

# CARES ACT WAIVERS NEW & EXTENDED – MAY 2021



National Association of Housing and Redevelopment Officials

630 I Street NW • Washington, DC 20001-3736

Toll Free: (877) 866-2476 • Email: [professionaldevelopment@nahro.org](mailto:professionaldevelopment@nahro.org) • [www.nahro.org](http://www.nahro.org)

TODAY'S SPEAKER

**Georgi Banna, Esq.**

NAHRO Director of Policy and Program Development



# CARES Act Waivers



# CARES ACT WAIVERS

---

## Notice PIH 2021-14

---

Restates all waivers and alternative requirements

---

Most waivers are effective until December 31, 2021

---

4 new waivers and alternative requirements

## WAIVER REMINDERS

---

**PHAs have discretion to use most waivers**

---

**Alternative requirements are minimum standards**

---

**PHAs must publicly post all adopted waivers**

---

**PHAs must notify residents and owners**

---

# WAIVER EXTENSIONS

**Most waivers extended to December 31, 2021**

**PHAS & SEMAP** scores carry over for FYEs on or before December 31, 2021

**Capital Fund Grant** obligation & expenditure end dates extended for 24 months for all grant end dates in LOCCS as of April 10, 2020

**PHA Admin Plan** or **ACOP** informal changes allowed until September 30, 2021, formal adoption by December 31, 2021

# NEW WAIVER: PH AND HCV-8: ELIGIBILITY DETERMINATION: INCOME VERIFICATION – ENDS DECEMBER 31, 2021

Waives 3<sup>rd</sup>-party income verification for applications, alternative requirement of self-certification

Application must submit affidavit attesting to reported income, assets, expenses, and other factors effecting income eligibility determination

PHAs must review EIV Income Report and the IVT Reports to confirm/validate family-income within 60-days of PIC submission.

If PHA determines family is ineligible, PHA must take steps to terminate family from the program.

# NEW WAIVER: PH AND HCV-9: ELIGIBILITY DETERMINATION: SSN & CITIZENSHIP VERIFICATION – ENDS DECEMBER 31, 2021

Waives requirement to obtain and verify social security number documentation and documentation evidencing eligible noncitizen status before admission

PHAs may accept self-certification of date of birth and disability status

Alternative requirement – families must provide required documents within 90 days of admission for continued assistance

If PHA determines family is ineligible, PHA must take steps to terminate family from the program.



## NEW SUSPENSION: 12.E.: COMMUNITY SERVICE AND SELF-SUFFICIENCY REQUIREMENT (CSSR) SUSPENSION – MAY 4, 2021, THRU APRIL 30, 2022

Waives requirement that non-exempt adult resident of PH contribute 8 hours per month of community service and/or participate in an economic self-sufficiency program

At annual reexamination, report on Form HUD-50058 each individual's CSSR status as pending (code "3")

PHAs may not enter or enforce CSSR "work-out" agreements

This waiver is non-discretionary and applies to all PHAs operating a public housing program

This waiver supersedes PH-5 & is applicable regardless of whether a PHA previously adopted PH-5

# NEW WAIVER: HCV-15: PROJECT-BASED VOUCHER (PBV) & ENHANCED VOUCHER (EV) PROVISIONS ON UNDER-OCCUPIED UNITS – ENDS DECEMBER 31, 2021

Waives requirement that a family may not initially occupy a PBV or RAD PBV unit that has more bedrooms than what families qualifies for, so that a homeless family on the waiting list may lease.

Waives statutory prohibition on providing a PBV-assisted unit of 2 or more bedrooms to a single person so that a homeless single person may rent

PHAs must have no families on waiting list, after outreach and marketing, that qualify for the PBV or RAD PBV unit

Family will become subject to regulation no later than the end of the lease term following the expiration of the waiver.

## NEW WAIVER: HCV-15: PROJECT-BASED VOUCHER (PBV) & ENHANCED VOUCHER (EV) PROVISIONS ON UNDER-OCCUPIED UNITS – ENDS DECEMBER 31, 2021

Waiver also applies to families currently occupying an under-occupied PBV unit (or a RAD PBV unit that the family leased after conversion), including a single person who is occupying a unit with 2 or more bedrooms – family may remain in the unit

Family will become subject to regulation no later than the end of the lease term following the expiration of the waiver.

## NEW WAIVER: HCV-15: PROJECT-BASED VOUCHER (PBV) & ENHANCED VOUCHER (EV) PROVISIONS ON UNDER-OCCUPIED UNITS – ENDS DECEMBER 31, 2021

Also waives sub-regulatory guidance that requires family residing in an under-occupied unit at the time of RAD conversion, or a family that uses an Enhanced Voucher (EV) to remain in its under-occupied unit, to move from the unit when an appropriately-sized unit becomes available in the project

PHAs may allow such family to remain in the under-occupied unit until the end of the lease term following the expiration of the waiver, at which time the family will become subject to the relevant notice and must move to an appropriately-sized unit in the project when one becomes available.

## PHAS – PIH NOTICE 2021-14

**Extension of the CARES Act Waiver:** HUD will carry forward most recent PHAS score on record for any PHA with a fiscal year end on or before December 31, 2021

**New & Pending Scores:** HUD will not issue a new PHAS score for any PHA with a fiscal year end on or before December 31, 2021, unless the PHA request a new PHAS score

**Enforcement:** HUD will continue using all information available to identify and address critical deficiencies that may have a negative impact on resident health and safety and other programmatic deficiencies not reflected in the most recent PHAS score

## SEMAP – PIH NOTICE 2021-14

**Extension of the CARES Act Waiver:** HUD will carry forward Section Eight Management Assessment Program (SEMAP) scores on record for all PHAs with a fiscal year end on or before December 31, 2021

**SEMAP Submissions:** Waives requirement for PHAs to submit an annual SEMAP certification in IMS-PIC with 60 days of fiscal year end

**New & Pending Scores:** HUD will not issue a new SEMAP score for any PHA with a fiscal year end on or before December 31, 2021, unless the PHA request a new SEMAP score

**Enforcement:** HUD will continue using all information available to identify and address critical deficiencies that may have a negative impact on resident health and safety – HUD field offices may continue to perform SEMAP Confirmatory REVIEWS remotely through December 31, 2021

# HQS INSPECTION EXTENSIONS – PIH NOTICE 2021-14

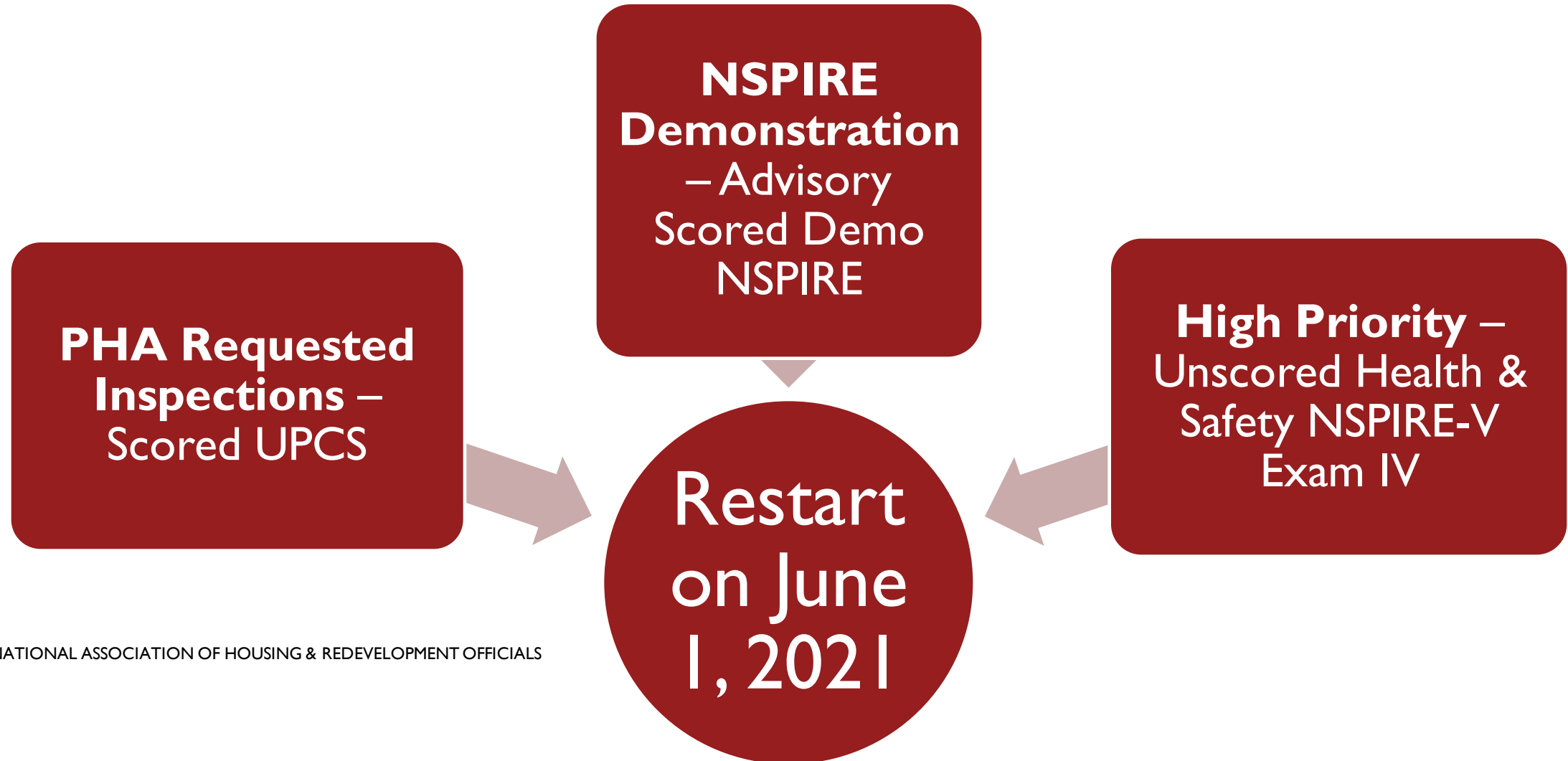
## ■ **Initial HQS Inspections:**

- Rely on owner certification to delay initial/biennial inspection extended to December 31, 2021
- All delayed initial inspections must be completed as soon as reasonably possible but no later than June 30, 2022

## ■ **Biennial HQS Inspections:**

- All delayed biennial inspections must be completed as soon as reasonably possible but not later than:
  - June 30, 2022 for all CY 2020 delayed inspections
  - December 31, 2022 for all CY 2021 delayed inspections
- This update extends the timeframe for the PHAs to complete the delayed biennial inspections to a more reasonable timeframe given the backlog of inspections. It also specifically prioritizes the units that have gone the longest without an inspection.

# PUBLIC HOUSING INSPECTIONS





# NAHRO POLICY & LEGISLATIVE TEAM CONTACT INFORMATION

## **Georgi Banna, Esq.**

Director of Policy and  
Program Development

[gbanna@nahro.org](mailto:gbanna@nahro.org)

[www.nahroblog.org](http://www.nahroblog.org)

[www.nahro.org/advocacy](http://www.nahro.org/advocacy)

## **Tess Hembree**

Director of Congressional  
Relations

[thembree@nahro.org](mailto:thembree@nahro.org)

## **Eric Oberdorfer**

Policy Advisor

[eoberdorfer@nahro.org](mailto:eoberdorfer@nahro.org)

## **Tushar Gurjal**


Policy Analyst

[tgurjal@nahro.org](mailto:tgurjal@nahro.org)

## **Jenna Hampton**

Congressional Relations  
Analyst

[jhampton@nahro.org](mailto:jhampton@nahro.org)



All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form, electronic, mechanical, photographic, recorded or otherwise, without prior written permission of the National Association Of Housing And Redevelopment Officials.

National Association of Housing & Redevelopment Officials  
630 I Street NW Washington DC 20001 ©