

TEMPORARY CHANGES TO PUBLIC HOUSING POLICIES AND PROCEDURES IN RESPONSE TO COVID-19

HUD has facilitated the adoption of specific waiver authority by PHAs in an effort to ensure operations are not impacted and families can continue to be served during the Shelter in Place Order by the Public Health Director and Emergency Declarations made by the Governor of California and the President of the United States.

Pursuant to PIH Notice 2020-05 issued on April 10, 2020, HACCC has adopted the following waivers and modified its policies and procedures to implement said waivers. These waivers were adopted effective April 14, 2020 and expire as indicated below.

1. PH and HCV-2: Family Income and Composition: Delayed Annual Examinations

HUD is waiving the requirement that PHAs are required to conduct a reexamination of family income and composition at least annually. Recognizing the foreseeable difficulties in complying with this requirement in light of the COVID-19 emergency, HUD is waiving this statutory and regulatory requirement to permit PHAs to delay annual reexaminations of HCV and public housing families.

Policy Change:

HACCC will delay annual examinations of the income and household composition of HCV and public housing families during the period permitted by HUD.

Expires: All annual examinations due in Calendar Year (CY) 2020 must be completed by December 31, 2020.

2. PH & HCV - 3: Family Income and Composition; Annual Examination-Income Verification requirements

HUD is waiving the requirement that PHAs must use the income hierarchy described by PIH Notice 2018-18. HUD will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if a PHA opts to conduct annual recertifications rather than delaying them. PHAs may consider self-certification as the highest form of income verification to process annual reexaminations. This may occur over the telephone (but must be documented for the written record by PHA staff), through an email or postal mail with a self-certification form by the tenant, or through other electronic communication. Income and family composition examinations and recertifications do not have to be conducted in-person.

Policy Change:

HACCC will consider written and verbal self-declarations submitted by household adults as primary verification of income and process reexaminations based on the self-certification. Where available, third party verification will be accepted to augment or support the self certification. The HUD Hierarchy and Techniques is suspended and will not be in effect during the HUD declared period.

Expires: July 31, 2020

3. PH & HCV - 4: Family Income and Composition; Interim Examinations

HUD is waiving the requirements to use the income hierarchy described by PIH Notice 2018-18 and will allow PHAs to forgo third-party income verifications, including EIV. PHAs may consider self-certification as the highest form of income verification for interim reexaminations. Interim reexaminations are not required to be held in-person.

Policy Change:

HACCC will consider written and verbal self-declarations submitted by household adults as primary verification of income and process reexaminations based on the self-certification. Where available, third party verification will be accepted to augment or support the self certification. The HUD Hierarchy and Techniques is suspended and will not be in effect during the HUD declared period.

Expires: July 31, 2020

4. PH & HCV - 5: Enterprise Income Verification (EIV) Monitoring

HUD is waiving mandatory EIV monitoring requirements found in PIH Notice 2018-18 through July 31, 2020.

Policy Change:

HACCC will not review EIV reports until the end of the waiver authority period. In the event of discrepancies, the family will be required to submit corroborating evidence of declarations.

Expires: July 31, 2020

5. PH-5 Community Service and Self Sufficiency Requirement (CSSR)

HUD is waiving this requirement and is alternatively suspending the community service and self-sufficiency requirement. If a PHA adopts this waiver, tenants will not be subject to this requirement until the family's next annual reexamination.

Policy Change:

HACCC will suspend the community service and self-sufficiency requirement for Public Housing Residents beginning with those whose annual reexamination is effective May 1, 2020.

Expires March 31, 2021

6. PH-7 Over- Income Families

HUD is waiving the requirement that PHAs terminate rental assistance or charge an alternative rent (flat rent) to families whose income exceeds the program maximum over two consecutive reexamination cycles through December 31, 2020. Through this waiver PHAs would be allowed to permit over-income families to remain in their units and pay the same rental amount until that PHA conducts the family's next annual income recertification.

Policy Change:

HACCC will permit over-income families to continue paying their existing rental amount until the PHA conducts the family's next annual income recertification.

Expires: December 31, 2020

7. PH-10 Tenant Notifications for Changes to Project Rules and Regulations

HUD is waiving the requirement to provide 30-day notices to impacted families for changes to policies, rules, and special charges to families, except for notices related to tenant charges, through July 31, 2020. Although HUD is waiving the advanced notice, PHAs must still provide adequate notification to families within 30 days of making such changes.

Policy Change:

HACCC will update policies and rules as needed and required by HUD where permitted without providing 30-days to impacted families, however when changes are made HACCC will send notification to families within 30 days of making the changes.

Expires: July 31, 2020.

8. PHAS, SEMAP and Financial Reporting Standards

(a): Public Housing Assessment System (PHAS)

HUD will not issue PHAS scores that are pending or for fiscal years ending in 2020 unless a PHA requests a PHAS score. HUD will carry forward the PHAs most recent PHAS score on record.

Policy Change:

HACCC will not request that HUD issue a new PHAS score. HACCC's existing PHAS score will be carried forward.

Expires: HUD will issue new PHAS scores beginning with FYE March 31, 2021

9. Other Waivers

(a): PHA Reporting Requirements on HUD Form 50058

HUD is waiving the requirement that PHAs must submit form HUD-50058 within 60 calendar days after any action recorded on line 2b for transactions impacted by implemented waivers and alternative requirements. Through December 31, 2020, HUD will permit PHAs that adopt the waiver to submit their form HUD-50058 within 90 days after the effective date of action to HUD. Although the waiver provides up to 90 days to submit form HUD-50058, HUD encourages PHAs that have operational capacity to continue submitting form HUD-50058 within the normal 60-day timeframe. HUD will issue guidance in the near future that will provide PHAs with workarounds to ensure that the delayed submission of form HUD-50058 does not cause any fatal errors in the IMS-PIC system.

Policy Change:

HACCC will adopt the 90 day waiver during the COVID-19 response period and will use it as needed. However, HACCC will strive to continue submitting line 2b transactions to the HUD PIC database within 60 days after the effective date.

Expires: December 31, 2020

10. Repayment Agreements

Families are required to make repayments on unreported income or non-payment of rent on Repayment Agreements executed between the tenant and /or and HACCC. HACCC recognizes that COVID-19 has resulted in many households having their monthly income affected by loss of employment, layoff or reduction in hours worked.

HACCC Policy:

In the event of hardship, on a case-by-case basis, HACCC will suspend a household's repayment agreement until December 31, 2020.

Expires: December 31, 2020