

Listed below are the waivers granted by the Department of Housing & Urban Development for Housing Authorities under COVID -19 for the Public Housing, Housing Choice Voucher Programs and Agency Administration that were approved by the St. Cloud Board of Commissioners. **Updated 7/2/2020**

The St. Cloud HRA has chosen to implement the following waivers on April 10, 2020. If HUD allows an extension date for any of the waivers mentioned below the extension date shall be automatically approved by the housing authority without further board action.

**PH and HCV -1:** PHA 5-Year and Annual Plan Submission Dates, Significant Amendment Requirements. **Agency Plans** – the St. Cloud HRA hereby adopts the authority granted by HUD to delay submission of its agency plan according to the dates provided in the HUD notice. **Significant Amendments** – The St. Cloud HRA adopts the waiver of the significant amendment process until December 31, 2020.

**PH and HCV -2:** Family Income and Composition: Delayed Annual Examinations. The St. Cloud HRA is hereby taking advantage of the waiver that delays annual reexaminations of HCV and public housing families. All annual recertification's due in calendar year 2020 will be completed by December 31, 2020.

**PH and HCV -3:** Family Income and Composition: Annual Examination - Income Verification requirements. The St. Cloud HRA will take advantage of the HUD waiver that allows the HRA to not follow the income hierarchy of PIH Notice 2018-18. The St. Cloud HRA will consider resident and self-certification as the highest form of income verification for exams done prior to December 31, 2020. The self-certification may occur over the telephone extemporaneously documented by the St. Cloud HRA staff, or via email or regular mail. If the St. Cloud HRA later determines that there are material discrepancies in a self-certification, the HRA will take the appropriate enforcement actions according to the St. Cloud HRA's policy.

**PH and HCV -4:** Family Income and Composition: Interim Examinations – The requirements for annual examinations stated in PH and HCV – 3 also apply to interim examinations conducted before December 31, 2020.

**PH and HCV -5:** Enterprise Income Verification (EIV) Monitoring – The St. Cloud HRA will take advantage of the HUD Waiver that allows the HRA to waive the mandatory EIV monitoring requirements. This waiver was taken on July 2, 2020, waiver ends on December 31, 2020.

**PH and HCV – 6:** Family Self-Sufficiency (FSS) Contract of Participation: Contract Extension – Due to the COVID 19 emergency, the St. Cloud HRA will extend a families' Contract of Participation in the FSS Program for up to 2 years. This extension waiver ends on December 31, 2020.

**PH and HCV – 7:** Waiting List: Opening and Closing: Public Notice – HUD provides a waiver for requirements of reopening the St. Cloud HRA's waiting list. The St. Cloud HRA will accept this waiver if the St. Cloud HRA opens their closed waiting list prior to December 31, 2020. In accepting this waiver the HRA agrees to the communications requirements stated in the Notice.

**HQS -1:** Initial Inspection Requirements: St. Cloud HRA is accepting HUD's waiver of initial inspections not being required prior to the beginning of the initial lease term. Instead, the St. Cloud HRA will accept an owner's certification that the owner has no reasonable basis to have knowledge that life threatening conditions exist in the unit or units. The St. Cloud HRA reserves the right to add other requirements or conditions to this owner certification. In any event, the St. Cloud HRA will conduct an HQS inspection of all units as soon as reasonable practical, but no later than October 31, 2020. This waiver is applicable until December 31, 2020.

**HQS -3:** Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option: The St. Cloud HRA is utilizing the option provided by HUD to approve HAP contracts and begin making housing assistance payments on a unit that fails initial HQS inspection providing the failure is solely for non-life threatening deficiencies. This option is available for both tenant-based and project-based units. The owner shall be given 60 days instead of the normal 30 days to repair any non-life threatening deficiencies. The ability to extend for 60 days ends on December 31, 2020.

**HQS -4:** HQS Initial Inspection Requirement – Alternative Inspection Option: HUD authorized housing authorities to allow a unit to be occupied prior to the initial inspection if the unit has passed an alternative inspection as allowed in the Administrative Plan within the previous 24 months. The St. Cloud HRA had to inspect the unit within 15 days of the Request for Tenant Approval. HUD is waiving the 15-day inspection requirement and allowing just the alternative inspection to suffice so long as the owner certifies that the owner has no reasonable basis to have knowledge that life threatening conditions exist in the unit. The St. Cloud HRA may add additional requirements or conditions. In any event, the initial HQS inspection must be conducted no later than October 31, 2020. This waiver is for both tenant-based and project-based units. This waiver is valid until December 31, 2020.

**HQS -5:** HQS Inspection Requirement: - Biennial Inspections: HUD allows for delay in biennial inspections. All delayed biennial inspections must be completed as soon as reasonably possible but by no later than 1 year after the date on which the biennial inspection would have been required absent the waiver. This waiver will one year after the date on which the biennial inspection would have been required absent the waiver.

**HQS -6:** HQS Interim Inspections: Interim inspections requested prior to December 31, 2020 do not have to follow the normal regulatory timeframes. They must be made as soon as feasible. As a condition of this change the St. Cloud HRA is required to notify the owner of a reported life threatening deficiency. The owner must either correct the life threatening deficiency within 24 hours or provide adequate documentation that the reported deficiency does not exist. In the case of non-life threatening deficiencies the owner must make the repair or document that the deficiency does not exist within 30 days of any approved extension that the St. Cloud HRA makes. The St. Cloud HRA is not required to conduct an on-site inspection to verify the repairs have been made, but may rely on an alternative verification method such as photographs or tenant certifications.

**HQS -7:** PBV Turnover Unit Inspections – Normally when a project-based voucher turns over, an inspection is made. This waiver allows the St. Cloud HRA to accept an owner certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist and allow the new tenant to move-in. The St. Cloud HRA reserves the right to add additional requirements or conditions. In any event, an inspection must be completed as soon as

reasonably possible, as but no later than 1-year anniversary of date of owners certification. The authority for this waiver ends on December 31, 2020.

**HQS -8:** PBV HAP Contract – HQS Inspections to Add or Substitute Units: At the discretion of the St. Cloud HRA and subject to all PBV requirements the HRA can allow a substitution of one unit for a previously covered unit. Normally the new unit must be inspected prior to initial occupancy. HUD has waived the pre-occupancy inspection requirement. A substitution can be made upon the owner’s certification that the owner has no reasonable basis to have knowledge that life threatening conditions exist in the unit. The St. Cloud HRA can add additional conditions or requirements. This waiver ends on 1-year anniversary of date of owners certification and all inspections must be made prior to December 31, 2020.

**HQS -9:** HQS Quality Control Inspections – The requirement for St. Cloud HRA to conduct supervisory quality control inspections of a sample of units under contract is waived until October 31, 2020.

**HQS -10:** Housing quality standards: Space and Security – The regulation establishes a minimum standard for adequate space for assisted families. It requires at least one bedroom or living/sleeping room for each 2 persons. For people continuing to live in the same unit who need to add a person or persons to their lease because of COVID 19 emergency, the minimum space requirement is waived. This does not apply to an initial or new lease. This waiver is in effect for the duration of the current lease term or through July 2, 2021, whichever period of time is longer.

**HCV -1:** Administrative Plan – HUD is waiving the requirement that all changes to the Administration Plan be approved by the Board of Commissioners prior to adoption. Instead, the Board must approve revisions as soon as practical, but no later than December 31, 2020.

**HCV -2:** Information When Family is Selected – PHA Oral Briefing – HUD requires that all families participating in the HCV or PBV program should be given an oral briefing prior to admission. This requirement is being waived and, as a substitute, HUD will allow things like webcasts, video calls, or expanded information packets as substitutes. Section 504 and the ADA requirements remain. This waiver expires on December 31, 2020.

**HCV -3:** Term of Voucher – Extensions of Term – HUD is waiving the requirement for voucher extensions to be according to the Administrative Plan. Instead, HUD is allowing the St. Cloud HRA to extend the term of vouchers according to the needs of the St. Cloud HRA’s community. This authority expires on December 31, 2020.

**HCV -4:** PHA Approval of Assisted Tenancy – When HAP Contract is Executed – HUD is waiving the requirement that a Housing Assistance Payments (HAP) contract be executed within 60 days of the beginning of the lease and extending that term to 120 days from the beginning of the lease. This waiver expires December 31, 2020.

**HCV -5:** Absence from Unit – The regulation requires that a family not be absent from a unit for more than 180 consecutive calendar days for any reason. Due to COVID 19 emergency, this is being waived in the case of extenuating circumstances (e.g. hospitalizations, extended stays at nursing homes, caring for family members). This waiver expires on December 31, 2020.

**HCV -6:** Automatic Termination of HAP Contract – A HAP contract is typically terminated 180 days after the last HAP payment to the owner. This waiver removes the 180-day limit and substitutes a time set by the St. Cloud HRA. This waiver expires on December 31, 2020.

**HCV -10:** Family Unification Program (FUP): FUP Youth Age Eligibility to Enter HAP Contract – This waiver allows FUP participants to be placed under a HAP contract who have not reached the age of 26 instead of the age of 25. This waiver expires December 31, 2020.

**HCV -12:** Family Unification Program (FUP): Timeframe for Referral – This waiver will allow the St. Cloud HRA to accept referrals of otherwise eligible youth who will leave foster care within 120 days. The waiver will expire on December 31, 2020.

**HCV -14:** Mandatory Removal of Unit from PBV HAP Contract – HUD allows the St. Cloud HRA to keep a PBV unit under contract for a period of time that extends beyond 180 days from the last HAP but does not extend beyond December 31, 2020. This waiver expires December 31, 2020.

**PH -1:** Fiscal Closeout of Capital Grant Funds – This waiver extends the deadline for the submission of any Actual Development Cost Certificates (ADCC) and an Actual Modernization Cost Certification (AMCC) (two financial reporting documents required to close out Capital Fund grants). This waiver extends the required filing dates between March 1, 2020 and September 30, 2020 by 6 months.

**PH – 4:** ACOP: Adoption of Tenant Selection Policies – This waiver allows the St. Cloud HRA to adopt and implement changes in their ACOP without formal Board approval so long as the Board of Commissioners approves them as soon as practical, but before December 31, 2020.

**PH -5:** Community Service and Self-Sufficiency Requirement (CSSR) – This waiver suspends the community service self-sufficiency requirement until March 31, 2021.

**PH -7:** Over-Income Families – This waiver suspends the over income requirement between now and December 31, 2020 and over-income families can retain their unit under the status quo.

**PH -10:** Tenant Notifications for Changes to Project Rules and Regulations – The St. Cloud HRA is required to provide 30-day notice to impacted families to changes in policies, rules and special charges before the changes are made. HUD is waiving the requirement for advance notice except for any changes made to tenant charges. However, the St. Cloud HRA is required to notify impacted families within 30 days of making such changes. This waiver expires December 31, 2020.

**11 c:** Uniform financial reporting standards: Filing of financial reports: Reporting Compliance Dates – HUD is extending the required date for filing various financial reports according to a schedule set forth in the notice for all agencies with fiscal year ending before June 30, 2020.

**12 a:** PHA Reporting Requirements on HUD Form 50058 – Form 50058 is normally required to be submitted within 60 calendar days from the effective date of any action recorded on line 2b of the form. This waiver extends the 60-day requirement to 90 days. If the HRA receives a fatal

error report, the HRA will not be required to resubmit the form under this waiver. This waiver expires on December 31, 2020.

**12 c:** Extension of Deadline for Programmatic Obligation and Expenditure of Capital Funds – This waiver extends both the obligation end date and the expenditure end date of Capital Funds by 1 year.