



*“Committed to Safe and Affordable Housing”*

**TO:** Board of Commissioners and File Documentation

**FROM:** Lowel Krueger, Executive Director

A handwritten signature in black ink, appearing to read 'Lowel Krueger', is placed to the right of the 'FROM' field.

**DATE:** April 22<sup>nd</sup>, 2020

**RE: U.S. Department of HUD Waivers Provided Under the Coronavirus Aid, Relief and Economic Security (CARES) Act**

In accordance with the authority granted the Executive Director on Wednesday, March 25<sup>th</sup>, with Resolution 20-942 “Emergency Actions Authorization for the Housing Authority of the City of Yakima” and guidance provided by HUD on April 10<sup>th</sup>, 2020, with PIH Notice 2020-05 “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”, the Yakima Housing Authority (Housing Authority) has implemented certain waivers and alternative requirements for the health and safety of its residents and employees. The Housing Authority has outlined the waivers and alternative requirements it has implemented, along with the dates that they were adopted, in the attached “Summary of Public Housing and HCV Waivers and Alternative Requirements”.

The Housing Authority may implement additional waivers and alternative requirements, provided under HUD guidance, in the future. Upon implementation of the additional waivers and alternative requirements, the Housing Authority will modify this memo and notify its Board of Commissioners on additional actions taken. In addition, the Housing Authority will monitor and evaluate the timelines provided for the waivers and alternative requirements to ensure that it remains in compliance with HUD statutes and regulations.

If you have any questions regarding the implementation of the waivers provided under the CARES Act, feel free to contact Lowel Krueger, Executive Director. You may reach him at (509) 453-3106 extension 101 or email him at [lowel.krueger@yakimahousing.org](mailto:lowel.krueger@yakimahousing.org).

**NOTE:** The Housing Authority converted its public housing units, utilizing the Rental Assistance Demonstration (RAD) program, and no longer administers the public housing program.

Attachment: Summary of Public Housing and HCV Waivers and Alternative Requirement

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**Attachment: Summary of Public Housing and HCV Waivers and Alternative Requirements  
(Refer back to the Notice using the item code for a full description and more detailed information.)**

**This chart summarizes the waivers authorized under this notice and the availability period for each. As stated in Section 5, PHAs must keep written documentation on the waivers applied by the PHA as well as the effective dates. To fulfill those requirements, PHAs may but are not required to utilize the last two columns to record this information.**

<b>Item</b>	<b>Statutory and regulatory waivers</b>	<b>Summary of alternative requirements</b>	<b>Availability Period Ends</b>	<b>Did PHA implement waiver and alternative requirement?</b>	<b>Date of PHA adoption</b>
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), 903.21	<ul style="list-style-type: none"> <li>• Alternative dates for submission</li> <li>• Changes to significant amendment process</li> </ul>	<ul style="list-style-type: none"> <li>• Varies based on FYE</li> <li>• 7/31/20</li> </ul>	No	N/A
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>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes	3/25/2020
PH and HCV-3 Annual	<u>Regulatory Authority</u> § 5.233(a)(2)	<ul style="list-style-type: none"> <li>• Waives the requirements to use the income</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	Yes	4/10/2020

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reexamination Income Verification	<u>Sub-regulatory Guidance</u> PIH Notice 2018-18	<p>hierarchy, including the use of EIV, and will allow PHAs to consider self-certification as the highest form of income verification</p> <ul style="list-style-type: none"> <li>• PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later</li> </ul>			
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)  <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</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	Yes	3/25/2020
PH and HCV-5 EIV System Monitoring	<u>Regulatory Authority</u> § 5.233  <u>Sub-regulatory Guidance</u>	<ul style="list-style-type: none"> <li>• Waives the mandatory EIV monitoring requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	Yes	4/10/2020

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	PIH Notice 2018-18				
PH and HCV-6 FSS Contract of Participation	<u>Regulatory Authority</u> § 984.303(d)	<ul style="list-style-type: none"> <li>Provides for extensions to FSS contract of participation</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	Yes	4/10/2020
PH and HCV-7 Waiting List	<u>Regulatory Authority</u> § 982.206(a)(2) PIH Notice 2012-34	<ul style="list-style-type: none"> <li>Waives public notice requirements for opening and closing waiting list</li> <li>Requires alternative process</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	No	N/A
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	<ul style="list-style-type: none"> <li>Changes initial inspection requirements, allowing for owner certification that there are no life-threatening deficiencies</li> <li>Where self-certification was used, PHA must inspect the unit no later than October 31, 2020.</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> <li>10/31/20</li> </ul>	No	N/A
HQS-2: <u>PBV Pre-HAP Contract Inspections, PHA acceptance of completed units</u>	<u>Statutory Authority:</u> Section 8(o)(8)(A)  <u>Regulatory Authority:</u> §§ 983.301(b), 983.156(a)(1)	<ul style="list-style-type: none"> <li>Changes inspection requirements, allowing for owner certification that there are no life-threatening deficiencies</li> <li>Where self-certification was used, PHA must inspect the unit no later than October 31, 2020.</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> <li>10/31/20</li> </ul>	No	N/A

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
HQS-3 Non-Life Threatening HQS - Initial Unit Approval	<u>Statutory Authority</u> Section 8(o)(8)(A)(ii)  <u>Regulatory Authority</u> HOTMA HCV Federal Register Notice January 18, 2017	<ul style="list-style-type: none"> <li>Allows for extension of up to 30 days for owner repairs of non-life threatening conditions</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	Yes	4/10/2020
HQS-4 Initial HQS - Alternative Inspections	<u>Statutory Authority</u> Section 8(o)(8)(A)(iii)  <u>Regulatory Authority</u> HOTMA HCV Federal Register Notice January 18, 2017	<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>Where self-certification was used, PHA must inspect the unit no later than October 31, 2020.</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> <li>10/31/20</li> </ul>	No	N/A
HQS-5 Biennial Inspections	<u>Statutory Authority</u> Section 8(o)(D)  <u>Regulatory Authority</u> §§ 982.405(a), 983.103(d)	<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</li> </ul>	<ul style="list-style-type: none"> <li>10/31/20</li> </ul>	No	N/A

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
		by no later than October 31, 2020.			
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>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	No	N/A
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 there are no life-threatening deficiencies</li> <li>• Allows for delayed full HQS inspection</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> <li>• 10/31/20</li> </ul>	No	N/A
<u>HQS-8: PBV HAP Contract – HQS Inspections to Add or Substitute Units</u>	<u>Statutory Authority</u> Section 8(o)(8)(A) <u>Regulatory Authority</u> §§ 983.207(a), 983.207(b)	<ul style="list-style-type: none"> <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</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> <li>• 10/31/20</li> </ul>	No	N/A

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
HQS-9 HQS QC Inspections	<u>Regulatory Authority</u> § 982.405(b)	<ul style="list-style-type: none"> <li>Provides for a suspension of the requirement for QC sampling inspections</li> </ul>	<ul style="list-style-type: none"> <li>10/31/20</li> </ul>	Yes	4/10/2020
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 one year from lease term or date of notice, whichever is longer	Yes	4/10/2020
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> <li></li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	No	N/A
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>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	Yes	3/25/2020
HCV-2 PHA Oral Briefing	<u>Regulatory Authority</u> § 982.301(a)(3) § 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>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	Yes	3/25/2020

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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> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	Yes	3/25/2020
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</li> <li>• PHA must not pay HAP to owner until HAP contract is executed</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	No	N/A
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>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes	4/10/2020
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>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes	4/10/2020



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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>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	No	N/A
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>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	No	N/A
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>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	No	N/A
HCV-10 FUP	<u>Statutory Authority</u> Section 8(x)(2)	<ul style="list-style-type: none"> <li>Allows PHAs to increase age to 26 for foster youth initial lease up</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	No	N/A
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>	Varies by PHA	N/A	N/A
PH-2 Total	<u>Regulatory Authority</u> § 905.314(c)	<ul style="list-style-type: none"> <li>Waives the TDC and HCC limits permitting</li> </ul>	Applies to development	N/A	N/A

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Development Costs		approval of amounts in excess of published TDC by 25% to 50% on a case by case basis	proposals submitted to HUD no later than December 31, 2021		
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> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	N/A	N/A
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>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	N/A	N/A
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>	<ul style="list-style-type: none"> <li>• 3/31/21</li> </ul>	N/A	N/A
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	N/A	N/A
PH-7 Over-income families	Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit 83 FR 35490	<ul style="list-style-type: none"> <li>• Changes to timeframes for determination of over-income</li> </ul>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	N/A	N/A

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
	Notice: Notice PIH 2019-11				
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>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	N/A	N/A
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>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	N/A	N/A
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>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	N/A	N/A
11a PHAS	<u>Regulatory Authority</u> 24 CFR Part 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> 24 CFR Part 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
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>	Varies by PHA FYE	No	N/A

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12a Form HUD 50058	<u>Regulatory Authority</u> 24 CFR Part 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>	<ul style="list-style-type: none"> <li>• 12/31/20</li> </ul>	Yes	4/10/2020
12b Designated housing plan	<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>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	N/A	N/A
12c Deadline for reporting Operating and Capital Fund expenditures	<u>Statutory Authority</u> Section 9(j) <u>Regulatory Authority</u> § 905.306(d)(5)	<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	No	N/A