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**DATE:** April 28, 2020

**RE:** HUD policy waivers

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**Approved by North Iowa Regional Housing Authority Board Action on April 28, 2020**

**REQUESTED ACTION:** Accept the following policy waivers allowed by HUD.

**COMMENTS:** PIH notice 2020-05 Was released by HUD on April 10, 2020 to address the effects of the COVID-19 situation on housing authority operations. The notice provides many waivers to law or HUD regulations which housing authorities can use to ensure the safe and continued operation of our programs during the pandemic.

The waivers to our current policy we would like the option to use are summarized below. While we anticipate not needing many of the waivers, this approval allows us the flexibility to use them if necessary. The full notice will be attached separately to the email or can be found by internet search for the term "PIH notice 2020-05". Page numbers refer to the page in PIH Notice 2020-05.

1. **PH and HCV-1: PHA 5-Year and Annual Plan Submission Dates, Significant Amendment Requirements – p. 6**  
Acceptance of this waiver allows us extended time to submit our 5 Year PHA plan, with a revised due date of 10/18/2020
2. **PH and HCV-2: Family Income and Composition: Delayed Annual Examinations – p. 8**  
Acceptance of this waiver allows us extended time to complete annual reexaminations. All annual recertifications due in Calendar Year (CY) 2020 must be completed by December 31, 2020.
3. **PH and HCV-3: Family Income and Composition: Annual Examination - Income Verification requirements – p. 8**  
This waiver allows NIRHA to consider self-certification as the highest form of income verification to process annual reexaminations. This may occur over the telephone (but must be documented by PHA staff with a contemporaneous written record), through an email or postal mail with a self-certification form by the tenant, or through other electronic communications. The period of availability to conduct annual reexaminations using these modified verification requirements ends on July 31, 2020.
4. **PH and HCV-4: Family Income and Composition: Interim Examinations – p. 9**

This waiver allows NIRHA to consider self-certification as the highest form of income verification to process interim reexaminations. This may occur over the telephone (with a contemporaneous written record by the PHA staff person), through an email with a self-certification form by the family, or through other electronic communications. The period of availability ends on July 31, 2020.

5. **HQS-1: Initial Inspection Requirements** – p. 12

This waiver allows NIRHA to 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. However, the PHA may add other requirements or conditions in addition to the owner's certification but is not required to do so. The PHA is required to conduct an HQS inspection on the unit as soon as reasonably possible but no later than October 31, 2020. The period of availability for PHAs to accept owner's self-certification for an initial inspection ends on July 31, 2020.

6. **HQS-3: Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option** – p. 14

This waiver allows NIRHA the option to choose to approve an assisted tenancy, execute the HAP contract, and begin making housing assistance payments on a unit that fails the initial HQS inspection, provided the unit's failure to meet HQS is the result only of NLT conditions. HUD is waiving the requirement that the PHA must withhold the payment if the NLT repairs are not made in 30 days. Instead, the PHA may provide an extension of up to an additional 30 days to the owner to make the NLT repairs and continue to make payments to the owner during the period of that maximum 30-day extension. If the owner has not made the NLT repairs by the end of the PHA extension period, the PHA must withhold payments. The period of availability for the PHA to approve an extension of up to an additional 30 days ends on July 31, 2020.

7. **HQS-5: HQS Inspection Requirement – Biennial Inspections** – p. 15

This waiver allows NIRHA to delay biennial inspections. All delayed biennial inspections must be completed as soon as reasonably possible but no later than October 31, 2020. The period of availability ends on October 31, 2020.

8. **HQS-9: HQS Quality Control Inspections** – p. 18

The regulations require NIRHA to conduct supervisory quality control inspections of a sampling of units under contract. HUD is waiving this regulatory requirement. The period of applicability ends on October 31, 2020.

9. **HCV-2: Information When Family is Selected - PHA Oral Briefing** – p.19  
This waiver allows NIRHA to conduct the briefing by other means such as a webcast, video call, or expanded information packet. The period of availability ends on July 31, 2020.
10. **HCV-3: Term of Voucher – Extensions of Term** – p. 20  
This waiver allows NIRHA to 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 ends on July 31, 2020.
11. **HCV-5: Absence from Unit** – p. 20  
This waiver allows NIRHA the discretion to continue housing assistance payments and not terminate the HAP contract due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, caring for family members). The period of availability for the PHA to choose to continue making HAP payments despite the family's absence of more than 180 consecutive days ends on December 31, 2020.
12. **HCV-6: Automatic Termination of HAP contract** – p. 21  
This waiver allows NIRHA, upon written notice to the owner and family, to extend the period of time following the last payment to the owner that triggers the automatic termination of the HAP contract. The extension beyond the normally applicable 180 days is determined by the PHA but may not extend beyond December 31, 2020. The period of availability for the extension ends December 31, 2020.
13. **HCV-7: Increase in payment standard under HAP contract term** – p. 21  
This waiver allows NIRHA to apply increased payment standards at any time after the effective date of the increase in the payment standard amount. The waiver period of availability ends on December 31, 2020.
14. **HCV-8: Utility allowance schedule – required review and revision** – p. 22  
This waiver allows NIRHA to delay the review and update of utility allowances. The review and update of utility allowances must be completed no later than December 31, 2020.
15. **PH-4: ACOP: Adoption of Tenant Selection Policies** – p. 24  
This waiver allows NIRHA to adopt and implement changes to the ACOP on an expedited basis, without formal 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. The period of availability ends on July 31, 2020.

16. **PH-6: Energy Audits** – p. 25  
This waiver allows NIRHA to suspend any necessary energy audits for one year for those that were due before December 31, 2020. The period of availability is one year beyond the date of the energy audit deadline in 2020 for the impacted project.
17. **PH-9: Review and Revision of Utility Allowances** – p. 26  
This waiver allows NIRHA to delay the review and update of utility allowances. Any review and update of utility allowances that were due at some point in time in CY 2020 must be completed by the end of 2020.
18. **PH-10: Tenant Notifications for Changes to Project Rules and Regulations** – p. 27  
This waiver allows NIRHA to approve policy changes without the normal 30-day advance notice required. The period of availability ends on July 31, 2020.
19. **PHAS** – p. 27  
This waiver allows NIRHA carry forward last year's PHAS score to this year. HUD will resume issuing new PHAS scores beginning with PHAs with fiscal year end dates of March 31, 2021.
20. **SEMAP** – p. 28  
This waiver allows NIRHA carry forward last year's SEMAP score to this year. HUD will resume issuing new SEMAP scores beginning with PHAs with fiscal year end dates of March 31, 2021.
21. **Uniform financial reporting standards; Filing of financial reports; Reporting Compliance Dates** – p. 28  
This waiver extends the due date for NIRHA to submit our audited financials to HUD. Our audited financials for FYE 9/30/19 are currently due 6/30/2020, this waiver allows for an extended due date of 12/31/2020.
22. **Extension of Deadline for Programmatic Obligation and Expenditure of Capital Funds** – p. 30  
This waiver allows NIRHA an additional year from current deadlines to obligate and expend capital funds from all open grants.