




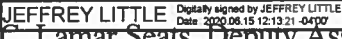
OFFICE OF HOUSING

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

June 12, 2020

MEMORANDUM FOR: Len Wolfson, Acting Assistant Secretary for Housing –
Federal Housing Commissioner, H

THROUGH: 
John L. Garvin, General Deputy Assistant Secretary
for Housing, H

FROM: 
C. Lamar Seats, Deputy Assistant Secretary for
Multifamily Housing Programs, HT

SUBJECT: Waiver of Submission Deadline for Certain Financial Reports for Owners of
Multifamily Projects and Residential Care Facilities

The Office of Multifamily Housing Programs and the Office of Healthcare Programs requests a waiver (attached) of the regulation at 24 CFR 5.801(a)(3) and (a)(4), requiring that owners of certain multifamily projects and residential care facilities submit specified financial information. The timeframe for submission of such financial information is delineated in 24 CFR 5.801(c)(2).

This waiver is limited to entities which, pursuant to the above provision, are required to timely submit the referenced financial information on or before September 30, 2020. The purpose of the waiver is to provide additional time for such entities to submit the required financial information to HUD given the impact the COVID-19 pandemic is having on projects and facilities in ways that may delay the ability of owners and their auditors to timely submit this required financial information. Waivers were already granted to extend the timeframe for submission of financial information to April 30th and then June 30th. However, the COVID-19 pandemic is still having an adverse impact on owners and auditors ability to submit the required information and the Office of Multifamily Housing Programs and the Office Healthcare Programs request that HUD extend the waiver until September 30, 2020.

If you have any questions, please contact Brandt Witte at (202) 402-2614 or at Brandt.T.Witte@hud.gov.

Internal HUD Distribution:							
HTGB : WITTE : 6151			HTGB : /FILE :				
Identification Lines: HTNA : WITTE : 202-402-2614							
Correspondence Code	Originator HTNA	Concurrence HTNA	Concurrence HTNA	Concurrence HTG	Concurrence HP	Concurrence H	Concurrence
Name	WITTE	DUDGEON	CALAMESE	HALLIDAY	LUKOFF	MORRIS	
Date		DRD 06/12/2020	<small>Digitally signed by LESLIE CALAMESE DN: cn = LESLIE CALAMESE, o = U.S. Department of Housing and Urban Development, ou = HUD</small> LESLIE CALAMESE	<small>Digitally signed by TOBIAS HALLIDAY Date: 2020.06.12 14:05:58 -0400</small> TOBIAS HALLIDAY	<small>Digitally signed by ROGER LEWIS Date: 2020.06.12 10:48:53 -0400</small> ROGER LEWIS	<small>Digitally signed by JOHN GARVIN Date: 2020.06.22 11:48:44 -0400</small> JOHN GARVIN	

Official Record Copy

U.S. Department of Housing and Urban Development

form HUD-713.1 (02/03)

Housing Waiver # _____

Waiver of Submission Deadline for Certain Financial Reports for Owners of Multifamily Projects and Residential Care Facilities

Pursuant to Section 7(q) of the Department of Housing and Urban Development Act (42 U.S.C 3535(q)) and 24 CFR Section 5.110, I hereby waive the timeframe provided in 24 CFR Section 5.801(c)(2), subject to the limitations set forth below,

24 CFR Section 5.801(c)(2) provides:

For entities listed in paragraphs (a)(3) and (4) of this section, the financial information to be submitted to HUD in accordance with paragraph (b) of this section, must be submitted to HUD annually, no later than 90 days after the end of the fiscal year of the reporting period, and as otherwise provided by law.

This waiver is limited to entities which, pursuant to the above provision and previous waivers, are required to timely submit the referenced annual financial information on or before June 30, 2020. The purpose of the waiver is to provide additional time for such entities to submit the required financial information to HUD. Consequently, entities required to submit financial information on or before June 30, 2020 are now required to submit their financial information on or before September 30, 2020, and as otherwise provided by law. Entities with a fiscal year end date after June 30, 2020, are not subject to the waiver and must submit financial information no later than 90 days after the end of the fiscal year, pursuant to 24 CFR Section 5.801.

This waiver is limited in scope and does not apply to the submission requirements for financial information that is delinquent as of March 20, 2020.

Findings

1. Pursuant to 24 CFR 5.801(a)(3) and (a)(4), the Department requires that owners of certain multifamily projects and residential care facilities submit specified financial information.
2. The timeframe for submission of such financial information is delineated in 24 CFR 5.801(c)(2).
3. For many organizations submitting financial information pursuant to 24 CFR 5.801(c)(2), the deadline is imminent, occurring on or before April 30, 2020.
4. COVID-19 is having a substantial impact on many of those projects and facilities in ways that may delay the ability of owners to timely submit this required financial information.

Determinations

1. Considering both the importance of this information and the difficulties resulting from the COVID-19 National Emergency, good cause having been shown, an extension of the reporting period as set forth above is appropriate.
2. This waiver will not violate any statutory requirements.

Accordingly, the submission deadline contained in 24 CFR Section 5.801(c)(2), requiring that certain financial information be submitted within 90 days after the end of the applicable fiscal year, is hereby waived for entities currently required to submit the referenced annual financial information on or before June 30, 2020, as outlined above.



Len Wolfson, Acting Assistant Secretary for Housing-
Federal Housing Commissioner, H

6/25/20
Date