

Joseph L. Smith  
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The Coronavirus Aid, Relief and Economic Security (CARES) Act, which was enacted on March 27, 2020, provides the United States Department of Housing and Urban Development (HUD) with broad authority to waive statutes and regulations for its Public Housing, Housing Choice Voucher and other programs to allow for the temporary adjustment of certain policies and practices where necessary to prioritize mission critical functions within the context of the public health crisis created by COVID-19.

On April 10, 2020, HUD issued Notice PIH 2020-05, in which HUD waives and establishes alternative requirements for numerous statutes and regulations. PIH-2020-05 provides relief and administrative flexibilities to public housing authorities (PHAs) to carry out essential functions while also taking steps to prevent further spread of COVID-19 and to mitigate the health risks posed by the virus to staff, residents, program participants, landlords and the community at large. The ability to use these waivers became effective immediately upon the date of the notice. PHAs may implement any or all waivers at any point during the availability period, which varies by waiver. Further, PHAs are not required to seek HUD approval or receive approval from their Board of Commissioners to amend their policies prior to implementing the waivers. The waivers that HABC chose to implement pursuant to this PIH 2020-05 can be found at <https://www.habc.org/media/2153/waivernoticeforwebsitefinaldraft6-5-20-onletterhead-v1.pdf>.

Subsequently, on July 2, 2020, HUD issued Notice PIH 2020-13, in which HUD provides additional waivers, extends the period of availability for most waivers in PIH 2020-05 and also extends the deadline for PHAs to receive approval from their Board of Commissioners to formally adopt all waivers that were utilized from July 31, 2020 to December 31, 2020. Pursuant to PIH 2020-13, HABC has chosen to implement the following additional waivers:

#### Housing Choice Voucher Program:

##### HCV-11: Family Unification Program: Length of Assistance for Youth

- For FUP youth who will reach the 36-month limit between April 10, 2020, and December 31, 2020, HABC will adopt the waiver that suspends terminations of assistance for a period of up to six months from the date the youth's assistance would have been terminated absent this waiver.

##### HCV-12: Family Unification Program: Timeframe for Referral

- HUD is extending the timeframe for which PHAs may accept referrals from child welfare agencies for youth who will leave foster care from 90 days to 120 days.

##### HCV-13: Homeownership: Maximum Term of Assistance

- HUD is waiving the maximum term on homeownership assistance for non-elderly/non-disabled families of 15 years if the initial mortgage has a term of 20 or more years, and 10 years in all other cases. Specifically, for any family that is in the last year of this term and that is experiencing

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financial hardship as a result of the COVID-19 pandemic, a PHA may provide homeownership assistance for up to 1 additional year.

#### HCV-14: Mandatory Removal of Unit from PBV HAP Contract

- Under the PBV program, a PHA is required to remove a unit from a PBV HAP contract after 180 days of zero housing assistance payments to the unit owner on behalf of the family residing in the unit. This situation arises when the family increases its income to such an extent that it no longer requires housing assistance. In recognition that the COVID19 pandemic is creating uncertainty for owners and families, HUD is waiving this requirement, and is HUD authorizing a PHA, at its discretion, to keep such units under contract for a period of time that exceeds 180 days but does not extend beyond December 31, 2020.

#### Public Housing Program

#### PH-12: Public Housing Agency Annual Self-Inspections

- HUD is waiving the requirement for PHAs to inspect each public housing project annually during CY2020. HABC will perform remote virtual inspections when possible and appropriate and will continue to conduct exterior site inspections.