



# RIHousing CoC Rental Assistance Program

2020 VIRTUAL TRAINING MODULE 1:

**Policies and Procedures Addendum to Address COVID-19 Health Crisis**



# Regulatory Waivers for CPD Grant Programs

On April 1, 2020, HUD issued a memorandum providing regulatory waivers for certain requirements associated with the Continuum of Care (CoC) Program.

The waivers are intended to help prevent the spread of COVID-19 and to provide additional supports to individuals and families eligible for assistance who are economically impacted by COVID-19.

Temporarily overrides certain federal regulations that guide operations and recordkeeping for the RIHousing CoC Rental Assistance Program.



# Utilizing the Waiver


- RIHousing followed the required procedures to notify HUD of its intention to utilize applicable waivers, as outlined in memorandum.



OFFICE OF COMMUNITY PLANNING  
AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

MEMORADUM FOR: All Community Planning and Development Field Office Directors,  
Deputy Directors and Program Managers

FROM:  Digital signed  
by JOHN GIBBS  
Date: 2020.03.31  
17:43:00-0400 John Gibbs, Assistant Secretary, Acting, D

SUBJECT: Availability of Waivers of Community Planning and Development  
(CPD) Grant Program and Consolidated Plan Requirements to  
Prevent the Spread of COVID-19 and Mitigate Economic Impacts  
Caused by COVID-19

## PURPOSE

This memorandum explains the availability of waivers of certain regulatory requirements associated with several CPD grant programs to prevent the spread of COVID-19 and to facilitate assistance to eligible communities and households economically impacted by COVID-19. This memorandum covers waivers of consolidated plan requirements for all CPD formula programs and program-specific waivers for the following CPD programs:

- RIHousing developed a set of **emergency policies and procedures** ([rihousing.com/continuum-of-care/](https://rihousing.com/continuum-of-care/))



## Waived Requirement 1: Disability Documentation for Permanent Supportive Housing

- **For the 6-month period beginning on the date of the waiver memorandum (3/31/2020)**, the requirement to have third party documentation of disability that intake staff-recorded observation of disability be confirmed and accompanied by other evidence no later than 45 days from the application for assistance documentation requirement is waived for any program participants admitted into PSH funded by the CoC Program.
- Major Change to Practice: Self-certification of disability is acceptable in process of approving a referred household as being eligible for PSH (qualifying as chronically homeless)



# Waived Requirement 1: Disability Documentation for Permanent Supportive Housing

## Suggested Subrecipient/Recipient Documentation:

1. Documentation of COVID-19 related constraints preventing collection of disability documentation such as office closures or limitations on procuring documents from licensed medical professionals;
2. Copy of waiver notification sent to HUD (see Attachment 2 of addendum);
3. Reference to approved emergency recordkeeping policies and procedures

## Suggested Client Level Documentation:

1. Copies of certifications, such as self-certifications;
2. A note in the files of affected clients outlining application of the waiver and compliance with the timeframe.



## Waived Requirement 2: Limit on Eligible Housing Search and Counseling Services

- **For the 1-year period beginning on the date of the waiver memorandum (3/31/2020)**, the limitation on eligible housing search and counseling activities is waived so that CoC Program funds may be used for up to 6 months of a program participant's utility arrears and up to 6 months of program participant's rent arrears, when those arrears make it difficult to obtain housing.
- Only applies when those arrears make it difficult to obtain housing. "Difficult to obtain housing" are situations where a program participant cannot access a new housing opportunity due to rent or utility arrears.
- Applies when **you have a supportive services budget line item**, you can help persons **moving to new units**, settle outstanding rent and utility arrears with CoC grant funds.



## Waived Requirement 2: Limit on Eligible Housing Search and Counseling Services

### Suggested Subrecipient/Recipient Documentation:

1. A reference to the approved emergency recordkeeping policies and procedures outlining definition of “difficulty obtain[ing] housing”;
2. Copy of waiver notification sent to HUD (see Attachment 2 of addendum)

### Suggested Client Level Documentation:

1. Copies of certifications, such as self-certifications;
2. A note in the files of affected clients outlining application of the waiver and compliance with the timeframe, such as a past debt to a utility preventing utilities at new unit being turned on; or rental debts to a public housing authority preventing leasing up at that or another public housing authority.



## Waived Requirement 3: Housing Quality Standards (HQS) – Initial Physical Inspection of Unit

- **For the 6-month period beginning on the date of the waiver memorandum (3/31/2020)**, this waiver of the requirement that the recipient or subrecipient physically inspect each unit to assure that the unit meets HQS before providing assistance on behalf of a program participant is in effect.
- Must visually inspect the unit using technology, such as video streaming, to ensure the unit meets HQS before assistance is provided; and
- Follow the written policies to physically reinspect the unit within 3 months after the health officials determine special measures to prevent the spread of COVID-19 are no longer necessary. Units subject to lead-based paint hazard determination should be prioritized in the reinspection schedule.





## Waived Requirement 3: Housing Quality Standards (HQS) – Initial Physical Inspection of Unit

### Suggested Subrecipient/Recipient Documentation:

1. A reference to the approved emergency recordkeeping policies and procedures outlining the reinspection process (see Attachment 1 of addendum);
2. Copy of waiver notification sent to HUD (see Attachment 2 of addendum)

### Suggested Client Level Documentation:

1. A completed HQS inspection form noting the method of observation, date, and reference to the waiver;
2. By the 3-month deadline, a completed on-site inspection.



## Waived Requirement 4: HQS – Re-Inspection of Units

- **For the 1-year period beginning on the date of the waiver memorandum (3/31/2020),** the requirement to annual reinspect units for HQS compliance is waived.
- For units with a history of physical inspection findings, or for units in which the owner of the property has a history of physical inspection findings at other properties, re-inspections should be scheduled when feasible. Decisions to re-inspect during this waiver period are at the discretion of the subrecipient.
- For any re-inspection conducted during the time of this waived requirement (3/31/2020 – 3/30/2021), the subrecipient, when it is feasible to conduct a re-inspection, should visually inspect the unit using technology, such as video streaming.
- Requests for special inspections, especially for health and safety purposes, should still be respected during this waiver period. Visual inspections can use technology such as video streaming.



## Waived Requirement 4: HQS – Re-Inspection of Units

### Suggested Subrecipient/Recipient Documentation:

1. A reference to the approved emergency recordkeeping policies and procedures outlining the reinspection process (see Attachment 1 of addendum);
2. Copy of waiver notification sent to HUD (see Attachment 2 of addendum)

### Suggested Client Level Documentation:

1. A note in the file of affected clients



## Waived Requirement 5: One-Year Lease Requirement

- **For the 6-month period beginning on the date of the waiver memorandum (3/31/2020),** the one-year lease requirement is waived.
- The initial lease term of all leases must be for no less than one month.
- Continue to push for leases to initially be one-year, as a PSH best practice.



## Waived Requirement 5: One-Year Lease Requirement

### Suggested Subrecipient/Recipient Documentation:

1. Documentation outlining constraints related to 1-year lease requirement;
2. Copy of waiver notification sent to HUD (see Attachment 2 of this addendum);
3. A reference to the approved emergency recordkeeping policies and procedures

### Suggested Client Level Documentation:

1. A note in the files of affected clients along with a copy of the lease indicating the term



# Attachment 1: Initial Unit Inspection Policy

- Until September 30, 2020, initial unit inspections can be conducted by visual inspection of the unit using remote technology such as video streaming.
- If no HQS deficiencies are uncovered through this remote inspection process, CoC rental assistance funds may be approved. Any deficiencies need to be corrected, and their correction must be corroborated by a follow up remote inspection.
- In-person physical inspection must occur within three months after public health authorities inform the community that special measures relating to COVID-19 are no longer necessary.

