



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

SPECIAL ATTENTION OF:

Office Directors of Public Housing;
Regional Directors; Public Housing
Agencies

NOTICE PIH 2024-17

Issued: May 10, 2024

Expires: This notice remains in effect until
amended, superseded, or rescinded.

Cross References: Notice PIH 2018-16
Notice PIH 2023-13

Subject: Streamlined Review Process for Regulatory Waivers to Expedite Admission to the Housing Choice Voucher (HCV), Project-based Voucher (PBV), and Public Housing Programs for Persons Experiencing Homelessness

1. Applicability

This Notice applies to public housing agencies (PHAs) administering the HCV, PBV, or Public Housing programs. The HCV program includes special purpose vouchers (SPVs). Except for Emergency Housing Vouchers (EHV) and Stability Vouchers (SV), any waiver of HCV regulations granted under this notice will apply to SPVs. Please note, waivers are not needed for the EHV and SV programs because the alternative requirements for those programs already provide the flexibilities being offered under this notice.

2. Purpose

This Notice provides a streamlined submission and review process for two regulatory waivers related to verification requirements at admission to the HCV, PBV, or Public Housing programs: (1) third-party verification of date of birth and a person's disability status, and (2) third-party verification of income and assets. This streamlined process simplifies and expedites the process PHAs may undertake to receive approval of regulatory waivers for these purposes. These regulatory waivers specifically relate to assisting PHAs in responding to the crisis of households experiencing homelessness and providing tools to house families (which may be a single person or group of persons) experiencing homelessness more quickly. When granted, these waivers will remain in effect for a period of 12 months following approval and will provide alternative requirements that the PHA must follow during the period the waiver is in effect. The notice also provides guidance on policies that have recently been streamlined to help families more easily provide documentation and allow PHAs to house families faster.

3. Background

PHAs play a critical role in the efforts to end homelessness. PHAs administer over 899,000 units of Public Housing and approximately 2.8 million HCVs. In December 2022, the United States

Interagency Council on Homelessness (USICH) released “The Federal Strategic Plan to Prevent and End Homelessness.” One of the strategies outlined in the plan is “to remove and reduce programmatic, regulatory, and other barriers that systematically delay or deny access to housing for households with the highest need.”

In June 2023, the Department published Notice PIH 2023-13, “Guidance on housing individuals and families experiencing homelessness through the Public Housing and Housing Choice Voucher Programs.” The notice described ways PHAs could remove barriers to persons experiencing homelessness using existing flexibilities. Suggestions for PHAs included:

- Participating in the local Continuum of Care’s (CoC) Coordinated Entry System (CES) by accepting CES referrals and providing preferences for CES referrals
- Providing general nondiscriminatory preferences in admission policies for homeless applicants
- Developing universal applications with PHA partners in the region
- Providing multiple ways to access applications for housing programs
- Engaging with partner organizations to help households experiencing homelessness gather necessary information and documentation
- Implementing liberal waiting list reinstatement policies
- Establishing flexible intake and briefing schedules
- Providing longer voucher search terms
- Identifying and addressing racial equity in the PHA’s preference system
- Implementing flexible policies for rental history for those without a consistent or steady rental history

With many communities experiencing significant increases in the number of people experiencing homelessness, HUD is seeking to provide PHAs with options, including regulatory relief, when warranted based on a PHA’s circumstances.

4. Verification Policies Available to PHAs Without a Waiver

A. Verification of Social Security Number (SSN)

HUD has updated its requirements for the documentation of SSNs to make it easier for applicants to access programs if they do not have their Social Security card or other documentation that HUD typically requires at the time of initial eligibility determination. In accordance with 24 CFR 5.216(g)(1)(iii), and through Notice PIH 2023-27, HUD provided the following updated guidance.

PHAs must first attempt to obtain from an applicant, a valid SSN card issued by the Social Security Administration (SSA), or an original document issued by a federal or state government agency that contains the name and SSN of the individual, along with other identifying information of the individual. However, if the applicant is unable to provide that information, the PHA may accept as verification of an individual’s SSN the applicant’s self-certification of SSN and at least one-third party document, such as a bank statement, utility or cell phone bill, benefit letter, etc., that contains the name of the

individual. If verifying a person's SSN using this method, the PHA must document why the other SSN documentation was not available.

If the tenant's SSN is subsequently verified in EIV, no further verification is required. If the tenant's SSN fails the SSA identity match, the PHA must obtain a valid SSN card issued by the SSA, or an original document issued by a federal or state government agency that contains the name and SSN of the individual, along with other identifying information of the individual. The tenant's assistance must be terminated if they fail to provide the required documentation. Please note that the EHV, SV, and HUD-VASH programs have alternative requirements related to the verification of SSNs. Therefore, PHAs should consult program specific guidance for those SPVs.

B. Date of Written, Third-Party Verification

PHAs are responsible for verifying information that is related to family income, assets, and certain expenses and other factors that may affect a family's adjusted income and how much the family will pay for rent. HUD developed a hierarchy that describes verification documentation from the most acceptable to the least acceptable that PHAs must use when verifying a tenant's income and related information. Written, third-party verification is a type of verification within this hierarchy. Guidance issued in Notice PIH 2023-27, Section J.5.a., states that an original or authentic document generated by a third-party source dated within 120 days of the date received by the PHA, is considered acceptable third-party verification. For fixed income sources, a statement dated within the appropriate benefit year is acceptable documentation. Previously, documents were required to be dated within 60 days of the date received by the PHA. These changes are intended to ease the paperwork burden on families, while still providing timely information to the PHA. For more detailed information on verification requirements, please refer to Section J.5 of Notice PIH 2023-27.

C. Self-certification of Zero Income

PHAs may accept a self-certification of zero income from the family without taking any additional steps to verify zero reported income prior to admission of the family. HUD does not require that such self-certification be notarized. PHAs are reminded that they must verify families' income in EIV within 120 days after admission (Notice PIH 2023-27, Section J.8).

5. Streamlined Waiver Process

To help PHAs more quickly and effectively serve persons experiencing homelessness, HUD has created a streamlined waiver process.

A. Standards for Requesting Waivers

PHAs must use the process set forth in this Notice to submit waiver requests and provide justification of good cause to receive a streamlined HUD review. HUD has developed a streamlined process to respond to these waiver requests in accordance with Section 106

of the Department of Housing and Urban Development Reform Act of 1989. This streamlined review process only applies to the waivers under this notice.

In accordance with 24 CFR 5.110, regulatory waivers provide relief from certain requirements upon a finding of good cause, subject to statutory limitations. HUD will review waiver requests on a case-by-case basis, taking into consideration the specific circumstances presented by the PHA. There are several factors that a PHA may want to consider when developing its waiver request. These factors include, but are not limited to:

- A significant population of persons experiencing homelessness or significant increase in the population of persons experiencing homelessness within the PHA's jurisdiction, based on data such as the Point-in-Time (PIT) count.
- An emergency declaration by city, county, or state officials related to the homelessness crisis, in effect for the PHA's jurisdiction.
- The PHA is issuing vouchers or admitting to PBV or Public Housing units a significant number of persons experiencing homelessness, based on local waiting list preferences or the make-up of its HCV, PBV and/or Public Housing waiting lists.
- The length of time it takes the PHA to determine eligibility of applicants experiencing homelessness vs. other applicants.
- The percentage of applicant families experiencing homelessness that do not have income or other documentation readily available.
- The difficulties applicants experiencing homelessness face when attempting to gather documentation.
- The length of time it typically takes to gather appropriate documentation for persons experiencing homelessness.
- Other data or lessons learned from other programs or use of previous regulatory waivers (e.g. EHV, SVs, CARES Act).
- Policies, programs, or partnerships the PHA has put in place to reduce barriers for persons experiencing homelessness who are trying to access housing or other services.
- Existing referral partnerships with CoCs or Survivor Service Providers.
- Specific challenges your community faces and how these flexibilities would improve performance and benefit the community.

B. Available Waivers and Alternative Requirements

1) 24 CFR 982.201(e) and 960.259(a) and (c)(1): Verification of Date of Birth and Disability Status

HUD may waive 24 CFR 982.201(e) and 960.259(a) and (c)(1), for persons experiencing homelessness, as it relates to verifying a family member's date of birth and/or disability status at the time of admission for purposes of determining the family's eligible expenses and deductions. For example, the PHA verifies whether

the family is eligible to receive the dependent deduction for family members with a disability or who are under the age of 18 or receive the elderly/disabled deduction if the head of household, co-head or spouse is a person with a disability or is age 62 or older.

Alternative Requirement if Waiver is Approved: For any applicant family experiencing homelessness, a PHA may accept a self-certification from the applicable family member, if the family is unable to provide third-party verification of date of birth and/or disability status for any of its members, because of loss or lack of documents. The PHA must verify the disability status and/or date of birth within 90 days after admission.

Self-certification of date of birth and disability status cannot be utilized when it is related to the eligibility for a particular special purpose voucher (e.g., Mainstream) or for Public Housing which has been officially designated, with HUD approval, in whole or in part, for families whose head of household, co-head, or spouse is a person with disabilities or age 62 or older.

The waiver will be granted for a period of 12 months following the date of waiver approval.

2) **24 CFR 982.201(e) and 960.259(a)(1), (a)(2), and (c): Eligibility Determination, Income Verification**

PHAs are required to verify a family's income eligibility within 60 days prior to voucher issuance for the tenant-based voucher program and prior to admission for the PBV and Public Housing programs. Notice PIH 2023-27 provides the verification hierarchy under which PHAs are responsible for obtaining third-party verification of reported family annual income, and PHAs must demonstrate efforts to obtain third-party verification prior to accepting self-certification except in instances when self-certification is explicitly allowed. HUD may waive these requirements if an applicant family lacks necessary income documentation because the family is experiencing homelessness.

Alternative Requirement if Waiver is Approved:

- a) For any applicant family experiencing homelessness, the PHA must first request third-party documentation from the family.
- b) If the family is unable to provide third-party documentation at the time of the request, the PHA may immediately allow self-certification. The PHA is not required to first attempt to obtain the documentation from the third-party source of income before proceeding immediately to the family self-certification, notwithstanding the requirement under Notice PIH 2023-27 that PHAs must demonstrate efforts to obtain third-party verification prior to accepting self-certification.
- c) Applicants must submit a self-certification declaration of income, assets, expenses, and other factors that would otherwise affect an income eligibility

determination within 60 days prior to voucher issuance for the tenant-based HCV program, and prior to admission for the Public Housing and PBV programs.

- d) If the family is unable to provide third-party verification, for the tenant-based HCV program, the PHA must receive information verifying that the family is eligible within 90 days after the PHA enters into a Housing Assistance Payment (HAP) contract on behalf of the family. For the Public Housing and PBV programs the PHA must receive information verifying that the family is eligible 90 days following admission.
- e) The adoption of this waiver does not authorize any ineligible family to receive assistance under these programs or relieve the PHA of its responsibilities to correct any overpayments or underpayments. The PHA must take steps to identify and resolve any income discrepancies, including updating the family's income retroactive to the New Admission (action code 1) HUD-50058 and correcting any overpayments or underpayments. If the PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with the relevant program requirements.
- f) The waiver will be granted for a period of 12 months following the date of waiver approval.

6. Nondiscrimination Requirements

PHAs should ensure that applicants have multiple methods by which they can provide documentation to ensure persons with disabilities have an equal opportunity to access the PHA's programs. This could include accepting applications and documentation in person, by mail, or electronically (by email, or online submission, where available). Additionally, persons with disabilities may request reasonable accommodations to assist with the application process consistent with Section 504 of the Rehabilitation Act of 1973 (i.e., 24 CFR Sections 8.4 and 8.33).

7. Submission Requirements

To ensure streamlined processing, PHAs will submit their waiver request using this [LINK](#). PHAs must provide certain information within the waiver request document including:

- PHA name, code and business address
- Name and email for the PHA point of contact
- Regulatory waiver(s) being requested
- A PHA specific justification for the waiver(s) that shows good cause. The good cause justification must include (a) why a PHA needs the waiver (which may address the factors under section 5.A. of this notice, and/or other information the PHA deems as relevant) and (b) the impact on PHA operations or applicants if the waiver is not provided.

Following submission, PIH will reply via email confirming that the request has been received. Once a final determination for approval by the Assistant Secretary has been made, PHAs will receive the signed response to the waiver request via email.

No waiver(s) requested may be implemented unless written approval from HUD has been obtained.

Moving to Work (MTW) PHAs: MTW PHAs are encouraged to utilize their waiver flexibilities provided under the Standard MTW Agreement or MTW Operations Notice to better serve people experiencing homelessness in their communities. HUD-approved MTW waivers are not limited to one-year approvals.

Note: PHAs may continue to request other regulatory waivers as necessary to operate their HCV, PBV and Public Housing programs; however, they will not be subject to the streamlined process in this Notice. PHA waivers submitted under the streamlined process in this Notice may not be combined with waivers submitted under the standard process described in Notice PIH 2018-16.

8. Further Information

For further information about this notice, contact the nearest HUD Office of Public Housing. Locations of these offices are available on HUD's website at <http://www.hud.gov>.



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