

Re: Addendum to Westchester County Continuum of Care Partnership to End Homelessness Written Assistance Policies

Waivers for Continuum of Care Program Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19

Emergency recordkeeping policies and procedures

All grantees in the Westchester County Continuum of Care have notified HUD that they are using the waiver flexibility provided in memorandum “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”.

Date on which the grantees first used the waiver flexibility:

April 5 2020

A list of the waiver flexibilities the grantees will use:

2. CoC Program - Disability Documentation for Permanent Supportive Housing (PSH)
5. CoC Program - Housing Quality Standards (HQS) – Initial Physical Inspection of Unit
6. CoC Program - HQS – Re-Inspection of Units

Text of waivers follows at the end of this document.

Emergency recordkeeping policies and procedures

Waiver 2. CoC Program - Disability Documentation for Permanent Supportive Housing (PSH)

- * A disability certification signed by the case worker should be placed in the client file before project enrollment
- * Before 10/01/20, another certification should be obtained signed as normal by a professional licensed by NYS to treat the disability.

Waiver 5. CoC Program - Housing Quality Standards (HQS) – Initial Physical Inspection of Unit

- * A fully completed Pass HQS inspection form in the client file dated BEFORE the lease, with a notation on the front page indicating this inspection was done via video streaming
- * Once the emergency is over and the physical HQS inspection is done, a second Pass HQS inspection form should be placed in the client file dated within 3 months of the end of the emergency.

Waiver 6. CoC Program - HQS – Re-Inspection of Units

- * A list of apartments with expired HQS covered by the waiver should be included with each voucher submitted by housing provider agencies starting with March.
- * A letter should be placed in the relevant client files behind the last (expired) HQS inspection, indicating that no new HQS inspection has been done under the HUD waiver delaying inspections during the COVID emergency.
- * Once the CoC decides to resume HQS inspections, an HQS inspection form should be placed in the client file based on the physical inspection.

Text of HUD waivers:

2. Disability Documentation for Permanent Supportive Housing (PSH)

Requirement:

A recipient providing PSH must serve individual and families where one member of the household has a qualifying disability (for dedicated projects and DedicatedPlus projects that individual must be the head of household). Further, the recipient must document a qualifying disability of one of the household members. When documentation of disability is the intake worker's observation, the regulation requires the recipient to obtain additional confirming evidence within 45 days.

Citation:

24 CFR 578.103(a) and 24 CFR 578.103(a)(4)(i)(B)

Explanation:

24 CFR 578.103(a) requires recipients to maintain records providing evidence they met program requirements and 24 CFR 578.103(a)(4)(i)(B) establishes the requirements for documenting disability for individuals and families that meet the "chronically homeless" definition in 24 CFR 578.3. Acceptable evidence of disability includes intake-staff recorded observations of disability that, no later than 45 days from the application for assistance, is confirmed and accompanied by evidence in paragraphs 24 CFR 578.103(a)(4)(i)(B)(1), (2), (3), or (5). HUD is waiving the requirement to obtain additional evidence.

Justification:

Waiving 24 CFR 578.103(a)(4)(i)(B)(4) as specified below will allow recipients to house people by relying on intake staff-recorded observation of disability while providing recipients' intake staff with additional time to confirm the disability. This will help households with observed disabilities to be housed quickly and obtain the necessary documentation once healthcare workers are no longer inundated by COVID-19 responses.

Applicability:

The requirement 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 for the 6-month period beginning on the date of this memorandum.

Note:

For the purposes of individuals and families housed in PSH from the date of this memorandum until public health officials determine no additional special measures are necessary to prevent the spread of COVID-19, a written certification by the individual seeking assistance that they have a qualifying disability is considered acceptable documentation approved by HUD under 24 CFR 578.103(a)(4)(i)(B)(5).

5. Housing Quality Standards (HQS) – Initial Physical Inspection of Unit

Requirement:

Recipients are required to physically inspect any unit supported with leasing or rental assistance funds to assure that the unit meets housing quality standards (HQS) before any assistance will be provided on behalf of a program participant.

Citation:

24 CFR 578.75(b)(1)

Explanation:

24 CFR 578.75(b)(1) requires that recipients or subrecipients physically inspect each unit to assure that it meets HQS before any assistance will be provided for that unit on behalf of a program participant.

Justification:

Waiving the physical initial inspection requirement 24 CFR 578.75(b)(1) as specified below will allow recipients to help prevent the spread of COVID- 19.

Applicability:

This waiver of the requirement in 24 CFR 578.75(b)(1) 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 for 6-months beginning on the date of this memorandum for recipients and subrecipients that are able to meet the following criteria:

- a. The recipient is able to visually inspect the unit using technology, such as video streaming, to ensure the unit meets HQS before any assistance is provided; and
- b. The recipient or subrecipient has written policies to physically re- inspect the unit within 3 months after the health officials determine special measures to prevent the spread of COVID-19 are no longer necessary.

6. HQS – Re-Inspection of Units**Requirement:**

Recipients or subrecipients must inspect all units for which leasing or rental assistance funds are used, at least annually to ensure they continue to meet HQS.

Citation:

24 CFR 578.75(b)(2)

Explanation:

24 CFR 578.75(b)(2) requires that recipients or subrecipients are required to inspect all units supported by leasing or rental assistance funding under the CoC Program at least annually during the grant period to ensure the units continue to meet HQS.

Justification:

Waiving the annual re-inspection 24 CFR 578.75(b)(2) requirement during this public health crisis as specified below will help allow recipients to prevent the spread of COVID-19.

Applicability:

This requirement in 24 CFR 578(b)(2) is waived for 1-year beginning on the date of this memorandum.