On November 30, 2020, the U.S. Department of Housing and Urban Development issued [PIH Notice 2020-33](https://www.hud.gov/sites/dfiles/PIH/documents/PIH2020-33.pdf), waiving select statutory and regulatory requirements for Public Housing Authorities (PHAs) and extending some deadlines from earlier notices (PIH Notices 2020-05 and 2020-13). These waivers provide administrative flexibilities to PHAs in response to the COVID-19 national emergency. Use of these waivers is at the discretion of the PHA.

This is notification to tenants and others of waivers the Virgin Islands Housing Authority is using or plans to continue to use under PIH Notice 2020-33, in order to limit in-person contact in certain instances and accelerate paperwork and policy changes that support the health and safety of VIHA employees, tenants and others during the coronavirus pandemic.

With or without further notice, this information may change if HUD changes requirement dates, period of eligibility or adds new waivers that VIHA uses

| **Item**  | **Statutory and regulatory waivers**  | **Summary of alternative requirements**  | **Availability Period Ends**  | **Did PHA implement** **waiver and alternative requirement?**  | **Date of** **PHA** **adoption**  | **Discussion** |
| --- | --- | --- | --- | --- | --- | --- |
| PH and HCV-1 PHA 5-Year and Annual Plan  | Statutory Authority Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h)  Regulatory Authority § 903.5(a)(3), 903.5(b)(3), 903.21  | * Alternative dates for submission
* Changes to significant amendment process
 | * Varies based on FYE
* 7/31/20

  | * Yes
 |  | * Annual/5 Year Plan public comment period must open 45 days prior to public hearing. If hearing is held 1/8/2021 must be available for public comment by 11/23/2020 (Thanksgiving week)
* Notice orgs that normally participate of the change in dates
* Notice on website of date change
 |
| PH and HCV-2 Family income and composition – delayed annual reexaminations  | Statutory Authority Section 3(a)(1)  Regulatory Authority § 982.516(a)(1), § 960.257(a)  | * 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
 |  12/31/20  | Yes |  04/10/2020 | * All annuals should be completed by 10/31 to provide 30-day notice to 12/1/20 reexam families
* Retro/delayed annuals must be completed by 12/31
 |
| PH and HCV-3 Annual reexamination Income Verification  | Regulatory Authority § 5.233(a)(2)  Sub-regulatory Guidance PIH Notice 2018-18  |  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  |  12/31/2020  | Yes |  04/10/12020 | * Develop new verification procedure to be used for annual and interim reexams conducted
* Develop check form to validate the verification being used
* Train staff on various ways to gather documents to verify changes in household to include income, and lease additions
 |
| PH and HCV-4 Interim reexaminations  |  |  Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations   |  12/31/2020  |  Yes | 04/10/2020 | * Develop new verification procedure to be used for annual and interim reexams conducted
* Develop check form to validate the verification being used
* Train staff
 |
| PH and HCV-5 EIV System Monitoring  | Regulatory Authority § 5.233  Sub-regulatory Guidance PIH Notice 2018-18  |  Waives the mandatory EIV monitoring requirements.   |  12/31/2020  |  Yes |  04/10/2020 | * Provide written direction that staff working remotely do not have to access EIV for interims
 |
| PH and HCV-6 FSS Contract of Participation  | Regulatory Authority § 984.303(d)   |  Provides for extensions to FSS contract of participation  | 12/31/20  | 04/10/2020 | 04/10/2020  |  |
| PH and HCV-7 Waiting List  | Regulatory Authority § 982.206(a)(2) PIH Notice 2012-34  | * Waives public notice requirements for opening and closing waiting list
* Requires alternative process
 |  12/31/2020  |  No | 04/10/2020  |  |
| HQS-1 Initial inspection  | Statutory Authority Section 8(o)(8)(A)(i), Section 8(o)(8)(C) Regulatory Authority § 982.305(a), 982.305(b), 982.405   | * 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 October 31, 2020.
 | * 7/31/20

    * 10/31/20
 |  |   |  |
| HQS-2: PBV Pre-HAP Contract Inspections, PHA acceptance of completed units    | Statutory Authority: Section 8(o)(8)(A)  Regulatory Authority: §§ 983.301(b), 983.156(a)(1)   | * Changes inspection requirements, allowing for owner certification that there are no lifethreatening deficiencies
* Where self-certification was used, PHA must

inspect the unit no later than October 31, 2020.  | * 12/31/2020

    * 12/31/2020
 |   |   |  |
| HQS-3 Non-Life Threatening HQS - Initial Unit Approval  | Statutory Authority Section 8(o)(8)(A)(ii)  Regulatory Authority HOTMA HCV Federal Register Notice January 18, 2017   |  Allows for extension of up to 30 days for owner repairs of non-life threatening conditions  |  12/31/2020  |   |   |  |
| HQS-4 Initial HQS -Alternative Inspections  | Statutory Authority Section 8(o)(8)(A)(iii)  Regulatory Authority HOTMA HCV Federal Register Notice January 18, 2017   | * 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 October 31, 2020.  | * 12/31/2020

        * 12/31/2020

  |   |   |  |
| HQS-5 Biennial Inspections  | Statutory Authority Section 8(o)(D)  Regulatory Authority §§ 982.405(a), 983.103(d)  | * Allows for delay in biennial inspections
* All delayed biennial inspections must be completed as soon as reasonably possible but

by no later than October 31, 2020.  |  12/31/2020  |   |   |  |
| HQS-6 Interim Inspections  | Statutory Authority Section 8(o)(8)(F)  Regulatory Authority §§ 982.405(g), § 983.103(e)  | * Waives the requirement for the PHA to conduct interim inspection and requires alternative method
* Allows for repairs to be verified by alternative methods
 |  12/31/2020  |   |   |  |
| HQS-7 PBV Turnover Inspections  | Regulatory Authority § 983.103(c)   | * Allows for PBV

turnover units to be filled based on owner certification there are no life-threatening deficiencies * Allows for delayed full HQS inspection
 | * 12/31/2020

     * 12/31/2020

  |   |   |  |
| HQS-8: PBV HAP Contract – HQS Inspections to Add or Substitute Units    | Statutory Authority Section 8(o)(8)(A) Regulatory Authority §§ 983.207(a), 983.207(b)   | * Allows for PBV units to be added or substituted in the HAP contract based on owner certification there are no life-threatening deficiencies
* Allows for delayed full HQS inspection
 | * 12/31/2020

      * 12/31/2020

  |  |   |  |
| HQS-9 HQS QC Inspections  | Regulatory Authority § 982.405(b)   |  Provides for a suspension of the requirement for QC sampling inspections  |  12/31/2020  |   |   |  |
| HQS--10 HQS Space and Security  | Regulatory Authority § 982.401(d)   |  Waives the requirement that each dwelling unit have at least 1 bedroom or living/sleeping room for each 2 persons.  | Remains in effect one year from lease term or date of notice, whichever is longer  |   |   |  |
| HQS-11 Homeownership HQS  | Statutory Authority Section 8(o)(8)(A)(i), Section 8(y)(3)(B)  Regulatory Authority § 982.631(a)   | * Waives the requirement to perform an initial HQS inspection in order to begin making homeownership assistance payments
* Requires family to obtain independent professional inspection

  | 12/31/2020  |   |   |  |
| HCV-1 Administrative Plan  | Regulatory Authority § 982.54 (a)   |  Waives the requirement to adopt revisions to the admin plan  |  12/31/2020  |   |   |  |
| HCV-2 PHA Oral Briefing  | Regulatory Authority § 982.301(a)(3) § 983.252(a)   | * Waives the requirement

for an oral briefing * Provides for alternative methods to conduct required voucher briefing
 | 12/31/2020 |   |   |  |
| HCV-3 Term of Voucher -Extensions of Term  | Regulatory Authority § 982.303(b)(1)   |  Allows PHAs to provide voucher extensions regardless of current PHA policy   |  12/31/2020  |   |   |  |
| HCV-4 PHA Approval of Assisted Tenancy  | Regulatory Authority § 982.305(c)   | * Provides for HAP payments for contracts not executed within 60 days
* PHA must not pay HAP to owner until HAP contract is executed
 |  12/31/2020  |   |   |  |
| HCV-5 Absence from unit   | Regulatory Authority § 982.312   | * Allows for PHA

discretion on absences from units longer than 180 days * PHAs must not make HAP payments beyond 12/31/20 for units vacant

more than 180 consecutive days  |  12/31/20  |   |   |  |
| HCV-6 Automatic Termination of the HAP Contract  | Regulatory Authority § 982.455   |  Allows PHA to extend the period of time after the last HAP payment is made before the HAP contract terminates automatically.  |  12/31/20  |   |   |  |
| HCV-7 Increase in Payment Standard  | Regulatory Authority § 982.505(c)(4)   |  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 to do so.  |  12/31/20  |   |   |  |
| HCV-8 Utility Allowance Schedule  | Regulatory Authority § 982.517   |  Provides for delay in updating utility allowance schedule  |  12/31/20  |   |   |   |
| HCV-9 Homeownership Counseling  | Statutory Authority Section 8(y)(1)(D)  Regulatory Authority § 982.630, 982.636(d)   |  Waives the requirement for the family to obtain pre-assistance counseling  |  12/31/2020  |   |   |  |
| HCV-10 FUP  | Statutory Authority Section 8(x)(2)  |  Allows PHAs to increase age to 26 for foster youth initial lease up  |  12/31/20  |  |   |  |
| PH-1 Fiscal closeout of Capital Grant Funds  | Regulatory Authority § 905.322(b)   |  Extension of deadlines for ADCC and AMCC  | 12/31/2020  |   |   |  |
| PH-2 Total  | Regulatory Authority § 905.314(c)  |  Waives the TDC and HCC limits permitting  | 12/31/2020  |   |  If we take advantage of this it gives us additional money as well as an additional year. We try to do develop within limitations hud has set. This allows for us to spend above the capped amt. this says we can go 25-50%.we can do more to units than otherwise.This is for redevelopment proposals we submit before 2021.  |  |
| Development Costs  |   | approval of amounts in excess of published TDC by 25% to 50% on a case by case basis  | proposals submitted to HUD no later than December 31, 2021  |  |  |  |
| PH-3 Cost limitations  | Regulatory Authority § 905.314(j)   |  Allows for the use of force account labor for modernization activities in certain circumstances   |  12/31/20  |   |  |  |
| PH-4 ACOP  | Regulatory Authority § 960.202(c)(1)   |  Changes to approval process for ACOP  |  12/31/2020  |  No |  |  |
| PH-5 CSSR  | Statutory Authority Section 12(c)  Regulatory Authority § 960.603(a) and 960.603(b)   |  Temporarily suspends CSSR  |  3/31/21  |  Yes |  04/10/2020 | * Develop procedure that shows CSSR not required until next AR
* Modify AR letter to notice families that they do not need to provide CSSR verification for period of suspension
 |
| PH-6 Energy Audits  | Regulatory Authority § 965.302   |  Allows for delay in due dates of energy audits  | One year beyond 2020 audit deadline  |  ??? |  Check with MOD |  |
| PH-7 Over-income families  | Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit 83 FR 35490  |  Changes to timeframes for determination of over-income  |  12/31/20  |  Yes |  04/10/2020 | * Modify the over-income provisions to adjust time frame
 |
|  | Notice: Notice PIH 2019-11   |  |  |  |  |  |
| PH-8 Resident Council Elections  | Regulatory Authority § 964.130(a)(1)   |  Provides for delay in resident council elections  |  12/31/2020  | Yes |  04/10/2020 |  |
| PH-9 Utility Allowance  | Regulatory Authority § 965.507   |  Provides for delay in updating utility allowance schedule  |  12/31/20  |  No |   |  |
| PH-10 Tenant notifications  | Regulatory Authority § 966.5   |  Advance notice not required except for policies related to tenant charges  |  7/31/20  |  No |   |  |
| 11a PHAS  | Regulatory Authority 24 CFR Part 902   | * Allows for alternatives related to inspections
* PHA to retain prior year PHAS score unless requests otherwise
 | HUD will resume issuing new PHAS scores starting with PHAs with FYE dates of 3/31/21  | N/A  | N/A We have no choice |  |
| 11b SEMAP  | Regulatory Authority 24 CFR Part 985   |  PHA to retain prior year SEMAP score unless requests otherwise  |  HUD will resume issuing new SEMAP scores starting with PHAs with FYE dates of 3/31/21  | N/A  | N/A Only if we think new score will be higher |  |
| 11c Financial reporting  | Regulatory Authority §§ 5.801(c), 5.801(d)(1)  |  Allows for extensions of financial reporting deadlines  | 12/31/2020 |   |  Do not wait until last minute to submit unaudited financials |  |
|   |  |  |  |  |  |  |
| 12a Form HUD 50058   | Regulatory Authority 24 CFR Part 908, § 982.158  Sub-regulatory Guidance PIH Notice 2011-65   | * Waives the requirement to submit 50058 within

60 days * Alternative requirement to submit within 90 days of the effective date of action
 |  12/31/20  |  Yes |  Gives us the opportunity to submit within 90-days. As an agency we will continue with 60-days. If we get fatal errors  | * Continue to submit 50058s within 60 days where possible
* Resubmit fatal error 50058s after HUD issues guidance
 |
| 12b Designated housing plan  | Statutory Authority Section 7(e)(1)   |  Allows for HUD to delay notification about designated housing plan   |  7/31/20  | N/A  | N/A  |  |
| 12c Deadline for reporting Operating and Capital Fund expenditures  | Statutory Authority Section 9(j) Regulatory Authority § 905.306(d)(5)  |  Provides a one-year extension  | One-year extension, however no programmatic expenditure end date shall be extended beyond one month prior to closure of relevant appropriations acc  |  yes |  CINMARC Reccmnd’s extending. Speak with MOD-maybe money is on track and we will not need to extend.  |  |