

# **LOW INCOME PUBLIC HOUSING PROGRAM**

## **POLICIES DURING THE COVID-19 PUBLIC HEALTH EMERGENCY**



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In response to the COVID-19 public health emergency, the Jersey City Housing Authority (JCHA) has taken numerous actions to reduce the risk of the spread of the virus while maintaining essential services for the low-income households it serves. This document describes and defines how JCHA will operate during this COVID-19 state of emergency with regard to several Low Income Public Housing (LIPH) Program policies; it represents an addition to the Admissions and Continued Occupancy Policy (ACOP) and will remain in effect until such time as all states of emergency designations are lifted and HUD waivers are rescinded or expire.

To assist federal rental assistance participants experiencing financial hardship related to COVID-19 and reduce community spread of the virus, JCHA has implemented the below COVID-19 public health emergency policies.

### **Temporary Moratoriums on Eviction for Nonpayment of Rent and Charging of Late Fees**

Effective March 27, 2020, and in compliance with Section 4024 of the Federal Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”), the JCHA implemented a 120-day moratorium on filing eviction cases for nonpayment of rent and for charging late fees to its public housing residents. The 120-day moratorium terminated on July 24, 2020. However, by Executive Order 106, the State of NJ continues to ban residential evictions until further notice. In addition, the JCHA will not resume charging late fees until further notice.

JCHA will continue to address other lease violations, including those involving violent or criminal behavior that pose a threat to the health or safety of other residents.

### **Admissions and Continued Occupancy Policy Revisions**

Regulation 24 CFR § 903.21 requires that any revisions of the Public Housing Authority’s (PHA) ACOP must be formally adopted by the PHA Board of Commissioners at a public meeting. Due to the COVID-19 emergency, the Department of Housing and Urban Development (HUD) is waiving the requirement to allow the PHA ACOP to be revised on a temporary basis without Board approval through December 31, 2020.

### **Certifications (Initial, Annual, and Interim)**

- **Recertification, initial, briefing, and interim appointments will no longer be held in person.** All appointments will be held by phone or via teleconferencing whenever possible. Documents can be submitted through mail, email or drop off to the mail slot at site manager’s office. To address these challenges, HUD is waiving the requirements to use the income hierarchy described by PIH Notice 2018-18 and will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV per PIH Notice 2020-05. The waiver is set to expire on December 31, 2020.
  
- **Streamlined Recertifications – Fixed Income Sources:** HUD allows PHAs to implement streamlined requirements for verifying and adjusting fixed income sources over a three-year cycle for families whose unadjusted income is 90 percent or more from fixed income sources. JCHA will implement this process during the COVID-19 public health emergency. JCHA will fully recertify, verify and recalculate income in the following manner:
  - In the initial year of a three-year cycle, JCHA will complete an annual income determination consistent with all applicable HUD regulations and guidance.
  - In the second and third years of the three-year cycle, JCHA will obtain from the family a certification that their fixed income sources have not changed, and that the family’s income is still at least 90 percent from fixed income sources. If the family provides that certification in years two and three, JCHA will adjust the family’s fixed income sources by the Cost of Living Adjustment (COLA) that is applicable to that fixed income source instead of fully re-verifying and recalculating the income source.
  - During the public health crisis, in order to protect our most vulnerable populations, in addition to the streamlined calculation process described above, seniors and persons with disabilities will not be required to sign the recertification packet.
  
- **Full-time student status** will be maintained during prolonged school closures.

- **Effective date of revised rent portion:** For households who certify lost income, the revised household rent portion will be made effective for the month when the decrease of income is reported to JCHA.
- **Duration of revised rent portion:** The revised household rent portion will be in effect for the duration of the state of emergency. Families will be required to report on household income in the event they are no longer impacted by COVID-19 (e.g., work sites and/or schools reopen, new employment, etc.). For all others, JCHA will require certification of income within 30 days of the end of the state of emergency.
- **Unemployment benefit determinations** will not be required if the Unemployment Agency is unable to process the unemployment claim in a timely manner. The JCHA will accept self-certifications instead until the proper documentation can be obtained.
- **Applicability:** For these COVID-19 policies to apply, the cause of a household's loss of the income must be directly related to the COVID-19 pandemic (e.g., work site or school closure, COVID-19 related layoff, etc.). A voluntary loss of income, such as terminating employment without good cause, is not considered an eligible "decrease of income" for purposes of this policy.

### **Processing Apartment Offers**

While awaiting an offer of a unit, applicants must continue to meet qualifying preferences at the time of unit offer (See ACOP section 6.5). Due to the COVID-19 pandemic, applicants who were processed and found eligible for placement with a Working Family Preference before March 27, 2020, but who have lost their employment and preference due to COVID-19, will continue to be processed for placement. Applicants will be required to submit updated information and documents when contacted by the JCHA.

### **Community Service Requirement**

Due to the COVID-19 pandemic, HUD is presently waiving the requirement for non-exempt residents to perform Community Service and Self-Sufficiency activities until the family's next recertification in 2021. The JCHA will not require residents to perform the eight hours per month of community service (see ACOP Chapter 12,

Section 1) for their Eligibility for Continued Occupancy until their next annual recertification in 2021.

### **Legal Notices**

During the moratorium, the JCHA will continue to monitor other lease violations, including incidents involving drug or criminal activity, that directly impact the health and safety of residents. Notices to Cease and Notices of Termination will be issued accordingly for these violations and other violations where required by the JCHA lease and the ACOP (See Chapter 18).

### **Informal Hearings**

Residents will maintain their due process right to request and have an informal hearing in response to notices that are issued by the JCHA prior to cases being filed in court as set forth in the JCHA's Grievance Procedure (see ACOP - Chapter 20). To reduce the spread of COVID-19, JCHA has implemented hearings via telephone/video conference for all terminations, including for criminal activity or for conduct which threatens the health and safety of other residents.

### **Face Coverings/Masks**

Residents, applicants, vendors, and members of the public are required to wear face coverings or masks when interacting with or receiving services from JCHA staff, including work orders. To protect and safeguard the health of JCHA residents, staff, vendors and the public, face coverings or masks must be worn by all parties during any in-person interaction. JCHA staff have been instructed to cease work activities/services if someone they are interacting with removes their face covering or mask.