

**BURLINGTON HOUSING AUTHORITY**

**COVID-19 STATUTORY AND REGULATORY WAIVERS EFFECTIVE APRIL 10, 2020 AND TO EXPIRE DECEMBER 31, 2020 OR EARLIER AS PER REGULATIONS**

**In Notice PIH 2020–05, published on April 10, 2020, HUD exercised its authority under the CARES Act to establish waivers and administrative flexibilities to provide relief to Public Housing Agencies (PHAs) in response to the COVID-19 pandemic. BHA will apply the following waivers and alternative requirements authorized in the notice as necessary to keep Public Housing programs operational to the extent practicable. Waivers adopted and utilized by BHA are as follows:**

<b>Item</b>	<b>Statutory and regulatory waivers</b>	<b>Summary of alternative requirements</b>	<b>Availability Period Ends</b>	<b>Did PHA implement waiver and alternative requirement?</b>	<b>Date of PHA adoption</b>
PH PHA 5-Year and Annual Plan	<u>Statutory Authority</u> Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h)  <u>Regulatory Authority</u> § 903.5(a)(3), 903.5(b)(3), 903.21	<ul style="list-style-type: none"> <li>Alternative dates for submission</li> <li>Changes to significant amendment process</li> </ul>	<ul style="list-style-type: none"> <li>Varies based on FYE</li> <li>7/31/20</li> </ul>	YES, Submission due no later than Oct 18, 2020	5/7/2020
PH Family income and composition – delayed annual reexaminations	<u>Statutory Authority</u> Section 3(a)(1)  <u>Regulatory Authority</u> § 982.516(a)(1), § 960.257(a)	<ul style="list-style-type: none"> <li>Permits the PHA to delay the annual reexamination of income and family composition</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	YES all recerts were due to be completed by 6/1/2020 - will attempt to complete prior to 12/31/2020	5/7/2020

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PH Annual reexamination Income Verification	<u>Regulatory Authority</u> §5.233(a)(2) <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	<ul style="list-style-type: none"> <li>• 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</li> <li>• PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	YES	5/7/2020
PH Interim reexaminations	<u>Statutory Authority</u> Section 3(a)(1)  <u>Regulatory Authority</u> § 5.233(a)(2), 982.516(c)(2), 960.257(b) and (d)  <u>Sub-regulatory Guidance</u> PIH Notice 2018-18	<ul style="list-style-type: none"> <li>• Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	YES	5/7/2020
PH EIV System Monitoring	<u>Regulatory Authority</u> § 5.233  <u>Sub-regulatory Guidance</u>	<ul style="list-style-type: none"> <li>• Waives the mandatory EIV monitoring requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• 7/31/20</li> </ul>	YES	5/7/2020

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	PIH Notice 2018-18				
PH FSS Contract of Participation	<u>Regulatory Authority</u> § 984.303(d)	<ul style="list-style-type: none"> <li>Provides for extensions to FSS contract of participation</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	YES	5/7/2020
PH 4- ACOP	<u>Regulatory Authority</u> § 960.202(c)(1)	<ul style="list-style-type: none"> <li>Changes to approval process for ACOP</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	YES	5/7/2020
PH 5-CSSR	<u>Statutory Authority</u> Section 12(c)  <u>Regulatory Authority</u> §960.603(a) and 960.603(b)	<ul style="list-style-type: none"> <li>Temporarily suspends CSSR</li> </ul>	<ul style="list-style-type: none"> <li>3/31/21</li> </ul>	YES	5/7/2020
PH 6 Energy Audits	<u>Regulatory Authority</u> §965.302	<ul style="list-style-type: none"> <li>Allows for delay in due dates of energy audits</li> </ul>	One year beyond 2020 audit deadline	YES	5/7/2020
PH-7 Over-income families	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"> <li>Changes to timeframes for determination of over-income</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	YES	5/7/2020

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PH-10 Tenant notifications	Regulatory Authority § 966.5	<ul style="list-style-type: none"> <li>Advance notice not required except for policies related to tenant charges</li> </ul>	<ul style="list-style-type: none"> <li>7/31/20</li> </ul>	YES	5/7/2020
11a PHAS	<u>Regulatory Authority</u> 24 CFR Part 902  <u>Regulatory Authority</u> § 965.507	<ul style="list-style-type: none"> <li>Allows for alternatives related to inspections</li> <li>PHA to retain prior year PHAS score unless requests otherwise</li> </ul>	HUD will resume issuing new PHAS scores starting with PHAs with FYE dates of 3/31/21	N/A	N/A
11c Financial reporting	<u>Regulatory Authority</u> §§ 5.801(c), 5.801(d)(1)	<ul style="list-style-type: none"> <li>Allows for extensions of financial reporting deadlines</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	YES	5/7/2020
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"> <li>Waives the requirement that the PHA must inspect each project</li> </ul>	<ul style="list-style-type: none"> <li>12/31/20</li> </ul>	YES	8/6/2020
12c Deadline for reporting Operating and Capital Fund expenditures	Statutory Authority Section 9(j)  <u>Regulatory Authority</u> § 905.306(d)(5)	<ul style="list-style-type: none"> <li>Provides a one-year extension</li> </ul>	One-year extension, however no programmatic expenditure end date shall be extended beyond one month prior to closure of relevant appropriations ACC	YES	5/7/2020