

HUD Notice PIH 2020-13 (HA) REV-1 COVID-19 Statutory and Regulatory Waivers Applicable to Louisville Metro Housing Authority

This chart summarizes the waivers authorized under this notice and the availability period for each. As stated in PIH 2020-13 (HA) REV-1, LMHA must keep written documentation on the waivers applied by LMHA as well as the effective dates. To fulfill those requirements, LMHA will 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	<u>Statutory Authority</u> Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h)  <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>Significant amendment requirement of the PHA plan may be effectuated without completing the significant amendment process.</li> </ul>	Varies based on FYE  07/31/20, extended to 12/31/2020	Yes	04/13/20
PH and HCV-2 Family income and composition – delayed annual reexaminations	<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>	12/31/20	Yes	04/13/20

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PH and HCV-3 Annual reexamination Income Verification	<u>Regulatory Authority</u> §5.233(a)(2), §960.259(c), §982.516(a)  <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	<ul style="list-style-type: none"> <li>• Waives the requirements to use the income hierarchy, including the use of EIV, and will allow PHAs to consider self-certification as the highest form of income verification</li> <li>• PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later</li> </ul>	07/31/20; extended to 12/31/2020	Yes	04/13/20
PH and HCV-4 Interim reexaminations	<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); §960.959(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 and will allow PHAs to consider self-certification as the highest form of income verification</li> <li>• PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later</li> </ul>	07/31/20; extended to 12/31/2020	Yes	04/13/20





<p>HQS-4 Initial HQS - Alternative Inspections</p>	<p><u>Statutory Authority</u> Section 8(o)(8)(A)(iii)</p> <p><u>Regulatory Authority</u> HOTMA HCV Federal Register Notice January 18, 2017</p>	<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>• The PHA can accept an owner's self-certification no later than December 31, 2020. Where self-certification was used, PHA must inspect the unit no later than the 1 year anniversary date of owner's certification..</li> </ul>	<p>07/31/20</p> <p>10/31/20; extended to 1-year anniversary date of owner's certification</p>	<p>Yes</p> <p>Rescinded</p>	<p>04/13/20</p> <p>5/5/20</p>
<p>HQS-5 Biennial Inspections</p>	<p><u>Statutory Authority</u> Section 8(o)(D)</p> <p><u>Regulatory Authority</u> § 982.405(a), §983.103(d)</p>	<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 no later than one year after the date the biennial inspection would have been required absent the waiver.</li> </ul>	<p>10/31/20; extended to one year after the date the biennial inspection would have been required absent the waiver</p>	<p>Yes</p>	<p>04/13/20</p>

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HQS-6 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>	07/31/20; extended to 12/31/2020.	Yes	04/13/20
HQS-7 PBV Turnover 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 where there are no life-threatening deficiencies</li> <li>• The PHA can accept an owner's self-certification no later than December 31, 2020. Where self-certification was used, PHA must inspect the unit no later than the 1 year anniversary date of owner's certification..</li> </ul>	07/31/20  10/31/20; extended to 1-year anniversary date of owner's certification		

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<p>HQS-8: PBV HAP Contract – HQS Inspections to Add or Substitute Units</p>	<p><u>Statutory Authority</u> Section 8(o)(8)(A)</p> <p><u>Regulatory Authority</u> § 983.207(a), §983.207(b)</p>	<ul style="list-style-type: none"> <li>• Allows for PBV units to be added or substituted in the HAP contract based on owner certification where there are no life-threatening deficiencies</li> <li>• The PHA can accept an owner’s self-certification no later than December 31, 2020. Where self-certification was used, PHA must inspect the unit no later than the 1 year anniversary date of owner’s certification..</li> </ul>	<p>07/31/20</p> <p>10/31/20; extended to 1-year anniversary date of owner’s certification</p>		
<p>HQS-9 HQS QC Inspections</p>	<p><u>Regulatory Authority</u> §982.405(b). §983.103(e)(3)</p>	<ul style="list-style-type: none"> <li>• Provides for a suspension of the requirement for QC sampling inspections</li> </ul>	<p>10/31/20; extended to 12/31/2020</p>	<p>Yes</p>	<p>04/13/20</p>

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HQS--10 HQS 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 for the duration of the current lease term or one year from date of notice, whichever is longer	Yes	04/13/20
HQS-11 Homeownership HQS	<u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(y)(3)(B)  <u>Regulatory Authority</u> §982.631(a)	<ul style="list-style-type: none"> <li>• Waives the requirement to perform an initial HQS inspection in order to begin making homeownership assistance payments</li> <li>• Requires family to obtain independent professional inspection</li> </ul>	07/31/20; extended to 12/31/2020	Yes	04/13/20
HCV-1 Administrative Plan	<u>Regulatory Authority</u> §982.54 (a)	<ul style="list-style-type: none"> <li>• Waives the requirement to adopt revisions to the admin plan</li> </ul>	07/31/20; extended to 12/31/2020	Yes	04/13/20

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HCV-2 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>	07/31/20; extended to 12/31/2020	Yes	04/13/20
HCV-3 Term of Voucher - Extensions of Term	<u>Regulatory Authority</u> §982.303(b)(1)	<ul style="list-style-type: none"> <li>• Allows PHAs to provide voucher extensions regardless of current PHA policy</li> </ul>	07/31/20; extended to 12/31/2020	Yes	04/13/20
HCV-4 PHA Approval of Assisted Tenancy	<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 but no later than 120 days</li> <li>• PHA must not pay HAP to owner until HAP contract is executed</li> </ul>	07/31/20; extended to 12/31/2020	Yes	04/13/20
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>	12/31/20	Yes	04/13/20

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HCV-6 Automatic Termination of the 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 terminates automatically.</li> </ul>	12/31/20	Yes	04/13/20
HCV-7 Increase in Payment Standard	<u>Regulatory Authority</u> §982.505(c)(4)	<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>	12/31/20	Yes	04/13/20
HCV-8 Utility Allowance Schedule	<u>Regulatory Authority</u> §982.517	<ul style="list-style-type: none"> <li>Provides for delay in updating utility allowance schedule</li> </ul>	12/31/20	Yes	04/13/20
HCV-9 Homeownership Counseling	<u>Statutory Authority</u> Section 8(y)(1)(D)  <u>Regulatory Authority</u> §982.630, §982.636(d)	<ul style="list-style-type: none"> <li>Waives the requirement for the family to obtain pre-assistance counseling</li> </ul>	7/31/20; extended to 12/31/2020		
HCV-10 FUP	<u>Statutory Authority</u> Section 8(x)(2)	<ul style="list-style-type: none"> <li>Allows PHAs to execute HAP contract to eligible FUP youth who has not yet reached 26<sup>th</sup> birthday</li> </ul>	12/31/20	Yes	04/13/20

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HCV-11: FUP: Length of Assistance for Youth	<u>Statutory Authority</u> 42 USC 1437f(x)(2)	<ul style="list-style-type: none"> <li>Allow PHAs to suspend terminations of assistance for up to 6 months for FUP youth who will reach 36 month limit between April 10, 2020 to December 31, 2020.</li> </ul>	12/31/20		
HCV-12: FUP: Timeframe for Referral	<u>Statutory Authority</u> 42 USC 1437f(x)(2)	<ul style="list-style-type: none"> <li>PHAs may accept referrals from child welfare agencies for youth who will leave foster care within 120 days.</li> </ul>	12/31/20		
HCV-13: Homeownership: Maximum Term of Assistance	<u>Regulatory Authority</u> §982.634(a)	<ul style="list-style-type: none"> <li>Families experience financial hardship as a result of COVID-19, PHAs may provide homeownership assistance for up to 1 additional year.</li> </ul>	Through 12/31/2020, extend assistance 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>PHA may keep PBV HAP contracts the exceed 180 days of zero HAPs but not beyond 12/31/2020.</li> </ul>	12/31/2020		

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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>	Extension of 6 months	Yes	04/13/20
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	Yes	04/13/20
PH-3 Cost limitations	<u>Regulatory Authority</u> §905.314(j)	<ul style="list-style-type: none"> <li>Allows for the use of force account labor for modernization activities in certain circumstances</li> </ul>	12/31/20	Yes	04/13/20
PH-4 ACOP	<u>Regulatory Authority</u> §960.202(c)(1)	<ul style="list-style-type: none"> <li>Changes to approval process for ACOP</li> </ul>	07/31/20; extended to 12/31/2020	Yes	04/13/20
PH-5 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>	03/31/21	Yes	04/13/20

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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	Yes	05/01/20
PH-7 Over-income families	Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit 83 FR 35490 Notice: Notice PIH 2019-11	<ul style="list-style-type: none"> <li>Changes to time frames for determination of over-income</li> </ul>	12/31/20	Yes	04/13/20
PH-8 Resident Council Elections	<u>Regulatory Authority</u> §964.130(a)(1)	<ul style="list-style-type: none"> <li>Provides for delay in resident council elections</li> </ul>	07/31/20; extended to 12/31/2020	Yes	04/13/20
PH-9 Utility Allowance	<u>Regulatory Authority</u> §965.507	<ul style="list-style-type: none"> <li>Provides for delay in updating utility allowance schedule</li> </ul>	12/31/20	Yes	04/13/20
PH-10 Tenant notifications	<u>Regulatory Authority</u> §966.5	<ul style="list-style-type: none"> <li>Advance notice not required except for policies related to tenant charges</li> </ul>	07/31/20; extended to 12/31/2020	Yes	04/13/20
PH-11: Designated Housing Plan Renewals	<u>Statutory Authority</u> <u>Section 7(f) of the USHA of 1937</u>	<ul style="list-style-type: none"> <li>Provides extension of renewal of designated housing plans for plans due in July to December to 12/31/2020</li> </ul>	12/31/2020		

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PH-12: Public Housing Agency Annual Self-inspections	<u>Statutory Authority</u> <u>Section 7(f) of the USHA of 1937</u>	<ul style="list-style-type: none"> <li>Annual inspections of each project by the PHA is not required. PHAs may also utilize remote or virtual means of inspections.</li> </ul>	12/31/2020		
11a PHAS	<u>Regulatory Authority</u> §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> §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

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11c Financial reporting	<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>	9/30/2020 for LMHA	Yes	04/13/20
12a Form HUD 50058	<u>Regulatory Authority</u> §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>	12/31/20	Yes  Rescinded	04/13/20  5/5/20
12b Designated housing plan: 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>	07/31/20	N/A	N/A
12c Extension of Deadline for reporting Operating and Capital Fund expenditures	<u>Statutory Authority</u> Section 9(j)  <u>Regulatory Authority</u> §905.306(d)(5), §905.306(f)	<ul style="list-style-type: none"> <li>Provides a one-year extension</li> </ul>	One-year extension, however no programmatic expenditure end date shall be extended beyond one month prior to closure of relevant appropriations acc	Yes	04/13/20