

**Housing Choice Voucher (HCV) Program
COVID-19
Statutory and Regulatory Waivers**

On April 10, 2020, the United States Department of Housing and Urban Development (HUD) issued PIH Notice 2020-05 which contains 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 Programs in response to COVID-19. On July 2, 2020, HUD issued PIH Notice 2020-13 which added four (4) new waivers and extended the deadlines for several existing waivers. On November 30, 2020, HUD issued PIH Notice 2020-33 which added two alternative requirements for existing waivers and extended the deadline for several other waivers. On May 4, 2021, HUD issued PIH Notice 2021-14, which added new waivers and extended the deadline for several other waivers.

The waivers and alternative requirements identified in the above-mentioned Notices allow Public Housing Agencies (PHAs) to keep public housing and HCV programs operational to the extent practicable during the COVID-19 pandemic. The following chart provides a list of waivers and alternatives that MSHDA has adopted for the HCV and Project-Based Voucher (PBV) program. The “item” description below correlates with the sections identified in the Notices. MSHDA encourages you to read [PIH Notice 2020-05](#), [PIH Notice 2020-13](#), [PIH Notice 2020-33](#), and [PIH Notice 2021-14](#) in their entirety for further information. **NOTE:** once the period of availability deadline below has lapsed, MSHDA has an obligation to resume normal policies and procedures outlined in its Administrative Plan. Adoption of any waiver or alternative does not relieve HCV program participants or landlords from the requirement of reporting true and accurate information to MSHDA at all times to effectively administer the HCV program.

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Will MSHDA implement waiver and alternative requirement?	Date MSHDA adopted
PH and HCV-1 PHA 5-Year and Annual PHA Plan	<u>Statutory Authority</u> Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h)(2) <u>Regulatory Authority</u> § 903.5(a)(3), 903.5(b)(3), 903.13(c), 903.21, 903.23	Alternative dates for submission	Varies based on FYE	No	NA

PH and HCV -2 Family Income and composition - delayed Annual Reexaminations (ARs)	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> § 982.516(a)(1), § 960.257(a)	Permits PHA to delay processing ARs of income and family composition PHA must still implement an increase in payment standard if they implement this waiver	12/31/2021	No	NA
PH and HCV -3 Annual Reexaminations Income Verifications	<u>Regulatory Authority</u> § 5.233(a)(2), 960.259(c), 982.516(a) <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	Waives the requirement 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 PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later	12/31/2021	Yes	5/12/2021
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(b) and (d), 960.259(c) <u>Sub-regulatory Guidance</u>	Waives the requirement to use the income hierarchy, including use of EIV, and will allow PHAs to consider self-certification as the highest form of income verification	12/31/2021	Yes	5/12/2021

	PIH Notice 2018-18	PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later			
PH and HCV-5 EIV System Monitoring	<u>Regulatory Authority</u> § 5.233 <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	Waives the mandatory EIV monitoring requirements	12/31/2021	No	NA
PH and HCV-6 FSS Contract of Participation	<u>Regulatory Authority</u> § 984.303(d)	Provides for extensions to FSS contract of participation	12/31/2021	Yes	5/12/2021
PH and HCV-7 Waiting List	<u>Regulatory Authority</u> § 982.206(a)(2) <u>Sub-regulatory Guidance</u> PIH Notice 2012-34	Waives public notice requirements for opening and closing waiting list Requires alternative process	12/31/2021	Yes	5/12/2021
PH and HCV-8 Eligibility Determination: Income Verification	<u>Regulatory Authority</u> § 960.259(c), 982.201(e) <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	Waives the third-party income verification requirements for applicants, and will allow PHAs to consider self-certification as the highest form of income verification at admission PHAs must review the EIV Income and IVT Reports to	12/31/2021	Yes	5/12/2021

		confirm/validate family reported income within 90 days			
PH and HCV-9 Eligibility Determination: Social Security Number and Citizenship Verification	<u>Statutory Authority</u> 42 USC 1436a(d)(2) <u>Regulatory Authority</u> §§ 5.216(b)(2), (g), (h), 5.218, 5.508(b)(2)(ii), (b)(3)(ii), (g) <u>Sub-regulatory Guidance</u> Notice PIH 2012-10	Waives the requirements to obtain and verify social security number documentation and documentation evidencing eligible noncitizen status before admitting applicants to the HCV and Public Housing programs PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. Individuals admitted under this waiver must provide the required documentation within 90 days of admission to be eligible for continued assistance	12/31/2021	In part. MSHDA will not accept self-certification of disability status. MSHDA must run the EIV Report within 90 days of the new admission submission to HUD. If the EIV Report indicates “verified” for each family member, MSHDA will not require the family to submit additional documentation for SSN, eligible noncitizen status, or Date of Birth. The “verified” EIV Printout must be retained in the Permanent Section of the participant file.	5/12/2021

				A signed Declaration of Section 214 Status (MSHDA 214) is required for every family member even though the documentation evidencing eligible noncitizen status is not required if every name is "verified" on EIV.	
HQS - 1 Initial Inspection	<u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(o)(8)(C) <u>Regulatory Authority</u> § 982.305(a), 982.305(b), 982.405	Changes initial inspection requirements, allowing for owner certification that there are no life-threatening deficiencies Where self-certification was used, PHA must inspect the unit no later than 6/30/2022 Will provide reminder that HQS waiver does not include a waiver of 24 CFR 35.15, visual assessment for deteriorated paint	12/31/2021	In part. The owner certification will not be accepted for pre-78 housing where a child under the age is expected to reside. In these instances, MSHDA will require the full HQS inspection, to include the visual assessment, before approving the unit.	5/12/2021

HQS- 2 PBV Pre-HAP Contract Inspections, PHA acceptance of completed units	<u>Statutory Authority</u> Section 8(o)(8)(A) <u>Regulatory Authority</u> §§ 983.301(b), 983.156(a)(1)	Changes inspection requirements, allowing for owner certification that there are no life- threatening deficiencies Where self-certification was used, PHA must inspect the unit no later than 6/30/2022	12/31/2021	Yes	5/12/2021
HQS – 3 Non-Life-Threatening HQS – Initial Unit Approval	<u>Statutory Authority</u> Section 8(o)(8)(A)(ii) <u>Sub-regulatory Guidance</u> HOTMA HCV Federal Register Notice January 18, 2017	Allows for extension of up to 30 days for owner repairs of non-life- threatening conditions	12/31/2021	No	NA
HQS – 4 Initial HQS - Alternative Inspections	<u>Statutory Authority</u> Section 8(o)(8)(A)(iii) <u>Sub-regulatory Guidance</u> HOTMA HCV Federal Register Notice January 18, 2017	Under Initial HQS Alternative Inspection Option - allows for commencement of assistance payments based on owner certification there are no life-threatening deficiencies Where self-certification was used, PHA must inspect the unit no later than 6/30/2022	12/31/2021	No	NA
HQS – 5 Biennial Inspections	<u>Statutory Authority</u> Section 8(o)(D) <u>Regulatory Authority</u>	Allows for delay in biennial inspections	12/31/2021	Yes	5/12/2021

	§§ 982.405(a), 983.103(d)	PHAs must require owner certification that there are no life-threatening deficiencies PHAs must conduct all biennial inspections from CY 2020 as soon as reasonably possible but no later than 6/30/2022 and must conduct all CY2021 delayed biennial inspections as soon as possible but no later than 12/31/2022			
HQS – 6 Interim Inspections	<u>Statutory Authority</u> Section 8(o)(8)(F) <u>Regulatory Authority</u> §§ 982.405(g), § 983.103(e)	Waives the requirement for the PHA to conduct interim inspection and requires alternative method Allows for repairs to be verified by alternative methods	12/31/2021	Yes	5/12/2021
HQS – 7 PBV Turnover Inspections	<u>Regulatory Authority</u> § 983.103(c)	Allows for PBV turnover units to be filled based on owner certification there are no life-threatening deficiencies	12/31/2021	Yes	5/12/2021

		Allows for delayed full HQS inspection no later than 6/30/2022			
HQS – 8 PBV HAP Contract – HQS Inspections to Add/Substitute Units	<u>Statutory Authority</u> Section 8(o)(8)(A) <u>Regulatory Authority</u> §§ 983.207(a), 983.207(b)	Allows for PBV units to be added or substituted in the HAP contract based on owner certification there are no life-threatening deficiencies Allows for delayed full HQS inspection no later than 6/30/2022	12/31/2021	Yes	5/12/2021
HQS – 9 HQS Quality Control	<u>Regulatory Authority</u> § 982.405(b), 983.103(e)(3)	Provides for a suspension of the requirement for QC sampling inspections	12/31/2021	Yes	5/12/2021
HQS – 10 HQS Space & Security	<u>Regulatory Authority</u> § 982.401(d)	Waives the requirement that each dwelling unit have at least 1 bedroom or living/sleeping room for each 2 persons	Remains in effect one year from lease term or date of notice, whichever is longer	Yes	5/12/2021
HQS – 11 Homeownership Option: Initial HQS Inspection	<u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(y)(3)(B) <u>Regulatory Authority</u> § 982.631(a)	Waives the requirement to perform an initial HQS inspection in order to begin making homeownership assistance payments	12/31/2021	Yes	5/12/2021

		Requires family to obtain independent professional inspection			
HCV – 1 Administrative Plan	<u>Regulatory Authority</u> § 982.54 (a)	Establishes an alternative requirement that policies may be adopted without board approval until 9/30/2021 Any provisions adopted informally must be adopted formally no later than December 31, 2021	9/30/2021 12/31/20221	Yes	5/12/2021
HCV – 2 Information When Family is Selected: PHA Oral Briefing	<u>Regulatory Authority</u> § 982.301(a)(3) § 983.252(a)	Waives the requirement for an oral briefing Provides for alternative methods to conduct required voucher briefing	12/31/2021	Yes	5/12/2021
HCV – 3 Term of Voucher – Extensions of Term	<u>Regulatory Authority</u> § 982.303(b)(1)	Allows PHAs to provide voucher extensions regardless of current PHA policy	12/31/2021	No	NA
HCV – 4 PHA Approval of Assisted Tenancy	<u>Regulatory Authority</u> § 982.305(c)	Provides for HAP payments for contracts not executed within 60 days PHA and owner must execute the HAP contract no later than	12/31/2021	Yes	5/12/2021

		120 days from the beginning of the lease term			
HCV – 5 Absence from Unit	<u>Regulatory Authority</u> § 982.312	Allows for PHA discretion on absences from units longer than 180 days PHAs must not make HAP payments beyond 12/31/21 for units vacant more than 180 consecutive days	12/31/2021	Yes	5/12/2021
HCV – 6 Automatic Termination of the HAP Contract	<u>Regulatory Authority</u> § 982.455	Allows PHA to extend the period of time after the last HAP payment is made before the HAP contract terminates automatically	12/31/2021	Yes	5/12/2021
HCV – 7 Increase in Payment Standard	<u>Regulatory Authority</u> § 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	12/31/2021	No	NA
HCV – 8 Revision of Utility Allowance Schedules	<u>Regulatory Authority</u> § 982.517	Provides for delay in updating utility allowance schedule	12/31/2021	No	NA
HCV – 9 Homeownership Counseling	<u>Statutory Authority</u> Section 8(y)(1)(D)	Waives the requirement for the	12/31/2021	No	NA

	<u>Regulatory Authority</u> § 982.630, 982.636(d)	family to obtain pre-assistance counseling			
HCV – 10 Family Unification Program (FUP): FUP Youth Age Eligibility to Enter HAP Contract	<u>Statutory Authority</u> Section 8(x)(2)	Allows PHAs to increase age to 26 for foster youth initial lease up	12/31/2021	Yes	5/12/2021
HCV – 11 Family Unification Program (FUP): Length of Assistance for Youth	<u>Statutory Authority</u> Section 8(x)(2)	Allows PHAs to suspend termination of assistance for up to 6 months for FUP youth who will reach the 36- month limit between April 10, 2020 and June 30, 2021	12/31/2021	Yes	5/12/2021
HCV – 12 Family Unification Program (FUP): Timeframe for Referral	<u>Statutory Authority</u> Section 8(x)(2)	Allows PHAs to accept referrals of otherwise eligible youth who will leave foster care within 120 days	12/31/2021	Yes	5/12/2021
HCV – 13 Homeownership: Maximum Term	<u>Regulatory Authority</u> 982.634(a)	Allows a PHA to extend homeownership assistance for up to 1 additional year	12/31/2021	Yes	5/12/2021
HCV – 14 Mandatory Removal of Unit from PBV HAP Contract	<u>Regulatory Authority</u> §§ 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, 2021	12/31/2021	Yes	5/12/2021
HCV – 15 Project-Based Voucher (PBV) and Enhanced	<u>Statutory Authority</u> 42 U.S.C. § 1437a(b)(3)(A)	Allows a PHA to permit a family to initially lease	12/31/2021	Yes	5/12/2021

Voucher (EV) Provisions on Under-Occupied Units	<u>Regulatory Authority</u> 24 CFR §§ 983.253(b), 983.260 <u>Sub-regulatory Guidance</u> Notice H 2019-9/PIH 2019-23, Notice PIH 2016-02	an under-occupied PBV or RAD PBV unit (a unit that has more bedrooms than what the family qualifies for under PHA subsidy standards) under certain circumstances as described, and to allow for the continued occupancy of PBV and EV families already under a lease for an under-occupied PBV, RAD PBV, or EV unit			
11b SEMAP	<u>Regulatory Authority</u> 24 CFR Part 985	PHA to retain prior year SEMAP score unless requests otherwise	HUD will carry forward the most recent SEMAP score on record for any PHAs with a fiscal year on or before 12/31/2021.	NA	NA
11b-1 SEMAP	<u>Regulatory Authority</u> 24 CFR 985.105(d)	Allows field offices to perform remove SEMAP confirmatory review instead of an onsite confirmatory review before changing a PHAs rating from troubled to standard or high performer		NA	NA
11b-2 SEMAP	<u>Regulatory Authority</u> 24 CFR 985.101(a)	Waives the requirement for PHAs	1/1/2022	NA	NA

		to submit an annual SEMAP certification in PIC within 60 days of the FYE during the period of time that HUD will roll forward prior year SEMAP scores			
11c Financial Reporting	<u>Regulatory Authority</u> §§ 5.801(c), 5.801(d)(1)	Allows for extensions of financial reporting deadlines	Varies by PHA Fiscal Year End	Yes	5/12/2021