

MONTGOMERY COUNTY HOUSING AUTHORITY

COVID-19 WAIVER PLAN

Effective April 10, 2020, the Montgomery County Housing Authority adopts the following waivers and alternative requirements, as noted, for the durations noted. Staff must maintain a record of the dates upon which each waiver was used.

A. Generally Applicable Waivers

1. 5-Year and Annual Plan Submission Dates and Significant Amendment Requirements (PH and HVC-1)

- a. The MCHA adopts the waiver of the deadline for filing 5-Year and Annual Plans and the alternate filing deadline of **January 16, 2021**.
- b. Through July 31, 2020, the MCHA adopts the waiver of the requirements for (1) Board approval at a duly called public meeting for the adoption of significant amendments or modifications to the annual plan, (2) notifying HUD of the significant amendment or modification and (3) obtaining HUD approval of the significant amendment or modification.

2. Delays in Annual Examinations of Family Income and Composition (PH and HVC-2) – The MCHA adopts (1) the waiver of the requirement that reexaminations of family income and composition occur at least annually, (2) the alternative requirement that all annual examinations that come due from April 10, 2020 through December 31, 2020 will be completed by December 31, 2020, and (3) the alternative requirement to apply increase in payment standard set forth in HCV-7 below.

3. Annual Examinations - Income Verification Requirements (PH and HVC-3) – For annual examinations performed through July 31, 2020, the MCHA (1) adopts the waiver of the income hierarchy set forth in PIH Notice 2018-18, (2) adopts the waiver of the requirement that the MCHA use third party verification, including the Enterprise Income Verification (EIV) System, for verification of family income, and (c) may consider self-certification the highest form of income verification. If self-certification occurs over the telephone, then MCHA staff must create a contemporaneous written record of the self-certification.

4. Interim Examinations - Family Income and Composition (PH and HVC-4) – For interim reexaminations due to decreases in family income performed through July 31, 2020, the MCHA (1) adopts the waiver of the income hierarchy set forth in PIH Notice 2018-18, (2) adopts the waiver of the requirement that the MCHA

use third party verification, including the Enterprise Income Verification (EIV) System for verification of family income, and (c) may consider self-certification the highest form of income verification. If self-certification occurs over the telephone, then MCHA staff must create a contemporaneous written record of the self-certification. The MCHA will address any material discrepancies that arise later.

5. **EIV Monitoring (PH and HVC-5)** – The MCHA adopts the waiver of the requirement that it monitor EIV reports through July 31, 2020.
6. **Family Self-Sufficiency – Extension of Contract of Participation (PH and HVC-6)** – Through December 31, 2020, the MCHA will consider circumstances surrounding COVID-19 as “good cause” for extension of a family’s eligibility for participation for a period not to exceed two years.
7. **Waiting List: Public Notice of Opening and Closing (PH and HVC-7)** – Through July 31, 2020, the MCHA adopts (1) the waiver of the requirement that the MCHA provide public notice of opening and closing of waiting lists by publication in a local newspaper of general circulation and by minority media and other suitable means and (2) the alternative requirement that the MCHA provide public notice through a voicemail message on its main or general information telephone number and through its website. The MCHA will ensure compliance with applicable fair housing and other civil rights requirements, including ensuring effective communications with persons with hearing, visual, and other communication-related disabilities.

B. Housing Quality Standards Waivers

1. **Housing Quality Standards Initial Inspections (HQS-1)** – Through July 31, 2020, the MCHA adopts (1) the waiver of the requirements that the MCHA conduct an initial inspection within a certain period of receiving the request for tenancy approval and that the MCHA not approve the assisted tenancy until the unit has been inspected and passes HQS, (2) the alternative requirement that owners provide a certification in the form attached hereto indicating, among other things, that there are no life threatening conditions in the unit or units in question, and (3) the alternative requirement that the HQS inspection on units approved for lease up under this waiver be completed as soon as reasonably possible and not later than October 31, 2020.
2. **Pre HAP Inspection of PBV Units (HQS-2) – Not adopted.**

3. **Initial Inspections – Non-Life-Threatening Deficiencies (HQS-3) - Not adopted.**
4. **Initial Inspection – Alternative Inspection Requirement (HQS-4) – Not Adopted**
5. **Biennial Inspections (HQS-5)** – The MCHA adopts (1) the waiver of the requirement that inspections be conducted biennially through July 31, 2020 and (2) the alternative requirement that all inspections coming due between April 10, 2020 and July 31, 2010 be completed as soon as reasonably possible, but no later than October 31, 2020.
6. **HQS Interim Inspections (HQS-6)** – Through July 31, 200, the MCHA adopts (1) the waiver of the requirement that when a family or government official notifies the MCHA that a unit does not comply with HQS, then the MCHA must conduct an inspection within 24 hours for a life-threatening deficiency or within 16 days for a non-life threatening deficiency, (2) the alternative requirement for a life threatening deficiency that upon receiving notice of a life-threatening deficiency, the MCHA shall notify the owner of the deficiency and that within 24 hours of such notice from the MCHA the owner must either correct the life-threatening deficiency or provide documentation (photo via text or email) that the reported deficiency does not exist, and (3) the alternative requirement for a non-life threatening deficiency that within 30 days of receiving notice of a life-threatening deficiency, the MCHA shall notify the owner of the deficiency and that within 30 days of such notice from the MCHA the owner must either correct the life-threatening deficiency or provide documentation (photo via text or email) that the reported deficiency does not exist.
7. **PBV Turnover Unit Inspections (HQS-7)** – The MCHA adopts (1) the waiver of the requirement that the MCHA inspect a PBV unit before assisting a new family in that unit, (2) the alternative requirement that owners provide a certification in the form attached hereto indicating, among other things, that there are no life threatening conditions in the unit or units in question, and (3) the alternative requirement that the HQS inspection on units approved for lease up under this waiver be completed as soon as reasonably possible and not later than October 31, 2020.
8. **PBV HAP Contract – HQS Inspections to Add or Substitute Units (HQS-8)** – The MCHA adopts (1) the waiver of the requirement that the MCHA conduct inspections of units prior to adding additional PBV units or allowing the

substitution of a new unit for a previously covered contract unit, (2) the alternative requirement that owners provide a certification in the form attached hereto indicating, among other things, that there are no life threatening conditions in the unit or units in question, and (3) the alternative requirement that the HQS inspection on units approved under this waiver be completed as soon as reasonably possible and not later than October 31, 2020.

9. **HQS Quality Control Inspections (HQS-9)** – The MCHA adopts the waiver of the requirement that it conduct quality control inspections through October 31, 2020.
10. **Housing Quality Standards – Space and Security (HQS-10)** – The MCHA adopts the waiver of the requirement that each unit have at least 1 bedroom or living space for each 2 persons for cases when the MCHA determines that it would be appropriate to allow a current participant to add a member or member to an assisted household as the result of the COVID-19 emergency and the additional family members would result in the unit not meeting the space and security standards. The waiver will apply for until April 10, 2021 or the end of lease term, whichever is longer.
11. **Homeownership Option – Initial HQS Inspection (HQS-11)** – Through July 31, 2020, the MCHA adopts (1) the waiver of the requirement that the MCHA conduct an initial HQS inspection before commencing monthly homeownership assistance and (2) the alternative requirement that the family obtain an independent professional inspector inspection, that the MCHA review that report, and that the MCHA may disapprove a unit for assistance based upon the information in the report.

C. **Housing Choice Voucher Program Waivers**

1. **Administrative Plan (HCV-1)** – Through July 31, 2020, the MCHA adopts (1) the waiver of the requirement that the MCHA Board formally adopt revisions to the Administrative Plan (2) and the alternative requirement that any revisions be formally adopted by the Board as soon as practicable following June 30, 2020 and no later than July 31, 2020.
2. **Oral Briefing (HCV-2)** – Through July 31, 2020, the MCHA adopts (1) the waiver of the requirement that the MCHA conduct an oral briefing and (2) the alternative requirement that the MCHA conduct the briefing by other means such as a webcast, video call or expanded information packet. The MCHA must ensure that the method of communication effectively communicates with and allows for equal

participation of each family member including those with vision, hearing, and other communication-related disabilities and endures meaningful access for persons with limited English proficiency.

3. **Term of Voucher – Extension of Term (HCV-3)** – Through July 31, 2020, the MCHA adopts the waiver of the requirement that extensions of a voucher be in accordance with the MCHA’s Administrative Plan.
4. **Approval of Assisted Tenancy – Execution of HAP Contract (HCV-4)** – Through July 31, 2020, the MCHA adopts (1) the waiver of the requirements that a HAP contract be signed within sixty days after the start of the lease term and (2) the alternative requirement that the HAP contract be executed within 120 days of the beginning of the lease term. During the waiver period, if a HAP contract is executed within 120 days of the beginning of the lease term, then the MCHA may pay HAP back to the beginning of the lease term.
5. **Absence from Unit (HCV-5)** – Through December 31, 2020, the MCHA adopts the waiver of the requirement that a family not be absent from the unit for more than 180 consecutive calendar days for any reason. The MCHA shall use its discretion to continue to issue HAP and not terminate the HAP contract due to extenuating circumstances, such as hospitalization, extended stays at nursing homes or caring for family members.
6. **Automatic Termination of HAP Contract (HCV-6)** – Through December 31, 2020, the MCHA adopts (1) the waiver of the requirement if a family’s income is such that the HAP is reduced to \$0, then it automatically terminate HAP contracts 180 days after the issuance of the last HAP and (2) the alternative requirement that the automatic termination of the HAP contract following the last HAP will occur on December 31, 2020 or 180 days from the last HAP, whichever is later.
7. **Increase in Payment Standard under HAP Contract Term (HCV-7)** – Through December 31, 2020, for families whose reexamination has been delayed under the Waiver PH and HCV-2, the MCHA adopts (1) the waiver of the requirement that an increase in payment standard during the term of a HAP contract not apply until the family’s first regular reexamination on or following the effective date of the new payment standard and (2) the alternative requirement that the MCHA use the new payment standard to calculate the AP beginning the date that the family’s first regular recertification would have taken place, but for the waiver.

8. **Utility Allowance Schedule – Required Review and Revision (HCV-8) –**
Through December 31, 2020, the MCHA adopts (1) the waiver of the requirement that it review utility allowances each year and revise its allowance for a utility category if there has been a change of 10% or more in the utility rate since the last utility allowance schedule revision and (2) the alternative requirement that any utility allowance review and update due during calendar year 2020 be completed by December 31, 2020.
9. **Homeownership Option – Homeownership Counseling (HCV-9) –** Through July 31, 2020, the MCHA adopts the waiver of the requirements regarding participation in homeownership and housing counseling programs for families to be eligible to purchase a home under the Homeownership Program.
10. **Family Unification Program (FUP) – FUP Youth Age Eligibility to enter HAP HAP (HCV-10) –** Through December 31, 2020, the MCHA adopts (1) the waiver of the requirement that FUP youth must not be more than 24 years of age (and not reached their 25th birthday) to be eligible to be placed under HAP contract and (2) adopts the alternative requirement that FUP youth must not be more than 25 years of age (and not reached their 26th birthday) to be eligible to be placed under a HAP contract.

D. Public Housing Waivers

1. **Fiscal Closeout of Capital Grant Funds (PH-1) –**The MCHA adopts (1) the waiver of the requirement that Actual Development Cost Certificate and Actual Modernization Cost Certificate be foiled submitted within 12 months of the activity’s expenditure deadline for any submissions that would have been due between March 1, 2020 and September 30, 2020 and (2) the alternative requirement that the submissions are due within six months following the original due date.
2. **Total Development Costs (PH-2) – Not Adopted/Not Applicable**
3. **Cost and Other Limitation: Types of Labor (PIH-3) – Not Adopted/Not Applicable**
4. **Adoption of Tenant Selection Policies (PH-4) –** Through July 31, 2020, the MCHA adopts (1) the waiver of the requirement that the MCHA’s policies in the ACOP be formally adopted and (2) the alternative requirement that revisions to the ACOP may be implemented immediately, provided that they are formally

approved by the MCHA's Board formally adopted by the Board as soon as practicable following June 30, 2020, and no later than July 31, 2020.

5. **Community Service and Self-Sufficiency (PH-5)** – For annual reexaminations being completed through March 31, 2021, the MCHA adopt the waiver of the community service and self-sufficiency requirement. Once the annual reexamination is complete, families will be subject to these requirements.
6. **Energy Audits (PH-6)** – The MCHA adopts the waiver of the deadline to complete any energy audit that was to be completed in 2020. Any energy audits that were to be completed during 2020 will be completed within 12 months of the original due date.
7. **Over Income Families (PH-7)** – Through December 31, 2020, for families whose income exceeds the program maximum income level for two consecutive reexamination cycles and whose reexaminations have been delayed pursuant to waiver PH and HCV-2, the MCHA adopts (1) the waiver of the requirement for that the MCHA either terminate the families or require them to pay an alternative rent and (2) the alternative requirement that such families be permitted to remain and pay the same rent through the actual date upon which their delayed reexamination is actually completed.
8. **Resident Council Elections (PH-9) – Not Adopted/Not Applicable** – Through December 31, 2020, for families whose income exceeds the program maximum income level for two consecutive
9. **Utility Allowance Schedule – Required Review and Revision (PH-9)** – Through December 31, 2020, the MCHA adopts (1) the waiver of the requirement that it annually review the basis on which utility allowances have been established and revise allowances if required and (2) the alternative requirement that any utility allowance review and update due during calendar year 2020 be completed by December 31, 2020.
10. **Tenant Notifications for Changes to Project Rules and Regulation (PH-10)** – Through July 31, 2020, the MCHA adopts (1) the waiver of the requirement that it provide 30-day advance notice to impacted families of changes to policies and rules, other than changes related to tenant charges and (2) the alternative requirement that notice be provided within 30 days after making such changes.

D. HUD Adopted Waivers

- 1. PHAS and SEMAP** – HUD has suspended issuance of new scores and will resume issuing new scores for PHAs with fiscal year end dates of March 31, 2021.
- 2. Uniform Financial Reporting** – HUD has extended the deadline for the MCHA to submit (1) audited financial information for the fiscal year ending December 31, 2020 from September 30, 2020 to March 31, 2021, and (2) unaudited financial information for the fiscal year ending December 31, 2020 from February 29, 2020 to August 1, 2020.
- 3. Reporting Requirements on HUD Form 50058** – Through December 31, 2020, HUD has extended the deadline to submit form HUD-50058 from not later than 60 days from the effective date of any action recorded on line 2b to 90 days from the effective date of any action recorded on line 2b.
- 4. Extension of Deadline for Programmatic Obligation and Expenditure of Capital Funds** – HUD has extended the obligation and expenditure end dates for all open Capital Fund grants by one year from the current obligation and expenditure end date; however, no expenditure end date is extended beyond one month prior to the closure of the relevant appropriation account pursuant to 31 USC §1552.

OWNER CERTIFICATION

I, _____, (“Owner”), hereby certify that the following statements are true and correct based upon my personal knowledge or information and believe and that the following statements are made pursuant to and punishable under 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities:

1. I am the owner of the housing unit located at _____ (the “Unit”);
2. I am familiar with the condition of the Unit;
3. I am not aware of any life threatening conditions existing in the Unit; and
4. I have no reasonable basis to have knowledge of any life threatening conditions existing in the Unit;

Signature: _____

Date: _____