



# ANAHEIM HOUSING AUTHORITY

201 S. ANAHEIM BLVD. SUITE 201, ANAHEIM, CA 92805

PHONE (714)765-4320 | FAX (714)765-4331

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## Adopted COVID-19 Waivers

Pursuant to the authority provided under the Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136), PIH Notice 2020-05, Notice PIH 2020-13, and Notice PIH 2020-33, below are the waivers and alternative requirements that the Anaheim Housing Authority, referenced herein as the PHA, has adopted:

**Accessibility:** If you are a person with a disability and require auxiliary aids and/or services, or if you require assistance in a different language, please call 714-765-4320 and leave a message or email [AHInfo@anaheim.net](mailto:AHInfo@anaheim.net) and a staff member will reach out within 24-48 hours to assist you. For the hearing impaired line, please call 711 – (714-765-4320).

### Delayed Annual Reexaminations

The PHA is required to conduct a reexamination of family income and composition at least annually. The PHA will continue to use its best efforts to conduct reexaminations on time. In the case that PHA is unable to meet these demands due to the COVID-19 pandemic, the reexamination will be conducted as soon as practicable, but will apply the prevailing payment standard by the original effective date of the reexamination. If the PHA delays annual reexaminations for HCV families under this authority, it will comply with the alternative requirement regarding the application of an increase in the payment standard amount during the Housing Assistance Payment (HAP) contract term (see HCV-7 below) if applicable, so as not to delay the application of the increased payment standard amount to the family's HAP calculation. All delayed annual reexaminations due in calendar year 2020 will be completed by December 31, 2020 (or subsequent extensions provided by HUD). Reexaminations due between January 1, 2021 and June 30, 2021 will be completed by June 30, 2021 (or subsequent extensions provided by HUD) (Notice 2020-33, Waiver: PH and HCV-2, p. 10).

### Income Verifications for Annual and Interim Reexaminations

The PHA is required to follow the HUD income verification hierarchy and use the Enterprise Income Verification (EIV) System to verify family income when conducting annual and interim reexaminations. The PHA will continue to use its best efforts to follow the HUD income verification hierarchy and provide an EIV report for all reexaminations. In the event that the PHA is unable to collect proper verifications due to the impacts of COVID-19, the PHA may forgo HUD verification hierarchy requirements and may accept self-certifications as the highest form of income verification through June 30, 2021 (or subsequent extensions provided by HUD). (For annual reexaminations only, the PHA may use self-certifications if the PHA wishes to conduct the annual recertification rather than delaying the family's annual recertification as listed above). This may occur over the telephone but will be documented by PHA staff with a contemporaneous written record. The PHA may also obtain self-certification through email or postal mail, or through other electronic communications. Due to staffing and technology limitations that have stemmed from the COVID-19 pandemic, the PHA may not include an EIV



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report with annual or interim reexaminations through June 30, 2021 (or subsequent extensions provided by HUD). (Notice 2020-33, Waivers: PH and HCV-3 and PH and HCV-4, pp. 11-12).

## Enterprise Income Verification (EIV) Monitoring

The PHA is required to continuously monitor EIV reports. Due to staffing and technology limitations that have stemmed from the COVID-19 pandemic, the PHA may suspend EIV monitoring through June 30, 2021 (or subsequent extensions provided by HUD). (Notice 2020-33, Waiver: PH and HCV-5, p. 13).

## Family Self-Sufficiency (FSS) Contract of Participation Extension

The PHA may extend a family's contract of participation in the FSS program for a period not to exceed two years upon a finding of good cause. The circumstances surrounding COVID-19 pandemic qualify as good cause and the PHA may extend FSS contracts when employment has been impacted by the disease. The period of availability during which the PHA may extend the family's contract of participation using COVID-19 as good cause ends on June 30, 2021 (or subsequent extensions provided by HUD). (Notice 2020-33, Waiver: PH and HCV-6, p. 14).

## Waiting List: Opening and Closing: Public Notice

The PHA is required to give public notice by publication in a local newspaper of general circulation and also by minority media and other suitable means when it opens a waiting list. Recognizing the foreseeable difficulties in complying with this requirement in light of the COVID-19 pandemic, the PHA will adopt an alternative requirement that provides public notice in a voicemail message on its main or general information telephone number and through its website through June 30, 2021 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later. The PHA will comply with applicable fair housing and other civil rights requirements when providing public notice under this alternative requirement, including ensuring effective communication with persons with hearing, visual, and other communication-related disabilities and ensuring meaningful access for persons with limited English proficiency in all notifications and communications (Notice 2020-33, PH and HCV-7, p. 14).

## Administrative Plan

HUD regulation requires that any revisions of the PHA's Administrative Plan must be formally adopted by the PHA Board of Commissioners or other authorized PHA officials. HUD and the PHA have recognized the foreseeable difficulties in complying with this requirement in light of the COVID-19 pandemic. PIH Notice 2020-33 allows the PHA to adopt these waivers on a temporary basis without Board approval through March 31, 2021. The PHA will formally adopt these provisions no later than June 30, 2021 (Notice 2020-33, Waiver: HCV-1, p. 22).

## PHA Oral Briefings



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The PHA is required through federal regulations to provide an oral briefing to the families that the PHA has selected to participate in either the HCV or PBV program. Conducting in-person oral briefings during the COVID-19 poses health risks for families and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. In lieu of in-person oral briefings, the PHA will conduct the briefing by other means such as a telephone call, webcast, video call, or expanded information packet through June 30, 2021 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later. Section 504 and the ADA require PHAs to ensure effective communication with applicants, participants and members of the public in all communications and notices. The PHA will ensure that the method of communication for the briefing effectively communicates with, and allows for equal participation of, each family member, including those with vision, hearing, and other communication-related disabilities, and ensures meaningful access for persons with limited English proficiency (Notice 2020-33, Waiver: HCV-2, p. 22).

## Voucher Extensions

The PHA may grant a family one or more extension of the initial voucher term in accordance with its PHA policy as described in its PHA Administrative Plan. Due to the impacts that the COVID-19 pandemic may have on finding housing, the PHA may issue extensions beyond what is typically allowable under Chapter 5-II.E. of the Administrative Plan through June 30, 2021 (or subsequent extensions provided by HUD) (Notice 2020-33, Waiver: HCV-3, p. 22-23).

## HAP Execution

Typically, the PHA may not make any housing assistance payments to the owner until the HAP contract is executed. The PHA will continue to use its best efforts to execute the HAP contract no later than 60 days from the beginning of the lease term. In the case of inability to meet these demands due to the COVID-19 pandemic, the PHA may take up to 120 days from the beginning of the lease term to fully execute the HAP contract through June 30, 2021 (or subsequent extensions provided by HUD) (Notice 2020-33, Waiver: HCV-4, p. 23).

## Absence from Unit

HUD regulations require that a family may not be absent from the unit for a period of more than 180 consecutive calendar days for any reason. The PHA recognizes that families may have to relocate to protect their health and safety due to the COVID-19 pandemic. The PHA may waive its policies of family absences listed on Chapter 12-I.E. of the Administrative Plan at its discretion, may continue housing assistance payments, and not terminate the HAP contract if the family's absence is related to a COVID-19 related emergency. The PHA will maintain documentation in the tenant file which explains the extenuating circumstances that caused the extended absence. The PHA may waive these policies through June 30, 2021 (or subsequent extensions provided by HUD). The PHA may not make payments beyond June 30, 2021, and the HAP contract will terminate on that date if the family is still absent from the unit (Notice 2020-33, Waiver: HCV-5 p. 21).



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## Termination of the HAP Contract/Family Self-Sufficiency

When family's income increases to the extent that the housing assistance payment is reduced to \$0, the PHA is required by regulation to automatically terminate HAP contract 180 days after the last housing assistance payment to the owner. The PHA recognizes that the COVID-19 pandemic is creating economic and employment instability for many families, as well as situations where families may on a temporary basis be adding members whose additional income may result in a \$0 HAP subsidy calculation. Upon written notice to the owner and the family, the PHA may extend the HAP contract beyond 180 days from the date that the family became self-sufficient but may not extend beyond June 30, 2021 (or subsequent extensions provided by HUD) (Notice 2020-33, Waiver: HCV-6, p. 23-24).

## Increase in Payment Standard During HAP Contract Term

HUD regulation requires that if the payment standard amount is increased during the term of the HAP contract, the increased payment standard amount shall be used to calculate the monthly housing assistance payment for the family beginning at the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard amount. In recognition that the COVID-19 pandemic is creating uncertainty for owners and families, the PHA may apply the increased payment standard at any time (e.g., interim reexamination, owner rent increase) after the effective date of the increase in the payment standard amount, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change. If the PHA has delayed the family's annual recertification under the waiver PH and HCV-2 (above), the PHA will use the increased payment standard amount to calculate the family's HAP beginning the date that the family's first regular examination would have been effective in the absence of the waiver. Alternatively, the PHA may conduct an interim reexamination where the only change is the increased payment standard amount. Regardless of the method used, the participant must receive the increased payment standard no later than the effective date of the family's first regular reexamination following the increased payment standard. This waiver is available through June 30, 2021 (Notice 2020-33, Waiver: HCV-7, p. 24).

## Utility Allowance

The PHA is required to review its utility allowance schedule each year and revise it if there has been a change of 10 percent or more in a utility rate since the last time it was revised. The PHA recognizes that there may be delays in receiving information required for the utility allowance review due to the COVID-19 pandemic. In the event that the PHA experiences delays on receiving information, the PHA may conduct a review of the utility allowance beyond 12 months but will complete it but no later than December 31, 2020 (Notice 2020-5, Waiver: HCV-8, p. 22).

## 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. In recognition that the COVID-19 pandemic is creating uncertainty for owners and



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families, the PHA may use its discretion to keep such units under contract for a period of time that exceeds 180 days but does not extend beyond June 30, 2021 (or subsequent extensions provided by HUD). The PHA may resume housing assistance payments on behalf of a family residing in such a unit should the family's income change at any point during the period of time covered by the extension (Notice 2020-33, Waiver: HCV-14, p. 27).

## Mainstream Age Eligibility to Enter HAP Contract

HUD regulations require that eligible member of a Mainstream household must be non-elderly, defined as at least 18 years of age and under 62 years of age (not yet reached their 62nd birthday) to be eligible to be placed under HAP contract. A Mainstream-eligible individual issued a voucher at 61 years of age may not be able to lease the voucher before their 62nd birthday where PHA operations may have been shut down or severely curtailed, unit searches are not possible due to shelter-in-place orders, or where the movement of people is significantly restricted. As an alternative requirement, the PHA may expand the definition of an eligible non-elderly family member to include those who were issued a voucher prior to turning 62 and were not yet 63 on the effective date of the HAP Contract through June 30, 2021 (or subsequent extensions provided by HUD). (Notice 2020-33, Waiver: MS-3, p. 43-44).

## Initial HQS Inspections

The PHA is required to conduct an initial inspection of a unit within certain time frames before the beginning of the initial lease term and before any housing assistance payment (HAP) is made to determine whether the unit meets HQS. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. The PHA will allow an owner's self-certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question instead of conducting an initial inspection through June 30, 2021 (or subsequent extensions provided by HUD). At minimum, the PHA will require this owner certification. For any units for which the PHA has accepted a self-certification, the PHA will conduct an initial HQS inspection on the unit as soon as it is reasonably possible and safe to do so but not later than the 1 year anniversary of the date of the owner's certification (or subsequent extensions provided by HUD). The use of this waiver by the PHA does not relieve owners of their responsibility to maintain the unit in accordance with HQS as required in the HAP contract, nor does it in any way restrict the PHA from taking action to enforce the owner's obligations (Notice 2020-33, Waiver: HQS-1, p. 16).

If a unit failed to meet HQS as the result only of Non-Life-Threatening (NLT) deficiencies, then the PHA may approve an extension of up to an additional 30 days to make the repairs and continue to make payments to the owner during the period of that maximum 30-day extension. The PHA may approve this additional extension through June 30, 2021 (or subsequent extensions provided by HUD) The extension to make the NLT repairs may extend beyond June 30, 2021, depending on the date the PHA approved the extension. For example, if the PHA



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approved the extension on June 15, 2021, the maximum extension provided to the owner would be July 15, 2021 (Notice 2020-33, Waiver: HQS-3, p. 17).

The PHA may also approve an assisted tenancy and execute a HAP contract if there are outstanding NLT deficiencies in the unit. However, if repairs are not made within 60 days, (this includes the additional 30 day extension listed above), the PHA will withhold payments until the repairs are made (Notice 2020-33, Waiver: HQS-3, p. 17).

## PBV Pre-HAP Contract Inspections

The PHA is required to inspect each PBV contract unit before execution of the HAP contract and the HAP contract may not be executed until the units fully comply with HQS. For rehabilitated and newly constructed units, the PHA is required to inspect the units to determine if the housing has been completed in accordance with the Agreement to Enter into the HAP Contract (AHAP), including compliance with the HQS and any additional requirement imposed by the PHA under the Agreement. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. The PHA will allow an owner's self-certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question through June 30, 2021 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later. At minimum, the PHA will require this owner certification. If the PHA has imposed an additional requirement under the AHAP for newly constructed or rehabilitated projects, the PHA will allow the owner to certify that the PHA requirement has been met instead of inspecting the housing to make that determination through June 30, 2021 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later. The PHA may delay the physical inspections until as soon as it is reasonably possible and safe to conduct them but no later than the 1-year anniversary of the date of the owner's certification (or subsequent extensions provided by HUD) (Notice 2020-33, Waiver: HQS-2, p. 16-17).

## Biennial HQS Inspections

The PHA is required to inspect units not less than biennially during the term of the HAP contract. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. The PHA may delay any biennial inspections and instead, the PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question. At minimum, the PHA will require this owner certification. The PHA must resume biennial inspections by June 30, 2021 and must conduct all delayed biennial inspections no later than December 31, 2021 (or subsequent extensions provided by HUD). The use of this waiver by the PHA does not relieve owners of their responsibility to maintain the unit



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in accordance with HQS as required in the HAP contract, nor does it in any way restrict the PHA from taking action to enforce the owner's obligations (Notice 2020-33, Waiver: HQS-5 p. 18-19).

## HQS Interim Inspections

If the PHA is notified that the assisted unit does not comply with the HQS by a family or government official, the PHA is required to inspect an assisted unit within 24 hours of when the PHA received the notification if the condition is life-threatening, or within 15 days if the reported condition is not life-threatening. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. If the reported deficiency is life-threatening, the PHA will notify the owner of the reported life-threatening deficiency and the owner must either correct the life-threatening deficiency within 24 hours of the PHA notification or provide documentation (e.g., text or email a photo to the PHA) that the reported deficiency does not exist through June 30, 2021 (or subsequent extensions provided by HUD). In the case of a reported non-life-threatening deficiency, the PHA will notify the owner of the reported deficiency within 30 days and the owner must either make the repair or document that the deficiency does not exist within 30 days of the PHA notification or any approved PHA extension through June 30, 2021 (or subsequent extensions provided by HUD). As is the case under the current HCV program requirements, the PHA is not required to conduct an in-person inspection to verify the repairs have been made but may rely on alternative verification methods (e.g., photos submitted by the owner, tenant certification, etc.). After June 30, 2021 (or subsequent extensions provided by HUD), the PHA must conduct the HQS inspection in accordance with the applicable time periods upon notification by a family or government official that the assisted unit does not comply with the HQS (Notice 2020-33, Waiver: HQS-6 p. 1-20).

## PBV Turnover Units

The PHA is required to conduct an inspection before providing assistance to a new family in a PBV contract unit. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. The PHA will allow an owner's self-certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question to allow a new family to occupy the vacated PBV unit until June 30, 2021 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later. At minimum, the PHA will require this owner certification. The PHA may delay the physical inspections until as soon as it is reasonably possible and safe to conduct them but no later than the 1-year anniversary of the date of the owner's certification (or subsequent extensions provided by HUD) (Notice 2020-33, Waiver: HQS-7, p. 20).

## PBV HAP Contract, HQS Inspections to Add or Substitute Units



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The PHA may amend the HAP contract to add additional PBV contract units or to substitute a different unit for a previously covered contract under its own discretion. The PBV requirements include inspecting the proposed substitute or additional unit to determine that the unit meets HQS before it may be added to the HAP contract. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. The PHA will allow an owner's self-certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question instead of conducting an initial inspection until June 30, 2021 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later. At minimum, the PHA will require this owner certification. The PHA may delay the physical inspections until as soon as it is reasonably possible and safe to conduct them but no later than the 1-year anniversary of the date of the owner's certification (or subsequent extensions provided by HUD) (Notice 2020-33, Waiver: HQS-8, p. 20).

## HQS Quality Control Inspections

The PHA is required to conduct supervisory quality control inspections of a sampling of units under contracts. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. The PHA may not conduct HQS quality control inspections through June 30, 2021 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later (Notice 2020-33, Waiver: HQS-9 p. 21).

## HQS Space Standards and Family Additions

The PHA is required to comply with a minimum space standard for both an HCV and Project-Based Voucher assisted family. The PHA recognizes the health and safety precautions that assisted families may take due to the COVID-19 pandemic. The PHA may add a member or members to the assisted household as a result of the COVID-19 pandemic even if the additional family members would result in the unit not meeting the space and security standards. This provision does not apply to an initial or new lease. A participant must not enter into a new lease for a unit that does not comply with the space and security standards. The PHA will not require the family to move until the end of the current lease term or November 30, 2021 or whichever is later (or subsequent extensions provided by HUD), (Notice 2020-33, Waiver: HQS-10 p. 21).