



Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

To: Regional Administering Agencies  
From: Brendan Goodwin, Director, Division of Rental Assistance  
Subject: Federal Rental Assistance Guidance Regarding HUD Waivers and Additional DHCD Waivers  
Date: April 30, 2020

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**INTRODUCTION**

On April 10, 2020, HUD issued [Notice PIH 2020-05](#), in which it waived and established alternative requirements for numerous statutory and regulatory requirements for its programs, including the Housing Choice Voucher (HCV) program. HUD provided that the use of these waivers would be at the discretion of the public housing authority (here, DHCD), while strongly encouraging the use of any and all waivers and alternative requirements as necessary to keep programs operational to the extent practical. Please see [Notice PIH 2020-05](#) for the full text of the HUD waivers (including those inapplicable to or not adopted by DHCD), as well as statutory and regulatory authority citations.

This guidance sets forth the HUD waivers contained in [Notice PIH 2020-05](#) that DHCD has decided to adopt, as well as additional DHCD-specific guidance. A summary table of DHCD policies, including those HUD waivers that are not applicable or DHCD is not adopting, is attached as an appendix. DHCD reserves the right to amend, add to, or remove these waivers as necessary, and DHCD will notify the RAAs of any changes made. To the extent that the provisions of the DHCD Section 8 Administrative Plan explicitly noted herein and previous DHCD guidance conflict with this guidance, this guidance supersedes the provisions of the DHCD Section 8 Administrative Plan and previous DHCD guidance for as long as each waiver is in effect.

Please note that, wherever a waiver is applied, the tenant file must be clearly documented with a note to file or other documentation illustrating the action(s) taken.

**HUD RENTAL ASSISTANCE WAIVERS**

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

DHCD requests that RAAs make all reasonable efforts to fully complete reexaminations in a timely manner. If it is not feasible or safe to complete a regular (MTW biennial or annual) reexam in a timely manner, DHCD will allow the RAA to delay the reexam. Any delayed reexams must follow HCV-7 below and be completed fully by December 31, 2020.

The waiver requires that if the regular reexam is delayed, RAAs must still apply the increased Payment Standard that would have been in effect beginning on the date the regular reexam would have been effective absent the waiver. In addition, pursuant to a technical amendment to DHCD's MTW Plan, the

RAA must also apply increased Payment Standards between regular reexaminations at the time of an approved contract rent increase.

- For example, if the reexam ordinarily would have been required in June 2020 and the family had a gross rent that exceeded the FY2020 payment standard, the RAA would have to apply the increased payment standard in June.

DHCD is further requesting that RAAs internally track all regular reexams that fall within this “increase/change of APS” so as to ensure compliance with this nuanced waiver. RAAs should also keep an internal log as to each month post-March 2020 with the regular reexams that were delayed and outstanding for that month, as well as, their ultimate completion date (prior to December 31, 2020) and effective date.

#### PH and HCV-3: Family Income and Composition: Annual Examination – Income Verification Requirements

DHCD requests that RAAs make all reasonable efforts to continue to use the income verification hierarchy. When it is not feasible, DHCD will allow RAAs to forgo third-party verification and may accept self-certification as the highest form of verification. DHCD will accept the use of a bank statement (i.e. credit/deposit to account) as verification of DTA or unemployment benefits. An electronic copy, including a screenshot or photo of the statement, will be acceptable during this time. DHCD notes that EIV is still fully operational and accessible remotely and should continue to be used routinely to the extent possible for Social Security benefits, SSI benefits, and 2020 Medicare Part B premiums. RAAs will be responsible for addressing any material discrepancies that may arise from this waiver later.

DHCD previously sent out [guidance](#) temporarily waiving rules requiring notarization and/or in-person verification of self-certification documentation (see [Administrative Plan](#) § 6.1), again with the understanding that if there is a question of the veracity of the self-certification, follow-up inquiries shall be conducted at a later time.

The period of availability to conduct annual reexaminations using these modified verification requirements ends on July 31, 2020.

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

DHCD requests that RAAs make all reasonable efforts to continue to use the income verification hierarchy. When it is not feasible, DHCD will allow RAAs to forgo third-party verification and may accept self-certification as the highest form of verification. As DHCD earlier noted, DHCD will accept the use of a bank statement as verification of DTA or unemployment benefits and EIV is still running and accessible remotely and should continue to be used routinely to the extent possible for Social Security benefits, SSI benefits, and 2020 Medicare Part B premiums. RAAs will be responsible for addressing any material discrepancies that may arise from this waiver later.

Identical to regular reexams above with these interim reexams, DHCD previously sent [guidance](#) temporarily waiving rules requiring notarization and/or in-person verification of self-certification documentation (see [Administrative Plan](#) § 6.1) (again with the understanding that if there is a question of the veracity of the self-certification, follow-up inquiries shall be conducted at a later time).

The period of availability to conduct annual reexaminations using these modified verification requirements ends on July 31, 2020.

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

While HUD has waived mandatory EIV monitoring requirements of its reports through July 31, 2020, DHCD urges the RAAs to continue EIV monitoring, including IVT, as much as possible and notes the potential administrative burden if there is a backlog of EIV deficiencies that eventually need to be corrected. In particular, the RAAs will need to continue to monitor and remedy the DHCD-distributed Deceased Tenant Reports and make best efforts to reduce the records within the Invalid SSA Identity Reports as well as the Multiple Subsidy Reports. When the RAA cannot address these reports, the RAA should notify Larry Gomes via email as soon as feasible to create a strategy of resolving the outstanding issues with timelines. As these remain priority matters that can swell out of control if not addressed, DHCD will continue to monitor and RAAs should continue resolving these issues accordingly. This will require the RAA to continue to submit to PIC (\*58-MTW and conventional 50058) to the fullest extent that this COVID-19 emergency allows.

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

DHCD requests RAAs to utilize this waiver to allow participants with COVID-19 circumstances that would not warrant an extension under existing FSS Extensions guidance to request an extension to their Contract of Participation. This waiver is in place allowing COVID-19 extensions through December 31, 2020.

DHCD has updated the FSS Data Collection Tool to include this extension option, and all COVID-19 extensions should be reported in this way in the tool.

HUD also provided clarifying language for FSS participants regarding employment/furlough status:

- A participant who is *furloughed* (still employed, on a non-pay status, but will return to work once the situation is over), is still considered employed for FSS purposes. A person who has been *laid off* (even if they expect/hope to return to the job) is considered unemployed for FSS purposes.

### **HUD HOUSING QUALITY STANDARDS (HQS) INSPECTIONS WAIVERS**

#### HQS-1: Initial Inspection Requirements and Local Board of Health Inspection Documentation

DHCD is encouraging the RAAs to conduct physical inspections on vacant units when possible and safe. If in-person inspections are not feasible or safe to complete, DHCD will allow RAAs to accept owner certifications on initial inspections. To enter into a HAP contract and begin making payments, the RAA at minimum must require that an owner certify that they have no knowledge that the unit has any life-threatening conditions.

The RAA must document the self-certification in the file, and an owner self-certification must include the following:

- Owner certification that they have no knowledge that the unit has any life-threatening conditions;
- Owner acknowledgment that heating system is in good working order; and
- If the owner does not include water in the lease, the owner would need to attest that the water/sewer meter is separate.

This certification may be sent electronically.

DHCD and the RAAs retain the right to conduct an inspection at any time deemed necessary.

Outside of the HUD waiver, DHCD is also waiving its requirement that new leases contain documentation for certificates of fitness/occupancy from local Boards of Health (though DHCD does not have the authority to waive the state sanitary code itself).

The period of availability for RAAs to accept owner's self-certification for an initial inspection ends on July 31, 2020. The period of availability to inspect a unit that was placed under HAP contract based on the owner's self-certification ends on October 31, 2020 and RAAs will need to inspect such units no later than October 31, 2020. The waiver of DHCD's Board of Health documentation ends on July 31, 2020 unless extended by subsequent notice.

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

DHCD is encouraging the RAAs to conduct physical inspections on vacant units when possible and safe. If in-person inspections are not feasible or safe to complete, DHCD will allow RAAs to accept owner certifications on initial inspections.

The RAA must document the self-certification in the file, and an owner self-certification must include the following:

- Owner certification that they have no knowledge that the unit has any life-threatening conditions;
- Owner acknowledgment that heating system is in good working order; and
- If the owner does not include water in the lease, the owner would need attest that the water/sewer meter is separate.

This certification may be sent electronically.

DHCD and the RAAs retain the right to conduct an inspection at any time deemed necessary.

The period of availability for RAAs to accept owner's self-certification for an initial inspection ends on July 31, 2020. The period of availability to inspect a unit that was placed under HAP contract based on the

owner's self-certification ends on October 31, 2020 and RAAs will need to inspect such units no later than October 31, 2020.

#### HQS-5: HQS Inspection Requirement – Biennial Inspections

DHCD is not requiring RAAs to conduct inspections of occupied units if it is deemed unsafe during the COVID-19 emergency. If in-person inspections are not feasible or safe to complete, DHCD will allow RAAs to accept owner certifications on biennial/regular inspections.

The RAA must document the self-certification in the file, and an owner self-certification must include the following:

- Owner certification that they have no knowledge that the unit has any life-threatening conditions;
- Owner acknowledgment that heating system is in good working order; and
- If the owner does not include water in the lease, the owner would need attest that the water/sewer meter is separate.

DHCD/RAA retains the right to conduct an inspection at any time deemed necessary, and in any case, the RAA will need to inspect the unit no later than October 31, 2020.

#### HQS-6: HQS Interim Inspections

If the RAA is notified of a life-threatening condition, it must notify the owner who must provide evidence (text/email of photos, repair invoices, tenant certification, etc.) that is satisfactory to the RAA within 24 hours that it is fixed or that it doesn't exist. After receiving the owner's evidence, DHCD encourages the RAA to reach out to the participant to ensure that the violation has been corrected, if they don't already have a tenant certification of the repairs.

If a non-life-threatening condition, the RAA must notify the owner within 30 days and the owner must provide verification of correction (text/email of photos, repair invoices, tenant certification, etc.) that is satisfactory to the RAA within 30 days of notification. The RAA is not required to physically re-inspect the unit.

In the event of a disagreement, the tenant may also send photos of the unit to the RAA.

In either case, the RAA must document the file with the verification.

The period of availability ends on July 31, 2020. After July 31, 2020, the RAA must conduct the HQS inspection in accordance with the applicable time periods upon notification by a family or government official that the assisted unit does not comply with the HQS.

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

DHCD is encouraging the RAAs to conduct physical inspections on vacant units when possible and safe. If in-person inspections are not feasible or safe to complete, DHCD will allow RAAs to accept owner certifications on initial inspections.

The RAA must document the self-certification in the file, and an owner self-certification must include the following:

- Owner certification that they have no knowledge that the unit has any life-threatening conditions;
- Owner acknowledgment that heating system is in good working order; and
- If the owner does not include water in the lease, the owner would need attest that the water/sewer meter is separate.

This certification may be sent electronically.

DHCD and the RAAs retain the right to conduct an inspection at any time deemed necessary.

The period of availability for RAAs to accept owner's self-certification for an initial inspection of a turnover unit ends on July 31, 2020. The period of availability to inspect a unit that was placed under HAP contract based on the owner's self-certification ends on October 31, 2020 and RAAs will need to inspect such units no later than October 31, 2020.

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

HUD PBV requirements provide that, before adding to or substituting a new unit in a HAP contract, the unit meet housing quality standards. This waiver allows for PBV units to be added or substituted in the HAP contract based on owner certification that there are no life-threatening deficiencies, and allows for a delayed full HQS inspection.

While DHCD is adopting this waiver, we will apply it on a case-by-case basis. If this situation arises during the availability period, the RAA will need to request a waiver from DHCD prior to implementation by contacting Dan T Byrne (PBV Specialist) via email.

The period of availability for RAAs to accept owner's self-certification for an initial inspection ends on July 31, 2020. The [RAAs will need to](#) inspect any unit that was placed under HAP contract based on the owner's self-certification no later than October 31, 2020.

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

HUD is waiving the requirement for PHAs to conduct supervisory quality control inspections of a sampling of units under contract, and as such, DHCD is suspending this requirement and will require the RAAs to resume QC inspections after October 31, 2020.

#### HQS-10: Housing Quality Standards: Space and Security

HUD ordinarily requires that each assisted dwelling unit have at least one bedroom or living/sleeping room for each two persons. But, for the duration of the current lease term or one year from the date of this notice, whichever period of time is longer, HUD is waiving this requirement where a PHA wishes to assist a current participant that needs to add a member or members to the assisted household as a result of the COVID-19 emergency, and absent a waiver the additional family members would result in the unit not meeting the space and security standards. This waiver does not apply to an initial or new lease.

DHCD will allow this waiver but notes that this does not apply to (and DHCD does not have the authority to waive) the state sanitary code.

For any family occupying a unit that does not meet the space and security requirements pursuant to this waiver, the waiver will be in effect for the duration of the current lease term or April 10, 2021, whichever period of time is longer.

### **HUD HCV WAIVERS**

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

Through July 31, 2020, DHCD will allow RAAs to conduct alternative briefings, other than in-person briefings. These briefings may take the form of webinars, recorded video briefings, video or teleconference or other alternative means, so long as they effectively communicate with, and allow for equal participation of, each family member, including those with vision, hearing, and other communication-related disabilities, and ensures meaningful access for persons with limited English proficiency. RAAs will need to document the file with a note citing that this waiver has been applied in each case.

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

DHCD previously released [guidance](#) related to voucher term extensions.

While DHCD policy currently provides for a 60-day voucher search term, with an automatic 30-day extension upon request, and other extensions upon request in extenuating circumstances, during the state of emergency, DHCD will waive the extension requirements set forth in DHCD's Administrative Plan § 5.5.2. The 60-day voucher search term shall be extended automatically until 30 calendar days past the expiration of the state of emergency. During that period, applicants will not be required to submit a request for extension.

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

HUD's regulations require a HAP contract to be executed no later than 60 days from the beginning of the lease term. Any HAP contract executed after the 60-day period is void and the PHA may not pay any housing assistance payments to the owner. HUD is waiving this requirement to allow PHAs to execute the HAP contract after the 60-day deadline has passed and make housing assistance payments back to the beginning of the lease term.

DHCD requests that RAAs make best efforts to fully execute the HAP contract within 60 days of the beginning of the lease term. If this is not feasible, the RAA and owner may execute the HAP contract after

the 60-day deadline has passed but must execute the HAP contract no later than 120 days from the beginning of the lease term. If utilizing this waiver, the RAA should so note on the HAP contract itself.

The period of availability to execute the HAP contract after the normal 60-day period from the beginning of the lease term ends on July 31, 2020.

DHCD is further requesting that RAAs internally track all HAP contracts that fall within this “beyond 60 days execution” so as to ensure compliance with this nuanced waiver and keep an internal log.

#### HCV-5: Absence from Unit and Guest Policy

Through December 31, 2020, DHCD will allow the RAAs to use discretion to allow extended absences from units due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, caring for family members).

The requests for allowance of extended absences from the assisted unit and relaxation of guest policies are further addressed by the guidance suspending termination proceedings, as these family obligations would normally be enforced by the RAAs through initiation of a termination proceeding. Accordingly, until further notice, these family obligations will not be enforced and terminations will not be initiated on these grounds. RAAs shall begin enforcing these family obligations again after the state of emergency, but must specifically consider on a case-by-case basis all mitigating circumstances related to COVID-19 (e.g. if a participant remains hospitalized for COVID-related reasons even after the state of emergency ends) when initiating an enforcement action. Further, while DHCD cannot prevent a property owner from moving to evict on a violation of these grounds if they are contained in the lease between property owner and tenant, during the state of emergency, DHCD will not proceed with voucher terminations due to evictions on these grounds.

#### HCV-6: Automatic Termination of HAP Contract

HUD regulations provide that when an HCV family’s income increases to the extent that the housing assistance payment is reduced to \$0, PHAs are required to automatically terminate HAP contracts 180 days after the last housing assistance payment to the owner.

For affected HAP contracts, the RAA may extend, until no later than December 31, 2020, the period of time following the last payment to the owner that would normally trigger the automatic termination of the HAP contract.

DHCD is further requesting that RAAs keep an internal log to internally track all HAP contracts that fall within this “Zero HAP” extension to ensure compliance with this nuanced waiver and to ensure that any extensions do not go beyond December 31, 2020. DHCD will require the RAA to review all participants that fall into this category and provide DHCD with a status update by December 31, 2020.

#### HCV-7: Increase in Payment Standard Under HAP Contract Term

DHCD received approval of a technical amendment to its MTW Plan allowing for the application of increased payment standards at interim contract rent increase for all households on a biennial or triennial reexamination frequency. Where the payment standard in effect at the time of the applicable interim recertification reflects a decrease when compared to the payment standard applied at the last regular



recertification, DHCD will not update the payment standard at the interim recertification and will wait until the next regular recertification to update the payment standard.

This policy change is permanent and not subject to the applicability period of HUD PIH Notice 2020-05.

#### HCV-8: Utility Allowance Schedule – Required Review and Revision

HUD is waiving its regulatory requirement to allow for a delay in PHAs' annual review of utility allowances. RAAs will need to review and update non-MTW utility allowances prior to December 31, 2020, and it is expected that RAAs will have updated their non-MTW utility allowances in Tenmast for an effective date of January 1, 2021.

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

DHCD will accept referrals from DCF within current allocation limits and allow RAAs to execute HAP contracts with DCF-referred youth up until their 26<sup>th</sup> birthday (instead of 25). The RAA will be required to track this information and note the file adequately. DHCD will notify DCF of this implementation.

The period of availability for RAAs to execute HAP contracts with DCF-referred youth up until their 26<sup>th</sup> birthday ends December 31, 2020.

### **OTHER HUD WAIVERS AND ADMINISTRATIVE RELIEF**

#### 11c. Uniform Financial Reporting Standards

DHCD will adopt the HUD waiver allowing it to submit its audited financial statement by September 30, 2020.

#### 12a. HUD Form 50058

HUD requires that PHAs submit form HUD-50058 no later than 60 calendar days from the effective date of any action recorded on line 2b of the form HUD-50058 or form HUD-50058 MTW. HUD is waiving that deadline through December 31, 2020 and providing that PHAs must submit form HUD-50058 or HUD-50058 MTW for transactions impacted by implemented waivers and alternative requirements within 90 days of the effective date of action.

DHCD is requesting all RAAs to make all efforts to continue to submit to PIC by HUD Secure Systems the required HUD 50058 forms ('58-MTW and conventional 50058) within the original 60-day deadline whenever possible. However, when not possible due to the implementation of other waivers related to this Notice, DHCD and RAAs will take advantage of the additional 30-day leeway provided by HUD.

### **OTHER DHCD WAIVERS AND GUIDANCE**

#### CARES Act Unemployment Payments

The CARES Act provides for a supplemental unemployment payment of \$600 per week until July 31, 2020 for eligible recipients. HUD has advised (See [FAQS](#) Posted 4/22/20) that this expanded unemployment payment must be excluded from annual income.

#### Reporting Increases in Income and Conducting Retroactive Rent Reexaminations for Tenants Who Were Not Able to Report a Decrease in Income

DHCD does not intend to implement temporary guidance generally allowing suspension of the required time for tenants to report increases in income or retroactive rent reexaminations for tenants who were not able to report their decrease in income. However, if a family can demonstrate the existence of extenuating circumstances solely due to limitations caused by the COVID-19 crisis, RAAs, using sound and reasoned judgment, may consider such allowances on a case-by-case basis.

#### Implementation of Triennial Reexams

DHCD is accelerating its implementation of triennial reexams for elderly/disabled households with fixed incomes (MTW Activity 2011-4, Multi-year Recertifications). In addition, DHCD received approval to implement a technical amendment to its MTW Plan in order to allow RAAs to immediately shift eligible households to a triennial cycle at the time of their biennial recertification. Effectively, the recertification will be pushed out one year without the need to first complete the biennial recertification. Triennial households, of course, are eligible to request an interim recertification should their income decrease for any reason.

#### Correction of QC Document Errors

While it is expected that financial errors uncovered in QC reviews be corrected as quickly as possible and within the timeline prescribed in the QC protocol, DHCD will waive deadlines of other non-substantive errors. It is expected that these errors will still be corrected upon return to normal business operations, but DHCD will not factor them into calculation of benchmark scores (given that the QC Monitor will not be re-programmed and these errors will still appear in the system as overdue).

Appendix: Mass DHCD (MA901) Summary Chart of Waivers Adopted and Waivers Not Adopted through PIH Notice 2020-05

Number in Notice	Waivers	Summary of alternative requirements	Availability Period	Implemented?	Date adopted	Comments
PH and HCV-1 PHA 5-Year and Annual Plan	<p><u>Statutory Authority</u> Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h)</p> <p><u>Regulatory Authority</u> § 903.5(a)(3), 903.5(b)(3), 903.21</p>	<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	<p><u>Statutory Authority</u> Section 3(a)(1)</p> <p><u>Regulatory Authority</u> § 982.516(a)(1), § 960.257(a)</p>	<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		DHCD requests that RAAs make all reasonable efforts to fully complete reexaminations in a timely manner. If it is not feasible or safe to complete an annual reexam in a timely manner, DHCD will allow the RAA to delay the reexam. Any delayed reexams must follow HCV-7 and be completed fully by December 31, 2020.
PH and HCV-3 Annual reexamination Income Verification	<p><u>Regulatory Authority</u> § 5.233(a)(2)</p> <p><u>Sub-regulatory Guidance</u> PIH Notice 2018-18</p>	<ul style="list-style-type: none"> <li>Waives the requirements to use the income hierarchy, including the use of EIV, and will allow PHAs to consider self-certification as the highest form of income verification</li> <li>PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	Yes		DHCD previously sent out guidance that it will permit RAAs to temporarily waive rules requiring notarization and/or in-person verification of self-verification documentation (see Administrative Plan § 6.1), with the understanding that if there is a question of the veracity of the self-verification, follow-up inquiries may be conducted at a later time. DHCD requests that RAAs make all reasonable efforts to continue to use the income verification hierarchy. When it is not feasible, DHCD will allow RAAs to forgo third-party verification and may accept self-certification as the highest form of verification. DHCD notes that EIV is still running and accessible remotely and should continue to be used routinely to the extent possible for SocSec & SSI benefits & 2020 Medicare Part B premiums. RAAs who operate under this waiver will be responsible

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						for addressing any material discrepancies that may arise later.
PH and HCV-4 Interim reexaminations	<p><u>Statutory Authority</u> Section 3(a)(1)</p> <p><u>Regulatory Authority</u> § 5.233(a)(2), 982.516(c)(2), 960.257(b) and (d)</p> <p><u>Sub-regulatory Guidance</u> PIH Notice 2018-18</p>	<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		DHCD previously sent out guidance that it will permit RAAs to temporarily waive rules requiring notarization and/or in-person verification of self-verification documentation (see Administrative Plan § 6.1), with the understanding that if there is a question of the veracity of the self-verification, follow-up inquiries may be conducted at a later time. DHCD requests that RAAs make all reasonable efforts to continue to use the income verification hierarchy. When it is not feasible, DHCD will allow RAAs to forgo third-party verification and may accept self-certification as the highest form of verification. DHCD notes that EIV is still running and accessible remotely and should continue to be used routinely to the extent possible for SocSec & SSI benefits & 2020 Medicare Part B premiums. RAAs who operate under this waiver will be responsible for addressing any material discrepancies that may arise later.
PH and HCV-5 EIV System Monitoring	<p><u>Regulatory Authority</u> § 5.233</p> <p><u>Sub-regulatory Guidance</u> PIH Notice 2018-18</p>	<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		DHCD urges the RAAs to continue EIV monitoring, including IVT, as much as possible and notes the potential administrative burden if there is a backlog of EIV deficiencies that eventually need to be corrected.
PH and HCV-6 FSS Contract of Participation	<p><u>Regulatory Authority</u> § 984.303(d)</p>	<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		DHCD will be adding COVID-19 as a dropdown reason for FSS extensions in the FSS Data Collection Tool.
PH and HCV-7 Waiting List	<p><u>Regulatory Authority</u> § 982.206(a)(2) PIH Notice 2012-34</p>	<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. DHCD's HCVP waiting list is open.
HQS-1 Initial inspection	<p><u>Statutory Authority</u></p>	<ul style="list-style-type: none"> <li>• Changes initial inspection requirements, allowing for</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	Yes	04/13/2020	DHCD is encouraging the RAAs to conduct physical inspections on vacant units when

Appendix: Mass DHCD (MA901) Summary Chart of Waivers Adopted and Waivers Not Adopted through PIH Notice 2020-05

	<p>Section 8(o)(8)(A)(i), Section 8(o)(8)(C) <u>Regulatory Authority</u> § 982.305(a), 982.305(b), 982.405</p>	<p>owner certification that there are no life-threatening deficiencies</p> <ul style="list-style-type: none"> <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>10/31/20</li> </ul>			<p>possible and safe. If in-person inspections are not feasible or safe to complete, DHCD will allow RAAs to accept owner certifications on initial inspections. In these cases, DHCD/RAA retains the right to conduct an inspection at any time deemed necessary and in any case, the RAA will need to inspect the unit no later than October 31, 2020.</p> <p>Outside of adopting the HUD waiver DHCD is also waiving its requirement for documentation of a Board of Health inspection in the participants file.</p>
<p>HQS-2: <u>PBV Pre-HAP Contract Inspections, PHA acceptance of completed units</u></p>	<p><u>Statutory Authority:</u> Section 8(o)(8)(A)  <u>Regulatory Authority:</u> §§ 983.301(b), 983.156(a)(1)</p>	<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>	Yes		<p>DHCD is encouraging the RAAs to conduct physical inspections on vacant units when possible and safe. If in-person inspections are not feasible or safe to complete, DHCD will allow RAAs to accept owner certifications on initial inspections. In these cases, DHCD/RAA retains the right to conduct an inspection at any time deemed necessary and in any case, the RAA will need to inspect the unit no later than October 31, 2020.</p>
<p>HQS-3 Non-Life Threatening HQS - Initial Unit Approval</p>	<p><u>Statutory Authority</u> Section 8(o)(8)(A)(ii)  <u>Regulatory Authority</u> HOTMA HCV Federal Register Notice January 18, 2017</p>	<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>	No		<p>Current DHCD policy remains in effect.</p>
<p>HQS-4 Initial HQS - Alternative Inspections</p>	<p><u>Statutory Authority</u> Section 8(o)(8)(A)(iii)  <u>Regulatory Authority</u></p>	<ul style="list-style-type: none"> <li>Under Initial HQS Alternative Inspection Option - allows for commencement of assistance payments based</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	No		<p>N/A - DHCD does not accept Alternative Inspections.</p>

Appendix: Mass DHCD (MA901) Summary Chart of Waivers Adopted and Waivers Not Adopted through PIH Notice 2020-05

	HOTMA HCV Federal Register Notice January 18, 2017	<p>on owner certification there are no life-threatening deficiencies</p> <ul style="list-style-type: none"> <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>10/31/20</li> </ul>			
HQS-5 Biennial Inspections	<p><u>Statutory Authority</u> Section 8(o)(D)</p> <p><u>Regulatory Authority</u> §§ 982.405(a), 983.103(d)</p>	<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 by no later than October 31, 2020.</li> </ul>	<ul style="list-style-type: none"> <li>10/31/20</li> </ul>	Yes		DHCD is not requiring RAAs to conduct inspections of occupied units if it is deemed unsafe during the COVID-19 emergency. If in-person inspections are not feasible or safe to complete, DHCD will allow RAAs to accept owner certifications on biennial inspections. In these cases, DHCD/RAA retains the right to conduct an inspection at any time deemed necessary and in any case, the RAA will need to inspect the unit no later than October 31, 2020.
HQS-6 Interim Inspections	<p><u>Statutory Authority</u> Section 8(o)(8)(F)</p> <p><u>Regulatory Authority</u> §§ 982.405(g), § 983.103(e)</p>	<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>	Yes		If the RAA is notified of a life-threatening condition, it must notify the owner who must provide evidence (text/email of photos, invoices, tenant certification, etc.) that is satisfactory to the RAA that it is fixed or that it doesn't exist within 24 hours. If non-life-threatening, RAA must notify the owner within 30 days and the owner must provide verification (text/email of photos, invoices, tenant certification, etc.) that is satisfactory to the RAA within 30 days of notification. The RAA is not required to physically re-inspect the unit.
HQS-7 PBV Turnover Inspections	<p><u>Regulatory Authority</u> § 983.103(c)</p>	<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>	Yes		DHCD is encouraging the RAAs to conduct physical inspections on vacant units when possible and safe. If in-person inspections are not feasible or safe to complete, DHCD will allow RAAs to accept owner certifications on PBV Turnover Inspections. In these cases, DHCD/RAA retains the right to conduct an inspection at any time deemed

Appendix: Mass DHCD (MA901) Summary Chart of Waivers Adopted and Waivers Not Adopted through PIH Notice 2020-05

						necessary and in any case, the RAA will need to inspect the unit no later than October 31, 2020.
HQS-8: <u>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>	Yes		While DHCD is adopting this waiver, we will apply it on a case by case basis. If this situation arises, the RAA will need to request the waiver of DHCD prior to implementation.
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		DHCD will require the RAAs to resume QC inspections after 10/31/20.
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		This waiver does not apply to an initial or new lease. DHCD will allow this waiver, but notes that this does not apply to (and DHCD does not have the authority to waive) the state sanitary code.
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. DHCD does not operate a Homeownership program.
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>	No		N/A DHCD does not have a Board of Directors. Undersecretary approval is still required.
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		DHCD will allow RAAs to conduct alternative briefings that effectively communicate with, and allow for equal participation of, each family member, including those with vision, hearing, and

Appendix: Mass DHCD (MA901) Summary Chart of Waivers Adopted and Waivers Not Adopted through PIH Notice 2020-05

						other communication-related disabilities, and ensures meaningful access for persons with limited English proficiency.
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> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	Yes		<p>DHCD previously sent out guidance related to voucher term extensions.</p> <p>DHCD policy currently provides for a 60-day voucher search term, with an automatic 30-day extension upon request, and other extensions upon request in extenuating circumstances. During the state of emergency, DHCD will waive the extension requirements set forth in DHCD's Administrative Plan § 5.5.2. The 60-day voucher search term shall be extended automatically until 30 calendar days past the expiration of the state of emergency. During that period, applicants will not be required to submit a request for extension.</p>
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>	Yes		DHCD is allowing the RAA and owner to execute the HAP contract no later than 120 days from the beginning of the lease term.
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		Through December 31, 2020, DHCD will allow the RAAs to allow extended absences from units due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, caring for family members).
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		The RAA may extend the HAP contract until 12/31/2020 with written notice to the Owner and Tenant.



Appendix: Mass DHCD (MA901) Summary Chart of Waivers Adopted and Waivers Not Adopted through PIH Notice 2020-05

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>	Yes		DHCD received approval of a technical amendment to its MTW Plan allowing for the application of increased payment standards at contract rent increase. This policy change is permanent and not subject to the applicability period of HUD PIH Notice 2020-05.
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>	Yes		RAAs will need to review and update non-MTW utility allowances prior to December 31, 2020.
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. DHCD does not have a Homeownership program.
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>	Yes		DHCD will accept referrals from DCF within current allocation limits and allow RAAs to execute HAP contracts with DCF-referred youth up until their 26 <sup>th</sup> birthday (instead of 25).
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 Development Costs	<u>Regulatory Authority</u> § 905.314(c)	<ul style="list-style-type: none"> <li>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</li> </ul>	Applies to development proposals submitted to HUD no later than December 31, 2021	N/A		N/A
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

Appendix: Mass DHCD (MA901) Summary Chart of Waivers Adopted and Waivers Not Adopted through PIH Notice 2020-05

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 Notice: Notice PIH 2019-11	<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
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

Appendix: Mass DHCD (MA901) Summary Chart of Waivers Adopted and Waivers Not Adopted through PIH Notice 2020-05

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	Yes		DHCD will submit its audited financial statements by September 30, 2020.
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		DHCD is requesting all RAAs to make efforts to continue to submit HUD 50058 forms within the 60 days, whenever possible. However, when not possible due to the implementation of other waivers related to this Notice, DHCD will take advantage of the additional leeway provided in the HUD PIH Notice.
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	N/A		N/A