

SECTION 8 HCV PROGRAM WAIVERS AND ALTERNATIVE REQUIREMENTS

The following is a list of HUD-approved waivers and alternative requirements that the GHURA Section 8 HCV Program is implementing during the COVID-19 pandemic.

PROGRAM REQUIREMENT	DESCRIPTION	WAIVER OR ALTERNATE REQUIREMENT	PERIOD OF AVAILABILITY
Family and Income Composition Re-examination (24 CFR 982.516(a)(1))	GHURA is required to conduct a reexamination of family income and composition at least annually.	In light of the pandemic, HUD is waving this statutory requirement and permitting GHURA to delay annual reexaminations.	All annual re-examination due FY2020 must be completed by December 31, 2020
Family Income and Composition Annual Examination -Income Verification Requirement [24 CFR 5.233(a)(2); 24 CFR 982.516(a) and PIH Notice 2018-18]	GHURA is required to use the Enterprise Income Verification of family income at the annual examination; to obtain third-party verification	HUD understands that acquiring the required documentation may be difficult to obtain and is waiving the requirements and is permitting to forgo third party income verification requirement for the annual recertification, including the use of EIV. GHURA may consider self-certifications as the highest form of income verification to process annual reexamination.	This modification is available up until December 31, 2020.
Family Income and Composition- Interim Examinations [24 CFR 5.233(a)(2); 24 CFR 982.526(c)(2) and PIH Notice 2018-18]	GHURA is required to use the Enterprise Income Verification of family income at the annual examination; to obtain third-party verification.	To assist GHURA in the prioritizing the processing of interim reexaminations due to decreases in family income and mitigate the challenges of transferring documents during periods of shelter-in-place/stay-at-home efforts in response to COVID-19 pandemic, HUD is waving the requirements to use income verification hierarchy, including the use of the EIV. GHURA may use self-certification as the highest form of verification to process interim reexaminations.	This modification is available up until December 31, 2020.

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Enterprise Income Verification (EIV) Monitoring [24 CFR 5.233 and PIH Notice 2018-18]	GHURA is required to monitor EIV reports for Deceased Tenant Reports, the Identity Verification Report, the Immigration Report, the IVT Report, the Multiple Subsidy Report, and New Hires Report on a monthly basis	HUD is waiving this mandatory EIV requirement.	The period of availability ends December 31, 2020.
Family Self-sufficiency (FSS) Contract of Participation [24 CFR 984.303 (d)]	Section 984.303(d) authorizes GHURA to extend a family’s contract of participation for a period not to exceed two years upon a finding of good cause.	HUD has determined that the circumstances surrounding COVID-19 qualifies as “good cause” to extend the family’s contract and the FSS program may consider this expanded definition of “good cause” as they make the determination on each family’s eligibility for an extension.	The period of availability ends December 31, 2020.
Initial Inspection [Section 8(o)(8)(A)(i); Section 8(o)(8)(C) of the U.S. Housing Act of 1937; 24 CFR 982.305(a) and 24 CFR 982.405]	Statutory and regulatory requires GHURA to inspect the unit before any assistance payment is made to determine whether the unit meets Housing Quality Standards (HQS). GHURA must conduct the initial inspection within certain times after receiving the Request for Tenancy Approval (RFTA), and may not approve the assisted tenancy or execute a HAP contract until the unit has been inspected and passes HQS.	HUD is waving these requirements and providing alternative requirements. In order to place a unit under a HAP contract and commence making payments, GHURA will accept an owner certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exists in the unit or units in question in lieu of a physical initial inspection. GHURA will conduct an HQS Inspection on the unit as soon as reasonably possible, but no later than 1-year anniversary date of the owner’s certification.	The period of availability for initial inspection ends December 31, 2020. For any unit for which GHURA accepted an owner’s certification, GHURA must conduct an HQS inspection as soon as reasonably possible, but no later than 1-year anniversary of the date of the owner’s certification.

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<p>Initial Inspection-Non-Life-Threatening Deficiencies (NTL) Option [Section 8(o)(8)(A)(ii) of the U.S. Housing Act of 1937 and Housing Opportunity Through Modernization Act (HOTMA) of 2016 (Federal Reg. 5458, p. 1/18/2017)]</p>	<p>Statutory requires GHURA with the option to choose to approve an assisted tenancy, execute a HAP contract, and begin making assisted payments on a unit that fails the initial HQS inspection, provided the unit’s failure to meet HQS is the result of NLT conditions. The statutes also require that GHURA must withhold HAP payments from the owner if the NLT conditions are not corrected within 30 days.</p>	<p>HUD is waiving the requirement that GHURA must withhold payment if the NLT repairs are not made in 30 days. Instead, GHURA may provide an extension of up to 30 additional days to the owner to make the NLT repairs and continue making payments to the owner during the period of maximum 30-day extension. If the owner has not made the NLT repairs by the end of the extension, GHURA must withhold payments. This option is available for both tenant-based and PBV owned units.</p>	<p>The period of availability for GHURA to approve an extension of up to an additional 30 days ends December 31, 2020. The extension to make the NLT repairs may extend beyond the December 31, 2020, depending on the date GHURA approved the extension.</p>
<p>HQS Initial Inspection Requirement – alternative inspection option. [Section 8(o)(8)(A)(ii) of the U.S. Housing Act of 1937 and Housing Opportunity Through Modernization Act (HOTMA) of 2016 (Federal Reg. 5458, p. 1/18/2017)]</p>	<p>Statutory requirements provide GHURA with the option to authorize occupancy of the unit prior to the initial inspection being completed if the unit had in the previous 24 months passed an alternative inspection. Under the statute, GHURA may make assistance retroactive to the beginning of the lease term once the unit had been determined to meet HQS pursuant to GHURA’s inspection. The Federal Register notice further provided that GHURA must inspect the unit within 15 days of the receipt of the Request for Tenancy Approval.</p>	<p>HUD is waiving this requirement, and GHURA must conduct its own inspection of the unit in order to commence making HAP payments under the Initial Inspection-Alternative Inspection option. GHURA may commence HAP payments at the beginning of the lease term based on the alternative inspection and the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question.</p>	<p>The availability period for waiver ends December 31, 2020. For any unit which GHURA entered into a contract and commenced HAP payment pursuant to alternative requirement must be in inspection as soon as reasonably possible, not to exceed 1 year of the anniversary of the owner’s certification.</p>

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<p>Biennial Inspections [Section 8(o)(D) of the U.S. Housing Act of 1937 and 24 CFR 982.405(a), and 24 CFR 983.103(d)]</p>	<p>The statute and regulation require GHURA to inspect the unit not less than biennially during the term of the HAP contract.</p>	<p>HUD is waving this requirement and allowing GHURA to delay biennial inspections for both tenant-based and PBV units. All delayed biennial inspections must be completed as soon as reasonably possible, but no later than 1-year after the date the biennial inspection would have been required absent the waiver.</p>	<p>GHURA must conduct the delayed biennial inspection as soon as reasonably possible but no later than 1-year after the date the biennial inspection would have been required absent the waiver.</p>
<p>HQS interim Inspections [Section 8(o)(8)(F) of the U.S. Housing Act of 1937; 24 CFR 982.405 and 24 CFR 983.103(e)]</p>	<p>Statutory requirements upon notification to GHURA by a family or government official that the assisted unit does not comply with HQS, GHURA must inspect the unit within 24 hours of when GHURA received the notification if the condition is life-threatening, and 15 days for non-life-threatening conditions. The regulation further provides that in the even of extraordinary circumstances HUD may waive the 24-hour or the 15-day inspection requirement until such time inspection is feasible.</p>	<p>HUD is waiving these requirements and establishing requirements for both tenant-based and PBV units. If the reported deficiency is life-threatening and the owner must either correct the deficiency within 24 hours of GHURA’s notification or provide documentation (via text, email a photo to GHURA) that the deficiency does not exist. For a non-life-threatening deficiency, the owner must make the repair or document that the deficiency does not exist within 30 days of GHURA’s notification or any approved extension. GHURA may add other requirements or conditions in addition to the owner’s documentation.</p>	<p>The period of availability ends December 31, 2020. After this date, GHURA must conduct the HQS inspection in accordance with the applicable time periods upon notification by a family or government official that the assisted unit does not comply to HQS.</p>
<p>PBV Turnover Unit Inspection [24 CFR 983.103(c)]</p>	<p>Regulation requires that before providing assistance to a new family in a PBV contract unit, GHURA must inspect the unit.</p>	<p>HUD is waiving this requirement. An alternative requirement is for GHURA to require an owner certification that no reasonable basis to have knowledge that life-threatening conditions exist in the unit. GHURA must conduct the HQS inspection as possible, not to exceed 1-year.</p>	<p>The period of availability to accept owner’s certification is December 31, 2020.</p>

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HQS Quality Control Inspections [24 CFR 982.405(b) and 24 CFR 983.103 (e)(3)]	GHURA is required to conduct supervisory quality control inspections of a sampling of units under contract.	HUD is waiving this regulatory requirement.	The period of applicability ends December 31, 2020.
Housing Quality Standards-space and security [24 CFR 982.401(d)]	GHURA is required to establish a minimum standard for adequate space for both an HCV and PBV-assisted family. It requires that each dwelling unit have at least 1 bedroom or living/sleeping room for each 2 persons.	HUD has waived this requirement where GHURA may assist a participant that needs to add the additional family member or members as a result of COVID-19 pandemic. This waiver does not apply to an initial or new lease.	For any family occupying a unit that does not meet the space and security requirements pursuant to this waiver, the waiver will be in effect for the duration of the current lease term or one year from the date of this notice, whichever period of time is longer.
Information When Family is Selected – PHA oral briefing [24 CFR 982.301(a)(1) and 24 CFR 983.252(a)]	GHURA is required upon selecting a family to participate in either the HCV or PBV program, to give the family an oral briefing.	HUD is waving this requirement and as an alternative requirement to allow GHURA to conduct briefings by other means such as a webcast, video call or expanded information packet. Section 504 and the ADA require GHURA to ensure that the method of communication for all briefings, effectively communicates with, and allows for equal participation of, each family member, including those with vision, hearing, and other communication-related disability and ensures meaningful access for persons with limited English proficiency.	The period of availability ends December 31, 2020.

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Term of Voucher – Extensions of Term [24 CFR 982.303(b)(1)]	At GHURA’s discretion, it may grant a family one or more extensions of the initial voucher term in accordance with GHURA’s policy as described in its Administrative Plan.	HUD is waving the requirement that extension(s) must be in accordance with GHURA’s administrative plan in order to allow GHURA to provide extensions even though it has been unable to amend its policy in the administrative plan.	This period of availability ends December 31, 2020.
Approval of Assisted Tenancy – When HAP Contract is Executed [24 CFR 982.305(c)]	GHURA may not make any housing assistance payments to the owner until a HAP contract is executed. GHURA must use best efforts to execute the HAP contract before the beginning of the lease term and the HAP contract must be executed no later than 60 days from the beginning of the lease term. Any HAP contract executed after the 60-day period is void and GHURA may not pay any housing assistance payments to the owner,	HUD is waving this requirement to allow GHURA to execute after the 60-day deadline has passed and make housing assistance payments back to the beginning of the lease term. However, GHURA and the owner must execute a HAP contract no later than 120 days from the beginning of the lease term.	The period of availability to execute a HAP contract after the normally 60-day period from the beginning of the lease term ends December 31, 2020.
Absence from the unit [24 CFR 982.312]	HUD regulation requires a family may not be absent from the unit for period of 180 consecutive calendar days for any reason.	HUD is waiving this requirement to allow GHURA at its discretion to continue housing assistance payments and not terminate the HAP contract due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, caring for family members)	The period of availability GHURA to choose making HAP payments despite the family’s absence of more 180 ends December 31, 2020. GHURA may not make payment beyond December 31, 2020, and the HAP contract must be terminated if the family is still absent from the unit.

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<p>Increase in Payment Standards during HAP Contract term [24 CFR 982.505(c)(4)]</p>	<p>If the payment standard amount is increased during the term of the HAP contract, the increased payment standard amount shall be used to calculate the monthly housing assistance payment for the family beginning at the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard amount.</p>	<p>HUD is waving this requirement and as an alternative requirement allowing GHURA to apply the increased payment standards at any time (e.g. interim reexamination, owner rent increase) after the effective date of the increase in the payment standard amount, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change. If the family's annual recertification under the waiver authority, GHURA must use the increased payment standard amount to calculate the family's HAP beginning the date that the family's first regular examination would have been effectively in the absence of the waiver. Alternatively, GHURA may conduct an interim reexamination where the only change is the increased payment standard amount. Regardless of the method used, the participant must receive the increased payment standard no later than the effective date of the family's first regular reexamination following the increased payment standard.</p>	<p>The waiver period ends on December 31, 2020.</p>
<p>Utility Allowance schedule-required review and revision [24 CFR 982.517]</p>	<p>GHURA is required to review its schedule of utility allowances each year and revise its allowance for utility category if there is a change of 10% or more in the utility rate since the last time the UA schedule was revised.</p>	<p>HUD is waving this requirement to allow GHURA to delay the review and update of its utility allowances.</p>	<p>The review and update of utility allowance must be completed no later than December 31, 2020.</p>

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<p>Family Unification Program- FUP Youth age eligibility to enter HAP contract [Section 8(x)(2) of the U.S. Housing Act of 1937]</p>	<p>The regulation states that a FUP youth must be not more than 24 years of age to be placed under HAP contract. A FUP youth issued a voucher at 24 years of age may not be able to lease the voucher before their 25th birthday where GHURA operations may have been shut down or severely curtailed, unit searches are not possible due to shelter in place orders, or where the movement of people is significantly restricted.</p>	<p>HUD is waiving this requirement and as an alternative requirement, GHURA may execute a HAP contract on behalf of any otherwise eligible FUP youth not more than 25 years of age (not yet reached their 26th birthday).</p>	<p>The period of availability ends December 31, 2020</p>
<p>Family Unification Program – Length of Assistance for Youth [42 U.S.C. 1437f(x)(2)]</p>	<p>The statute limits the availability of assistance to a period “not to exceed 36 months.” COVID-19 may have resulted in job loss or the inability to identify a unit affordable to the youth without rental subsidy. As a result, the youth may again be at risk of homelessness at termination upon having received 36 months of assistance.</p>	<p>HUD is waiving the statutory limitation and establishing an alternative requirement. Specifically, for FUP youth who will reach the 36-month limit between April 10, 2020 and December 31, 2020, GHURA may suspend terminations of assistance for a period of up to six months from the date the youth’s assistance would have been terminated absent this waiver. Depending on the timing and length of the suspension, impacted youth may have their assistance extended beyond December 31, 2020.</p>	<p>The period of availability to grant and extension ends December 31, 2020.</p>
<p>Family Unification Program – Timeframe for Referral [42 U.S.C. 1437f(x)(2)]</p>	<p>The statute provides that assistance may be provided on behalf of “otherwise eligible youths who are least 18 years to 24 years of age and have left foster care or will leave foster care within 90 days”. As a result of the pandemic, may be difficult to find a unit available for lease within 90-day timeframe.</p>	<p>HUD is waving this statutory limitation and establishing an alternative requirement. GHURA may accept referrals from Child Welfare agencies for your who will leave foster care within 120 days.</p>	<p>Through December 31, 2020, GHURA may receive referrals of eligible youth who will leave foster care within 120 days.</p>

PROGRAM REQUIREMENT	DESCRIPTION	WAIVER OR ALTERNATE REQUIREMENT	PERIOD OF AVAILABILITY
<p>Mandatory Removal of Unit from PBV HAP Contract [24 CFR 983.211(a) and 24 CFR 983.258]</p>	<p>GHURA is required to remove unit from PBV HAP contract after 180 days of zero housing assistance payments to unit owner on behalf of the family residing in the unit. The situation arises when the family increases its income to such an extent that no longer requires housing assistance.</p>	<p>As a result of the COVID-19 pandemic, HUD is waiving this requirement and authorizing GHURA, at its discretion to keep such units under contract for a period of time that exceeds 180 days but does not extend beyond December 31, 2020. With respect to 24 CFR 983.258, HUD is providing that PHA that adopts the alternative requirement may resume housing assistance payments on behalf of the family residing in such a unit should the family's income change at any point during the period of time by the extension.</p>	<p>The period of availability for the extension ends December 31, 2020.</p>
<p>SEMAP [24 CFR 985]</p>	<p>This requirement by which Section 8 tenant-based assistance programs are assessed. For PHAs that have a SEMAP score pending as of July 2020, and for any PHA with a fiscal year ending on or before December 31, 2020, HUD will not issue a new SEMAP score unless the PHA requests for a new SEMAP score be issued.</p>	<p>HUD will carry forward the most recent SEMAP score on record.</p>	<p>HUD will resume issuing new SEMAP scores beginning with PHAs with fiscal year end dates of March 31, 2021.</p>
<p>PHA reporting requirements on HUD form 50058 [24 CFR 908 and 982.158; PIH Notice2011-65]</p>	<p>GHURA is required to submit form HUD-50058 no later than 60 calendar days from the effective date of any action recorded on line 2b of the form HUD-50058 or form HUD 50058 MTM. HUD will monitor timeliness of reporting and may sanction a PHA for late reporting.</p>	<p>HUD is waiving the 60-day deadline and providing that GHURA must submit form HUD-50058s for transactions impacted by implemented waivers and alternative requirements within 90 days of the effective date. Although this waiver provides up to 90 days for PHAs to submit, HUD encourages those PHAs that are operational capacity to do so within 60 days.</p>	<p>The period of availability ends December 31, 2020.</p>