



HOUSING AUTHORITY OF THE CITY OF LIVERMORE
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MEMORANDUM

Date: May 17, 2021

To: Public Notice

From: D'Jon Paul Scott-Miller, Executive Director

Re: Notice PIH 2021-14 – COVID-19 Statutory and Regulatory Waivers

This memo serves as a response to HUD's PIH notice issued on May 4, 2021 and an extension of the memo issued on April 16, 2020 in response to PIH Notice 2020-05, issued on April 10, 2020, providing Public Housing Authorities with waivers in reference to the COVID-19 pandemic.

LHA will keep in effect all previous adopted waivers listed in the memo and extend them through the available period of December 31, 2021.

PIH PURPOSE:

Pursuant to the authority provided under the Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136), HUD is waiving and establishing alternative requirements for numerous statutory and regulatory requirements for the Public Housing program, Housing Choice Voucher (HCV) program, Indian Housing Block Grant (IHBG) program, and Indian Community Development Block Grant (ICDBG) program.

These waivers provide administrative flexibilities and relief to public housing agencies (PHAs), Indian tribes, and tribally designated housing entities (TDHEs) in response to the COVID-19 national emergency. With respect to the Public Housing and HCV programs, use of these waivers is at the discretion of the PHA; however, HUD strongly encourages PHAs to utilize any and all waivers and alternative requirements as necessary to keep public housing and HCV programs operational to the extent practicable.

PH and HCV-3: Family Income and Composition: Annual Examination - Income Verification requirements

Regulatory Authority: 24 CFR § 5.233(a)(2)
Sub-regulatory Guidance: PIH Notice 2018-18

Description: PHAs are required to use the Enterprise Income Verification (EIV) System for verification of family income at the annual examination. 24 CFR § 5.233(a)(2) requires PHAs to use EIV as a third-party source to verify tenant employment and income information during mandatory reexaminations



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or recertifications of family composition and income in accordance with §5.236 and administrative guidance issued by HUD. PIH Notice 2018-18 describes the required verification hierarchy process PHAs must follow. HUD understands that documentation may be difficult to obtain as a result of the COVID-19 public health emergency. PHAs are also facing challenges with securely accessing HUD systems while many if not all staff are working remotely.

To address these challenges, HUD is waiving the requirements to use the income hierarchy described by PIH Notice 2018-18 and will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if the PHA wishes to conduct the annual recertification rather than delaying the family's annual recertification (as permitted under PH and HCV-2 above).

During the allowable period of availability, PHAs may consider self-certification as the highest form of income verification to process annual reexaminations. This may occur over the telephone (but must be documented by PHA staff with a contemporaneous written record), through an email or postal mail with a self-certification form by the tenant, or through other electronic communications. PHAs are encouraged to incorporate procedures to remind families of the obligation to provide true and complete information when adopting these flexibilities.

PHAs are further reminded that there is no HUD requirement that income and family composition examinations and recertifications must be conducted in-person unless determined necessary as a reasonable accommodation as long as applicable public health guidelines are followed (e.g., social distancing) and any state or local ordinance is followed.

PHAs that conduct annual examinations under this waiver/alternative requirement will be responsible for addressing any material discrepancies that may arise later. For example, if a tenant self-certified that the tenant lost their job, but later the EIV Income Validation Tool (IVT) shows the tenant's employment continued, the PHA must take enforcement action in accordance with their policies and procedures.

Period of Availability: The period of availability to conduct annual reexaminations using these modified verification requirements ends on December 31, 2021.

LHA Response:

LHA will continue to utilize Upfront Income Verification when able and follow the hierarchy as outlined in PIH Notice 2018-18. However, LHA will not request documentation that may require the family to break shelter in place orders and potentially expose themselves to COVID-19. LHA will utilize tenant declarations when needed.



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

Statutory Authority: Section 3(a)(1) of the USHA of 1937

Regulatory Authority: 24 CFR § 5.233(a)(2) - HCV and Public Housing

Regulatory Authority: 24 CFR § 982.516(c)(2) - HCV

Regulatory Authority: 24 CFR § 960.257(b) and (d) - Public Housing

Sub-regulatory Guidance: PIH Notice 2018-18

Description: For the HCV and public housing programs, PHAs are required to adopt policies (in their Administrative Plans and Admissions and Continued Occupancy Plans (ACOPs), respectively) prescribing when and under what conditions the family must report a change in family income or composition. However, at any time that a family requests an interim determination of family income or composition because of any changes since the last determination, the PHA must make the interim determination within a reasonable time after the family's request. In most cases, the reason a family requests an interim determination is due to a loss in income or a change in family composition.

PHAs are required to use EIV for verification of family income at interim reexamination. 24 CFR § 5.233(a)(2) requires PHAs to use EIV as a third-party source to verify tenant employment and income information during mandatory reexaminations or recertifications of family composition and income in accordance with §5.236 and administrative guidance issued by HUD. PIH Notice 2018-18 further describes the required verification hierarchy process PHAs must follow.

To assist PHAs that may be prioritizing the processing of interim reexaminations due to decreases in family income and mitigate the challenges of transferring documentation during periods of shelter-in-place/stay-at-home efforts in response to the COVID-19 emergency, HUD is waiving the requirements to use the income verification hierarchy as described by PIH Notice 2018-18. HUD will allow PHAs to forgo third-party income verification requirements for interim reexaminations, including the required use of EIV. During the allowable period of eligibility, PHAs may consider self-certification as the highest form of income verification to process interim reexaminations. This may occur over the telephone (with a contemporaneous written record by the PHA staff person), through an email with a self-certification form by the family, or through other electronic communications.

As noted in the previous waiver description, there is no HUD requirement that income and family composition examinations and recertifications must be conducted in-person unless it may be necessary as a reasonable accommodation for a person with a disability as long as applicable public health guidelines are followed (e.g., social distancing) and any local and state ordinances is followed.

PHAs that conduct interim reexaminations under this waiver/alternative requirement will be responsible for addressing any material discrepancies that may arise later. For example, if a tenant self-certified that the tenant lost their job, but later the EIV IVT Report shows the tenant's employment continued, the PHA must take enforcement action that is consistent with its policies and procedures.



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PHAs may wish to review and adjust their interim reexamination policies (e.g., revising the PHA requirements when families must report increases in income between annual reexaminations or revising the policy regarding how to determine the effective date of an interim examination). PHAs should see HCV-1 and PH-4 for information on how these types of changes can be expedited.

Period of Availability: The period of availability ends on December 31, 2021.

LHA Response:

LHA will continue to utilize Upfront Income Verification when able and follow the hierarchy as outlined in PIH Notice 2018-18. However, LHA will not request documentation that may require the family to break shelter in place orders and potentially expose themselves to COVID-19. LHA will utilize tenant declarations when needed.

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

Regulatory Authority: 24 CFR § 5.233

Sub-regulatory Guidance: PIH Notice 2018-18

Description: PIH Notice 2018-18 specifies the required monitoring of EIV reports. For example, PHAs are required to monitor the Deceased Tenants Report, the Identity Verification Report, the Immigration Report, the IVT Report, and the Multiple Subsidy Report and the New Hires Report on a monthly basis. Recognizing the challenges PHAs are facing with many if not all staff working remotely, HUD is waiving the mandatory EIV monitoring requirements.

Period of Availability: The period of availability ends on December 31, 2021.

LHA Response:

LHA will continue to monitor EIV report and make any corrections when feasible. Once availability period expires, LHA will monitor the reports in compliance with PIH Notice 2018-18.

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

Regulatory Authority: 24 CFR § 984.303(d)

Description: Part 984 establishes the requirements for the Section 8 and Public Housing FSS Program. Section 984.303(d) authorizes a PHA to extend a family's contract of participation for a period not to



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exceed two years upon a finding of good cause. HUD has made a determination that the circumstances surrounding COVID-19 qualify as “good cause” to extend family contracts, and FSS programs may consider this expanded definition of “good cause” as they make their determinations on each family’s eligibility for an extension.

Period of Availability: The period of availability during which the PHA may extend the family’s contract of participation using COVID-19 as the “good cause” ends on December 31, 2021.

LHA Response:

LHA will grant extensions to FSS participants surrounding circumstances related to COVID-19.

PH and HCV-7: Waiting List: Opening and Closing; Public Notice

*Regulatory Authority: 24 CFR § 982.206(a)(2)
Sub-regulatory Guidance: PIH Notice 2012-34*

Description: The regulation provides that when a PHA opens its waiting list, the PHA must give public notice by publication in a local newspaper of general circulation and also by minority media and other suitable means. Recognizing the foreseeable difficulties in complying with this requirement in light of the COVID-19 emergency, HUD is waiving this requirement and is providing an alternative requirement that the PHA may provide public notice in a voicemail message on its main or general information telephone number and through its website (if such a PHA website is available). PHAs must comply with applicable fair housing and other civil rights requirements when they provide public notice under this alternative requirement, including ensuring effective communication with persons with hearing, visual, and other communication-related disabilities. PHAs must ensure effective communication with persons with disabilities in all notifications and communications. For example, a PHA that chooses to provide public notice through a voice-mail message must ensure the notice is accessible for persons with hearing impairments, which may include also distributing the notice by email and public postings on websites. The voice-mail notice also must comply with all other applicable civil rights requirements, including ensuring meaningful access for persons with limited English proficiency. See 24 CFR 5.105(a) (“Nondiscrimination and Equal Opportunity”).

Period of Availability: The period of availability ends on December 31, 2021.

LHA Response:

LHA intends to open the Project Based Voucher (PBV) waiting list in the coming months. LHA will advertise the opening on as many platforms as feasible during the COVID-19 pandemic.



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HQS-1: Initial Inspection Requirements

*Statutory Authority: Section 8(o)(8)(A)(i), Section 8(o)(8)(C) of the USHA of 1937
Regulatory Authority: 24 CFR §§ 982.305(a), 982.305(b), 982.405*

Description: Section 8(o)(8)(A)(i) requires that the PHA must inspect the unit before any assistance payment is made to determine whether the unit meets HQS. Section 8(o)(8)(C) requires the PHA to conduct the initial inspection within certain time frames after receiving the RFTA. Section 982.305 provides that the PHA may not approve the assisted tenancy or execute a HAP contract until the unit has been inspected by the PHA and passes HQS. Additionally, Section 982.305 requires that the PHA must inspect the unit to determine that the unit satisfies the HQS before the beginning of the initial lease term, and that the PHA must perform this inspection within either 15 days or within a reasonable time depending on the size of the PHA.

HUD is waiving these requirements and providing an alternative requirement. In order to place the unit under HAP contract and commence making payments, the PHA 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 or units in question instead of conducting an initial inspection. At minimum the PHA must require this owner certification. However, the PHA may add other requirements or conditions in addition to the owner's certification but is not required to do so. The PHA is required to conduct an HQS inspection on the unit as soon as reasonably possible but no later than June 30, 2022.

This waiver and alternative requirement may also be applied to PHA-owned units if the independent entity is unable to perform the inspection.

Period of Availability: The period of availability for PHAs to accept owner's self-certification for an initial inspection ends on December 31, 2021. The period of availability for the PHA to inspect a unit that was placed under HAP contract based on the owner's self-certification ends on December 31, 2021.

LHA Response:

LHA will enter into new PBV HAP contracts without conducting an initial inspection and instead utilizing an owner's certification that no life threatening conditions exist in the unit. LHA will provide the owner with the self-certification form and follow up with the tenant within 30-days of move-in to confirm no deficiencies exist. Pursuant to PIH 2021-14 LHA will conduct a physical inspection no later than June 30, 2022.



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

*Statutory Authority: Section 8(o)(8)(A) of the USHA of 1937
Regulatory Authority: 24 CFR §§ 983.301(b), 983.156(a)(1)*

Description: The statute and regulations at § 983.301(b) provide that the PHA must inspect each contract unit before execution of the HAP contract and that the HAP contract may not be executed until the units fully comply with HQS. For rehabilitated and newly constructed units, § 983.156(a)(1) further provides that the PHA must inspect the units to determine if the housing has been completed in accordance with the Agreement to Enter into the HAP Contract (AHAP), including compliance with the HQS and any additional requirement imposed by the PHA under the Agreement.

HUD is waiving the HQS inspection requirement and establishing an alternative requirement. Instead of conducting the pre-HAP contract HQS inspection, the PHA 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 or units in question. At minimum the PHA must require the owner's certification. However, the PHA may add other requirements or conditions in addition to the owner's certification but is not required to do so. The PHA is required to conduct an HQS inspection on the unit as soon as reasonably possible but no later than June 30, 2022.

If the PHA has imposed an additional requirement under the AHAP for newly constructed or rehabilitated projects, the PHA may choose to allow the owner to certify that the PHA requirement has been met instead of inspecting the housing to make that determination.

This waiver and alternative requirement may also be applied to PHA-owned units if the independent entity is unable to perform the inspection.

Period of Availability: The period of availability for PHAs to accept owner's self-certification for the pre-HAP inspection/completion of work requirement ends on December 31, 2021.. The period of availability for the PHA to complete all delayed inspections on units placed under a HAP contract based on the owner's self-certification ends on December 31, 2021..

LHA Response:

LHA will enter into new PBV HAP contracts without conducting an initial inspection and instead utilizing an owner's certification that no life threatening conditions exist in the unit. LHA will provide the owner with the self-certification form and follow up with the tenant within 30-days of move-in to confirm no deficiencies exist. Pursuant to PIH 2021-14 LHA will conduct a physical inspection no later than June 30, 2022.



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HQS-6: HQS Interim Inspections

Statutory Authority: Section 8(o)(8)(F) of the USHA of 1937

Regulatory Authority: 24 CFR §§ 982.405(g), 983.103(e)

Description: The statute requires that upon notification to the PHA by a family or government official that the assisted unit does not comply with the HQS, the PHA must inspect the unit within 24 hours of when the PHA received the notification if the condition is life-threatening. 24 CFR 982.405(g) provides that if the reported condition is not life-threatening, the PHA must inspect the unit within 15 days. The regulation further provides that in the event of extraordinary circumstances HUD may waive the 24-hour or the 15-day inspection requirement until such time as an inspection is feasible.

HUD is waiving these requirements and establishing an alternative requirement for both tenant-based and PBV units. If the reported deficiency is life-threatening, the PHA must notify the owner of the reported life-threatening deficiency and that the owner must either correct the life-threatening deficiency within 24 hours of the PHA notification or provide documentation (e.g., text or email a photo to the PHA) that the reported deficiency does not exist. In the case of a reported non-life-threatening deficiency, the PHA must notify the owner of the reported deficiency within 30 days and the owner must either make the repair or document that the deficiency does not exist within 30 days of the PHA notification or any approved PHA extension. The PHA may add other requirements or conditions in addition to the owner's documentation but is not required to do so.

As is the case under the current HCV program requirements, the PHA is not required to conduct an on-site inspection to verify the repairs have been made but may rely on alternative verification methods (e.g., photos submitted by the owner, tenant certification, etc.).

This waiver may also be applied to PHA-owned units if the independent entity is unable to perform the inspection.

Period of Availability: The period of availability ends on December 31, 2021. After December 31, 2021, the PHA 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.

LHA Response:

If/When an HQS deficiency is reported to LHA, we will promptly notify the owner of the reported deficiency and the required remedy date. LHA will supply the owner with a self-certification form that will require both the owner and participant's signature in order for the deficiency to be considered remedied. Pursuant to PIH 2021-14 LHA will conduct a physical inspection no later than June 30, 2022.



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HQS-7: PBV Turnover Unit Inspections

Regulatory Authority: 24 CFR § 983.103(c)

Description: The regulation requires that before providing assistance to a new family in a PBV contract unit, the PHA must inspect the unit. HUD is waiving this regulatory requirement and providing as an alternative requirement the PHA 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 or units in question to allow a new family to occupy the vacated PBV unit. At minimum the PHA must require this owner certification. However, the PHA may add other requirements or conditions in addition to the owner's certification but is not required to do so. The PHA is required to conduct the HQS inspection on the unit as soon as reasonably possible, but no later than June 30, 2022.

This waiver may also be applied to PHA-owned units if the independent entity is unable to perform the inspection.

Period of Availability: The period of availability to fill a turnover PBV unit without conducting an HQS inspection ends on December 31, 2021. The period of availability for completing inspections for turnover PBV units that were reoccupied without an HQS inspection under this waiver authority ends on December 31, 2021.

LHA Response:

LHA will allow for a PBV vacancy to be filled without conducting an initial inspection and instead utilize an owner's certification that no life threatening conditions exist in the unit. LHA will provide the owner with the self-certification form and follow up with the tenant within 30-days of move-in to confirm no deficiencies exist. Pursuant to PIH 2021-14 LHA will conduct a physical inspection no later than June 30, 2022.

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

Statutory Authority: Section 8(o)(8)(A) of the USHA of 1937

Regulatory Authority: 24 CFR §§ 983.207(a), 983.207(b)

Description: At the discretion of the PHA and subject to all PBV requirements (including the program cap and income-mixing requirements), the PHA may amend the HAP contract to add additional PBV contract units or to substitute a different unit for a previously covered contract unit. The PBV requirements include inspecting the proposed substitute or additional unit to determine that the unit meets HQS before it may be added to the HAP contract.



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HUD is waiving the HQS inspection requirement. In order to substitute or add a new unit to the PBV HAP contract, the PHA 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 or units in question instead of conducting an initial inspection. At minimum, the PHA must require the owner's certification. However, the PHA may add other requirements or conditions in addition to the owner's certification but is not required to do so.

This waiver may also be applied to PHA-owned units if the independent entity is unable to perform the inspection.

Period of Availability: The period of availability for PHAs to accept owner's self-certification for an initial inspection ends on December 31, 2021. The period of availability for the PHA to inspect a unit that was placed under HAP contract based on the owner's self-certification ends on December 31, 2021.

LHA Response:

If/When a PBV contract has a unit addition/substitution, LHA will allow the unit to be filled without conducting an initial inspection and instead utilize an owner's certification that no life threatening conditions exist in the unit. LHA will provide the owner with the self-certification form and follow up with the tenant within 30-days of move-in to confirm no deficiencies exist. Pursuant to PIH 2021-14 LHA will conduct a physical inspection no later than June 30, 2022.

HQS-9: HQS Quality Control Inspections

Regulatory Authority: 24 CFR § 982.405(b)

Description: The regulations require PHAs to conduct supervisory quality control inspections of a sampling of units under contract. HUD is waiving this regulatory requirement.

Period of Availability: The period of applicability ends on December 31, 2021.

LHA Response:

LHA will resume conducting Quality Control Inspections no later than June 30, 2022.

HQS-11: Homeownership Option – Initial HQS Inspection

Statutory Authority: Section 8(o)(8)(A)(i), Section 8(y)(3)(B) of the USHA of 1937

Regulatory Authority: 24 CFR § 982.631(a)



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Description: The statute provides that HQS re-inspections are not required for homeownership vouchers but does not exempt the unit from the initial HQS inspection. The regulation provides that the PHA may not commence monthly homeownership assistance payments until the PHA has inspected the unit and determined that the unit passes HQS. HUD is waiving this requirement. However, the family is still required to obtain an independent professional inspector in accordance with § 982.631(b)(1) and the PHA is still required to review the independent inspection and has discretion to disapprove the unit for assistance under the homeownership option because of information in the inspection report in accordance with § 982.631(b)(4).

Period of Availability: The period of availability ends on December 31, 2021.

LHA Response:

LHA will allow a new homeownership move-in without conducting an initial inspection and instead review/approve the home based on the inspection conducted by an independent professional. Pursuant to PIH 2021-14 LHA will conduct a physical inspection no later than June 30, 2022.

HCV-1: Administrative plan

Regulatory Authority: 24 CFR § 982.54 (a)

Description: The regulation requires that any revisions of the PHA's administrative plan must be formally adopted by the PHA Board of Commissioners or other authorized PHA officials. Recognizing the foreseeable difficulties in complying with this requirement in light of the COVID-19 emergency, HUD is waiving the requirement to allow the PHA administrative plan to be revised on a temporary basis without Board approval. As an alternative requirement any informally adopted revisions under this waiver authority must be formally adopted as soon as practicable following June 30, 2020, but no later than December 31, 2021.

Period of Availability: The period of availability ends on September 30, 2021.

LHA Response:

If/When LHA does a revision of the Admin Plan, we will make available to the public for review and seek board approval no later than December 31, 2021.



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

Regulatory Authority: 24 CFR § 982.301(a)(3), § 983.252(a)

Description: The regulation requires when the PHA selects a family to participate in either the HCV or PBV program, the PHA must give the family an oral briefing. HUD is waiving this requirement and as an alternative requirement allowing the PHA to conduct the briefing by other means such as a webcast, video call, or expanded information packet. Section 504 and the ADA require PHAs to ensure effective communication with applicants, participants and members of the public in all communications and notices. The PHA must ensure that the method of communication for the briefing effectively communicates with, and allows 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.

Period of Availability: The period of availability ends on December 31, 2021.

LHA Response:

If/When LHA has a new applicant, moving family, or porting family, we will conduct the briefing via email, mail, and telephone depending on the needs of the family.

HCV-3: Term of Voucher – Extensions of Term

Regulatory Authority: 24 CFR § 982.303(b)(1)

Description: The regulation provides that at its discretion, the PHA may grant a family one or more extensions of the initial voucher term in accordance with the PHA policy as described in the PHA administrative plan. HUD is waiving the requirement that the extension(s) must be accordance with the PHA's administrative plan in order to allow the PHA to provide extensions even though it has been unable to formally amend its policy in the administrative plan.

Period of Availability: The period of availability ends on December 31, 2021.

LHA Response:

LHA will grant extensions to voucher holders searching that have been impacted by the extenuating circumstances related to COVID-19.



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

Regulatory Authority: 24 CFR § 982.305(c)

Description: The PHA may not make any housing assistance payments to the owner until the HAP contract is executed. The regulation provides that PHA must use best efforts to execute the HAP contract before the beginning of the lease term and that the HAP contract must 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 the regulatory 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. However, the PHA and owner must execute the HAP contract no later than 120 days from the beginning of the lease term.

Period of Availability: The period of availability to execute the HAP contract after the normally 60-day period from the beginning of the lease term ends on December 31, 2021.

LHA Response:

LHA will allow an owner up to 120 days to submit a signed HAP contract following a new move-in due to potential delays related to COVID-19.

HCV-8: Utility allowance schedule – required review and revision

Regulatory Authority: 24 CFR § 982.517

Description: The regulations require the PHA to review its schedule of utility allowances each year and revise its allowance for a utility category if there has been a change of 10 percent or more in the utility rate since the last time the utility allowance schedule was revised. HUD is waiving this requirement to allow PHAs to delay the review and update of utility allowances.

Period of Availability: Any review and update of utility allowances that were due at some point in time in CY 2020 must be completed no later than December 31, 2021.

LHA Response:

LHA will update the HCV utility schedule no later than December 31, 2021.



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PH-5: Community Service and Self-Sufficiency Requirement (CSSR)

Statutory Authority: Section 12(c) of the USHA of 1937
Regulatory Authority: 24 CFR § 960.603(a) and 960.603(b)

Description: The statute and regulations require that each adult resident of public housing, except for any family member that is exempt, must contribute 8 hours per month of community service or participate in an economic self-sufficiency program or a combination of both. A family's noncompliance with the service requirement is grounds for non-renewal of the lease at the end of the lease term. HUD is waiving this requirement and is alternatively suspending the community service and self-sufficiency requirement. If a PHA adopts this waiver, tenants will not be subject to this requirement until the family's next annual reexamination. Upon the family's next annual reexamination, PHAs should report on Form HUD-50058 each individual's CSSR status as either exempt for those that are exempt, or pending for those that are otherwise eligible but for which the suspension prevents a housing authority from determining compliance. After a PHA completes an annual reexamination for any family, the CSSR becomes effective again for family members for the subsequent annual reexamination cycle.

Period of Availability: The period of availability ends on April 30, 2022.

LHA Response:

LHA will resume verification of community service May 1, 2022.

PH-9: Review and Revision of Utility Allowances

Regulatory Authority: 24 CFR § 965.507

Description: The regulations require the PHA to review at least annually the basis on which utility allowances have been established and revise allowances if required on the basis of that review. Due to shelter-in-place orders, and closures of many non-essential businesses, PHAs are encouraged to focus administration on critical program functions. Further, access to information on changing utility rates may be limited in some jurisdictions. Therefore, HUD is waiving this requirement to allow PHAs to delay the review and update of utility allowances.

Period of Availability: Any review and update of utility allowances that were due at some point in time in CY 2020 must be completed by December 31, 2021.

LHA Response:

LHA will update the PH utility schedule no later than December 31, 2021.



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PHAS

Regulatory Authority: 24 CFR Part 902

Description: Part 902 sets out the indicators by which HUD measures the performance of a PHA. The indicators measure a PHA's physical condition, financial condition, management operations, and Capital Fund obligation and occupancy. HUD is waiving this inspection requirement and is alternatively postponing physical inspections for all PHAs until further notice, except where there is a threat to life or property. HUD will primarily rely on residents' complaints and potentially other sources such as news articles, Congressional inquiries and field office requests to identify threat to life or property.

Further, for PHA that had a PHAS score pending as of the date of this notice, and for any PHA with a fiscal year ending on or before December 31, 2021, HUD will not issue a new PHAS score unless the PHA requests that a new PHAS score be issued. HUD will instead carry forward the most recent PHAS score on record.

Period of Availability: HUD will resume issuing new PHAS scores beginning with PHAs with fiscal year end dates of December 31, 2021.

LHA Response:

LHA will not submit a PHAS report for FY 2021 and instead will have the previous score carried over.

SEMAP

Regulatory Authority: 24 CFR Part 985

Description: Part 985 sets out the requirements by which Section 8 tenant-based assistance programs are assessed. For PHAs that have a SEMAP score pending as of the date of this notice, and for any PHA with a fiscal year ending on or before December 31, 2021, HUD will not issue a new SEMAP score unless the PHA requests a that new SEMAP score be issued. HUD will instead carry forward the most recent SEMAP score on record.

Period of Availability: HUD will resume issuing new SEMAP scores beginning with PHAs with fiscal year end dates of December 31, 2021.

LHA Response:

LHA will not submit a SEMAP report for FY 2021 and instead will have the previous score carried over.