

Summary of Housing Authority of the City of Austin's (HACA) Public Housing and Housing Choice Voucher (HCV) Waivers and Alternative Requirements

This chart summarizes the waivers authorized under NOTICE PIH 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

As stated in Section 5 of NOTICE PIH 2020-05, PHAs must keep written documentation on the waivers applied by the PHA as well as the effective dates. To fulfill those requirements, this chart summarizes waivers HACA will implement with the adoption date.

| Item | Statutory and regulatory waivers | Summary of alternative requirements | Availability Period Ends | Implement Waiver (yes or no) | Effective date adoption |
|---|---|---|---|------------------------------|-------------------------|
| 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"> Alternative dates for submission Changes to significant amendment process | <ul style="list-style-type: none"> Varies based on FYE 7/31/20 | NO | |
| 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"> Permits the PHA to delay the annual reexamination of income and family composition HCV PHAs must implement HCV-7 for impacted families if they implement this waiver | <ul style="list-style-type: none"> 12/31/20 | YES | 4/10/2020 |
| PH and HCV-3 Annual reexamination income verification | <u>Regulatory Authority</u> § 5.233(a)(2) Sub-regulatory Guidance PIH Notice 2018-18 | <ul style="list-style-type: none"> Waives the requirements to use the income hierarchy, including the use of EIV, and allow PHAS to consider self-certification as the highest form of income verification | <ul style="list-style-type: none"> 7/31/20 | YES | 4/10/2020 |

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|---|--|--|---|---|---|----------------------|
| 3 | 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"> • Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations | <ul style="list-style-type: none"> • 7/31/2020 | YES | 4/10/2020 |
| 4 | PH and HCV-5 EIV System Monitoring | <u>Regulatory Authority</u> § 5.233 <u>Sub-regulatory Guidance</u> PIH Notice 2018-18 | <ul style="list-style-type: none"> • Waives the mandatory EIV monitoring requirements. | <ul style="list-style-type: none"> • 7/31/2020 | YES | 4/10/2020 |
| 5 | PH and HCV-6 FSS Contract of Participation | <u>Regulatory Authority</u> § 984.303(d) | <ul style="list-style-type: none"> • Provides for extensions to FSS contract of participation | <ul style="list-style-type: none"> • 12/31/2020 | YES | 4/10/2020 |
| 6 | PH and HCV-7 Waiting List | <u>Regulatory Authority</u> § 982.206(a)(2) PIH Notice 2012-34 | <ul style="list-style-type: none"> • Waives public notice requirements for opening and closing waiting list • Requires alternative process | <ul style="list-style-type: none"> • 7/31/2020 | NO | |
| 7 | 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"> • 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 October 31, 2020. | <ul style="list-style-type: none"> • 7/31/2020 • 10/31/2020 | YES | 4/10/2020 |
| 8 | 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) | <ul style="list-style-type: none"> • 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 October 31, 2020. | <ul style="list-style-type: none"> • 7/31/2020 • 10/31/2020 | NO | |
| 9 | 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"> • Allows for extension of up to 30 days for owner repairs of non-life threatening conditions | <ul style="list-style-type: none"> • 7/31/2020 | YES | 4/10/2020 |

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| 10 | 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"> 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 October 31, 2020. | <ul style="list-style-type: none"> 7/31/2020 10/31/20 | YES | 4/10/2020 |
| 11 | 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"> Allows for delay in biennial inspections All delayed biennial inspections must be completed as soon as reasonably possible but by no later than October 31, 2020. | <ul style="list-style-type: none"> 10/31/2020 | YES | 4/10/2020 |
| 12 | 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"> Waives the requirement for the PHA to conduct interim inspection and requires alternative method Allows for repairs to be verified by alternative methods | <ul style="list-style-type: none"> 7/31/2020 | YES | 4//10/2020 |
| 13 | HQS-7 PBV Turnover Inspections | <u>Regulatory Authority</u> § 983.103(c) | <ul style="list-style-type: none"> Allows for PBV turnover units to be filled based on owner certification there are no life-threatening deficiencies Allows for delayed full HQS inspection | <ul style="list-style-type: none"> 7/31/2020 10/31/2020 | YES | 4/10/2020 |
| 14 | HQS-8: PBV HAP Contract – HQS Inspections to Add or Substitute Units | <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"> 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 | <ul style="list-style-type: none"> 7/31/2020 10/31/2020 | YES | 4/10/2020 |
| 15 | HQS-9 HQS QC Inspections | <u>Regulatory Authority</u> § 982.405(b) | <ul style="list-style-type: none"> Provides for a suspension of the requirement for QC sampling inspections | <ul style="list-style-type: none"> 10/31/2020 | YES | 4/10/2020 |

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| 16 | HQS--10 HQS Space and Security | <u>Regulatory Authority § 982.401(d)</u> | <ul style="list-style-type: none"> • Waives the requirement that each dwelling unit have at least 1 bedroom or living / sleeping room for each 2 persons. | <ul style="list-style-type: none"> • Remains in effect one year from lease term or date of notice, whichever is longer | NO | |
| 17 | HQS-11 Homeownership HQS | <u>Statutory Authority Section 8(o)(8)(A)(i), Section 8(y)(3)(B)</u> <u>Regulatory Authority § 982.631(a)</u> | <ul style="list-style-type: none"> • Waives the requirement to perform an initial HQS inspection in order to begin making homeownership assistance payments • Requires family to obtain independent professional inspection. | <ul style="list-style-type: none"> • 7/31/2020 | NA | |
| 18 | HCV-1 Administrative Plan | <u>Regulatory Authority § 982.54 (a)</u> | <ul style="list-style-type: none"> • Waives the requirement to adopt revisions to the admin plan | <ul style="list-style-type: none"> • 7/31/2020 | YES | 4/10/2020 |
| 19 | HCV-2 PHA Oral Briefing | <u>Regulatory Authority § 982.301(a)(3)</u> <u>§ 983.252(a)</u> | <ul style="list-style-type: none"> • Waives the requirement for an oral briefing • Provides for alternative methods to conduct required voucher briefing | <ul style="list-style-type: none"> • 7/31/2020 | YES | 4/10/2020 |
| 20 | HCV-3 Term of Voucher - Extensions of Term | <u>Regulatory Authority § 982.303(b)(1)</u> | <ul style="list-style-type: none"> • Allows PHAs to provide voucher extensions regardless of current PHA policy | <ul style="list-style-type: none"> • 7/31/2020 | YES | 4/10/2020 |
| 21 | HCV-4 PHA Approval of Assisted Tenancy | <u>Regulatory Authority § 982.305(c)</u> | <ul style="list-style-type: none"> • Provides for HAP payments for contracts not executed within 60 days PHA must not pay HAP to owner until HAP contract is executed | <ul style="list-style-type: none"> • 7/31/2020 | YES | 4/10/2020 |
| 22 | HCV-5 Absence from unit | <u>Regulatory Authority § 982.312</u> | <ul style="list-style-type: none"> • Allows for PHA discretion on absences from units longer than 180 days • PHAs must not make HAP payments beyond 12/31/20 for units vacant more than 180 consecutive days. | <ul style="list-style-type: none"> • 12/31/2020 | YES | 4/10/2020 |

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| 23 | HCV-6 Automatic Termination of the HAP Contract | <u>Regulatory Authority</u> § 982.455 | <ul style="list-style-type: none"> Allows PHA to extend the period of time after the last HAP payment is made before the HAP contract terminates automatically. | <ul style="list-style-type: none"> 12/31/2020 | YES | 4/10/2020 |
| 24 | HCV-7 Increase in Payment Standard | <u>Regulatory Authority</u> § 982.505(c)(4) | <ul style="list-style-type: none"> 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. | <ul style="list-style-type: none"> 12/31/2020 | NO | |
| 25 | HCV-8 | <u>Regulatory Authority</u> | <ul style="list-style-type: none"> Provides for delay in updating utility allowance schedule | <ul style="list-style-type: none"> 12/31/2020 | NO | |
| 26 | 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"> Waives the requirement for the family to obtain pre-assistance counseling | <ul style="list-style-type: none"> 7/31/2020 | NA | |
| 27 | HCV-10 FUP | <u>Statutory Authority</u> Section 8(x)(2) | <ul style="list-style-type: none"> Allows PHAs to increase age to 26 for foster youth initial lease up | <ul style="list-style-type: none"> 12/31/2020 | YES | 4/10/2020 |
| 28 | PH-1 Fiscal closeout of Capital Grant Funds | <u>Regulatory Authority</u> § 905.322(b) | <ul style="list-style-type: none"> Extension of deadlines for ADCC and AMCC | <ul style="list-style-type: none"> Varies by PHA | NO | |
| 29 | PH-2 Total Development Costs | <u>Regulatory Authority</u> § 905.314(c) | <ul style="list-style-type: none"> Waives the TDC and HCC limits permitting approval of amounts in excess of published TDC by 25% to 50% on a case by case basis | <ul style="list-style-type: none"> Applies to development proposals submitted to HUD no later than December 31, 2021 | NO | |

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| 30 | PH-3 Cost limitations | <u>Regulatory Authority</u> § 905.314(j) | <ul style="list-style-type: none"> Allows for the use of force account labor for modernization activities in certain circumstances | <ul style="list-style-type: none"> 12/31/2020 | NO | |
| 31 | PH-4 ACOP | <u>Regulatory Authority</u> § 960.202(c)(1) | <ul style="list-style-type: none"> Changes to approval process for ACOP | <ul style="list-style-type: none"> 7/31/2020 | YES | 4/10/2020 |
| 32 | 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"> Temporarily suspends CSSR | <ul style="list-style-type: none"> 3/31/2021 | YES | 4/10/2020 |
| 33 | PH-6 Energy Audits | <u>Regulatory Authority</u> § 965.302 | <ul style="list-style-type: none"> Allows for delay in due dates of energy audits | <ul style="list-style-type: none"> One year beyond 2020 audit deadline | NO | |
| 34 | PH-7 Over-income families | Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit 83 FR 35490 Notice: Notice PIH 2019-11 | <ul style="list-style-type: none"> Changes to timeframes for determination of over-income | <ul style="list-style-type: none"> 12/31/2020 | NO | |
| 35 | PH-8 Resident Council Elections | <u>Regulatory Authority</u> § 964.130(a)(1) | <ul style="list-style-type: none"> Provides for delay in resident council elections | <ul style="list-style-type: none"> 7/31/2020 | YES | 4/10/2020 |
| 36 | PH-9 Utility Allowance | <u>Regulatory Authority</u> § 965.507 | <ul style="list-style-type: none"> Provides for delay in updating utility allowance schedule | <ul style="list-style-type: none"> 12/31/2020 | NO | |
| 37 | PH-10 Tenant notifications | <u>Regulatory Authority</u> § 966.5 | <ul style="list-style-type: none"> Advance notice not required except for policies related to tenant charges | <ul style="list-style-type: none"> 7/31/2020 | NO | |
| 38 | 11a PHAS | <u>Regulatory Authority</u> 24 CFR Part 902 | <ul style="list-style-type: none"> Allows for alternatives related to inspections PHA to retain prior year PHAS score unless requests otherwise | <ul style="list-style-type: none"> HUD will resume issuing new PHAS scores starting with PHAs with FYE dates of 3/31/21 | N/A | N/A |

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| 39 | 11b SEMAP | <u>Regulatory Authority</u> 24 CFR Part 985 | <ul style="list-style-type: none"> PHA to retain prior year SEMAP score unless requests otherwise | <ul style="list-style-type: none"> HUD will resume issuing new SEMAP scores starting with PHAs with FYE dates of 3/31/21 | NO | |
| 40 | 11c Financial reporting | <u>Regulatory Authority</u> §§ 5.801(c), 5.801(d)(1) | <ul style="list-style-type: none"> Allows for extensions of financial reporting deadlines | <ul style="list-style-type: none"> Varies by PHA FYE | YES | 4/10/2020 |
| 41 | 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"> Waives the requirement to submit 50058 within 60 days Alternative requirement to submit within 90 days of the effective date of action | <ul style="list-style-type: none"> 12/31/20 | YES | 4/10/2020 |
| 42 | 12b Designated housing plan | <u>Statutory Authority</u> Section 7(e)(1) | <ul style="list-style-type: none"> Allows for HUD to delay notification about designated housing plan | <ul style="list-style-type: none"> 7/31/2020 | N/A | N/A |
| 43 | 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"> Provides a one-year extension | <ul style="list-style-type: none"> One-year extension, however no programmatic expenditure end date shall be extended beyond one month prior to closure of relevant appropriations acc | YES | 4/10/2020 |