

Statutory and Regulatory Waivers Applicable to Louisville Metro Housing Authority

This chart summarizes the waivers authorized under HUD Notices PIH 2021-14 (HA), REV 3 and PIH 2021-15 and the availability period for each. As stated in PIH 2021-14 (HA) and PIH 2021-15, LMHA must keep written documentation on the waivers applied by LMHA as well as the effective dates. To fulfill those requirements, LMHA will utilize the last two columns to record this information.

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH and HCV-1 PHA 5-Year and Annual Plan Submission Dates: Significant Amendment Requirements	<u>Statutory Authority</u> Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h)(2) <u>Regulatory Authority</u> §§ 903.5(a)(3), 903.5(b)(3), 903.13(c), 903.21, 903.23	<ul style="list-style-type: none"> Alternative dates for submission Changes to significant amendment process 	<ul style="list-style-type: none"> Varies based on FYE 12/31/2021 	Yes	4/13/2020
PH and HCV-2 Family Income and Composition: Delayed Annual Examinations	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> §§ 982.516(a)(1), 960.257(a) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> Permits the PHA to delay the annual reexamination of income and family composition HCV PHAs must implement HCV-7 for impacted families if they implement this waiver Applicable to PBV since waived HCV regulation 	<ul style="list-style-type: none"> All reexams due in CY20 must be completed by 12/31/2020. All reexams due in CY21 must be completed by 12/31/2021. In effect until amended, superceded, or 	Yes for PH, PBV, and HCV Yes for EHV (ARP waiver)	4/13/2020 6/14/2021

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		<p>includes PBV (24 CFR §983.2(c)(6)(ii))</p> <ul style="list-style-type: none"> • Applicable to Emergency Housing Vouchers (EHV) as per Notice PIH 2021-15 	rescinded for EHV		
PH and HCV-3 Family Income and Composition: Annual Examination; Income Verification Requirements	<p><u>Regulatory Authority</u> §§ 5.233(a)(2), 960.259(c), 982.516(a)</p> <p><u>Sub-regulatory Guidance</u> Notice PIH 2018-18 Notice PIH 2021-15 (for EHV)</p>	<ul style="list-style-type: none"> • 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 • PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later • Applicable to PBV since waived HCV regulation includes PBV (24 CFR §983.2(c)(6)(ii)) • Applicable to EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 12/31/2021 for PH, PBV, and HCV • In effect until amended, superceded, or rescinded for EHV 	<p>Yes for PH, PBV, and HCV</p> <p>Yes for EHV (ARP Waiver)</p>	<p>4/13/2020</p> <p>6/14/2021</p>

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PH and HCV-4 Family Income and Composition: Interim Examinations	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> §§ 5.233(a)(2), 982.516(c)(2), 960.257(a), (b) and (d), 960.259(c) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18 Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations • Applicable to PBV since waived HCV regulation includes PBV (24 CFR §983.2(c)(6)(ii)) • Applicable to EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 12/31/2021 for PH, HCV, PBV, and EHV 	<p>Yes for PH, PBV, and HCV</p> <p>Yes for EHV (COVID waiver)</p>	<p>4/13/2020</p> <p>6/14/2021</p>
PH and HCV-5 Enterprise Income Verification (EIV) Monitoring	<u>Regulatory Authority</u> § 5.233 <u>Sub-regulatory Guidance</u> Notice PIH 2018-18 Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Waives the mandatory EIV monitoring requirements • Applicable to PBV since waived HCV regulation includes PBV (24 CFR §5.100) • Applicable to EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 12/31/2021 for PH, HCV, PBV, and EHV 	<p>Yes for PH, HCV, and PBV</p> <p>Yes for EHV (COVID waiver)</p>	<p>4/13/2020</p> <p>6/14/2021</p>
PH and HCV-6 Family Self-Sufficiency (FSS) Contract of Participation: Contract Extension	<u>Statutory Authority</u> Section 23(c)3 <u>Regulatory Authority</u> § 984.303(d)	<ul style="list-style-type: none"> • Provides for extensions to FSS contract of participation 	<ul style="list-style-type: none"> • 12/31/2021 for PH and HCV 	<p>Yes for PH and HCV</p>	<p>4/13/2020</p>

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PH and HCV-7 Waiting List: Opening and Closing; Public Notice	<u>Regulatory Authority</u> § 982.206(a)(2) <u>Sub-regulatory Guidance</u> Notice PIH 2012-34 Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Waives public notice requirements for opening and closing waiting list • Requires alternative process • Applicable to PBV since waived HCV regulation includes PBV (24 CFR §983.2(c)(1)) • Applicable to EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 12/31/2021 for PH, PBV, and HCV • In effect until amended, superceded, or rescinded for EHV 	Yes for PH, PBV, and HCV Yes for EHV (ARP waiver)	10/15/2020 6/14/2021
PH and HCV-8 Eligibility Determination: Income Verification	<u>Regulatory Authority</u> §§ 960.259(c), 982.201(e) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18 Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Waives the third-party income verification requirements for applicants, and will allow PHAs to consider self-certification as the highest form of income verification at admission • PHAs must review the EIV Income and IVT Reports to confirm/validate family reported income within 90 days • Applicable to PBV since waived HCV regulation 	<ul style="list-style-type: none"> • 12/31/2021 for PH, PBV, and HCV • In effect until amended, superceded, or rescinded for EHV 	Yes for PH, PBV, and HCV Yes for EHV (ARP waiver)	6/14/2021 6/14/2021

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		<p>includes PBV (24 CFR §983.2(c)(1))</p> <ul style="list-style-type: none"> • Applicable to EHV's as per Notice PIH 2021-15 			
<p>PH and HCV-9 Eligibility Determination: Social Security Number and Citizenship Verification</p>	<p><u>Statutory Authority</u> 42 USC 1436a(d)(2)</p> <p><u>Regulatory Authority</u> §§ 5.216(b)(2), (g), (h), 5.218, 5.508(b)(2)(ii), (b)(3)(ii), (g)</p> <p><u>Sub-regulatory Guidance</u> Notice PIH 2012-10 Notice PIH 2021-15 (for EHV)</p>	<ul style="list-style-type: none"> • Waives the requirements to obtain and verify social security number documentation and documentation evidencing eligible noncitizen status before admitting applicants to the HCV and Public Housing programs • PHAs may accept self certification of date of birth and disability status if a higher level of verification is not immediately available. • Individuals admitted under this waiver must provide the required documentation within 90 days of admission to be eligible for continued 	<ul style="list-style-type: none"> • 12/31/2021 for PH, HCV, and PBV • In effect until amended, superceded, or rescinded for EHV 	<p>Yes for PH,HCV, and PBV</p> <p>Yes for EHV (ARP waiver)</p>	<p>6/14/2021</p> <p>6/14/2021</p>

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		assistance (180 days for EHV) <ul style="list-style-type: none"> • Applicable to PBV since waived HCV regulation includes PBV (24 CFR §5.100) • Applicable to EHV as per Notice PIH 2021-15 			
HQS-1 Initial Inspection Requirements	<u>Statutory Authority</u> Section 8(o)(8)(A)(i), Section 8(o)(8)(C) <u>Regulatory Authority</u> §§ 982.305(a), 982.305(b), 982.405 <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Changes initial inspection requirements, allowing for owner certification that there are no life-threatening deficiencies • Where self-certification was used, PHA must inspect the unit no later than 6/30/22 • Will include reminder that HQS waiver does not include a waiver of 24 CFR 35.15, visual assessment for deteriorated paint • Applicable to PBV since waived HCV regulation 	<ul style="list-style-type: none"> • 12/31/2021 for HCV, PBV, and EHV • 6/30/2022 for HCV, PBV, and EHV 	Yes for HCV and PBV Rescinded Reinstated Yes for EHV (COVID waiver)	4/13/2020 5/5/2020 3/17/2021 6/14/2021

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		includes PBV (24 CFR §983.2(c)(4)) <ul style="list-style-type: none"> • Applicable for EHV as per Notice PIH 2021-15 			
HQS-2: Project-Based Voucher (PBV) Pre-HAP Contract Inspections: PHA Acceptance of Completed Units	<u>Statutory Authority:</u> Section 8(o)(8)(A) <u>Regulatory Authority:</u> §§ 983.103(b), 983.156(a)(1)	<ul style="list-style-type: none"> • Changes inspection requirements, allowing for owner certification that there are no life-threatening deficiencies • Waiver only applies to occupied PBV units (6/9/2020) • Where self-certification was used, PHA must inspect the unit no later than 6/30/22 	<ul style="list-style-type: none"> • 12/31/2021 for PBV • 6/30/2022 for PBV 	Yes for PBV Rescinded Reinstated	4/13/2020 5/5/2020 6/9/2020
HQS-3 Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option	<u>Statutory Authority</u> Section 8(o)(8)(A)(ii) <u>Sub-regulatory Guidance</u> HOTMA HCV Federal Register Notice January 18, 2017 Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Allows for extension of up to 30 days for owner repairs of non-life threatening conditions • Applicable for EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 12/31/2021 for HCV, PBV, and EHV 	Yes for HCV and PBV Rescinded Reinstated Yes for EHV (COVID waiver)	4/13/2020 5/5/2020 3/17/2021 6/14/2021

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<p>HQS-4 HQS Initial Inspection Requirement: Alternative Inspection Option</p>	<p><u>Statutory Authority</u> Section 8(o)(8)(A)(iii)</p> <p><u>Sub-regulatory Guidance</u> HOTMA HCV Federal Register Notice January 18, 2017 Notice PIH 2021-15 (for EHV)</p>	<ul style="list-style-type: none"> • Under Initial HQS Alternative Inspection Option - allows for commencement of assistance payments based on owner certification there are no life-threatening deficiencies • Where self-certification was used, PHA must inspect the unit no later than 6/30/22 • Applicable for EHV's as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 12/31/2021 for HCV, PBV, and EHV • 6/30/2022 for HCV, PBV, and EHV 	<p>Yes for HCV and PBV</p> <p>Rescinded</p> <p>Reinstated</p> <p>Yes for EHV</p>	<p>4/13/2020</p> <p>5/5/2020</p> <p>3/17/2021</p> <p>6/14/2021</p>
<p>HQS-5 HQS Inspection Requirement: Biennial Inspections</p>	<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"> • Allows for delay in biennial inspections • PHAs must require owner certification there are no life-threatening deficiencies • PHAs must conduct all delayed biennial inspections from CY 2020 as soon as reasonably possible but no later than 6/30/2022, 	<ul style="list-style-type: none"> • 12/31/2021 for HCV and PBV • 6/30/2022 for HCV and PBV 	<p>Yes for HCV and PBV</p>	<p>4/13/2020</p>

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		and must conduct all delayed biennial inspection from CY 2021 as soon as reasonable possible but no later than 12/31/22			
HQS-6 HQS Interim Inspections	<u>Statutory Authority</u> Section 8(o)(8)(F) <u>Regulatory Authority</u> §§ 982.405(g), 983.103(e) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Waives the requirement for the PHA to conduct interim inspection and requires alternative method • Allows for repairs to be verified by alternative methods • Applicable for EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 12/31/2021 for HCV, PBV, and EHV 	Yes for HCV and PBV Yes for EHV (COVID waiver)	4/13/2020 6/14/2021
HQS-7 PBV Turnover Unit Inspections	<u>Regulatory Authority</u> § 983.103(c)	<ul style="list-style-type: none"> • Allows PBV turnover units to be filled based on owner certification there are no life-threatening deficiencies • Allows for delayed full HQS inspection NLT than 6/30/22 	<ul style="list-style-type: none"> • 12/31/2021 for PBV • 6/30/2022 for PBV 	Yes for PBV	12/17/2020
HQS-8: PBV HAP Contract: HQS	<u>Statutory Authority</u> Section 8(o)(8)(A)	<ul style="list-style-type: none"> • Allows for PBV units to be added or substituted 	<ul style="list-style-type: none"> • 12/31/2021 for PBV 	No	

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Inspections to Add or Substitute Units	<u>Regulatory Authority</u> §§ 983.207(a), 983.207(b) <u>Sub-regulatory Guidance</u> HOTMA HCV Federal Register Notice January 18, 2017	in the HAP contract based on owner certification there are no life-threatening deficiencies <ul style="list-style-type: none"> • Allows for delayed full HQS inspection NLT 6/30/22 	<ul style="list-style-type: none"> • 6/30/2022 for PBV 		
HQS-9 HQS Quality Control Inspections	<u>Regulatory Authority</u> §§ 982.405(b), 983.103(e)(3) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Provides for a suspension of the requirement for QC sampling inspections • Applicable for EHV's as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 12/31/2021 for HCV, PBV, and EHV 	Yes for HCV and PBV Yes for EHV (COVID waiver)	4/13/2020 6/14/2021
HQS-10 Housing Quality Standards: Space and Security	<u>Regulatory Authority</u> § 982.401(d) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Waives the requirement that each dwelling unit have at least 1 bedroom or living/sleeping room for each 2 persons. • Applicable to PBV since waived HCV regulation includes PBV (24 CFR §983.2(c)(4)) • Applicable for EHV's as per Notice PIH 2021-15 	Remains in effect one year from lease term or date of this Notice, whichever is longer	Yes for HCV and PBV Yes for EHV (COVID waiver)	4/13/2020 6/14/2021

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HQS-11 Homeownership Option: Initial HQS Inspection	<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"> • Waives the requirement to perform an initial HQS inspection in order to begin making homeownership assistance payments • Requires family to obtain independent professional inspection 	<ul style="list-style-type: none"> • 12/31/2021 for HCV 	Yes for HCV	4/13/2020
HCV-1 Administrative Plan	<u>Regulatory Authority</u> § 982.54(a) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Establishes an alternative requirement that policies may be adopted without board approval until 9/30/21 • Any provisions adopted informally must be adopted formally by 12/31/21 • Applicable to PBV since waived HCV regulation includes PBV (24 CFR §983.2(a)) • Applicable for EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 9/30/2021 for HCV, PBV, and EHV • 12/31/2021 for HCV, PBV, and EHV 	Yes for HCV and PBV Yes for EHV (COVID waiver)	4/13/2020 6/14/2021
HCV-2 Information When Family is Selected:	<u>Regulatory Authority</u> §§ 982.301(a)(1), 983.252(a)	<ul style="list-style-type: none"> • Waives the requirement for an oral briefing 	<ul style="list-style-type: none"> • 12/31/2021 for HCV, PBV, and EHV 	Yes for HCV and PBV	4/13/2020

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PHA Oral Briefing	<u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> Provides for alternative methods to conduct required voucher briefing Applicable for EHV as per Notice PIH 2021-15 		Yes for EHV (COVID waiver)	6/14/2021
HCV-3 Term of Voucher: Extensions of Term	<u>Regulatory Authority</u> § 982.303(b)(1) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> Allows PHAs to provide voucher extensions when needed Applicable for EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> 12/31/2021 for HCV and EHV 	Yes for HCV Yes for EHV (COVID waiver)	4/13/2020 6/14/2021
HCV-4 PHA Approval of Assisted Tenancy: When HAP Contract is Executed	<u>Regulatory Authority</u> § 982.305(c) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> Provides for HAP payments for contracts not executed within 60 days PHA must not pay HAP to owner until HAP contract is executed Applicable for EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> 12/31/2021 for HCV and EHV 	Yes for HCV Yes for EHV (COVID waiver)	4/13/2020 6/14/2021
HCV-5 Absence from Unit	<u>Regulatory Authority</u> § 982.312 <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for	<ul style="list-style-type: none"> Allows for PHA discretion on absences from units longer than 180 days 	<ul style="list-style-type: none"> 12/31/2021 for HCV, PBV, and EHV 	Yes for HCV and PBV Yes for EHV (COVID	4/13/2020 6/14/2021

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	EHV)	<ul style="list-style-type: none"> • PHAs must not make HAP payments beyond 12/31/20 for units vacant more than 180 consecutive days • Applicable to PBV since waived HCV regulation includes PBV (24 CFR §983.2(c)(2)(ii)) • Applicable for EHV as per Notice PIH 2021-15 		waiver)	
HCV-6 Automatic Termination of HAP Contract	<u>Regulatory Authority</u> § 982.455 <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Allows PHA to extend the period of time after the last HAP payment is made before the HAP contract terminates automatically. • Applicable for EHV as per Notice PIH 2021-15 	<ul style="list-style-type: none"> • 12/31/2021 for HCV and EHV 	Yes for HCV Yes for EHV (COVID waiver)	4/13/2020 6/14/2021
HCV-7 Increase in Payment Standard During HAP Contract Term	<u>Regulatory Authority</u> § 982.505(c)(4) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • 12/31/2021 for HCV • In effect until amended, superseded, or rescinded for EHV 	Yes for HCV Yes for EHV (ARP waiver)	4/13/2020 6/14/2021

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		<ul style="list-style-type: none"> Applicable to EHV's as per Notice PIH 2021-15 			
HCV-8 Utility Allowance Schedule: Required Review and Revision	<u>Regulatory Authority</u> § 982.517	<ul style="list-style-type: none"> Provides for delay in updating utility allowance schedule Applicable to PBV since waived HCV regulation includes PBV (24 CFR §983.2(c)(6)(iii)) 	<ul style="list-style-type: none"> 12/31/2021 for HCV and PBV 	Yes for HCV and PBV	4/13/2020
HCV-9 Homeownership Option: 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"> Waives the requirement for the family to obtain pre-assistance counseling 	<ul style="list-style-type: none"> 12/31/2021 for HCV 	Yes for HCV	11/30/2020
HCV-10 Family Unification Program (FUP): FUP Youth Age Eligibility to Enter HAP Contract	<u>Statutory Authority</u> Section 8(x)(2)	<ul style="list-style-type: none"> Allows PHAs to increase age to 26 for foster youth initial lease up 	<ul style="list-style-type: none"> 12/31/2021 for HCV 	Yes for HCV	4/13/2020
HCV-11 Family Unification Program (FUP): Length of Assistance for Youth	<u>Statutory Authority</u> Section 8(x)(2)	<ul style="list-style-type: none"> Allows PHAs to suspend terminations of assistance for FUP youth who will reach the 36-month limit between April 10, 2020, and December 31, 2020 	<ul style="list-style-type: none"> 12/31/2021 for HCV 	Yes for HCV Rescinded	7/2/2020 6/14/2021

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HCV-12 Family Unification Program (FUP): Timeframe for Referral	<u>Statutory Authority</u> Section 8(x)(2)	<ul style="list-style-type: none"> Allows PHAs to accept referrals of otherwise eligible youth who will leave foster care within 120 days 	<ul style="list-style-type: none"> 12/31/2021 for HCV 	Yes for HCV	7/2/2020
HCV-13 Homeownership: Maximum Term of Assistance	<u>Regulatory Authority</u> § 982.634(a)	<ul style="list-style-type: none"> Allows a PHA to extend homeownership assistance for up to 1 additional year 	<ul style="list-style-type: none"> 12/31/2021 for HCV 	Yes for HCV	7/2/2020
HCV-14 Mandatory Removal of Unit from PBV HAP Contract	<u>Regulatory Authority</u> §§ 983.211(a); 983.258	<ul style="list-style-type: none"> Allows a PHA to keep a PBV unit under contract for a period of time that extends beyond 180 days from the last HAP but does not extend beyond December 31, 2020 	<ul style="list-style-type: none"> 12/31/2021 for PBV 	Yes for PBV	11/30/2020

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HCV-15 Project-Based Voucher (PBV) and Enhanced Voucher (EV) Provisions on Under-Occupied Units	<u>Statutory Authority 42 U.S.C. § 1437a(b)(3)(A)</u> <u>Regulatory Authority 24 CFR §§ 983.253(b), 983.260</u> <u>Sub-regulatory Guidance Notice H 2019-9/PIH 2019-23, Notice PIH 2016-02</u>	<ul style="list-style-type: none"> Allows a PHA to permit a family to initially lease an under-occupied PBV or RAD PBV unit (a unit that has more bedrooms than what the family qualifies for under PHA subsidy standards) under certain circumstances, and to allow for the continued occupancy of PBV and EV families already under a lease for an under-occupied PBV, RAD PBV, or EV unit. 	<ul style="list-style-type: none"> 12/31/2021 for PBV 	Yes for PBV	06/14/2021
PH-1 Fiscal Closeout of Capital Grant Funds	<u>Regulatory Authority § 905.322(b)</u>	<ul style="list-style-type: none"> Extension of deadlines for ADCC and AMCC 	Varies by PHA	Yes	4/13/2020
PH-2 Total Development Costs	<u>Regulatory Authority § 905.314(c) - (d)</u>	<ul style="list-style-type: none"> 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 	Applies to development proposals submitted to HUD no later than December 31, 2021	Yes	4/13/2020

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PH-3 Cost and Other Limitations: Types of Labor	<u>Regulatory Authority</u> § 905.314(j)	<ul style="list-style-type: none"> Allows for the use of force account labor for modernization without HUD approval regardless of whether the PHA is a high performer 	<ul style="list-style-type: none"> 12/31/2021 	Yes	4/13/2020
PH-4 ACOP: Adoption of Tenant Selection Policies	<u>Regulatory Authority</u> § 960.202(c)(1)	<ul style="list-style-type: none"> Establishes an alternative requirement that policies may be adopted without board approval until 9/30/2021 Any provisions adopted informally must be adopted formally by 12/31/2021 	<ul style="list-style-type: none"> 9/30/2021 12/31/2021 	Yes	4/13/2020
PH-5 Community Service and Self-Sufficiency Requirement (CSSR) – superseded by 12.e.	<u>Statutory Authority</u> Section 12(c) <u>Regulatory Authority</u> §§ 960.603(a) and 960.603(b)	<ul style="list-style-type: none"> Temporarily suspends CSSR 	<ul style="list-style-type: none"> 6/30/2021 This waiver is superseded by 12.e. 	Yes	4/13/2020
PH-6 Energy Audits	<u>Regulatory Authority</u> § 965.302	<ul style="list-style-type: none"> Allows for delay in due dates of energy audits 	<ul style="list-style-type: none"> 12/31/2021 	Yes	5/1/2020

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH-7 Over-Income Families	<u>Statutory Authority</u> Section 16(a)(5) <u>Sub-regulatory Guidance</u> Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit 83 FR 35490, Notice PIH 2019-11	<ul style="list-style-type: none"> Changes to timeframes for determination of over-income when a delay in the annual reexamination occurs as a result of adoption of waiver PH and HCV-2 	<ul style="list-style-type: none"> 12/31/2021 	Yes	4/13/2020
PH-8 Resident Council Elections	<u>Regulatory Authority</u> § 964.130(a)(1)	<ul style="list-style-type: none"> Provides for delay in resident council elections 	<ul style="list-style-type: none"> 12/31/2021 	Yes	4/13/2020
PH-9 Review and Revision of Utility Allowance	<u>Regulatory Authority</u> § 965.507	<ul style="list-style-type: none"> Provides for delay in updating utility allowance schedule 	<ul style="list-style-type: none"> 12/31/2021 	Yes	4/13/2020
PH-10 Tenant Notifications for Changes to Project Rules and Regulations	<u>Regulatory Authority</u> § 966.5	<ul style="list-style-type: none"> Advance notice not required except for policies related to tenant charges 	<ul style="list-style-type: none"> 12/31/2021 	Yes	4/13/2020

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH-11 Designated Housing Plan Renewals	<u>Statutory Authority</u> Section 7(f)	<ul style="list-style-type: none"> Extends the Plan's effective period through June 30, 2021 for Plans due to expire between July 2, 2020 and June 30, 2021 	<ul style="list-style-type: none"> 6/30/2021 	No	
PH-12 Public Housing Agency Annual Self-Inspections	<u>Statutory Authority</u> Section 6(f)(3) <u>Regulatory Authority</u> § 902.20(d)	<ul style="list-style-type: none"> Waives the requirement that the PHA must inspect each project 	<ul style="list-style-type: none"> 12/31/2020 Inspections resume during CY 2021. 	Yes	4/13/2020
PH-13 Over-Income Limit: Termination Requirement	<u>Statutory Authority</u> Section 16(a) as amended by section 103 of HOTMA Implementation Notice: Housing Opportunity Through Modernization Act of 2016: Final Implementation of Public Housing Income Limit, 83 Fed. Reg. 35,490 (July 26, 2018)	<ul style="list-style-type: none"> Waives the requirement that a family whose income has exceeded the over-income limit for the locality for two consecutive years be terminated within 6 months of the third income determination. As an alternative requirement, over-income families will remain public housing households instead of being terminated and will be charged the 	<ul style="list-style-type: none"> 12/31/2021 	Yes	11/30/2020

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		applicable FMR as the family's monthly rental amount.			
PH-14 Annual Choice of Rent	<u>Statutory Authority:</u> 42 USC 1437a(a)(2)(A) <u>Regulatory Authority</u> § 960.253	<ul style="list-style-type: none"> Allows a PHA to give families up to two opportunities to choose between a flat rent and an income-based rent within the same one-year period 	<ul style="list-style-type: none"> 12/31/2021 	No	
11a PHAS	<u>Regulatory Authority</u> 24 CFR Part 902	<ul style="list-style-type: none"> Allows for alternatives related to inspections PHA to retain prior year PHAS score unless requests otherwise 	HUD will carry forward the most recent PHAS score on record for any PHAs with a fiscal year on or before 12/31/2021	N/A	N/A
11b SEMAP	<u>Regulatory Authority</u> 24 CFR Part 985	<ul style="list-style-type: none"> PHA to retain prior year SEMAP score unless requests otherwise 	HUD will carry forward the most recent SEMAP score on record for any PHAs with a fiscal year on or before 12/31/2021	N/A	N/A
11b-1 SEMAP	<u>Regulatory Authority</u> § 985.105(d)	<ul style="list-style-type: none"> Allows field offices to perform a remote 	<ul style="list-style-type: none"> 12/31/2021 	N/A	N/A

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		SEMAP confirmatory review instead of an on-site confirmatory review before changing a PHA's rating from troubled to standard or high performer			
11b-2 SEMAP	<u>Regulatory Authority</u> § 985.101(a)	<ul style="list-style-type: none"> • Waives the requirement for PHAs to submit an annual SEMAP certification in PIC within 60 days of FYE during the period of time that HUD will roll forward prior year SEMAP scores 	<ul style="list-style-type: none"> • 1/1/2022 	No	
11c Uniform Financial Reporting Standards: Filing of Financial Reports; Reporting Compliance Dates	<u>Regulatory Authority</u> §§ 5.801(c), 5.801(d)(1)	<ul style="list-style-type: none"> • Allows for extensions of financial reporting deadlines 	Varies by PHA FYE	Yes	4/13/2020
12a PHA Reporting Requirements on HUD Form 50058	<u>Regulatory Authority</u> 24 CFR Part 908, § 982.158	<ul style="list-style-type: none"> • Waives the requirement to submit 50058 within 60 days 	<ul style="list-style-type: none"> • 12/31/2020 	Yes Recinded	4/13/2020 5/5/2020

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
	<u>Sub-regulatory Guidance</u> Notice PIH 2011-65	<ul style="list-style-type: none"> Alternative requirement to submit within 90 days of the effective date of action 			
12b Designated Housing Plans: HUD 60-Day Notification	<u>Statutory Authority</u> Section 7(e)(1)	<ul style="list-style-type: none"> Allows for HUD to delay notification about designated housing plan 	<ul style="list-style-type: none"> 7/31/2020 	N/A	N/A
12c Extension of Deadline for Programmatic Obligation and Expenditure of Capital Funds	<u>Statutory Authority</u> Section 9(j) <u>Regulatory Authority</u> § 905.306(d)(5)	<ul style="list-style-type: none"> Provides an 24-month extension 	For all open Capital Fund grants that were open on April 10, 2020, a 24-month extension from the obligation and expenditure end dates in LOCCS as of April 10, 2020; For new Capital Fund grants opened between April 11, 2020 and December 31, 2020, a 24-month extension from the obligation and expenditure end dates in LOCCS as	Yes	4/13/2020

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
			of December 31, 2020		
12d Section 6(j) 1- and 2-Year Substantial Improvement Requirements	<u>Statutory Authority</u> Section 6(j)(3)(B)(ii) <u>Regulatory Authority</u> 24 CFR § 902.75(d)	<ul style="list-style-type: none"> For PHAs designated as troubled prior to the date of this Notice that have not received a PHAS assessment for the first full fiscal year after the initial notice of the troubled designation, HUD will: (1) evaluate the 1-year substantial improvement benchmark based on the first released score for fiscal years ending on or after March 31, 2022; and, (2) toll the evaluation of the 2-year recovery benchmark to the next sequential fiscal year 	The period of availability for this waiver and alternative requirement: (1) is effective on the date of this Notice; and, (2) will continue through March 31, 2023, at which time HUD will reevaluate any additional impacts of this waiver on any PHA in the process of being evaluated.	No	
12e Community Service and Self-Sufficiency Requirement (CSSR) suspension	<u>Statutory Authority</u> Section 12(c) <u>Regulatory Authority</u> 24 CFR §§ 960.603(a),	<ul style="list-style-type: none"> Waives the requirement that each non-exempt adult resident of public housing contribute 8 hours per month of 	Effective for all annual reexaminations completed between publication date of	Yes	4/13/2020 (as preceded by PH-5)

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
	960.603(b), 960.607, 966.4(l)(2)(iii)(D)	community service and/or participation in an economic selfsufficiency program. This non-discretionary waiver also suspends enforcement of the requirement by all PHAs operating a public housing program	this notice through April 30, 2022.		
MR-1 Family Income and Composition: Delayed Annual Examination	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> 24 CFR § 882.515(a)	<ul style="list-style-type: none"> • Waives statutory and regulatory requirement to permit PHAs to delay annual reexaminations of Mod Rehab families 	<ul style="list-style-type: none"> • 12/31/2021 	Yes	06/14/2021
MR-0 Family Income and Composition: Annual examination; Income Verification Requirements	<u>Regulatory Authority:</u> §5.233(a)(2) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> • Waives the requirements to use the income hierarchy described by Notice PIH 2018-18 and will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of 	<ul style="list-style-type: none"> • 12/31/2021 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		EIV, if the PHA wishes to conduct the annual reexam rather than delaying the family's annual reexam as permitted under MR-1			
MR-3 Family Income and Composition: Interim Examinations	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> 24 CFR §§ 5.233(a)(2), 882.515(b) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> • Waives requirements to use the income verification hierarchy as described by Notice PIH 2018-18. Allows PHAs to forgo third-party income verification requirements for interim reexams, 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 reexams 	<ul style="list-style-type: none"> • 12/31/2021 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
MR-4 Enterprise Income Verification (EIV) Monitoring	<u>Regulatory Authority</u> § 5.233 <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> Waiving the mandatory EIV monitoring requirements. 	<ul style="list-style-type: none"> 12/31/2021 	Yes	6/14/2021
MR-5 PHA Inspection Requirement: Annual Inspections	<u>Regulatory Authority</u> § 882.516(b)	<ul style="list-style-type: none"> Waives the annual inspection requirement and allows PHAs to delay annual inspections for Mod Rehab units All delayed annual inspections must be completed as soon as reasonably possible but no later than one year after the date the annual inspection would have been required absent the waiver 	<ul style="list-style-type: none"> 12/31/2021 	Yes	6/14/2021
MR-6 Adjustment of Utility Allowance	<u>Regulatory Authority</u> § 882.510	<ul style="list-style-type: none"> Waives the requirement to allow PHAs to delay the review and update of utility allowances 	<ul style="list-style-type: none"> 12/31/2021 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
MS-1 Mainstream Initial Lease Term	<u>Statutory Authority</u> Section 8(o)(7)(A) <u>Regulatory Authority</u> § 982.309(a)(2)(ii)	<ul style="list-style-type: none"> • PHA may enter initial lease terms of less than one year regardless of whether the shorter lease term is a prevailing market practice • 	<ul style="list-style-type: none"> • 12/31/2021 	No	
MS-2 Mainstream Criminal Background Screening	<u>Statutory Authority</u> 42 U.S.C. 13663(a), 42 U.S.C. 13661 <u>Regulatory Authority</u> §§ CFR 5.856, 982.553(a)	<ul style="list-style-type: none"> • PHAs may establish, as an alternative requirement, screening requirements for applicants for Mainstream vouchers which are distinct from those in place for its HCV program in general 	<ul style="list-style-type: none"> • 12/31/2021 	No	
MS-3 Mainstream Age Eligibility to Enter HAP Contract Statutory Authority	<u>Statutory Authority</u> 42 U.S.C. 8013(k)(2)	<ul style="list-style-type: none"> • As an alternative requirement, the PHA may choose to expand the definition of an eligible non-elderly family member to include those who were issued a voucher prior 	<ul style="list-style-type: none"> • 12/31/2021 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		to turning 62 and were not yet 63 on the effective date of the HAP Contract			

HUD Notice PIH 2021-15: Waivers and Alternative Requirements Applicable to the Emergency Housing Voucher Program

This chart summarizes the waivers authorized under HUD Notice PIH 2021-15 that are specific to the Emergency Housing Voucher (EHV) Program. These waivers are in addition to those listed above within the COVID-19 Statutory and Regulatory Waivers.

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
Admissions process: Direct referrals from the CoC and other partnering organizations	<u>Regulatory Authority</u> §982.204(a) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • PHAs must accept referrals for EHV's: <ul style="list-style-type: none"> ○ Directly from the Coordinated Entry System; or ○ To facilitate an emergency transfer in accordance with the Violence Against Women Act (VAWA) 	<ul style="list-style-type: none"> • In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		as outlined in the PHA's Emergency Transfer Plan			
Required housing search assistance	<u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> The PHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the PHA or through the CoC or another partnering agency or entity. 	<ul style="list-style-type: none"> In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021
Separate waiting list	<u>Regulatory Authority</u> §§982.204(f); 982.206 <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> PHA shall maintain a separate waiting list for EHV referrals/applicants PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the EHV waiting list 	<ul style="list-style-type: none"> In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		rather than give public notice when opening and closing the waiting list.			
Local Preferences	<u>Regulatory Authority</u> §982.207(a) and (b) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • The PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV, or may simply choose to not establish any local preferences for the EHV waiting list • PHA may not apply any residency preference to EHV applicants 	<ul style="list-style-type: none"> • In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021
Restrictions on denial of assistance	<u>Regulatory Authority</u> §§982.552; 982.553 <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • Establishes an alternative requirement with respect to mandatory and permissive prohibitions of admissions. • PHAs must continue to deny assistance for 	<ul style="list-style-type: none"> • In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		<p>criminal activity related to methamphetamine and lifetime registration on a state sex offender list.</p>			
Income Targeting Requirements	<p><u>Statutory Authority</u> Section 16(b) of the United States Housing Act of 1937</p> <p><u>Regulatory Authority</u> §982.201(b)(2)</p> <p><u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)</p>	<ul style="list-style-type: none"> • PHAs can effectively serve individuals and families in all eligibility categories under the ARP who may be at a variety of income levels, including low-income families 	<ul style="list-style-type: none"> • In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021
Use of recently conducted initial income determinations and verifications at admission	<p><u>Regulatory Authority</u> §982.516</p> <p><u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)</p>	<ul style="list-style-type: none"> • PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of 	<ul style="list-style-type: none"> • In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		conducting an initial examination of income			
Initial Lease Term	<u>Statutory Authority</u> Section 8(o)(7)(A) <u>Regulatory Authority</u> § 982.309(a)(2)(ii) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • PHA may enter initial lease terms of less than one year regardless of whether the shorter lease term is a prevailing market practice 	<ul style="list-style-type: none"> • In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021
Portability	<u>Statutory Authority</u> Section 8(r)(1)(B)(i) <u>Regulatory Authority</u> §§ 982.353(c); 982.355(e) <u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)	<ul style="list-style-type: none"> • The PHA may not restrict an EHV family from exercising portability because they are a nonresident applicant. • A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA does or does not currently administer EHV's under its own ACC • The initial PHA must 	<ul style="list-style-type: none"> • In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		<p>inform the family how portability may impact the special EHV services and assistance that may be available to the family</p> <ul style="list-style-type: none"> Alternative requires for billing arrangements for HAP and EHV administrative fees 			
Payment Standard Amounts	<p><u>Regulatory Authority</u> §§ 982.503(b)(i), (b)(iii), and (c)</p> <p><u>Sub-regulatory Guidance</u> Notice PIH 2021-15 (for EHV)</p>	<ul style="list-style-type: none"> PHAs are permitted to establish payment standard amount for a unit size at any level between 90 percent and 120 percent of the published FMR for that unit size. PHA may establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published Small Area 	<ul style="list-style-type: none"> In effect until amended, superceded, or rescinded for EHV 	Yes	6/14/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
		<p>FMRs.</p> <ul style="list-style-type: none"> • PHAs may also still request approval for exception EHV payment standards above 120% of the applicable FMR/SAFMR from HUD if needed 			