

## NOTICE PIH 2020-33

COVID-19 Statutory and Regulatory Waivers and Alternative Requirements for the Public Housing, Housing Choice Voucher (including Mainstream) in use by the Orange County Housing Authority effective January 1, 2021.

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends
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"> <li>• Permits the PHA to delay the annual reexamination of income and family composition</li> <li>• HCV PHAs must implement HCV-7 for impacted families if they implement this waiver</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul> <p>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.</p>
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"> <li>• 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</li> <li>• PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>
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>	<ul style="list-style-type: none"> <li>• Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>

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	Notice PIH 2018-18		
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"> <li>• Waives the mandatory EIV monitoring requirements</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>
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"> <li>• Provides for extensions to FSS contract of participation</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>
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"> <li>• Waives public notice requirements for opening and closing waiting list</li> <li>• Requires alternative process</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>
HQS-1 Initial Inspection Requirements	<u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(o)(8)(C)  <u>Regulatory Authority</u> §§ 982.305(a), 982.305(b), 982.405	<ul style="list-style-type: none"> <li>• Changes initial inspection requirements, allowing for owner certification that there are no life-threatening deficiencies</li> <li>• Where self-certification was used, PHA must inspect the unit no later than 1-year anniversary of date of owner's certification</li> <li>• Will include reminder that HQS waiver does not include a waiver of 24 CFR 35.15, visual assessment for deteriorated paint</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> <li>• 1-year anniversary of date of owner's certification</li> </ul>
HQS-2: Project-Based Voucher (PBV) Pre-HAP Contract Inspections: PHA	<u>Statutory Authority:</u> Section 8(o)(8)(A)  <u>Regulatory Authority:</u> §§ 983.103(b),	<ul style="list-style-type: none"> <li>• Changes inspection requirements, allowing for owner certification that there are no life-threatening deficiencies</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>

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Acceptance of Completed Units	983.156(a)(1)	<ul style="list-style-type: none"> <li>Where self-certification was used, PHA must inspect the unit no later than 1-year anniversary of date of owner's certification</li> </ul>	<ul style="list-style-type: none"> <li>1-year anniversary of date of owner's certification</li> </ul>
HQS-3 Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option	<u>Statutory Authority</u> Section 8(o)(8)(A)(ii)  <u>Sub-regulatory Guidance</u> HOTMA HCV Federal Register Notice January 18, 2017	<ul style="list-style-type: none"> <li>Allows for extension of up to 30 days for owner repairs of non-life threatening conditions</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
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"> <li>Under Initial HQS Alternative Inspection Option - allows for commencement of assistance payments based on owner certification there are no life-threatening deficiencies</li> <li>Where self-certification was used, PHA must inspect the unit no later than 1-year anniversary of date of owner's certification</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> <li>1-year anniversary of date of owner's certification</li> </ul>
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"> <li>Allows for delay in biennial inspections</li> <li>PHAs must require owner certification there are no life-threatening deficiencies</li> <li>All delayed biennial inspections must resume by 6/30/21 and be completed by 12/31/21</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> <li>12/31/21</li> </ul>
HQS-6 HQS Interim Inspections	<u>Statutory Authority</u> Section 8(o)(8)(F)	<ul style="list-style-type: none"> <li>Waives the requirement for the PHA to conduct interim inspection and</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>

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	<u>Regulatory Authority</u> §§ 982.405(g), 983.103(e)	requires alternative method <ul style="list-style-type: none"> <li>Allows for repairs to be verified by alternative methods</li> </ul>	
HQS-7 PBV Turnover Unit Inspections	<u>Regulatory Authority</u> § 983.103(c)	<ul style="list-style-type: none"> <li>Allows PBV turnover units to be filled based on owner certification there are no life-threatening deficiencies</li> <li>Allows for delayed full HQS inspection NLT than 1-year anniversary of date of owner's certification</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> <li>1-year anniversary of date of owner's certification</li> </ul>
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"> <li>Allows for PBV units to be added or substituted in the HAP contract based on owner certification there are no life-threatening deficiencies</li> <li>Allows for delayed full HQS inspection NLT 1-year anniversary of date of owner's certification</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> <li>1-year anniversary of date of owner's certification</li> </ul>
HQS-9 HQS Quality Control Inspections	<u>Regulatory Authority</u> §§ 982.405(b), 983.103(e)(3)	<ul style="list-style-type: none"> <li>Provides for a suspension of the requirement for QC sampling inspections</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
HQS-10 Housing Quality Standards: Space and Security	<u>Regulatory Authority</u> § 982.401(d)	<ul style="list-style-type: none"> <li>Waives the requirement that each dwelling unit have at least 1 bedroom or living/sleeping room for each 2 persons.</li> </ul>	Remains in effect one year from lease term or date of this Notice, whichever is longer

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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"> <li>• Waives the requirement to perform an initial HQS inspection in order to begin making homeownership assistance payments</li> <li>• Requires family to obtain independent professional inspection</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>
HCV-1 Administrative Plan	<u>Regulatory Authority</u> § 982.54(a)	<ul style="list-style-type: none"> <li>• Establishes an alternative requirement that policies may be adopted without board approval until 3/31/21</li> <li>• Any provisions adopted informally must be adopted formally by 6/30/21</li> </ul>	<ul style="list-style-type: none"> <li>• 3/31/21</li> <li>• 6/30/21</li> </ul>
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"> <li>• Waives the requirement for an oral briefing</li> <li>• Provides for alternative methods to conduct required voucher briefing</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>
HCV-3 Term of Voucher: Extensions of Term	<u>Regulatory Authority</u> § 982.303(b)(1)	<ul style="list-style-type: none"> <li>• Allows PHAs to provide voucher extensions regardless of current PHA policy</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>
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"> <li>• Provides for HAP payments for contracts not executed within 60 days</li> <li>• PHA must not pay HAP to owner until HAP contract is executed</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>
HCV-5 Absence from Unit	<u>Regulatory Authority</u> § 982.312	<ul style="list-style-type: none"> <li>• Allows for PHA discretion on absences from units longer than 180 days</li> <li>• PHAs must not make HAP payments beyond</li> </ul>	<ul style="list-style-type: none"> <li>• 6/30/21</li> </ul>

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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</u> § 982.455	<ul style="list-style-type: none"> <li>Allows PHA to extend the period of time after the last HAP payment is made before the HAP contract terminates automatically.</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
HCV-7 Increase in Payment Standard During HAP Contract Term	<u>Regulatory Authority</u> § 982.505(c)(4)	<ul style="list-style-type: none"> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
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"> <li>Waives the requirement for the family to obtain pre-assistance counseling</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
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"> <li>Allows PHAs to increase age to 26 for foster youth initial lease up</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
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"> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
HCV-12 Family Unification Program (FUP): Timeframe for Referral	<u>Statutory Authority</u> Section 8(x)(2)	<ul style="list-style-type: none"> <li>Allows PHAs to accept referrals of otherwise eligible youth who will leave foster care within 120 days</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>

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HCV-13 Homeownership: Maximum Term of Assistance	<u>Regulatory Authority</u> § 982.634(a)	<ul style="list-style-type: none"> <li>Allows a PHA to extend homeownership assistance for up to 1 additional year</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
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"> <li>Allows for extensions of financial reporting deadlines</li> </ul>	Varies by PHA FYE
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"> <li>PHA may enter initial lease terms of less than one year regardless of whether the shorter lease term is a prevailing market practice</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
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"> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>
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"> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>6/30/21</li> </ul>