

**RESOLUTION 20-18**

**APPROVING THE HOUSING AUTHORITY OF THE CITY OF ARLINGTON TO UTILIZE WAIVERS AND ALTERNATIVE REQUIREMENTS PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WARRANTED BY THE COVID-19 PANDEMIC AS RELATED TO THE HOUSING CHOICE VOUCHER PROGRAM**

- WHEREAS,** the mission of the Housing Authority of the City of Arlington is to provide quality housing assistance for low-income individuals and families in the City of Arlington; and
- WHEREAS,** the Housing Authority of the City of Arlington utilizes Housing Choice Voucher funds from the U. S. Department of Housing and Urban Development to provide rental assistance for low-income individuals and families in the City of Arlington; and
- WHEREAS,** the COVID-19 pandemic has disrupted the normal operating processes of Public Housing Authorities administering the Housing Choice Voucher program; and
- WHEREAS,** the Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136) provides the U.S. Department of Housing and Urban Development (HUD) with broad authority to waive or establish alternative requirements for numerous statutory and regulatory requirements for the Housing Choice Voucher program, and
- WHEREAS,** the U.S. Department of Housing and Urban Development has exercised that authority and issued Notices PIH 2020-05 and PIH 2020-13 providing a list of optional waivers and alternative requirements for Public Housing Authorities to adopt that would minimize the disruption of the Housing Choice Voucher program operations; and
- WHEREAS,** the Housing Authority of the City of Arlington requests the use of specific waivers and alternative requirements (Attachment A) that will enable the Housing Choice Voucher program to operate in the most efficient manner possible.

**NOW THEREFORE,**

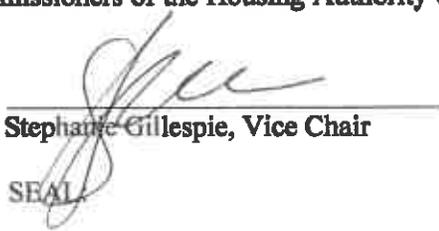
**BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF ARLINGTON, TEXAS:**

**HEREBY** approves the Housing Authority of the City of Arlington to utilize selected waivers and alternative requirements (Attachment A) provided by the U.S. Department of Housing and Urban Development to ensure the continued, efficient operation of the Housing Choice Voucher program.

**PRESENTED AND PASSED** on this 15<sup>th</sup> day of July 2020, by a vote of 3 ayes and 0 nays at a regular meeting of the Board of the Commissioners of the Housing Authority of the City of Arlington, Texas.

**ATTEST:**

  
Mindy Cochran, Executive Director/ Secretary

  
Stephanie Gillespie, Vice Chair

SEAL

# ATTACHMENT A

**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 PHA implement waiver and 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"> <li>Alternative dates for submission</li> <li>Changes to significant amendment process</li> </ul>	<ul style="list-style-type: none"> <li>Varies based on FYE</li> <li>12/31/20</li> </ul>	Yes	4/16/20
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>12/31/20</li> </ul>	Yes, staff asked to meet deadline	4/16/20
PH and HCV-3 Family Income	<u>Regulatory Authority</u> §§ 5.233(a)(2),	<ul style="list-style-type: none"> <li>Waives the requirements to use the</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	Yes, but first make every	4/16/20

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and Composition: Annual Examination; Income Verification Requirements	960.259(c), 982.516(a) <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	income hierarchy, including the use of EIV, and will allow PHAs to consider self-certification as the highest form of income verification <ul style="list-style-type: none"><li>• PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later</li></ul>		effort to use income hierarchy	
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> PIH Notice 2018-18	<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>• 12/31/20</li></ul>	No	

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PH and HCV-5 Enterprise Income Verification (EIV) Monitoring	<u>Regulatory Authority</u> § 5.233  <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	<ul style="list-style-type: none"> <li>• Waives the mandatory EIV monitoring requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	No	
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>• 12/31/20</li> </ul>	Yes	4/6/20
PH and HCV-7 Waiting List: Opening and Closing; Public Notice	<u>Regulatory Authority</u> § 982.206(a)(2)  <u>Sub-regulatory Guidance</u> PIH Notice 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>• 12/31/20</li> </ul>	No	
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),	<ul style="list-style-type: none"> <li>• Changes initial inspection requirements, allowing for owner certification</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes	7/2/20

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	982.305(b), 982.405	<p>that there are no life-threatening deficiencies</p> <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>		
<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"> <li>Changes 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> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> <li>1-year anniversary of date of owner's certification</li> </ul>	N/A	
<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</p>	<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>12/31/20</li> </ul>	Yes	4/16/20

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
	Register Notice January 18, 2017				
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>• 12/31/20</li> <li>• 1-year anniversary of date of owner's certification</li> </ul>	Yes	4/16/20
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>• All delayed biennial inspections must be completed as soon as reasonably possible but by no later than 1 year after the date on which</li> </ul>	<ul style="list-style-type: none"> <li>• 10/31/20</li> <li>• 1 year after the date on which the biennial inspection would have been required absent the waiver</li> </ul>	Yes	4/16/20

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
		the biennial inspection would have been required absent the waiver.			
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"> <li>• Waives the requirement for the PHA to conduct interim inspection and requires alternative method</li> <li>• Allows for repairs to be verified by alternative methods</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes	4/16/20
HQS-7 PBV Turnover Unit Inspections	<u>Regulatory Authority</u> § 983.103(c)	<ul style="list-style-type: none"> <li>• Allows for 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>• 12/31/20</li> <li>• 1-year anniversary of date of owner's certification</li> </ul>	N/A	

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<b>Item</b>	<b>Statutory and regulatory waivers</b>	<b>Summary of alternative requirements</b>	<b>Availability Period Ends</b>	<b>Did PHA implement waiver and alternative requirement?</b>	<b>Date of PHA adoption</b>
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>• 12/31/20</li> <li>• 1-year anniversary of date of owner’s certification</li> </ul>	N/A	
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>• 12/31/20</li> </ul>	No	
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	Yes	4/16/20
HQS-11 Homeownership Option: Initial	<u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(y)(3)(B)	<ul style="list-style-type: none"> <li>• Waives the requirement to perform an initial HQS inspection in</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes	4/16/20

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
HQS Inspection	<u>Regulatory Authority</u> § 982.631(a)	order to begin making homeownership assistance payments <ul style="list-style-type: none"> <li>• Requires family to obtain independent professional inspection</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</li> <li>• Any provisions adopted informally must be adopted formally NLT December 31, 2020</li> </ul>	<ul style="list-style-type: none"> <li>• 9/30/20</li> <li>• 12/31/20</li> </ul>	Yes	4/16/20
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>• 12/31/20</li> </ul>	Yes	4/16/20
HCV-3 Term of Voucher:	<u>Regulatory Authority</u> § 982.303(b)(1)	<ul style="list-style-type: none"> <li>• Allows PHAs to provide voucher</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes	4/16/20

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
Extensions of Term		extensions regardless of current PHA policy			
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>• 12/31/20</li> </ul>	Yes	7/2/20
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 12/31/20 for units vacant more than 180 consecutive days</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes, if related to urgent need	4/16/20
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</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes	4/16/20

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
		terminates automatically.			
HCV-7 Increase in Payment Standard During HAP Contract Term	<u>Regulatory Authority § 982.505(c)(4)</u>	<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 to do so.</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	No	
HCV-8 Utility Allowance Schedule: Required Review and Revision	<u>Regulatory Authority § 982.517</u>	<ul style="list-style-type: none"> <li>Provides for delay in updating utility allowance schedule</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	No	
HCV-9 Homeownership Option: Homeownership Counseling	<u>Statutory Authority Section 8(y)(1)(D)</u>  <u>Regulatory Authority §§ 982.630, 982.636(d)</u>	<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>12/31/20</li> </ul>	No	

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
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>12/31/20</li> </ul>	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"> <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>12/31/20</li> </ul>	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"> <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>12/31/20</li> </ul>	N/A	
HCV-13 Homeownership: Maximum Term	<u>Regulatory Authority</u> § 982.634(a)	<ul style="list-style-type: none"> <li>Allows a PHA to extend homeownership</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	Yes	7/2/20

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
of Assistance		assistance for up to 1 additional year			
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"> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	N/A	
PH-1 Fiscal Closeout of Capital Grant Funds	<u>Regulatory Authority</u> § 905.322(b)	<ul style="list-style-type: none"> <li>Extension of deadlines for ADCC and AMCC</li> </ul>	Varies by PHA	N/A	
PH-2 Total Development Costs	<u>Regulatory Authority</u> § 905.314(c) - (d)	<ul style="list-style-type: none"> <li>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</li> </ul>	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"> <li>Allows for the use of force account labor for modernization</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	N/A	

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Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
		activities in certain circumstances			
PH-4 ACOP: Adoption of Tenant Selection Policies	<u>Regulatory Authority</u> § 960.202(c)(1)	<ul style="list-style-type: none"> <li>• Establishes an alternative requirement that policies may be adopted without board approval</li> <li>• Any provisions adopted informally must be adopted formally NLT December 31, 2020</li> </ul>	<ul style="list-style-type: none"> <li>• 9/30/20</li> <li>• 12/31/20</li> </ul>	N/A	
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"> <li>• Temporarily suspends CSSR</li> </ul>	<ul style="list-style-type: none"> <li>• 3/31/21</li> </ul>	N/A	
PH-6 Energy Audits	<u>Regulatory Authority</u> § 965.302	<ul style="list-style-type: none"> <li>• Allows for delay in due dates of energy audits</li> </ul>	One year beyond 2020 audit deadline	N/A	
PH-7 Over-Income Families	<u>Statutory Authority</u> Section 16(a)(5)  <u>Sub-regulatory Guidance</u>	<ul style="list-style-type: none"> <li>• Changes to timeframes for determination of over-income</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	N/A	

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	Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit 83 FR 35490, Notice PIH 2019-11				
PH-8 Resident Council Elections	<u>Regulatory Authority § 964.130(a)(1)</u>	<ul style="list-style-type: none"> <li>Provides for delay in resident council elections</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	N/A	
PH-9 Review and Revision of Utility Allowance	<u>Regulatory Authority § 965.507</u>	<ul style="list-style-type: none"> <li>Provides for delay in updating utility allowance schedule</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	N/A	
PH-10 Tenant Notifications for Changes to Project Rules and Regulations	<u>Regulatory Authority § 966.5</u>	<ul style="list-style-type: none"> <li>Advance notice not required except for policies related to tenant charges</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	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"> <li>Extends the Plan’s effective period through December 31, 2020, for Plans due to expire between the date of this Notice and December 31, 2020.</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	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"> <li>Waives the requirement that the PHA must inspect each project</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	N/A	
11a PHAS	<u>Regulatory Authority</u> 24 CFR Part 902	<ul style="list-style-type: none"> <li>Allows for alternatives related to inspections</li> <li>PHA to retain prior year PHAS score unless requests otherwise</li> </ul>	HUD will resume issuing new PHAS scores starting with PHAs with FYE dates of 3/31/21	N/A	N/A
11b SEMAP	<u>Regulatory Authority</u> 24 CFR Part 985	<ul style="list-style-type: none"> <li>PHA to retain prior year SEMAP score unless requests otherwise</li> </ul>	HUD will resume issuing new SEMAP scores starting with PHAs with FYE dates of 3/31/21	N/A	N/A

**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 PHA implement waiver and 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"> <li>Allows for extensions of financial reporting deadlines</li> </ul>	Varies by PHA FYE	No	
12a PHA Reporting Requirements on HUD Form 50058	<u>Regulatory Authority</u> 24 CFR Part 908, § 982.158  <u>Sub-regulatory Guidance</u> PIH Notice 2011-65	<ul style="list-style-type: none"> <li>Waives the requirement to submit 50058 within 60 days</li> <li>Alternative requirement to submit within 90 days of the effective date of action</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	Yes	7/2/20
12b Designated Housing Plans: HUD 60-Day Notification	<u>Statutory Authority</u> Section 7(e)(1)	<ul style="list-style-type: none"> <li>Allows for HUD to delay notification about designated housing plan</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	N/A	N/A
12c Extension of Deadline for	<u>Statutory Authority</u> Section 9(j)	<ul style="list-style-type: none"> <li>Provides a one-year extension</li> </ul>	For all open Capital Fund grants, one-year extension from the	N/A	

**Attachment I: Summary of Public Housing and HCV Waivers and Alternative Requirements  
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<b>Item</b>	<b>Statutory and regulatory waivers</b>	<b>Summary of alternative requirements</b>	<b>Availability Period Ends</b>	<b>Did PHA implement waiver and alternative requirement?</b>	<b>Date of PHA adoption</b>
Programmatic Obligation and Expenditure of Capital Funds	<u>Regulatory Authority</u> § 905.306(d)(5)		obligation and expenditure end dates in LOCCS as of April 10, 2020		

**Attachment II: Summary of IHBG and ICDBG Statutory and Regulatory Waivers and Alternative Requirements** N/A

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	1) <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.		
		2) <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.		
		3) <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.		
		4) <i>Reprogramming of FY2020 IHBG Funding:</i> FY2020 IHBG funds may be reprogrammed to address COVID-19 through streamlined process.		
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	Original IHP Due Date	Extension
		Extended	1/17/2020	10/16/2020
			4/17/2020	10/16/2020
			7/18/2020	1/17/2021
13c. Annual Performance Report	Statutory Authority: Sections 403 and 404 of NAHASDA,	APR Submission Deadlines	Original APR Due Date	Extension
		Extended	3/30/2020	9/27/2020

**Attachment II: Summary of IHBG and ICDBG Statutory and Regulatory Waivers and Alternative Requirements** N/A

<b>Submission Deadline</b>	<b>Regulatory Authority: 24 CFR § 1000.514</b>		<b>6/29/2020 9/30/2020</b>	<b>12/30/2020 12/30/2020</b>
<b>13d. Income Verification</b>	<b>Regulatory Authority: 24 CFR § 1000.128</b>	<b>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.</b>		
<b>13e. Public Health Services</b>	<b>Statutory Authority: Section 202(3) of NAHASDA</b>	<b>Recipients may use IHBG-CARES funding to carry out a wide range of public health services.</b>		
<b>13f. COVID-19-Related Assistance to Non-Low Income and Non-Native Families</b>	<b>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</b>	<b>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.</b>		
<b>13g. Useful Life</b>	<b>Statutory Authority: Section 205 of NAHASDA, Regulatory Authority: 24 CFR §§ 1000.141, 1000.142, 1000.143, 1000.144, 1000.146, 1000.147</b>	<b>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.</b>		

**Attachment II: Summary of IHBG and ICDBG Statutory and Regulatory Waivers and Alternative Requirements** N/A

<p><b>13h. Total Development Cost (TDC) Limits</b></p>	<p><b>Regulatory Authority:</b> 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><b>13i. Prohibition Against Investment of CARES Act Grant Funds</b></p>	<p><b>Statutory Authority:</b> Section 204(b) of NAHASDA, <b>Regulatory Authority:</b> 24 CFR § 1000.58</p>	<p>Recipients are prohibited from investing any IHBG funding provided under the CARES Act.</p>
<p><b>13j. IHBG-CARES Funds Not Counted in Undisbursed Funds Factor</b></p>	<p><b>Regulatory Authority:</b> 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><b>14a. Citizen Participation</b></p>	<p><b>Statutory Authority:</b> Section 104 of the Housing and Community Development Act of 1974 (HCD Act) <b>Regulatory Authority:</b> 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><b>14b. Application Process for ICDBG-CARES Grants and Funding Criteria</b></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>	

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

N/A

	<p>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>2) <i>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>3) <i>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> <p>4) <i>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>

**Attachment II: Summary of IHBG and ICDBG Statutory and Regulatory Waivers and Alternative Requirements** N/A

<p><b>14e. Purchase of Equipment</b></p>	<p><b>Regulatory Authority: 24 CFR §§ 1003.207(b)(1); 1003.201(c)(1)(ii)</b></p>	<p><b>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.</b></p>
<p><b>14f. Operating Expenses for Public Facilities</b></p>	<p><b>Regulatory Authority: 24 CFR § 1003.207(b)(2)</b></p>	<p><b>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.</b></p>
<p><b>14g. New Housing Construction by Tribes</b></p>	<p><b>Statutory Authority: Section 105 of the HCD Act, Regulatory Authority: 24 CFR § 1003.207(b)(3)</b></p>	<p><b>ICDBG grantees may use ICDBG funds to carry out new housing construction under certain conditions without having to use a CBDO.</b></p>