



STATUTORY AND REGULATORY WAIVERS FOR HOUSING CHOICE VOUCHER PARTICIPANTS

As per the CARES Act of 2020, retroactive from 3/27/2020 and effective to 7/27/2020¹:

- Landlords cannot evict for nonpayment of rent or other fees or charges.
- Landlords cannot charge fees, penalties, or other charges to the tenant related to such nonpayment of rent.
- Residents will still be responsible for nonpayment of rent or other fees or charges at a later date.

HUD issued notice that provides for waivers of numerous statutory and regulatory requirements for the Housing Choice Voucher program.² Retroactive from 4/13/2020 and effective to 12/31/2020:

- We can delay the annual reexamination of income and family composition³.
- We can consider self-certification as the highest form of income verification⁴.
- We can waive the requirement to use the income verification requirements for interim reexaminations⁵.
- We can use COVID-19 as a good cause for extending a Family Self-Sufficiency (FSS) contract of participation⁶.
- We can provide for alternative methods, such as phone/web call or expanded information packets, to conduct required voucher briefing⁷.
- We can provide voucher extensions⁸.
- We can provide for HAP payments for contracts not executed within 60 days but no later than 120 days⁹.
- We have discretion to allow for HAP payments on units vacant longer than 180 days¹⁰.
- We can extend the period of time after the last HAP payment is made before the HAP contract terminates automatically¹¹.
- We can 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 so¹².
- We can delay in updating utility allowance schedules¹³.
- We can increase the age to 26 for foster youth initial lease up in the Family Unification Program (FUP)¹⁴.
- We can suspend terminations of assistance for up to 6 months for FUP youth reaching the 36-month limit between April 10 – December 31, 2020¹⁵.
- We can accept FUP referrals for youth who leave foster care within 120 days¹⁶.
- We can provide homeownership assistance for up to 1 additional year for families experiencing hardships as a result of COVID-19¹⁷.

Regarding HQS inspections:

- LMHA has an intergovernmental agreement with the LMG Department of Codes and Regulations (referred to as Codes and Regulations) to inspect Housing Choice Voucher (HCV) units to meet Housing Quality Standards (HQS). Until further notice, as per Mayoral announcement¹⁸, Codes and Regulation has limited HCV HQS inspections to initial inspections and inspections limited to follow-up failed inspections.
- We can delay annual inspections¹⁹.
- We can waive the requirement to conduct interim inspections and use alternative methods of repair verification²⁰.
- We have discretion to allow more than 2 persons per 1 bedroom for one year from lease term or date of notice, whichever is longer²¹.
- We can waive the requirement to perform an initial HQS inspection in order to begin making homeownership assistance payments, but the family still has to obtain an independent professional inspection²².

For the latest information on COVID-19 and waivers, please visit our website:

http://www.lmha1.org/about_lmha/covid-19.php

¹ March 27, 2020. The Coronavirus Aid, Relief, and Economic Security Act (CARES), Section 4024.

² PIH 2020-13 REV-1. COVID-19 Statutory and Regulatory Waivers for the Public Housing, Housing Choice Voucher, Indian Housing Block Grant and Indian Community Development Block Grant programs, Suspension of Public Housing Assessment System and Section Eight Management Assessment Program.

³ HUD Notice PIH 2020-13 REV-1. PH and HCV-2

⁴ HUD Notice PIH 2020-13 REV-1. PH and HCV-3

⁵ HUD Notice PIH 2020-13 REV-1. PH and HCV-4

⁶ HUD Notice PIH 2020-13 REV-1. PH and HCV-6

⁷ HUD Notice PIH 2020-13 REV-1. HCV-2

⁸ HUD Notice PIH 2020-13 REV-1. HCV-3

⁹ HUD Notice PIH 2020-13 REV-1. HCV-4

¹⁰ HUD Notice PIH 2020-13 REV-1. HCV-5

¹¹ HUD Notice PIH 2020-13 REV-1. HCV-6

¹² HUD Notice PIH 2020-13 REV-1. HCV-7

¹³ HUD Notice PIH 2020-13 REV-1. HCV-8

¹⁴ HUD Notice PIH 2020-13 REV-1. HCV-10 FUP

¹⁵ HUD Notice PIH 2020-13 REV-1. HCV-11

¹⁶ HUD Notice PIH 2020-13 REV-1. HCV-12

¹⁷ HUD Notice PIH 2020-13 REV-1. HCV-13

¹⁸ March 17, 2020. "Metro Government announces changes to operations and facilities in response to COVID-19."

<https://louisvilleky.gov/news/metro-government-announces-changes-operations-and-facilities-response-covid-19>. [This measure is temporary and subject to change.](#)

¹⁹ HUD Notice PIH 2020-13 REV-1. HQS-5

²⁰ HUD Notice PIH 2020-13 REV-1. HQS-6

²¹ HUD Notice PIH 2020-13 REV-1. HQS-10

²² HUD Notice PIH 2020-13 REV-1. HQS-11



Notice of Right of Reasonable Accommodation: If you or someone else in your household has a disability – and as a result of this disability, this person needs a reasonable accommodation in order to participate fully in the Housing Choice Voucher Program– please contact the Ombudsman to discuss accommodation options. The Ombudsman of the Housing Choice Voucher program can be reached at (502) 569-6942. TDD 502-587-0831.

