

## **Temporary modifications to policy and regulation regarding the HCV Program**

The Coronavirus Aid Relief and Economic Security (CARES) Act provides Housing and Urban Development (HUD) with broad statutory and regulatory waiver authority to assist in addressing the Coronavirus/COVID-19 national emergency. In response to the CARES Act HUD published Notice PIH 2020-5 effective April 10, 2020, which implemented many waivers and alternative requirements to existing HUD regulations that Public Housing agencies may consider for adoption, in order to allow for the safe and effective administration of HCV programs.

The Housing Authority City of Santa Barbara (HACSB) has reviewed these waiver options and has chosen to implement those that enable the agency to continue to provide critical housing services to our local community. The below adopted waivers will temporarily override the policies and regulations outlined in the Section 8 Administrative Plan.

### **PH and HCV-2: Family Income and Composition; Delayed and Annual Examinations**

HACSB will HUD endeavor to complete all reexams timely, however, if unable to complete an annual reexamination timely, HACSB will ensure that all annual reexaminations due in CY 2020 are completed by December 31, 2020.

### **PH and HCV-3: Family Income and Composition; Annual Examination – Income Verification requirements**

HACSB will consider self-certification as the highest form of income verification, in lieu of third party income verification requirements for annual reexaminations, including the use of EIV. Although, HACSB will adopt this waiver, efforts will still be made to collect third party verifications in compliance with the original verification hierarchy where able. Reexaminations will not be delayed to obtain third party verifications when a self-certification has been submitted. Self-certifications will be accepted through email, fax, mail or submitted through the mail drop box at the Housing Authority office. Income and family composition will be conducted through mail and by phone.

### **PH and HCV-4: Family Income and Composition; Interim Examinations**

HACSB will consider self-certification as the highest form of income verification, in lieu of third party income verification requirements for interim reexaminations, including the use of EIV. Although, HACSB will adopt this waiver, efforts will still be made to collect third party verifications in compliance with the original verification hierarchy where able. Interim

reexaminations however, will not be delayed to obtain third party verifications when a self-certification has been submitted. Self-certifications will be accepted through email, fax, mail or submitted through the mail drop box at the Housing Authority office. Income and family composition will be conducted through mail and by phone.

#### **PH and HCV-5: Enterprise Income Verification (EIV) Monitoring**

HACSB will temporarily forgo the monitoring requirements found in PIH Notice 2018-18.

#### **PH and HCV- 6: Family Self-Sufficiency (FSS) Contract of Participation; Contract Extension**

HACSB will adopt an expanding definition of “good cause” when determining whether to extend a family’s contract of participation in the FSS program. “Good cause” will now include circumstances surrounding COVID-19.

#### **PH and HCV – 7: Waiting List: Opening and Closing; Public Notice**

In lieu of publishing a public notice of waitlist opening in a local newspaper and by minority media and other suitable mean, notification of waitlist opening will be made by advertisement on HACSB’s website and email notifications to current applicants as well as community partners. Email and website waitlist notifications will be made available in English and Spanish, and the messages will meet applicable fair housing requirements.

#### **Housing Choice Voucher – Housing Quality Standards (HQS) Waivers**

##### **HQS-1: Initial Inspection Requirements**

HACSB will continue to conduct initial inspections on vacant units. In the case where a unit is occupied or in a communal living environment HACSB will conduct virtual inspections, and/or may rely on the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit instead of conducting an initial inspection. In the case that an initial inspection fails for non-life threatening deficiency, HACSB will allow for a virtual inspection, photos or may consider a self-certification that a previous failed item has been repaired. In considering whether or not to rely on a self-certification, in the case of an initial or follow up inspection, HACSB will take into account general knowledge of the property and the owner’s history as a participating landlord. If an owner-certification is relied upon HACSB will conduct an inspection on such units as soon as reasonably possible, but no later than October 31, 2020.

## **HQS-2: Project-Based Voucher (PBV) Pre-HAP Contract Inspections, PHA Acceptance of Complete Units**

HACSB will continue to conduct initial inspections on vacant PBV units. In the case where a unit is occupied or in a communal living environment HACSB will conduct virtual inspections, and/or may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit instead of conducting an initial inspection. In the case that an initial inspection fails for non-life threatening deficiency, HACSB will allow for a virtual inspection, photos or may consider a self-certification that a previous failed item has been repaired. In considering whether or not to rely on a self-certification, in the case of an initial or follow up inspection, HACSB will take into account general knowledge of the property and the owner's history as a participating landlord. If an owner-certification is relied upon HACSB will conduct an inspection on such units as soon as reasonably possible, but no later than October 31, 2020.

## **HQS-3: Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option**

HACSB will allow for 60 days for corrections to be made to units that were approved for an assisted tenancy that previously failed HQS with non-life-threatening conditions. HACSB will allow for a virtual inspection, photos or may consider a self-certification that a previous failed item has been repaired.

## **HQS-4: HQS Initial Inspection Requirement – Alternative Inspection Option**

HACSB may allow the occupancy of a unit prior to an initial inspection if the unit has passed an alternative inspection in the past 24 months. If HACSB relies on an alternative inspection HACSB will also request a virtual inspection, photos or may consider an owner self-certification that the unit has no known life-threatening conditions. In considering whether to utilize a self-certification versus a virtual inspection or photos, HACSB will take into account general knowledge of the property and the owner's history as a participating landlord.

For any units for which HACSB relies on this waiver HACSB will complete its own inspection by October 31, 2020.

### **HQS-5: Biennial Inspections**

HACSB will delay conducting biennial inspections until determined safe to do so. All delayed biennial inspections will be completed as soon as reasonably possible, but no later than October 31, 2020.

### **HQS- 6: Interim Inspections**

In the case an HQS reported deficiency is life-threatening, HACSB will notify the owner of the reported life-threatening deficiency and the owner must correct it within 24 hours of the notification or provide documentation that the deficiency does not exist. For non-life-threatening deficiencies, HACSB will notify the owner within 30 days and the owner must either make the repair or document that the deficiency does not exist within 30 days of the notification. HACSB will not conduct an on-site inspection to verify the repairs have been made. In these cases HACSB will allow for a virtual inspection, photos or may consider a self-certification that a previous failed item has been repaired. In considering whether or not to rely on a self-certification, in the case of an initial or follow up inspection, HACSB will take into account general knowledge of the property and the owner's history as a participating landlord.

### **HQS- 7: PBV Turnover Unit Inspections**

HACSB will continue to conduct initial inspections on vacant units. In the case where a unit is occupied or in a communal living environment HACSB will conduct virtual inspections, and/or may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit instead of conducting an initial inspection. In the case that an initial inspection fails for non-life threatening deficiency, HACSB will allow for a virtual inspection, photos or may consider a self-certification that a previous failed item has been repaired. In considering whether or not to rely on a self-certification, in the case of an initial or follow up inspection, HACSB will take into account general knowledge of the property and the owner's history as a participating landlord. If an owner-certification is relied upon HACSB will conduct an inspection on such units as soon as reasonably possible, but no later than October 31, 2020.

### **HQS-8: PBV HAP Contract – HQS Inspections to Add or Substitute Units**

When substituting or adding a new unit to a PBV HAP contract HACSB will continue to conduct initial inspections on vacant units. In the case where a unit is occupied or in a communal living

environment HACSB will conduct virtual inspections, and/or may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit instead of conducting an initial inspection. In the case that an initial inspection fails for non-life threatening deficiency, HACSB will allow for a virtual inspection, photos or may consider a self-certification that a previous failed item has been repaired. In considering whether or not to rely on a self-certification, in the case of an initial or follow up inspection, HACSB will take into account general knowledge of the property and the owner's history as a participating landlord. If an owner-certification is relied upon HACSB will conduct an inspection on such units as soon as reasonably possible, but no later than October 31, 2020.

### **HQS-9: HQS Quality Control Inspections**

HACSB will not conduct supervisory quality control inspections until October 31, 2020.

### **HQS-10: HQS Space and Security**

In the case of existing households who wish to add a member to their household as a result of the COVID-19 emergency HACSB will waive the requirement of one bedroom for every two people. This waiver will not apply to an initial or new lease.

The waiver will be in effect for the duration of the current lease term or one year from April 10, 2020, whichever period of time is longer.

### **Housing Choice Voucher – General Waivers**

#### **HCV-1: Administrative Plan**

HACSB may revise its administrative plan without Board approval if necessary to implement changes. Any policy revisions that are made without Board approval will be formerly adopted as practicable following, but no later than July 31, 2020.

#### **HCV-2: Information When Family Is Selected – PHA Oral Briefing**

HACSB will conduct voucher briefings by any means available such as webcast, video call, or expanded information packet. HACSB will determine the type of briefing offered based on the individual needs of the client. HACSB will ensure that the method of communication for the briefing effectively communicates with each family member, including those with vision,

hearing, and other communication-related disabilities and those with persons with limited English proficiency.

### **HCV-3: Term of Voucher – Extensions of Term**

Voucher term extensions beyond what is outlined in the Administrative Plan will be granted at the discretion of the Director of Housing Programs or their designee.

### **HCV-4: PHA Approval of Assisted Tenancy – When HAP Contract is Executed**

HACSB will endeavor to have all HAP contract executed as soon as practical, but will allow up to 120 days after the beginning of a lease. HACSB will make all retroactive HAP payments back to the beginning of the lease term. The HAP contract must be executed no later than 120 days from the beginning of the lease term.

### **HCV-5: Absence from Unit**

HUD generally requires that a voucher family may not be absent from a unit for a period of more than 180 consecutive calendar days. HACSB will modify this time frame and allow for an extension of the HAP contract beyond the 180 days due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, or caring for family members), at the discretion of the Director of Housing Programs or their designee. The period of availability to continue making these HAP payments despite the family's absence ends on December 31, 2020. HACSB will not make payments after this date if the family is still absent from the unit.

### **HCV-7: Increase in Payment Standard under HAP contract term**

HACSB will apply increased payment standards effective at any time (e.g., interim reexamination, owner rent increase) but no later than then family's first regular reexamination after the adoption of the increased payment standards.

### **HCV-10: Family Unification Program (FUP) Youth Age Eligibility to Enter HAP Contract**

Eligibility for FUP youth has been modified with the requirement that FUP youth be not more than 25 years of age (not yet reached their 26<sup>th</sup> birthday).

**11c Financial Reporting:**

Allows for extensions of financial reporting deadlines to the Department of Housing and Urban Development (Regulatory Authority: 24 CFR 5.801(c), 5.801(d)(1))

Revised Deadlines for Unaudited and Audited Financial Statements:

	Due Date	Extended Due Date
Unaudited financial information	5/31/2020	11/30/2020
Audited Financial Statements	12/31/2020	6/30/2021