

APPENDIX - LIST OF WAIVER REVISIONS AND TECHNICAL CORRECTIONS FOR PIH NOTICE 2020-XX, REV-1.

This appendix is meant to provide a list of all non-editorial waiver additions, revisions and technical corrections made between the publication of PIH Notice 2020-05 on April 10, 2020, and the publication of Notice PIH 2020-05, REV-1. Table 1 lists new program waivers; Table 2 lists extensions of availability periods; and Table 3 lists technical corrections.

In addition to the revisions and corrections listed below, HUD amended Section 5, Waiver and Alternative Requirement Applicability, to require PHAs to post publicly a list of all waivers and alternative requirements the PHA chooses to apply in addition to notifying affected residents and owners of the impact of applicable waivers and alternative requirements. In Section 12, HUD clarified that the period of availability for Public Housing Capital Fund grants is extended by one year from the obligation and expenditure end dates in Line of Credit Control System (LOCCS) only for grants that were open on April 10, 2020 (see item 12c).

Table 1: New Program Waivers

New Program Waivers			
Item		Statutory/Regulatory Waiver	Availability Period End
Section 9: HOUSING CHOICE VOUCHER (HCV) PROGRAM WAIVERS – GENERAL			
HCV-11	Family Unification Program (FUP): Length of assistance for youth	42 USC 1437f(x)(2)	December 31, 2020
HCV-12	Family Unification Program (FUP): Timeframe for referral	42 USC 1437f(x)(2)	December 31, 2020
HCV-13	Homeownership: Maximum term of assistance	24 CFR § 982.634(a)	December 31, 2020
HCV-14	Mandatory Removal of Unit from PBV HAP Contract	24 CFR § 983.211(a); § 983.258	December 31, 2020
Section 10: PUBLIC HOUSING (PH) PROGRAM WAIVERS			
PH-11	Designated Housing Plan Renewals	42 USC 1437e(f)	December 31, 2020
PH-12	Public Housing Agency Annual Self-Inspections	42 USC 1437d(f)(3); 24 CFR § 902.20(d)	December 31, 2020
Section 13: WAIVERS AND ALTERNATIVE REQUIREMENTS APPLICABLE TO THE INDIAN HOUSING BLOCK GRANT (IHBG) PROGRAM			
13j	IHBG-CARES Funds Not Counted in Undisbursed Funds Factor	24 CFR § 1000.342	Variable, to the extent necessary

Table 2: Extensions of Availability Periods

Extensions of Availability Periods			
Item		Previous Period of Availability End	Amended Period of Availability End
Section 7: WAIVERS APPLICABLE TO BOTH PUBLIC HOUSING AND HCV PROGRAMS			
PH and HCV-1	PHA 5-Year and Annual Plan Submission Dates, Significant Amendment Requirements	July 31, 2020	December 31, 2020
PH and HCV-3	Family Income and Composition: Annual Examination - Income Verification requirements	July 31, 2020	December 31, 2020
PH and HCV-4	Family Income and Composition: Interim Examinations	July 31, 2020	December 31, 2020
PH and HCV-5	Enterprise Income Verification (EIV) Monitoring	July 31, 2020	December 31, 2020
PH and HCV-7	Waiting List: Opening and Closing; Public Notice	July 31, 2020	December 31, 2020
Section 8: HOUSING CHOICE VOUCHER PROGRAM WAIVERS – HOUSING QUALITY STANDARDS (HQS) INSPECTION			
HQS-1	Initial Inspection Requirements	July 31, 2020	December 31, 2020*
HQS-2	Project-Based Voucher (PBV) Pre-HAP Contract Inspections, PHA Acceptance of Completed Units	July 31, 2020	December 31, 2020*
HQS-3	Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option	July 31, 2020	December 31, 2020
HQS-4	HQS Initial Inspection Requirement – Alternative Inspection Option	July 31, 2020	December 31, 2020*
HQS-5	HQS Inspection Requirement – Biennial Inspections	October 31, 2020	1 year after the date on which the biennial inspection would have been required in the absence of the waiver
HQS-6	HQS Interim Inspections	July 31, 2020	December 31, 2020
HQS-7	PBV Turnover Unit Inspections	July 31, 2020	December 31, 2020*
HQS-8	PBV HAP Contract – HQS Inspections to Add or Substitute Units	July 31, 2020	December 31, 2020*
HQS-9	HQS Quality Control Inspections	October 31, 2020	December 31, 2020
HQS-10	Homeownership Option – Initial HQS Inspection	July 31, 2020	December 31, 2020

* For HQS-1, -2, -4, -7, and -8, where a PHA has accepted an owner’s certification, an inspection must be conducted no later than 1 year from the date of the owner’s certification.

Extensions of Availability Periods			
Item		Previous Period of Availability End	Amended Period of Availability End
Section 9: HOUSING CHOICE VOUCHER PROGRAM WAIVERS – GENERAL			
HCV-1	Administrative plan	July 31, 2020	December 31, 2020**
HCV-2	Information When Family is Selected - PHA Oral Briefing	July 31, 2020	December 31, 2020
HCV-3	Term of Voucher – Extensions of Term	July 31, 2020	December 31, 2020
HCV-4	PHA Approval of Assisted Tenancy – When HAP Contract is Executed	July 31, 2020	December 31, 2020
HCV-11	Homeownership Option – Homeownership counseling	July 31, 2020	December 31, 2020
Section 10: PUBLIC HOUSING PROGRAM WAIVERS			
PH-4	ACOP: Adoption of Tenant Selection Policies	July 31, 2020	December 31, 2020**
PH-8	Resident Council elections	July 31, 2020	December 31, 2020
PH-10	Tenant Notifications for Changes to Project Rules and Regulations	July 31, 2020	December 31, 2020
Section 14: WAIVERS AND ALTERNATIVE REQUIREMENTS APPLICABLE TO THE INDIAN HOUSING BLOCK GRANT (IHBG) PROGRAM			
14b.	IHP Submission Deadline Extension for Annual IHBG Formula Grants (for 10/1/20 program year starts). IHPs due 1/17/20	N/A	N/A

Table 3: Technical Corrections

Technical Corrections		
Item		Correction
Section 7: WAIVERS APPLICABLE TO BOTH PUBLIC HOUSING AND HCV PROGRAMS		
PH and HCV-1	PHA 5-Year and Annual Plan Submission Dates, Significant Amendment Requirements	The regulations waived also include 24 CFR §§ 903.13(c) and 903.23.
PH and HCV-3	Family Income and Composition: Annual Examination; Income Verification Requirements	The regulations waived also include 24 CFR §§ 960.259(c) and 982.516(a).
PH and HCV-4	Family Income and Composition: Interim Examinations	The regulations waived also include 24 CFR §§ 960.257(c) and 982.259(c).

** The period of availability to informally adopt changes to the PHA administrative plan and ACOP ends on September 30, 2020; the PHA must formally adopt such revisions no later than December 31, 2020.

Technical Corrections		
Item	Correction	
Section 8: HOUSING CHOICE VOUCHER PROGRAM WAIVERS – HOUSING QUALITY STANDARDS (HQS) INSPECTIONS		
HQS-2	Project-Based Voucher (PBV) Pre-HAP Contract Inspections, PHA Acceptance of Completed Units	The cite to 24 CFR § 983.301(b) is corrected to read 24 CFR § 983.103(b).
HQS-8	PBV HAP Contract – HQS Inspections to Add or Substitute Units	The authorities waived also include Housing Opportunity Through Modernization Act of 2016: Implementation of Various Section 8 Voucher Provisions” (82 Federal Register 5458, published January 18, 2017).
HQS-9	HQS Quality Control Inspections	The regulations waived also include 24 CFR § 983.103(e)(3).
Section 9: HOUSING CHOICE VOUCHER PROGRAM WAIVERS – GENERAL		
HCV-2	Information When Family is Selected – PHA Oral Briefing	The cite to 24 CFR § 982.301(a)(3) is corrected to read 24 CFR § 982.301(a)(1).
Section 10: PUBLIC HOUSING PROGRAM WAIVERS		
PH-2	Total Development Costs	The cite to 24 CFR § 905.314(c) is corrected to read 24 CFR § 905.314(c)-(d).
WAIVERS APPLICABLE TO NATIVE AMERICAN PROGRAMS		
<p>Waiver/Alternative Requirements Authority Applicable to FY 2019 Indian Community Development Block Grant (ICDBG) Funds and Removal of Public Services Cap.</p> <p>Notice PIH 2020–05 identified waivers and alternative requirements applicable to the ICDBG Program. Throughout the Notice, HUD stated that the waivers and alternative requirements were applicable only to ICDBG-CARES funding and FY 2020 ICDBG grants. After further review, the Department wishes to clarify that such authority is not limited to FY 2020 ICDBG funds but also applies to FY 2019 ICDBG funds. This is because Congress included authority to waive or specific alternative requirements in the Community Development Fund account in the CARES Act. This authority applies to funding previously provided under the Community Development Fund account in Public Law 116-6. Because FY 2019 ICDBG funding was provided under this account in Public Law 116-6, HUD does have the authority to apply waivers and alternative requirements to FY 2019 ICDBG funding, in addition to FY 2020 ICDBG funding and ICDBG-CARES grant funding. The same applies to the removal of the public services 15 percent cap with respect to FY 2019 funding used to prevent, prepare for, and respond to COVID-19. With this correction, HUD is allowing the waiver flexibilities specified in Notice PIH 2020–05 to apply to FY 2019 ICDBG funding wherever such flexibilities also applied to FY 2020 ICDBG funding. HUD is also removing the cap on public services for FY 2019 ICDBG funding when such funding is used to prevent, prepare for, and respond to COVID-19.</p>		