

**MASSACHUSETTS DEPARTMENT OF HOUSING
& COMMUNITY DEVELOPMENT**

**MTW ANNUAL PLAN FY 2021
AMENDMENT**

The following Emergency Waivers Activity is an amendment to the previously approved FY 2021 MTW Plan. A copy of the full body of the previously approved FY 2021 Plan can be found at the following web address:

<https://www.mass.gov/service-details/moving-to-work-program-mtw>

PROPOSED ACTIVITY 2021-02: EMERGENCY WAIVERS

Description of MTW Activity

The novel coronavirus is spreading in the United States at a pace that requires significant policy and personal interventions to contain and treat it. The economic impacts on households, businesses, and financial markets is profound. Research speaks directly to ways in which families may be impacted by the effects of COVID-19, as well as how decisionmakers can shape policies to mitigate negative impacts. Additionally, the outbreak of COVID-19 also places additional burdens on housing authorities who are working tirelessly to respond to the needs of their participants while also maintaining compliance with program requirements. While the Coronavirus Aid, Relief and Economic Security (CARES) Act provides the U.S. Department of Housing and Urban Development (HUD) with broad authority to waive or establish alternative requirements for numerous statutory and regulatory requirements for the Public Housing program and Housing Choice Voucher (HCV) programs, the duration of this pandemic, and potentially others in the future, remains unknown and the backlog of transactions, inspections, and delayed reporting requirements grows. Accordingly, DHCD will use its MTW authority to establish an emergency waivers activity which addresses the burdens placed on all stakeholders. DHCD proposes to establish the following emergency waivers in response to economic- and health-related emergencies, including natural disasters, as declared by the Governor or his/her designee, including the authority to determine when to place and lift the waivers. DHCD may revise, add, and/or remove waivers as needed to address emergency-related conditions.

- 1. Delayed Reexaminations:** DHCD may waive the requirement to conduct a reexamination of family income and composition at least annually. Currently DHCD completes reexaminations on a biennial basis for HCV program households and on a triennial basis for HCV elderly/disabled households on fixed incomes. Where reexaminations have been delayed due to a declared emergency, DHCD will complete the reexamination no later than the anniversary month of the following year. The next reexamination will be scheduled on the same anniversary month using the applicable reexam frequency for the family. For example, if a biennial reexam was due on July 2020, DHCD would complete the reexam by July 2021. The next scheduled biennial reexam would take place in July 2023.
- 2. Verification of Income:** DHCD may waive the requirements of the verification hierarchy and accept self-certification of income and expenses for regular and interim reexaminations. Where DHCD is able to access EIV, DHCD will use the EIV Income Report to verify and calculate SS and SSI benefits as well as Medicare insurance premiums.
- 3. Enterprise Income Verification Monitoring:** DHCD may waive the requirement to monitor, on a monthly/quarterly basis, the Deceased Tenant Report, the Identity Verification Report, the Immigration Report, the IVT Report, the Multiple Subsidy Report, and the New Hires Report. This includes preserving and responding to past reports. DHCD will resume reviewing and addressing discrepancies identified in these reports as resources allow; however, the waiver will apply until the emergency designation has been lifted.

- 4. Increase in Payment Standard:** DHCD will waive the requirement to apply the increased payment standard back to the regular effective date for delayed regular reexaminations. Instead, during periods of declared emergencies, DHCD will apply the increased payment standard at the next interim reexamination after the effective date of the increased payment standard. If DHCD completes a reexam late, DHCD will apply the payment standard in effect on the effective date of the delayed regular reexamination.
- 5. Delayed Regular HQS Inspections:** DHCD may waive the requirement for completion of regular HQS inspections at least biennially. Where a regular HQS inspection has been delayed, DHCD will complete the HQS inspection no later than the anniversary month of the following year. The next HQS inspection will be scheduled on the same anniversary month using the applicable inspection frequency for the unit. For example, if an HQS inspection was due by July 2020, DHCD would complete the inspection by July 2021. The next scheduled regular HQS inspection would take place in July 2022. DHCD will continue to request a self-certification from the owner that no life-threatening conditions exist in the unit as of the originally-intended inspection date. Additionally, DHCD will continue to conduct complaint inspections.
- 6. Interim HQS Inspections:** DHCD may waive the requirement to conduct re-inspections to confirm repair; however, DHCD will require that the owner self-certify and provide documentation that a life-threatening deficiency has been corrected within 24 hours of notification and that a non-life-threatening deficiency has been corrected within 30 days of DHCD notification.
- 7. HQS QC Inspections:** DHCD will waive the requirement to conduct HQS quality control inspections and instead may suspend HQS quality control inspections until the emergency waiver has been lifted. program.
- 8. FSS Contract of Participation:** DHCD will waive the requirement regarding the maximum extension of an FSS Contract of Participation (COP). During periods of declared emergency, DHCD may extend a family's COP, using the declared emergency as good cause of the need for extension. For households who were already in the two-year extension period when the emergency was declared, DHCD may extend their COP beyond the two-year extension threshold.

Statutory Objective

This activity will reduce cost and achieve greater cost effectiveness in Federal expenditures. The time and labor cost related to completing the backlog of delayed transactions and inspections while maintaining current deadlines is such that it would place an onerous burden on the agency.

Implementation

DHCD will implement this policy upon approval of the MTW Plan.

Metrics

CE #1: Agency Cost Savings*

Unit of Measurement	Baseline*	Benchmark*	Outcome	Benchmark Achieved?
Total cost of task in dollars (decrease)	\$330,838.69	\$165,408.46		

*The baseline reflects the cost of completion of HCV regular reexaminations for a one-year period. The benchmark reflects the cost of completion of one half the number of HCV regular reexaminations in a one-year period.

CE #2: Staff Time Savings

Unit of Measurement	Baseline*	Benchmark*	Outcome	Benchmark Achieved?
Total time to complete the task in staff hours (decrease).	15,197	7,598		

**The baseline reflects the time expended on HCV regular reexaminations for a one-year period. The benchmark reflects the time expended for one half the number of HCV regular reexaminations in a one-year period.

Need/Justification for MTW Flexibility

This activity requires waiver of certain provisions of Section 8(o), Section 23 of the 1937 Act and 24 CFR 982.503, 982.516, 982.631, 984, 24 CFR Subpart I, 24 CFR 983, 24 CFR 5.233 and 5.632 as found in the MTW Agreement Attachment C, Section D, Paragraphs 1, 2 and 5.. These waivers are necessary to implement the various provisions of this activity so as to allow DHCD to address the conditions presented by the declared emergencies.