



Commonwealth of Massachusetts
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

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

PHN 2021-07

To: All Local Housing Authority (LHA) Executive Directors
From: Ben Stone, Director, Division of Public Housing
Re: Guidance and Best Practices for Housing Authorities Post-Covid-19 Vaccination
Date: May 4, 2021

LHAs have shown incredible dedication to protecting their residents and flexibility in adapting operations to changing guidance around the COVID-19 pandemic. This spring brings a “light at the end of the tunnel” for the pandemic, with vaccine distribution proceeding rapidly and the state entering [Step 1 Phase IV](#) of Reopening and soon to enter [Step 2 Phase IV](#). DHCD is releasing guidance to serve as a reference for the “new normal” for LHA operations in a post-vaccine world.

In general, this guidance consists of *recommendations* rather than mandates – mandates will be indicated by “must” or “shall”. LHAs must continue to service emergency work orders and staff must be available to tenants by phone or email at all business hours.

With the majority of residents and staff soon to have had the opportunity to be vaccinated against COVID-19, LHAs should maintain safety precautions while resuming most normal LHA activities. Although the risk of contracting COVID-19 may be low for those that are fully vaccinated, there is still a present risk of spread among those who have not been vaccinated. **The below guidance will remain applicable until Massachusetts lifts the Covid-19 state of [emergency](#).**

DHCD strongly encourages LHAs to reopen offices to the public, reopen community rooms, lift any no-visitor policies, and resume in-unit inspections and work orders as vaccinations are available to all eligible residents. LHAs should continue important public health measures in all activities including requiring mask wearing by staff, strongly encouraging mask wearing for residents and visitors in common areas, and encouraging social distancing and hand hygiene.

LHAs should base their reopening decisions on their community’s risk level, found in the state’s [Weekly Public Health report](#), and whether eligible residents have had the opportunity to be fully vaccinated. LHAs may consider pausing reopening if:

- They are in a higher-risk community; AND
- Residents in the development have **not** had opportunity to be fully vaccinated;
 - For c.667 developments: 2 weeks after 2nd dose clinic (or 1st dose for J&J vaccine)
 - For family developments, June 30 (10 weeks after vaccine eligibility opened to all residents).

DHCD may adjust this guidance if the Commonwealth makes a significant change to the reopening process due to a spike in cases.

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1. General Information

For general information on the COVID-19 outbreak and vaccines please refer to the frequently updated webpages from mass.gov and the Center on Disease Control (CDC). The mass.gov website includes guidance issued by Department of Public Health and other state agencies such as Elder Affairs that may also be relevant for Housing Authorities and residents, as well as guidance on reopening or rollbacks.

- mass.gov/covid19
- <https://www.mass.gov/info-details/reopening-massachusetts>
- <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads.html>
- <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>
- <https://www.cdc.gov/coronavirus/2019-ncov/community/multifamily-housing.html>

In all matters, LHAs should adhere to basic public health guidance, requiring employees and strongly encouraging residents and all visitors to comply. These include:

- Universal mask-wearing in indoor common areas or [outdoors when unable to maintain 6 feet from other people](#);
- Hand hygiene;

- [Ensuring proper ventilation](#) of indoor common-areas and occupied spaces, including if appropriate per CDC guidance the use of air purifiers with HEPA filtration systems and additional measures that promote air exchange such as, opening windows and doors to bring in outside air;
- Maintaining social distancing practices, including at least six feet of distance at all times;
- In general, maintain protocols as if everyone is potentially infectious due to prevalence of [asymptomatic spread](#).

In addition to the measures recommended below, LHAs **should continue to work closely** with their local board of health, emergency services, and municipality to ensure lines of communication are open, contact tracing can proceed as smoothly as possible, and resources can be deployed in case of an outbreak.

2. LHA Community Spaces, Events and Meetings

- DHCD recommends that LHAs **open** community rooms and other gathering spaces, but LHAs should post signage regarding the wearing of masks and continue social distancing when utilizing these spaces. While community rooms may be opened for small gatherings or meetings, LHA should continue to limit gatherings in accordance with state guidance on gatherings As of April 29, this limit is 10 people for private indoor gatherings and 25 for private outdoor gatherings, but will be extended to 200 indoor and 250 door for public and private gatherings effective on [May 29, Subject to public health and vaccination data](#). When holding or permitting events in community rooms and other common areas, LHAs may review the [events safety standards and checklist](#) to prepare for a COVID-safe event.
- LHAs may choose to hold public and semi-public meetings remotely on a video/teleconference platform for the time being or in-person with proper safety protocols and gathering limits. This includes grievance panel hearings and Local Tenant Organization meetings. If a resident requests an in-person hearing after video or teleconference is offered, LHA may accommodate the request with proper safety protocols.
- Board Meetings must continue in order to conduct LHA business, pursuant to the Governor’s [Executive Order on March 12, 2020](#), however, these meetings can continue to be virtual. Under this order meetings do not need an in-person quorum if the meeting takes place through a teleconference, video meeting, or other medium that allows for transparency and public access.

3. Capital Projects: Construction Recommendations

DHCD recommends that construction projects move forward, to the extent possible, provided [all safety precautions are adhered to](#). All emergency projects must move forward immediately without delay. LHA-specific safety precautions include:

- Requiring all visiting contractors and consultants to wear masks onsite at all times and to maintain social distancing from residents;
- For in-unit projects, providing space for resident to remain outside unit while contractor is working or at minimum ask resident(s) to remain in a different room of unit from workers with door closed.

4. Maintenance Operations & Cleaning

DHCD leaves decisions about maintenance operations to local discretion. As described above, LHAs should base these decisions on the risk level in their community and if residents and staff of a given development have had the opportunity to be fully vaccinated.

DHCD recommends that most LHAs **resume normal maintenance operations** while LHA staff should continue mask-wearing and social distancing practices.

LHAs should already be planning a transition back to normal maintenance functions---which ultimately allow for operations at full servicing capacity and the resumption of any previously deferred inspections and/or work orders.

- a. **Emergency Health and Safety Repairs:** LHAs **MUST** continue to service emergency work orders using proper precautions. Emergencies should be narrowly defined as only those conditions which are immediately threatening to the life or safety of residents, staff, or structures. Please note: If a deficiency meets this definition any time of day, it needs to be identified as an emergency.
- b. **Annual Unit Inspections:** LHAs should plan to conduct inspections based on their community risk level and if their residents and staff have had the opportunity to be fully vaccinated. If the LHA chooses to conduct inspections--full unit inspections are now encouraged. LHAs should plan on **resuming inspections** by June 30 at the latest, so long as there is no change to the state COVID guidance and DHCD recommendations.

At a minimum, LHAs should schedule and conduct condensed inspections that focus on exigent health and safety items and/or violations of the MA State Sanitary Code. See [PHN 2020-27](#) and attachments for details on these limited health & safety inspection and the LHA's responsibility to inform affected residents and document deferred inspections if the LHA elects to defer resuming inspections until June 30.

Please note: DHCD will adjust PMR ratings for the inspections criteria, including timeliness, as not to penalize LHAs. As noted above, the 6/30/21 - 3/30/22 PMR cycle will take into account the LHA's response to the COVID-19 emergency and will not include criteria relating to maintenance inspections.

- c. **Building & Safety System Inspections:** The inspection of building and safety systems *must* continue. This includes the quarterly/annual inspections of fire safety systems, emergency lighting, boilers, elevators, etc.
- d. **Deferred/Non-Emergency Tenant requested Work Orders:** Maintenance repairs for in-unit non-emergency items, like the repair of a bathroom soap dish, or the deferred maintenance item of painting the bedroom door, should now be scheduled and/or re-assessed for projected completion. DHCD expects LHAs to resume servicing in-unit non-emergency work orders by June 30th at the latest. Contact your assigned FMS for further guidance. DHCD will adjust PMR ratings, including timeliness, for Deferred/Non-Emergency Tenant Requested, work orders. LHA will not be penalized in PMR for not having serviced non-emergency work order during the COVID period through 6/30/202. LHA's should document deferred work schedules with COVID-19.
- e. **Cleaning and Sanitizing:** Per the CDC, [risk of COVID-19 transmission from surfaces is low](#). When no people with confirmed or suspected COVID-19 are known to have been in a space,

cleaning high-touch surfaces once a day is usually enough [to sufficiently remove virus](#) that may be on surfaces and help maintain a healthy facility.

5. Office Operations

LHAs must continue to maintain basic operations and remain available to tenants and applicants during business hours. DHCD expects all offices to transition to safely being physically open to the public in compliance with public health guidelines for [in-office operations](#). DHCD expects that LHAs will open offices to the public by June 30 at the latest.

- a. **Office Hours:** LHA staff **must** remain available to tenants and applicants by phone and email throughout the authority's regular business hours, even if LHA closes its office to the public. This may require the LHA to set up call-forwarding services to staff cell-phones.
- b. **Renovate Physical Office Space to Enable Safe Social Distancing and Improve Air Quality:** If open to the public, DHCD recommends that LHAs make physical changes to the office space to ensure safe social distancing and improve indoor air quality. Capital awards of up to \$10,000 per LHA are available for making these improvements (See [PHN 2020-24](#))
- c. **Communication:** When reopening, LHA offices should remain available by telephone and email. LHAs should continue to encourage social distancing and electronic communication where possible to avoid office crowding.

6. Visitor Policies and Signage

- a. **Limiting or Restricting Visitors:** Unless required by local rules, restricting visitors or requiring a visitor log is no longer necessary or advisable.
- b. **Signage:** DHCD recommends putting up prominent signage that **strongly encourages** mask wearing and social distancing. [The CDC has provided many printable templates](#). LHAs should endeavor to translate signage into different languages, as appropriate to your residents.

7. Tenant Selections and Lease Ups

DHCD recommends that leasing activity continue *as far as practicable* as LHAs stabilize operations in the new-normal. LHAs should continue social-distancing and safety practices during lease ups to minimize in-person interaction. See guidance in [PHN 2020-11](#) Section 6 and [PHN 2020-27 Section 5](#) for details on suggestions for safe lease-ups, including:

- a. **Encourage online applications:** Post a notice outside the office and on website that applicants should apply on-line www.applyforpublichousing.com, along with Authority phone number.
- b. **Dropbox for Paper applications:** Provide accessible dropbox for paper applications, which LHA must check regularly and promptly enter into CHAMP.

- c. **Email communication:** Communication via email with applicants who have provided an email address is acceptable and recommended during this time. LHAs can accept attachments to an email as verification of information needed to make determinations of eligibility and qualification from an applicant.
- d. **Telephone Verification:** Verification can be done by telephone.
- e. **Document Upload** features became available in CHAMP for LHAs as of April 2020. LHAs have the ability to upload both Priority/Preference Screening documentation and Eligibility and Qualifications documentation in the Applicant File.
- f. **Appeals for ineligibility/disqualification:** Applicants found ineligible/disqualified must be sent the letter informing the applicant that they have been removed from the waiting list and they have the right to request a private conference/appeal, which can be conducted by phone conference or, at applicant request, in person conference. .
- g. **Offers of housing:** Housing offers, acceptance, and rejection of offers can be made via telephone and email. Units should be shown following public safety protocol as far as practicable, including mask wearing, maintaining 6 feet of distance where possible, and hand hygiene.
- h. **Waivers:** Starting May 1, DHCD will no longer grant vacant unit waivers referenced in [PHN 2020-27, Section 3](#) for reasons of COVID-safety in c.667 high-rises or congregate housing. DHCD will continue to review waivers for more general reasons of staff capacity, including slow-downs in lease-ups due to the impact of COVID on operations, on a case-by-case sentence.

8. Human Resources

The bullet points below summarize some attempts to answer frequently asked questions for LHAs returning to “the new-normal” of business operations as we emerge from the COVID-19 health emergency. Keep in mind that, as with all things COVID, there is no legal precedent and the situation is fluid, so please use good judgment, and please work with your regional attorney or other counsel on employment related matters. You may contact Sarah O’Leary (sarah.oleary@mass.gov) with any questions about employment actions that could lead to litigation. She will be happy to refer you to legal and human resources specialists.

a. Return to the Office:

- **Housing Authorities should be preparing to re-open their offices to the public, with staff on site and providing in-person services again**, subject to local rules, as well as the Commonwealths [Sector Specific Guidance](#). DHCD expects that, while guided by local conditions, LHAs will reopen offices to the public by June 30 at latest.
- LHAs should provide their employees with advance notice of the expectations for return to the office including the in-office precautions that will be in place to help maintain safety.

While many employees and LHA clients/visitors will be vaccinated, it will still be important to require social distancing in the workplace and require mask-wearing by staff in any common area or group setting. In particular, LHAs should review their HVAC systems and airflow in office spaces. See [PHN 2020-24](#) for design recommendations.

- LHAs at their discretion may continue to allow back-office work functions to be done remotely if LHA feels that is in the best interest of the organization.
- Employees who have not yet returned to the workplace, and whose presence in the office is expected for LHA operations, should be so notified. To provide employees with adequate time for planning their return to the workplace, DHCD recommends that employees be given at least two weeks' notice by mail.
- Mandated safety training: Massachusetts requires all employers with employees returning to the workplace to comply with mandatory COVID-19 training, these training requirements can be found [here](#) and should be supplemented with the appropriate COVID-19 sector specific guidance.

b. Vaccination and Employment Health Care:

- LHAs should encourage their employees to be vaccinated.
- All employees, whether vaccinated or not, should NOT work if they are ill with [symptoms suggestive of COVID-19](#) including fever over 100.0F, cough, shortness of breath, fatigue, muscle or body aches, headache, loss of taste or smell, sore throat, congestions or runny nose, nausea or vomiting, or diarrhea.
- Individuals feeling these symptoms should remain home, contact their health care provider and get tested for COVID-19.
- Employers should follow government guidance, from sources such as DPH, CDC and OSHA's guidance [Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace](#) regarding management of employees exhibiting symptoms of illness.
- Employers may do health screenings for staff, including temperature checks, but must do so in a well-documented, impartial, and non-invasive manner.
- Employers must continue to take all reasonable steps to protect employees' and residents' health information confidentiality including the person's vaccination status.

- c. **Sick Time and Paid Leave:** LHA's are no longer mandated to provide employees required to quarantine with paid quarantine time under the CARES act. LHAs may offer such leave time within their own discretion but they will not be reimbursed for such costs. An LHA's requirement to provide paid leave to employees quarantined or suffering from COVID-19 will vary, depending upon any contract, collective bargaining agreement, salaried exempt status, the employer's personnel policy, and paid leave time accrued by the employee. **This is a very sensitive area** – please contact Sarah O'Leary (sarah.oleary@mass.gov) and/or your regional attorney or other counsel with compensation related matters.

9. Communications to Residents

LHAs should provide residents with a communication of the “new normal” rules, emphasizing mask wearing in common spaces, continued social distancing from staff and the loosened restrictions on visitors. LHAs should continue communicating to residents through email, websites, and phone calls as they have done throughout the pandemic.

10. Agreed Upon Procedures (AUP) and Performance Management Review (PMR)

AUP: Starting with the June 30, 2021 FYE, LHAs and auditors may resume in-person AUPs. DHCD is reversing temporary changes made to AUP. **The temporary changes being reversed are:**

- Turning off AUP procedure in inventory section that requires auditors to verify existence of assets.
- Reducing the scope of the procurement section– only LHA led procurements will be examined; not RCAT or DHCD assisted procurements. Rather than looking at the entire procurement file, auditors will only be requesting a limited number of documents.
- MRVP section – certain procedures asking for documentation will be turned off.

Look for additional details in a forthcoming PHN.

PMR: Starting with the June 30, 2021 FYE cohort, DHCD will resume site visits as part of the Performance Management Review program, and will also resume publishing PMRs to resident, board members, and the public. DHCD will issue adjusted ratings for the June 30, 2021 – March 31, 2022 FYE cohort to account for COVID-19's impact on LHA operations.

DHCD will issue a PHN by early June with more details on the resumption of the PMR.

11. Rent Policy

DHCD acknowledges that rent policy has been confusing throughout COVID as we adjusted to pandemic conditions and three successive federal relief bills with different levels of benefits for residents. This section does not make new rent policy, but summarizes the active DHCD guidance around rent determination in state-aided public housing.

- LHAs should perform annual rent determinations in calendar year 2021 unless they have a waiver predating COVID allowing for biennial rent determinations in c.667 housing. (DHCD [PHN 2020-12 Addendum #3](#))
- LHAs should include unemployment income, including enhanced benefits from the Consolidated Appropriation Act and American Rescue Plan, in income for purposes of rent determination. Enhanced benefits should not be counted for purposes of eligibility. ([DHCD PHN 2021-04](#)).
- The one-time relief payments (\$1,200, \$600, \$1,400) passed in the three COVID relief acts should not be counted in income for purposes of rent determination or eligibility. ([DHCD PHN 2021-04](#))
- The senior wage exclusion for working income by age 62 and over residents should be applied to temporary wage replacement benefits including unemployment insurance, workers compensation,

and short and long-term disability [not Social Security Disability Insurance]. ([DHCD PHN 2020-35](#))

- The [Emergency Regulation](#) remains in effect requiring LHAs to credit tenants with decrease in rent back to 1st month following verified income loss. In general, DHCD still strongly urges LHAs to make every effort to avoid evictions, in particular for non-payment, through repayment agreements, mediation, and applying for emergency rental assistance. ([DHCD PHN 2020-32](#))