

Attachment I: Summary of Public Housing and HCV Waivers and Alternative Requirements
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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. Staff working full time	
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 12/31/21 would need to be completed by 12/31/21.	No. Staff working full time and wishes to capture income changes ASAP so reduction in rent can be calculated in order to benefit the participant families.	

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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"> • 12/31/21 	Yes	4/10/2020
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"> • 12/31/21 	Yes	4/10/2020

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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"> • 12/31/21 	No. BHA will continue monitoring EIV	
PH and HCV-6 Family Self-Sufficiency (FSS) Contract of Participation: Contract Extension	<u>Statutory Authority</u> Section 23(c)3 <u>Regulatory Authority</u> § 984.303(d)	<ul style="list-style-type: none"> • FSS has a provision that indicates that PHAs can extend Participation Contracts by up to two years (beyond the original five) for “good cause.” PHAs should consider pandemic-related issues as an “automatic” good cause 	<ul style="list-style-type: none"> • 12/31/21 	No. Staff working full time and no requests for extensions have been made - if so, will review accordingly	4/10/2020
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"> • 12/31/21 	Yes	4/10/2020

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PH and HCV-8 Eligibility Determination: Income Verification	<u>Regulatory Authority</u> §§ 960.259(c), 982.201(e) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> • Waives the third-party income verification requirements for applicants, and will allow PHAs to consider self-certification as the highest form of income verification at admission • PHAs must review the EIV Income and IVT Reports to confirm/validate family-reported income within 90 days 	<ul style="list-style-type: none"> • 12/31/21 	Yes	4/8/2021
PH and HCV-9 Eligibility Determination: Social Security Number and Citizenship Verification	<u>Statutory Authority</u> 42 USC 1436a(d)(2) <u>Regulatory Authority</u> §§ 5.216(b)(2), (g), (h), 5.218, 5.508(b)(2)(ii), (b)(3)(ii), (g) <u>Sub-regulatory Guidance</u> Notice PIH 2012-10	<ul style="list-style-type: none"> • Waives the requirements to obtain and verify social security number documentation and documentation evidencing eligible noncitizen status before admitting applicants to the HCV and Public Housing programs 	<ul style="list-style-type: none"> • 12/31/21 	Yes	4/8/2021

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		<ul style="list-style-type: none"> • PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. • Individuals admitted under this waiver must provide the required documentation within 90 days of admission to be eligible for continued assistance 			
HQS-1 Initial Inspection Requirements	<p><u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(o)(8)(C)</p> <p><u>Regulatory Authority</u> §§ 982.305(a), 982.305(b), 982.405</p>	<ul style="list-style-type: none"> • Changes initial 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 6/30/22 	<ul style="list-style-type: none"> • 12/31/21 • 6/30/22 	No. BHA still continues with all RTA (and special) inspection	

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		<ul style="list-style-type: none"> Will include reminder that HQS waiver does not include a waiver of 24 CFR 35.1215, visual assessment for deteriorated paint 			
<p>HQS-2: Project-Based Voucher (PBV) Pre-HAP Contract Inspections: PHA Acceptance of Completed Units</p>	<p><u>Statutory Authority:</u> Section 8(o)(8)(A)</p> <p><u>Regulatory Authority:</u> §§ 983.103(b), 983.156(a)(1)</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 6/30/22 	<ul style="list-style-type: none"> 12/31/21 6/30/22 	<p>No. BHA prefers to conduct a full RTA inspection prior to move in</p>	
<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"> 12/31/21 	<p>No. BHA prefers to conduct a full RTA inspection prior to move in</p>	

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HQS-4 HQS Initial Inspection Requirement: Alternative Inspection Option	<u>Statutory Authority</u> Section 8(o)(8)(A)(iii) <u>Sub-regulatory Guidance</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 6/30/22 	<ul style="list-style-type: none"> • 12/31/21 • 6/30/22 	No. BHA prefers to conduct a full RTA inspection prior to move in	
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 • PHAs must conduct all delayed biennial inspections from CY 2020 as soon as reasonably possible but 	<ul style="list-style-type: none"> • 12/31/21 • 6/30/22 	Yes	4/10/2020

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		no later than 6/20/22, and must conduct all delayed biennial inspections from CY 2021 as soon as reasonably possible but no later than 12/31/22			
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"> • 12/31/21 	Yes	4/10/2020
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 • Allows for delayed full HQS inspection NLT than 6/30/22 	<ul style="list-style-type: none"> • 12/31/21 • 6/30/22 	No. BHA prefers to conduct a full RTA inspection prior to move in	

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HQS-8: PBV HAP Contract: HQS Inspections to Add or Substitute Units	<u>Statutory Authority</u> Section 8(o)(8)(A) <u>Regulatory Authority</u> §§ 983.207(a), 983.207(b) <u>Sub-regulatory Guidance</u> HOTMA HCV Federal Register Notice January 18, 2017	<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 6/30/22 	<ul style="list-style-type: none"> 12/31/21 6/30/22 	No. BHA prefers to conduct a full RTA inspection prior to move in	
HQS-9 HQS Quality Control Inspections	<u>Regulatory Authority</u> §§ 982.405(b), 983.103(e)(3)	<ul style="list-style-type: none"> Provides for a suspension of the requirement for QC sampling inspections 	<ul style="list-style-type: none"> 12/31/21 	Yes	4/10/2020
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	4/10/2020

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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"> • 12/31/21 	N/A	
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 9/30/21 • Any provisions adopted informally must be adopted formally by 12/31/21 	<ul style="list-style-type: none"> • 9/30/21 • 12/31/21 	No. Staff working full time	
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"> • 12/31/21 	Yes	4/10/2020

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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"> • 12/31/21 	Yes	4/10/2020
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"> • 12/31/21 	Yes	4/10/2020
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 12/31/20 for units vacant more than 180 consecutive days 	<ul style="list-style-type: none"> • 12/31/21 	Yes	4/10/2020

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HCV-6 Automatic Termination of HAP Contract	<u>Regulatory Authority</u> § 982.455	<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"> 12/31/21 	Yes	4/10/2020
HCV-7 Increase in Payment Standard During HAP Contract Term	<u>Regulatory Authority</u> § 982.505(c)(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. 	<ul style="list-style-type: none"> 12/31/21 	Yes	4/10/2020
HCV-8 Utility Allowance Schedule: Required Review and Revision	<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"> 12/31/21 	No. Staff working full time	
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"> 12/31/21 	N/A	

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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"> 12/31/21 	N/A	
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"> 12/31/21 	N/A	
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"> 12/31/21 	N/A	
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"> 12/31/21 	N/A	

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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"> 12/31/21 	N/A	
HCV-15 Project-Based Voucher (PBV) and Enhanced Voucher (EV) Provisions on Under-Occupied Units	<u>Statutory Authority</u> 42 U.S.C. § 1437a(b)(3)(A) <u>Regulatory Authority</u> 24 CFR §§ 983.253(b), 983.260 <u>Sub-regulatory Guidance</u> Notice H 2019-9/PIH 2019-23, Notice PIH 2016-02	<ul style="list-style-type: none"> Allows a PHA to permit a family to initially lease an under-occupied PBV or RAD PBV unit (a unit that has more bedrooms than what the family qualifies for under PHA subsidy standards) under certain circumstances as described, and to allow for the continued occupancy of PBV and EV families already under a lease for an under-occupied PBV, RAD PBV, or EV unit. 	<ul style="list-style-type: none"> 12/31/21 	Yes	05/04/2021

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PH-1 Fiscal Closeout of Capital Grant Funds	<u>Regulatory Authority</u> § 905.322(b), 2 CFR § 200.344(a)	<ul style="list-style-type: none"> Extension of deadlines for closeout documents (ADCC and AMCC) 	Varies by PHA; For grants that were open on March 19, 2020, the deadline for submission of grant closeout documents (ADCCs and AMCCs) is extended from 120 days to one year.	N/A	
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	N/A	
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 without HUD approval regardless of whether the PHA is a high performer 	<ul style="list-style-type: none"> 12/31/21 	N/A	

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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 9/30/21 • Any provisions adopted informally must be adopted formally by 12/31/21 	<ul style="list-style-type: none"> • 9/30/21 • 12/31/21 	N/A	
PH-5 Community Service and Self-Sufficiency Requirement (CSSR) – superseded by 12.e.	<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"> • N/A – this waiver is superseded by 12.e. 	N/A	
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 	N/A	

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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"> 12/31/21 	N/A	
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"> 12/31/21 	N/A	
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"> 12/31/21 	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"> 12/31/21 	N/A	

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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 	N/A	
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 	N/A	
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"> 12/31/21 	N/A	

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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 a PHA to give families up to two opportunities to choose between a flat rent and an income-based rent within the same one-year period 	<ul style="list-style-type: none"> 12/31/21 	N/A	
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 carry forward the most recent PHAS score on record for any PHAs with a fiscal year on or before 12/31/21	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 carry forward the most recent SEMAP	Yes	4/10/2020

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			score on record for any PHAs with a fiscal year on or before 12/31/21		
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"> 12/31/21 	Yes	4/10/2021
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"> 1/1/22 	Yes	4/10/2021

**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.
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	N/A	
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	4/10/2020
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	
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 a 24-month extension 	For all Capital Fund grants that were open on April 10, 2020, a 24-month extension from the obligation	N/A	

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			and expenditure end date in LOCCS as of April 10, 2020; For new Capital Fund grants opened between April 11, 2020 and December 31, 2020, a 24-month extension from the obligation and expenditure end dates in LOCCS as of December 31, 2020.		
12d Section 6(j) 1- and 2-Year Substantial Improvement Requirements	<u>Statutory Authority</u> Section 6(j)(3)(B)(ii) <u>Regulatory Authority</u> 24 CFR § 902.75(d)	<ul style="list-style-type: none"> For PHAs designated as troubled prior to the date of this Notice that have not received a PHAS assessment for the first full fiscal year after the initial notice of the troubled designation, HUD will: (1) evaluate the 1-year substantial 	The period of availability for this waiver and alternative requirement: (1) is effective on the date of this Notice; and (2) will continue through March 31, 2023, at	N/A	

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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.
		improvement benchmark based on the first released score for fiscal years ending on or after March 31, 2022 and, (2) toll the evaluation of the 2-year recovery benchmark to the next sequential fiscal year	which time HUD will reevaluate any additional impacts of this waiver on any PHA in the process of being evaluated.		
12e Community Service and Self-Sufficiency Requirement (CSSR) suspension	<u>Statutory Authority</u> Section 12(c) <u>Regulatory Authority</u> 24 CFR §§ 960.603(a), 960.603(b), 960.607, 966.4(1)(2)(iii)(D)	<ul style="list-style-type: none"> • Waives the requirement that each non-exempt adult resident of public housing contribute 8 hours per month of community service and/or participation in an economic self-sufficiency program. This non-discretionary waiver also suspends enforcement of the requirement by all PHAs operating a public housing program 	Effective for all annual reexaminations completed between publication date of this notice through April 30, 2022.	N/A	

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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.
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"> • 12/31/21 	No; staff still working full time	
MR-0 Family Income and Composition: Annual examination; Income Verification Requirements	<u>Regulatory Authority:</u> §5.233(a)(2) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> • Waives the requirements to use the income hierarchy 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 	<ul style="list-style-type: none"> • 12/31/21 	Yes	4/8/2021

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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.
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 requirements for interim reexams, including the required use of EIV • During the allowable period of eligibility, PHAs may consider self-certification as the highest form of income verification to process interim reexams 	<ul style="list-style-type: none"> • 12/31/21 	Yes	4/8/2021
MR-4 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"> • Waiving the mandatory EIV monitoring requirements. 	<ul style="list-style-type: none"> • 12/31/21 	No. BHA will continue monitoring EIV	

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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.
MR-5 PHA Inspection Requirement: Annual Inspections	<u>Regulatory Authority</u> § 882.516(b)	<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 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 	<ul style="list-style-type: none"> • 12/31/21 	Yes	4/8/2021
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"> • 12/31/21 	No. Staff working full time	

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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"> 12/31/21 	No; BHA believes a one year initial term is reasonable. Also, Berkeley has a Good Cause for Eviction Ordinance in effect	
MS-2 Mainstream Criminal Background Screening	<u>Statutory Authority</u> 42 U.S.C. 13663(a), 42 U.S.C. 13661 <u>Regulatory Authority</u> §§ CFR 5.856, 982.553(a)	<ul style="list-style-type: none"> PHAs may establish, as an alternative requirement, screening requirements for applicants for Mainstream vouchers which are distinct from those in place for its HCV program in general 	<ul style="list-style-type: none"> 12/31/21 	No. BHA already adheres to the City of Berkeley's Fair Chance Ordinance	
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 	<ul style="list-style-type: none"> 12/31/21 	Yes	4/8/2021

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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.
		issued a voucher prior to turning 62 and were not yet 63 on the effective date of the HAP Contract			



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

February 3, 2022

Ms. Rachel Gonzales-Levine
Acting Executive Director
Berkeley Housing Authority
1947 Center Street, 5th Floor
Berkeley, CA 94704

Dear Ms. Gonzales-Levine:

The Department of Housing and Urban Development (HUD) reviewed the Berkeley Housing Authority (BHA) request submitted pursuant to **Notice PIH 2021-34, “Expedited Regulatory Waivers for the Public Housing and Housing Choice Voucher (including Mainstream and Mod Rehab) Programs.”** The Notice provided instructions on the expedited processing of public housing authority (PHA) requests to continue to use specific regulatory waivers for the Public Housing and Housing Choice Voucher (HCV) (including Mainstream and Mod Rehab) programs impacted by the COVID-19 pandemic. The waivers you requested are marked “Yes” in column one on the table below.

Background:

The Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the HCV and Public Housing programs. Most CARES Act waivers and alternative requirements contained in notice PIH 2021-14 (published May 5, 2021) expire on December 31, 2021; specific previously exercised HCV waiver approvals may extend into 2022. Notice PIH 2021-34 provides instruction on expedited waiver processing that would allow for PHAs to continue to use specific CARES Act regulatory waivers for the Public Housing and Housing Choice Voucher (including Mainstream and Mod Rehab) programs. It also provides for an expedited approval process for one new waiver in the Housing Choice Voucher Program related to payment standards that will help facilitate leasing, which was not part of the CARES Act waivers. The regulatory waivers covered under Notice PIH 2021-34 are stated in the chart below.

BHA’s application was submitted by an authorized official and included BHA’s justifications for the waiver(s) to be granted. Notice PIH 2021-34 specifies that good cause justification must include: (a) why a PHA needs the waiver; (b) the impact on PHA operations or applicants if the waiver is not provided; and (c) the proposed waiver duration is limited to only the time necessary for a PHA to resume normal operations and not to exceed December 31, 2022.

Additionally, if requesting a waiver of Regulation 24 CFR § 982.503(b) Voucher Tenancy: New Payment Standard Amount, a PHA must certify that it meets one of the following good cause reasons (explained in further detail in Notice PIH 2021-34): (1) The PHA’s jurisdiction is in a Fair Market Rent (FMR) area identified by HUD to have significant rental market fluctuations, where an increase in the PHA’s payment standards up to 120 percent of the FMR may help the PHA more quickly respond to local circumstances (a list of these FMR areas is attached to Notice 2021-34); (2) Utilization Rate is lower than 98 percent for the current year-to-date or more than a 5 percent reduction between years 2019 and 2021; or (3) less than 85 percent of the PHA’s vouchers issued in the last six months have leased. If your PHA adopts this waiver, please notify PIH_Expedited_Waivers@hud.gov if it elects to change its payment standards back to the basic range between 90 and 110 percent based on the FY 2022 FMR.

After reviewing the waiver request(s) and considering BHA’s stated justification(s) of good cause, HUD: (1) finds there is good cause to waive, and hereby waives, the regulations and/or requirements marked “APPROVED” in the “Waiver Status” column and/or (2) finds there is not good cause to waive, and therefore does not waive, the regulations and/or requirements marked “NOT APPROVED” in the “Waiver Status” column.

List of expedited regulatory waivers

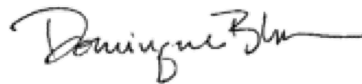
Waiver Requested	Waiver Status/Term Expiration	Waiver Name	Regulation	Summary of relief from HUD Requirements
Yes	APPROVED: Expiration 12/31/2022	Increase in Payment Standard During Housing Assistance Payment (HAP) Contract Term	24 CFR § 982.505(c)(4)	PHAs have the option to increase the payment standard for the family at any time after the effective date of the increase, rather than waiting for the next regular reexamination.
Yes	APPROVED: Expiration 8/31/2022	SEMAP Score	24 CFR § 985.105 24 CFR § 985.101	PHAs with a fiscal year end 3/31/22, 6/30/22, or 9/30/22, may request to waive the application of SEMAP in its entirety, only if the PHA has a SEMAP indicator affected directly or indirectly because of the disruption to PHA operations caused by its adoption of available CARES Act waivers.

Waiver Requested	Waiver Status/Term Expiration	Waiver Name	Regulation	Summary of relief from HUD Requirements
		Term of Voucher: Extensions of Term	24 CFR § 982.303(b)(1)	Allows PHAs to grant a family one or more extensions of the initial voucher term regardless of the policy described in the Administrative Plan. PHAs should ensure consistency with these requests and remain in compliance with the PHA's informally adopted interim standard.
		Homeownership: Max. Term of Assistance	24 CFR § 982.634(a)	Allows a PHA to extend homeownership assistance for up to one additional year.
Yes	APPROVED: Expiration 12/31/2022	Voucher Tenancy: New Payment Standard Amount	24 CFR § 982.503(b)	PHAs may request an expedited waiver to allow for establishment of payment standards from 111 to 120 percent of the FMR.

All waiver approvals are set to expire at the end of the term requested or December 31, 2022, whichever is earliest, unless an alternative limit is provided by HUD. If any provision of these waivers or their application to any HUD requirement is made invalid by PHA omission or is no longer needed due to changing circumstances, HUD reserves the right to revoke all or a portion of these waivers at any time.

Should you have any questions, please contact the Waiver Processing Team at PIH_Expedited_Waivers@hud.gov.

Sincerely,



Dominique Blom
General Deputy Assistant Secretary