7/7/20 READOPTED 11/30/20
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"> • 6/30/21 	YES	7/7/20 READOPTED 11/30/20

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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"> 6/30/21 	YES	7/7/20 READOPTED 11/30/20
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"> 6/30/21 	YES	7/7/20 READOPTED 11/30/20
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	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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	

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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 activities in certain circumstances 	<ul style="list-style-type: none"> 6/30/21 	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"> 3/31/21 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
PH-5 Community Service and Self-Sufficiency Requirement (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"> 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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 	NO	

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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, Notice PIH 2019-11	<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"> 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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"> 6/30/21 	NO	
PH-9 Review and Revision of 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	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
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"> 6/30/21 	YES	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20

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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	7/7/20 READOPTED 11/30/20
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	7/7/20 READOPTED 11/30/20
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 the 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 	<ul style="list-style-type: none"> 6/30/21 	YES	11/30/20

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		households instead of being terminated and will be charged the applicable FMR as the family's monthly rental amount.			
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 families an additional opportunity to select an income-based or flat rent 	<ul style="list-style-type: none"> 6/30/21 	YES	11/30/20
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 06/30/21	YES	11/30/20

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11b-1 SEMAP	<u>Regulatory Authority</u> § 985.105(d)	<ul style="list-style-type: none"> Allows field offices to perform a remote SEMAP confirmatory review instead of an on-site confirmatory review before changing a PHA's rating from troubled to standard or high performer 	<ul style="list-style-type: none"> 6/30/21 	N/A	N/A
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 SEMAP 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"> 6/30/21 	YES	11/30/20
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	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20

**Attachment I: 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.)**

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
12a PHA Reporting Requirements on HUD Form 50058	<u>Regulatory Authority</u> 24 CFR Part 908, § 982.158 <u>Sub-regulatory Guidance</u> Notice PIH 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	4/13/20 READOPTED 7/7/20 READOPTED 11/30/20
12b Designated Housing Plans: 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 	N/A	N/A
12c Extension of Deadline for Programmatic Obligation and Expenditure of Capital Funds	<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 extension 	For all open Capital Fund grants, an 18-month extension from the obligation and expenditure end dates in LOCCS as of April 10, 2020	NO	
12d Section 6(j) 1- and 2-Year Substantial Improvement	<u>Statutory Authority</u> Section 6(j)(3)(B)(ii)	<ul style="list-style-type: none"> • For PHAs designated as troubled prior to the date of this Notice that have not received a PHAS 	The period of availability for this waiver and alternative	N/A	N/A

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Requirements	<u>Regulatory Authority</u> 24 CFR § 902.75(d)	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 June 30, 2022; and, (2) toll the evaluation of the 2-year recovery benchmark to the next sequential fiscal year	requirement: (1) is effective on the date of this Notice; and, (2) will continue through June 30, 2023, at which time HUD will reevaluate any additional impacts of this waiver on any PHA in the process of being evaluated.		
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"> • 6/30/21 	YES	11/30/20
MR-0 Family Income and Composition: Annual examination; Income	<u>Regulatory Authority:</u> §5.233(a)(2) <u>Sub-regulatory Guidance</u>	<ul style="list-style-type: none"> • Waives the requirements to use the income hierarchy 	<ul style="list-style-type: none"> • 6/30/21 	YES	11/30/20

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
Verification Requirements	Notice PIH 2018-18	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 under MR-1			
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	<ul style="list-style-type: none"> • Waives requirements to use the income verification hierarchy as described by Notice PIH 2018-18. Allows PHAs to forgo third-party income verification 	<ul style="list-style-type: none"> • 6/30/21 	YES	11/30/20

**Attachment I: Summary of Public Housing and HCV Waivers and Alternative Requirements
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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		<p>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 			
<p>MR-4 Enterprise Income Verification (EIV) Monitoring</p>	<p><u>Regulatory Authority</u> § 5.233</p> <p><u>Sub-regulatory Guidance</u> Notice PIH 2018-18</p>	<ul style="list-style-type: none"> • Waiving the mandatory EIV monitoring requirements. 	<ul style="list-style-type: none"> • 6/30/21 	<p>YES</p>	<p>11/30/20</p>
<p>MR-5 PHA Inspection Requirement: Annual Inspections</p>	<p><u>Regulatory Authority</u> § 882.516(b)</p>	<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 	<ul style="list-style-type: none"> • 6/30/21 	<p>YES</p>	<p>11/30/20</p>

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		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			
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 	<ul style="list-style-type: none"> • 6/30/21 	NO	
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 	<ul style="list-style-type: none"> • 6/30/21 	YES	11/30/20
MS-2 Mainstream Criminal Background Screening	<u>Statutory Authority</u> 42 U.S.C. 13663(a), 42 U.S.C. 13661	<ul style="list-style-type: none"> • PHAs may establish, as an alternative requirement, screening 	<ul style="list-style-type: none"> • 6/30/21 	NO	

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
	<u>Regulatory Authority</u> §§ CFR 5.856, 982.553(a)	requirements for applicants for Mainstream vouchers which are distinct from those in place for its HCV program in general			
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 turning 62 and were not yet 63 on the effective date of the HAP Contract 	<ul style="list-style-type: none"> 6/30/21 	YES	11/30/20

Attachment II: 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
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	<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.
		<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.
		<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.
		<i>Reprogramming of FY2020 IHBG Funding:</i> FY2020 IHBG funds may be reprogrammed to address COVID-19 through streamlined process.

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

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	Original 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	Original APR Due Date	Extension
			3/30/2020	9/27/2020
			6/29/2020	12/30/2020
			9/30/2020	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.		

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

<p>13f. COVID-19-Related Assistance to Non-Low Income and Non-Native Families</p>	<p>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</p>	<p>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.</p>
<p>13g. Useful Life</p>	<p>Statutory Authority: Section 205 of NAHASDA, Regulatory Authority: 24 CFR §§ 1000.141, 1000.142, 1000.143, 1000.144, 1000.146, 1000.147</p>	<p>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.</p>
<p>13h. Total Development Cost (TDC) Limits</p>	<p>Regulatory Authority: 24 CFR §§ 1000.156, 1000.158, 1000.160, 1000.162</p>	<p>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.</p>
<p>13i. Prohibition Against Investment of CARES Act Grant Funds</p>	<p>Statutory Authority: Section 204(b) of NAHASDA, Regulatory Authority: 24 CFR § 1000.58</p>	<p>Recipients are prohibited from investing any IHBG funding provided under the CARES Act.</p>

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

<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 Community Development Act of 1974 (HCD Act) Regulatory Authority: 24 CFR § 1003.604</p>	<p>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 2019/2020 ICDBG grants to address COVID-19.</p>
<p>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)</p>	<p><i>1) Criteria for Funding:</i> With respect to applications for ICDBG-CARES grants and FY 2019/2020 ICDBG Imminent Threat grants to address the COVID-19 crisis, the urgency and immediacy of the threat will be presumed.</p>	
	<p><i>2) 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.</p>	
	<p><i>3) 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.</p>	

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

		<p><i>4) 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.</p>
<p>14c. Removal of Public Services 15 Percent Cap under FY 2019 and FY 2020 ICDBG Grants</p>	<p>Statutory Authority: Section 105 of the HCD Act; Regulatory Authority: 24 CFR § 1003.201(e); FY 19/20 ICDBG NOFA</p>	<p>HUD is eliminating the 15 percent cap on FY 2019/2020 ICDBG funding (both Single Purpose and Imminent Threat grants).</p>
<p>14d. Rental Assistance, Utility Assistance, Food, Clothing, and Other Emergency Assistance</p>	<p>Statutory Authority: Section 105 of the HCD Act; Regulatory Authority: 24 CFR § 1003.207(b)(4)</p>	<p>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.</p>
<p>14e. Purchase of Equipment</p>	<p>Regulatory Authority: 24 CFR §§ 1003.207(b)(1); 1003.201(c)(1)(ii)</p>	<p>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.</p>

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

<p>14f. Operating Expenses for Public Facilities</p>	<p>Regulatory Authority: 24 CFR § 1003.207(b)(2)</p>	<p>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.</p>
<p>14g. New Housing Construction by Tribes</p>	<p>Statutory Authority: Section 105 of the HCD Act, Regulatory Authority: 24 CFR § 1003.207(b)(3)</p>	<p>ICDBG grantees may use ICDBG funds to carry out new housing construction under certain conditions without having to use a CBDO.</p>