HUD Notice PIH 2020-33 (HA), REV-2 COVID-19 Statutory and Regulatory Waivers Applicable to the Housing Authority of Prince George's County

This chart summarizes the waivers authorized under this Notice and the availability period for each. As stated in PIH 2020-33 (HA) REV-2, HAPGC must keep written documentation on the waivers applied by HAPGC as well as the effective dates. To fulfill those requirements, HAPGC will utilize the last two columns to record this information.

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH and HCV-1 PHA 5- Year and Annual Plan Submission Dates: Significant Amendment Requirements	Statutory Authority Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h)(2)  Regulatory Authority  §§ 903.5(a)(3), 903.5(b)(3), 903.13(c), 903.21, 903.23	<ul> <li>Alternative dates for submission</li> <li>Changes to significant amendment process</li> </ul>	<ul><li>Varies based on FYE</li><li>12/31/20</li></ul>	Yes	4/13/2020
PH and HCV-2 Family Income and Composition: Delayed Annual Examinations	§§ 982.516(a)(1), 960.257(a)	<ul> <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>	• 6/30/21 All reexams due in CY20 must be completed by 12/31/20. Reexams due between 1/1/21 and 6/30/21 would need to be completed by 6/30/21.	Yes	4/13/2020

PH and HCV-3 Family Income and	Regulatory Authority §§ 5.233(a)(2), 960.259(c),	Waives the requirements to use the income	• 6/30/21	Yes	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
Composition: Annual Examination; Income Verification Requirements	982.516(a) Sub-regulatory Guidance Notice PIH 2018-18	hierarchy, including the use of EIV, and will allow PHAs to consider self-certification as the highest form of income verification  • PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later			
PH and HCV-4 Family Income and Composition: Interim Examinations	Statutory Authority Section 3(a)(1) Regulatory Authority §§ 5.233(a)(2), 982.516(c)(2), 960.257(a), (b) and (d), 960.259(c)  Sub-regulatory Guidance Notice	Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations	• 6/30/21	Yes	4/13/2020

PH and HCV-5 Enterprise Income Verification (EIV) Monitoring	Regulatory Authority § 5.233 <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	Waives the mandatory EIV monitoring requirements	• 6/30/21	Yes	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH and HCV-6 Family Self-Sufficiency (FSS) Contract of Participation: Contract Extension	Regulatory Authority § 984.303(d)	Provides for extensions to FSS contract of participation	• 6/30/21	Yes	4/13/2020
PH and HCV-7 Waiting List: Opening and Closing; Public Notice	Regulatory Authority § 982.206(a)(2) Sub-regulatory Guidance Notice PIH 2012-34	<ul> <li>Waives public notice requirements for opening and closing waiting list</li> <li>Requires alternative process</li> </ul>	• 6/30/21	Yes	10/15/2020
HQS-1 Initial Inspection Requirements	Statutory Authority Section 8(o)(8)(A)(i), Section 8(o)(8)(C)	• Changes initial inspection requirements, allowing for owner certification that there are no lifethreatening deficiencies	• 6/30/21	Yes Rescinded	4/13/20 5/5/20

	Regulatory Authority §§ 982.305(a), 982.305(b), 982.405	<ul> <li>Where self-certification was used, PHA must inspect the unit no later than 1-year anniversary of date of owner's certification</li> <li>Will include reminder that HQS waiver does not include a waiver of</li> </ul>	certification		
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		24 CFR 35.15, visual assessment for deteriorated paint			
HQS-2: Project-Based Voucher (PBV) Pre- HAP Contract Inspections: PHA Acceptance of Completed Units	Statutory Authority: Section 8(0)(8)(A) Regulatory Authority:  §§ 983.103(b), 983.156(a)(1)	<ul> <li>Changes inspection requirements, allowing for owner certification that there are no life-threatening deficiencies</li> <li>Waiver only applies to occupied PBV units (6/9/2020)</li> <li>Where self-certification was used, PHA must inspect the unit no later than 1-year anniversary of date of owner's certification</li> </ul>	date of owner's certification	Yes Rescinded Reinstated	4/13/20 5/5/20 6/9/20

HQS-3 Initial Inspection: Non-Life- Threatening Deficiencies (NLT) Option	Statutory Authority Section 8(0)(8)(A)(ii) Sub-regulatory Guidance HOTMA HCV Federal Register Notice January 18, 2017	Allows for extension of up to 30 days for owner repairs of non-life threatening conditions	• 6/30/21	Yes Rescinded	4/13/20 5/5/20
HQS-4 HQS Initial Inspection	Statutory Authority Section 8(o)(8)(A)(iii)	• Under Initial HQS Alternative Inspection	• 6/30/21	Yes	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
Requirement: Alternative Inspection Option	Sub-regulatory Guidance HOTMA HCV Federal Register Notice January 18, 2017	Hotor than I waar anniversary of datal	• 1-year anniversary of date of owner's certification	Rescinded	5/5/2020

HQS-5 HQS Inspection Requirement: Biennial Inspections	Statutory Authority Section 8(o)(D) Regulatory Authority §§ 982.405(a), 983.103(d)	<ul> <li>Allows for delay in biennial inspections</li> <li>PHAs must require owner certification there are no life-threatening deficiencies</li> <li>All delayed biennial inspections must resume by 6/30/21 and be completed by 12/31/21</li> </ul>	<ul><li>6/30/21</li><li>12/31/21</li></ul>	Yes	4/13/2020
HQS-6 HQS Interim Inspections	Statutory Authority Section 8(o)(8)(F) Regulatory Authority	Waives the requirement for the PHA to conduct interim inspection and	• 6/30/21	Yes	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
	§§ 982.405(g), 983.103(e)	<ul><li>requires alternative method</li><li>Allows for repairs to be verified by alternative methods</li></ul>			
HQS-7 PBV Turnover Unit Inspections	Regulatory Authority § 983.103(c)	Allows PBV turnover units to be filled based on owner certification there are no life- threatening deficiencies	• 6/30/21	Yes	12/17/2020
		Allows for delayed full HQS inspection NLT than 1-year anniversary of date of owner's certification	1-year anniversary of date of owner's certification		

HQS-8: PBV HAP Contract: HQS Inspections to Add or Substitute Units	Statutory Authority Section 8(o)(8)(A)  Regulatory Authority §§ 983.207(a), 983.207(b)  Sub-regulatory Guidance HOTMA HCV Federal Register Notice January 18, 2017	<ul> <li>Allows for PBV units to be added or substituted in the HAP contract based on owner certification there are no life-threatening deficiencies</li> <li>Allows for delayed full HQS inspection NLT 1- year anniversary of date of owner's certification</li> </ul>	• 6/30/21  • 1-year anniversary of date of owner's certification	No	N/A
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
HQS-9	Regulatory Authority	• Provides for a suspension of the	• 6/30/21	Yes	4/13/2020
HQS Quality Control	§§ 982.405(b),	requirement for QC sampling			
Inspections	983.103(e)(3)	inspections			
HQS-10	Regulatory Authority	Waives the requirement that	Remains in effect	Yes	4/13/2020
Housing Quality	§ 982.401(d)	each dwelling unit have at least 1	one year from lease		
Standards: Space and		bedroom or living/sleeping room	term or date of this		
Security		for each 2 persons.	Notice, whichever		
			is longer		
HQS-11	Statutory Authority Section	Waives the requirement to	• 6/30/21	Yes	4/13/2020
Homeownership	8(0)(8)(A)(i),	perform an initial HQS inspection			
Option: Initial HQS	Section 8(y)(3)(B)	in order to begin making			
Inspection	Regulatory Authority	homeownership assistance			
	§ 982.631(a)	<ul> <li>payments</li> <li>Requires family to obtain independent professional inspection</li> </ul>			

HCV-1 Administrative Plan	Regulatory Authority § 982.54(a)	<ul> <li>Establishes an alternative requirement that policies may be adopted without board approval until 3/31/21</li> <li>Any provisions adopted informally must be adopted formally by 6/30/21</li> </ul>	•	3/31/21 6/30/21	Yes	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements		Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
HCV-2 Information When Family is Selected: PHA Oral Briefing	Regulatory Authority §§ 982.301(a)(1), 983.252(a)	<ul> <li>Waives the requirement for an oral briefing</li> <li>Provides for alternative methods to conduct required voucher briefing</li> </ul>	•	6/30/21	Yes	4/13/2020
HCV-3 Term of Voucher: Extensions of Term	Regulatory Authority § 982.303(b)(1)	Allows PHAs to provide voucher extensions regardless of current PHA policy	•	6/30/21	Yes	4/13/2020
HCV-4 PHA Approval of Assisted Tenancy: When HAP Contract is Executed	Regulatory Authority § 982.305(c)	<ul> <li>Provides for HAP payments for contracts not executed within 60 days</li> <li>PHA must not pay HAP to owner until HAP contract is executed</li> </ul>	•	6/30/21	Yes	4/13/2020

HCV-5 Absence from Unit	Regulatory Authority § 982.312	<ul> <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>		Yes	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
HCV-6 Automatic Termination of HAP Contract	Regulatory Authority § 982.455	• Allows PHA to extend the period of time after the last HAP payment is made before the HAP contract terminates automatically.	• 6/30/21	Yes	4/13/2020
HCV-7 Increase in Payment Standard During HAP Contract Term	Regulatory Authority § 982.505(c)(4)	• 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.	• 6/30/21	Yes	4/13/2020
HCV-8 Utility Allowance Schedule: Required Review and Revision	Regulatory Authority § 982.517	Provides for delay in updating utility allowance schedule	• 6/30/21	Yes	4/13/2020

HCV-9 Homeownership Option: Homeownership Counseling	Statutory Authority Section 8(y)(1)(D) Regulatory Authority §§ 982.630, 982.636(d)	Waives the requirement for the family to obtain pre-assistance counseling	•	6/30/21	Yes	11/30/2020
HCV-10 Family Unification Program (FUP): FUP	Statutory Authority Section 8(x)(2)	• Allows PHAs to increase age to 26 for	•	6/30/21	Yes	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements		Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
Youth Age Eligibility to Enter HAP Contract		foster youth initial lease up				
HCV-11 Family Unification Program (FUP): Length of Assistance for Youth	Statutory Authority Section 8(x)(2)	• Allows PHAs to suspend terminations of assistance for FUP youth who will reach the 36-month limit between April 10, 2020, and December 31, 2020	•	6/30/21	Yes	7/2/2020
HCV-12 Family Unification Program (FUP): Timeframe for Referral	Statutory Authority Section 8(x)(2)	Allows PHAs to accept referrals of otherwise eligible youth who will leave foster care within 120 days	•	6/30/21	Yes	7/2/2020
HCV-13 Homeownership: Maximum Term of Assistance	Regulatory Authority § 982.634(a)	Allows a PHA to extend homeownership assistance for up to 1 additional year		6/30/21	Yes	7/2/2020

HCV-14 Mandatory Removal of Unit from PBV HAP Contract	Regulatory Authority §§ 983.211(a); 983.258	• Allows a PHA 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	• 6/30/21	Yes	11/30/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH-1 Fiscal Closeout of Capital Grant Funds	Regulatory Authority § 905.322(b)	Extension of deadlines for ADCC and AMCC	Varies by PHA	Yes	4/13/2020
PH-2	Regulatory Authority	Waives the TDC and HCC	Applies to	Yes	4/13/2020
Total Development	§ 905.314(c) - (d)	limits permitting approval of	development		
Costs		amounts in excess of published	proposals		
		TDC by 25% to 50% on a case by	submitted to HUD		
		case basis	no later than		
			December 31, 2021		
PH-3 Cost and Other	Regulatory Authority § 905.314(j)	Allows for the use of force account labor for modernization	• 6/30/21	Yes	4/13/2020
Limitations: Types of		activities in certain circumstances			
Labor		7			
PH-4 ACOP: Adoption of Tenant Selection Policies	Regulatory Authority § 960.202(c)(1)	• Establishes an alternative requirement that policies may be adopted without board approval until 3/31/21	• 3/31/21	Yes	4/13/2020

		• Any provisions adopted informally must be adopted formally by 6/30/21	•	6/30/21		
PH-5 Community Service and Self-Sufficiency Requirement (CSSR)	Statutory Authority Section 12(c) Regulatory Authority	Temporarily suspends CSSR	•	6/30/21	Yes	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements		Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
	§§ 960.603(a) and 960.603(b)					
PH-6 Energy Audits	Regulatory Authority § 965.302	Allows for delay in due dates of energy audits	•	12/31/21	Yes	5/1/2020
PH-7 Over-Income Families	Statutory Authority Section 16(a)(5)	Changes to timeframes for determination of over-income when		6/30/21	Yes	4/13/2020
	Sub-regulatory Guidance Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit 83 FR 35490, Notice PIH 2019-11	a delay in the annual reexamination occurs as a result of adoption of waiver PH and HCV-2				
PH-8 Resident Council Elections	Regulatory Authority § 964.130(a)(1)	Provides for delay in resident council elections	•	6/30/21	Yes	4/13/2020
PH-9 Review and Revision of Utility Allowance	Regulatory Authority § 965.507	Provides for delay in updating utility allowance schedule	•	6/30/21	Yes	4/13/2020

PH-10 Tenant Notifications for Changes to Project Rules and Regulations		Advance notice not required except for policies related to tenant charges	• 6/30/21	Yes	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH-11 Designated Housing Plan Renewals	Statutory Authority Section 7(f)	• Extends the Plan's effective period through June 30, 2021 for Plans due to expire between July 2, 2020 and June 30, 2021	• 6/30/21	No	4/13/2020
PH-12 Public Housing Agency Annual Self- Inspections	Statutory Authority Section 6(f)(3) Regulatory Authority § 902.20(d)	Waives the requirement that the PHA must inspect each project	• 12/31/20	Yes	4/13/2020
PH-13 Over-Income Limit: Termination Requirement	as amended by section 103 of	• Waives the requirement that a family whose income has exceeded the over-income limit for the locality for two consecutive years	• 6/30/21	Yes	11/30/2020

	Implementation Notice: Housing Opportunity Through Modernization Act of 2016: Final Implementation of Public Housing Income Limit, 83 Fed. Reg. 35,490 (July 26, 2018)	be terminated within 6 months of the third income determination.  • As an alternative requirement, over- income families will remain public housing households instead of being terminated and will be charged the			
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		applicable FMR as the family's monthly rental amount.			
PH-14 Annual Choice of Rent	Statutory Authority: 42 USC 1437a(a)(2)(A)  Regulatory Authority § 960.253	Allows families an additional opportunity to select an incomebased or flat rent	• 6/30/21	No	4/13/2020
11a PHAS	Regulatory Authority 24 CFR Part 902	<ul> <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 6/30/21	N/A	N/A

11b SEMAP	Regulatory Authority 24 CFR Part 985	PHA to retain prior year SEMAP score unless requests otherwise	HUD will resume issuing new SEMAP scores starting with PHAs with FYE dates of 06/30/21	N/A	N/A
11b-1 SEMAP	Regulatory Authority § 985.105(d)	Allows field offices to perform a remote SEMAP confirmatory review instead of an on- site confirmatory review before changing a PHA's rating from	• 6/30/21	N/A	N/A
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		troubled to standard or high performer			
11b-2 SEMAP	Regulatory Authority § 985.101(a)	Waives the requirement for PHAs to submit an annual SEMAP certification in PIC within 60 days of FYE during the period of time that HUD will roll forward prior year SEMAP scores	• 6/30/21	No	4/13/2020
11c	Regulatory Authority	Allows for extensions of	Varies by PHA	Yes	4/13/2020
Uniform Financial Reporting Standards:	§§ 5.801(c), 5.801(d)(1)	financial reporting deadlines	FYE		
Filing of Financial					
Reports; Reporting Compliance Dates		-			

12a PHA Reporting Requirements on HUD Form 50058	Regulatory Authority 24 CFR Part 908, \$ 982.158  Sub-regulatory Guidance Notice PIH 2011-65	<ul> <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		4/13/20 5/5/20
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
12b Designated Housing Plans: HUD 60-Day Notification	Statutory Authority Section 7(e)(1)	Allows for HUD to delay notification about designated housing plan	• 7/31/20	N/A	N/A
12c Extension of Deadline for Programmatic Obligation and Expenditure of Capital Funds	Statutory Authority Section 9(j) Regulatory Authority § 905.306(d)(5)	• Provides an 18-month extension	For all open Capital Fund grants, an 18- month extension from the obligation and expenditure end dates in LOCCS as of April 10, 2020	Yes	4/13/2020

12d Section 6(j) 1- and 2- Year Substantial Improvement Requirements	Statutory Authority Section 6(j)(3)(B)(ii) Regulatory Authority 24 CFR § 902.75(d)	the troubled designation, HUD will: (1) evaluate the 1-year substantial improvement benchmark based on the first released score for fiscal	The period of availability for this waiver and alternative requirement: (1) is effective on the date of this Notice; and, (2) will continue through June 30, 2023, at which time HUD will reevaluate any additional impacts of this waiver on any PHA in the process of being		N/A
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		(2) toll the evaluation of the 2- year recovery benchmark to the next sequential fiscal year	evaluated.		
MR-1 Family Income and	Statutory Authority Section 3(a)(1)	Waives statutory and regulatory requirement to permit PHAs to	• 6/30/21	No	

MR-0 Family Income and Composition: Annual examination; Income Verification Requirements	Regulatory Authority: §5.233(a)(2) Sub-regulatory Guidance Notice PIH 2018-18	• Waives the requirements to use the income hierarchy described by Notice PIH 2018-18 and will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if the PHA wishes to conduct the annual reexam rather than delaying the family's annual reexam as permitted under MR-1	• 6/30/21	No	
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
MR-3 Family Income and Composition: Interim Examinations	Statutory Authority Section 3(a)(1) Regulatory Authority 24 CFR §§ 5.233(a)(2), 882.515(b)	• Waives requirements to use the income verification hierarchy as described by Notice PIH 2018-18. Allows PHAs to forgo third-party income verification requirements	• 6/30/21	No	4/13/2020

	Sub-regulatory Guidance Notice PIH 2018-18	for interim reexams, including the required use of EIV  • During the allowable period of eligibility, PHAs may consider self-certification as the highest form of income verification to process interim reexams			
MR-4 Enterprise Income Verification (EIV) Monitoring	Regulatory Authority § 5.233 Sub-regulatory Guidance Notice PIH 2018-18	Waiving the mandatory EIV monitoring requirements.	• 6/30/21	No	4/13/2020
MR-5 PHA Inspection Requirement: Annual	Regulatory Authority § 882.516(b)	Waives the annual inspection requirement and allows PHAs to	• 6/30/21	No	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.

Inspections		delay annual inspections for Mod Rehab units  • All delayed annual inspections must be completed as soon as reasonably possible but no later than one year after the date the annual inspection would have been required absent the waiver			4/13/2020
MR-6 Adjustment of Utility Allowance	Regulatory Authority § 882.510	Waives the requirement to allow PHAs to delay the review and update of utility allowances	• 6/30/21	No	4/13/2020
MS-1 Mainstream Initial Lease Term	Statutory Authority Section 8(o)(7)(A)  Regulatory Authority  § 982.309(a)(2)(ii)	PHA may enter initial lease terms of less than one year regardless of whether the shorter lease term is a prevailing market practice	• 6/30/21	No	4/13/2020 4/13/2020
MS-2 Mainstream Criminal	Statutory Authority 42 U.S.C. 13663(a), 42	PHAs may establish, as an alternative	• 6/30/21	No	4/13/2020
Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.

Background Screening	U.S.C. 13661 Regulatory Authority §§ CFR 5.856, 982.553(a)	requirement, screening requirements for applicants for Mainstream vouchers which are distinct from those in place for its HCV program in general			4/13/2020
MS-3 Mainstream Age Eligibility to Enter HAP Contract Statutory Authority		• As an alternative requirement, the PHA may choose to expand the definition of an eligible non-elderly family member to include those who were issued a voucher prior to turning 62 and were not yet 63 on the effective date of the HAP Contract	• 6/30/21	No	4/13/2020

Elania Bancus

Effective Implementation 3/1/2021. HAPGC will retroactively enact all Covid Waivers 3/1/2021