

# COVID-19 FAQs for Public Housing Agencies



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## 1.0 Key Resources

Updated 4-22-20

- [Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease of 2019 \(COVID-19\) Outbreak](#)
- [HUD COVID-19 \("Coronavirus"\) Information and Resources](#)
- [Centers for Disease Control and Prevention \(CDC\) Coronavirus \(COVID-19\)](#)
  - [Use of Cloth Face Coverings](#)
  - [Do-It-Yourself Face Mask Fact Sheet](#)
  - [Guidance on Cleaning and Disinfection for Community Facilities](#)
  - [Fact Sheet on Facilities: Everyday Steps, Steps When Someone is Sick, and Considerations for Employers](#)
  - [Resources for Stress and Coping](#)
  - [COVID-19-Related Phone Scams and Phishing Attacks](#)
- [Disaster Distress Helpline](#) – Substance Abuse and Mental Health Services (SAMHSA)
- [Families First Coronavirus Response Act](#)
- [Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#)
- [PIH Notice 2020-05 COVID-19 Statutory and Regulatory Waivers \(April 10, 2020\)](#)

**Notice:** The Coronavirus Aid, Relief, and Economic Security (CARES) Act, signed by the President on March 27, 2020, provides new flexibilities and waiver authority for HUD to help PHAs respond to the COVID-19 pandemic. Answers to some of the questions in this FAQ will change as HUD develops more detailed guidance.

This version includes new questions and updates to answers originally posted on March 13 and March 30, 2020. Questions that are updated indicate the date of update.

## 2.0 Emergency Preparedness (EP)

### **EP1. Who can I contact with questions about emergency preparedness efforts for Public and Indian Housing (PIH)?**

A. PIH has established a dedicated email address for questions from PHAs at [PIH-COVID@hud.gov](mailto:PIH-COVID@hud.gov).

### **EP2. How should my PHA prepare for possible COVID-19 virus infections among our assisted families? (Updated 4-22-20)**

A. HUD recommends PHAs consider strategies to limit the spread of COVID-19 and the potential impacts that may occur if a resident contracts COVID-19 virus. PHAs should follow their state or local quarantine directives. This information could be addressed in a pandemic emergency or continuing operations plan.

Some topics to consider in your plan include:

- Staff Management and Communication
  - Reviewing personnel policies and labor agreements
  - Determining essential and non-essential positions as well as remote work options

- Communication with union(s)
- Providing access to health care providers and/or police
- Guidance from CDC and Occupational Safety and Health Administration (OSHA) on worker protection and personal protective equipment (PPE)
- Resident Communication
  - Managing short-and long-term quarantines in a unit or a property
  - Working with resident groups
  - Providing access to health care providers and/or police if requested
  - Guidance from CDC and state, local health departments
  - Residents who are older adults, people with disabilities, low-English proficiency (LEP) and those with chronic conditions, and any reasonable accommodations that may be requested
  - Encouraging residents to self-report illness or quarantines
  - Continued operations of supportive services programs, especially for older adults and people with disabilities while closed and/or teleworking
- Resident Safety and Security
  - Policies, procedures and other measures to protect vulnerable populations, including victims of domestic violence;
  - Identifying local service providers (e.g. private grocery delivery)
  - Residents who are older adults, people with disabilities, low-English proficiency (LEP) and those with chronic conditions, and any reasonable accommodations
  - Internet connectivity
- Modifying Regular Processes
  - Unit inspections
  - Rent Collection
  - Recertifications
  - Unit maintenance (if not performed by the owner)
  - Hardship policies
  - Public meetings
- Additional Considerations for PHA Boards of Commissioners
  - State, local or tribal laws about public meetings
  - Changes to standard communication methods
  - Procurement policies and approvals
  - New [waivers](#) available for PHA policies (e.g., Admissions and Continued Occupancy Policy (ACOP) and HCV Administrative Plan)

**EP3. What types of jobs at the PHA are considered essential? (Updated 4-22-20)**

A. As part of emergency planning, all PHAs should review employees and their roles, and consider which functions are essential in case of state-mandated closures or a local shelter in place requirement. Your personnel policy or labor agreements may already do this. There is no HUD guidance on which employees should be considered essential by the PHA, but the Department of Homeland Security (DHS) has included the following as “[critical infrastructure workers during the COVID-19 response](#)” for Residential/Shelter Facilities (excerpted for those relevant to PIH programs):

- Workers providing dependent care services, particularly those whose services ensure essential workers can continue to work.
- Workers who support food, shelter, and social services, and other necessities of life for needy groups and individuals, including in-need populations and COVID-19 responders including travelling medical staff.
- Workers responsible for the leasing of residential properties to provide individuals and families with ready access to available housing.
- Workers responsible for handling property management, maintenance, and related service calls who can coordinate the response to emergency “at-home” situations requiring immediate attention, as well as facilitate the reception of deliveries, mail, and other necessary services.
- Workers performing housing and commercial construction related activities, including those supporting government functions related to the building and development process, such as inspections, permitting, and plan review services that can be modified to protect the public health, but fundamentally should continue and enable the continuity of the construction industry (e.g., allow qualified private third-party inspections in case of federal government shutdown).
- Workers performing services in support of the elderly and disabled populations who coordinate a variety of services, including health care appointments and activities of daily living.
- Workers responsible for the movement of household goods.

PHAs should also consult state guidance for additional restrictions. Generally, HUD encourages PHAs to do what is necessary to ensure the safety of the residents and security of the property, and encourages remote work whenever possible.

**EP4. Can I pay my maintenance employees extra hazard pay during the pandemic, since they may be at an increased risk of exposure to COVID-19 when entering units? (New)**

A. Hazard pay during a pandemic is allowable if the PHA complies with the specific requirements of 2 CFR 200.430 (Compensation-personal services), including the requirement that total compensation be reasonable for the services rendered. Compensation for employees engaged in work on Federal awards will be considered reasonable if it is consistent with the pay for similar work in other activities of the federal grantee. For example, if a PHA is providing hazard pay for similar work in unassisted properties, or through market research determines that workers in unassisted properties performing similar work are receiving increased pay for their exposure to potential hazards, then hazard pay at a similar rate would be considered reasonable.

**EP5. If my PHA is asked to do specialized cleaning of a unit or building, what guidance should I follow?**

A. The following websites provide useful information for PHAs regarding specialized cleaning of units, as well as general helpful information:

- CDC’s main website: [www.cdc.gov/coronavirus/2019-ncov](http://www.cdc.gov/coronavirus/2019-ncov);
- CDC’s guidance on cleaning for community areas: [Interim Recommendations for US Community Facilities with Suspected/Confirmed Coronavirus Disease 2019](#);

- CDC’s guidance for household cleaning: [Interim Recommendations for US Households with Suspected/Confirmed Coronavirus Disease 2019](#);
- CDC’s guidance covers recommended disinfectants and personal protective equipment (PPE). Additional information on disinfectants is also available at [www.epa.gov/coronavirus](http://www.epa.gov/coronavirus);
- Guidance for workers and PPE is also at [www.osha.gov/SLTC/covid-19/](http://www.osha.gov/SLTC/covid-19/); and
- Your local or state health department may have additional guidance.

**EP6. What are HUD’s procurement policies for PHAs to meet response needs during this time (e.g., specialized cleaning)? (Updated 4-22-20)**

A. Office of Management and Budget’s (OMB) regulations 2 CFR § 200.317 to 2 CFR § 200.326 (Procurement Standards) are the policies PHAs must follow. Section 200.320(f) permits a PHA to procure from a single source through noncompetitive proposals when one or more of the following circumstances apply: (1) An item is available only from a single source; (2) A public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; (3) HUD expressly authorizes noncompetitive proposals in response to a written request from a PHA; or (4) Competition is determined inadequate after solicitation of a number of sources. PHAs must maintain in their files, however, a rationale of the single source proposal and cost analysis (i.e., proposed cost data, cost projections, evaluation of specific elements of cost and profits). Labor costs are based on the going market rate at the time. Conflict of interest requirements continue to apply in this situation.

**3.0 Eviction Moratorium (EM) (New)**

*The following FAQs provide guidance on Section 4024 of the CARES Act. Section 4024 of the CARES Act imposes a temporary moratorium on evictions, as well as a moratorium on fees and penalties related to nonpayment of rent. The eviction moratorium is in effect for a 120-day period beginning on March 27, 2020, the date the CARES Act was enacted. The temporary eviction moratorium applies to the Public Housing Program, the Section 8 HCV and PBV Programs, and the Section 8 Moderate Rehabilitation (Mod Rehab) Programs administered by the Office of Public and Indian Housing.*

**EM1. Does the ban on evictions apply to all tenants or only those tenants whose employment has been affected by the COVID-19 Virus? We have tenants on a fixed income choosing not to pay rent based on the recent announcement. (New)**

A. The temporary moratorium on: (1) evictions for nonpayment of rent and (2) fees and penalties related to nonpayment of rent, applies to all tenants, regardless if employment was affected by COVID-19. HUD encourages PHAs to alert residents that any rent missed during the moratorium will accumulate and still be due at the end of the 120 days (HUD will provide PHAs with a flyer that can be provided to tenants). For any unpaid rent during the moratorium, the family must repay the PHA or sign a repayment agreement to pay any amount owed after the moratorium has ended. If the amount owed is not repaid, the PHA may terminate the family's assistance and proceed with a legal action to evict.

**EM2. With the eviction moratorium, should we still send late notices to residents? Or wait until the 120-day moratorium is over? (New)**

A. A PHA/owner may send a reminder notice of the late rent. However, the reminder notice must not include fees/charges for the nonpayment of rent, and the reminder notice cannot be a notice to vacate. After the moratorium expires, the PHA can proceed with their standard process. Residents cannot be required to vacate for at least 30 days after the end of the moratorium, and the PHA cannot issue a notice to vacate until July 24, 2020 (expiration of the moratorium). Residents retain their rights for due process and grievance proceedings under 24 CFR 966 Subpart B and 24 CFR 982.555.

**EM3. Can a Public Housing Authority (PHA)/owner evict for drug abuse and other criminal activity? How about for other lease or program violations, like failure to report income or severe damage to the unit? (New)**

A. Yes. The eviction moratorium found in Section 4024(b) of the CARES Act only applies to evictions related to nonpayment of rent or nonpayment of other charges to the tenant related to nonpayment of rent. The moratorium also prohibits the charging of other fees, penalties, or other charges due to the nonpayment of rent. Therefore, the PHA/owner can still undertake an eviction/termination of assistance action against a tenant for drug abuse and/or other criminal activity, as those are unrelated to nonpayment of rent. The same is true for other lease violations, although HUD encourages PHAs to consider delaying the initiation or completion of evictions for non-drug or non-crime related reasons until after state or local emergencies are over.

**EM4. “Abandonment” of a unit is generally distinguished from “absence” from the unit by tenant’s failure to pay rent and failure to acknowledge or respond to notices from the PHA/owner regarding overdue rent. If the family abandons their unit and does not pay rent, does the PHA/owner have to wait to evict? (New)**

A. The term “abandonment” requires a fact-specific determination to be made as to the reasons behind the family not being in the unit. A family could have decided to quarantine with other family members, could be hospitalized, or could be prevented from returning to the unit due to an emergency declaration by the state. The PHA must take additional steps to ensure that the unit is in fact “abandoned” by the family before an eviction/termination of assistance action is taken against the household.

**EM5. One of my assisted tenants was behind on rent payments prior to the CARES Act. Can I still proceed with termination and eviction? (New)**

A. If the eviction proceeding was initiated before March 27, 2020, the proceeding would not be covered under the CARES Act and the eviction action can continue. However, HUD encourages PHAs to consider delaying the completion of evictions for non-drug or non-crime related reasons until after state or local emergencies are over. If an eviction proceeding was not initiated before March 27, 2020 for a household who was behind on rent, then the household is covered under the CARES Act and the PHA/owner cannot initiate a new eviction proceeding until after the moratorium. However, PHAs should review their state and local laws, as many are also enacting their own moratorium on evictions.

**EM6. My tenant was late on rent prior to March 27, 2020 and was charged a late fee in January and February. Can I collect fees for nonpayment of rent that were charged prior to the moratorium? (New)**

A. Yes, fees that were charged for nonpayment of rent prior to March 27, 2020 may be collected during the moratorium. However, a PHA cannot charge new fees for nonpayment of rent from March 27, 2020 – July 24, 2020; a PHA cannot assess interest on late fees charged in January and February.

**EM7. During the moratorium, can fees for late payments accumulate and be charged after the moratorium? (New)**

A. No. Per Section 4024(b)(2) of the CARES Act, fees in relation to nonpayment of rent cannot be charged. Therefore, fees cannot accrue. There should be no charges/fees, or accrual of charges/fees, for rent due the first of the month in April, May, June and July 2020.

**EM8. I initiated an eviction prior to the moratorium. Can I continue? (New)**

A. Yes, if you filed with the court of jurisdiction, you can continue the action if the court is operating, subject to any local eviction moratorium requirements.

**EM9. Our courthouse is closed and there are no hearing evictions at this time. If a tenant participates in a criminal activity and the owners desire to evict, should we continue assistance? (New)**

A. PHAs can proceed with standard notifications, hearings and program terminations for matters unrelated to nonpayment of rent. If the resident does not vacate voluntarily, the final eviction would be delayed until the court of jurisdiction reopens.

**EM10. If there is a conflict between the requirements in the eviction moratorium and the requirements in a state or local law, does the state or local law prevail? (New)**

A. This answer would depend on the language in the state or local law. For example, if the state has prohibited **all** evictions, then that more stringent requirement would apply to the PHA and HCV landlords in that state. If the state has ordered an eviction ban, there may also be a limit on court enforcement of evictions.

**EM11. Can the PHA terminate a voucher participant family's assistance if they do not pay their portion of the rent during the eviction moratorium (March 27, 2020 – July 24, 2020)? (New)**

A. Normally, the PHA could terminate a family's voucher assistance if the family owes their landlord rent. However, during the eviction moratorium, PHAs shall not terminate assistance for nonpayment of rent. It is important for voucher program participants to report changes in income to the PHA so their rent portion can be adjusted based on their current income. This will help

families keep up with their rent and avoid facing eviction and/or losing assistance after the eviction moratorium ends on July 24<sup>th</sup>.

**EM12. If a market rate property has an HCV holder in one unit, does Section 4024 of the CARES Act extend to the entire property or only the voucher holder? (New)**

A. If the market rate property has a federally backed mortgage, then Section 4024 of the CARES Act applies to the entire property. If the market rate property does not have a federally backed mortgage, then Section 4024 of the CARES Act only applies to the voucher holder. HUD does not have the authority to extend jurisdiction over unassisted tenants or the property that does not have a federal backed mortgage. However, owners should review their state and local laws, as many are also enacting their own moratorium on evictions.

**EM13. Does the ban on evictions apply to mixed-finance public housing properties that are owned by third parties? What if the property has an FHA-insured mortgage? What about Low Income Housing Tax Credit (LIHTC) properties? (New)**

A: All mixed-finance public housing properties owned by third parties are covered under Section 4024 of the CARES Act. The moratorium on evictions would apply to private owners of properties that receive housing assistance payments under a PIH assisted housing program, so mixed-finance projects must comply with the eviction provisions. If the financing of a mixed-financed project includes an FHA-insured mortgage or equity from an allocation of LIHTCs, the project is subject to the eviction moratorium. LIHTC projects are governed by individual state Qualified Allocation Plans and state landlord-tenant law. For units assisted with LIHTC only, evictions are limited to where the owner can demonstrate “good cause” in accordance with state or local law. HUD recommends that owners and management agents consult their State Housing Finance Agency or the IRS for guidance on “good cause” evictions under state legislation or rulemaking related to COVID-19.

*The following FAQ is specific to the foreclosure moratorium in Section 4022 of the CARES Act. Section 4022 of the CARES Act grants forbearance rights and protections against foreclosure to borrowers with a “federally backed mortgage loan.” This section would apply to the HCV homeownership and PH homeowner programs to the extent that the family has a federally backed mortgage.*

**EM14. Does the forbearance and foreclosure language in Section 4022 of the CARES Act apply to the HCV Homeownership and PH homeownership programs? (New)**

A. The foreclosure moratorium in Section 4022 of the CARES Act only applies to a borrower with a federally backed mortgage loan and is for 60-days beginning on March 18, 2020. This section would only apply to the HCV and Public Housing homeownership programs to the extent that the family has a federally backed mortgage (as defined in Section 4022(a)(2)). The FHA Single Family COVID-19 Q&A for mortgagees and other interested parties in FHA has been updated and is available on the [Single Family main page](#) on hud.gov.

## 4.0 Operational Concerns (OC)

### **OC1. Will the Real Estate Assessment Center (REAC) suspend unit inspections in properties subject to a quarantine? (Updated 4-22-20)**

A. Until further notice, REAC is postponing property inspections for all PIH and Multifamily properties. Where there is an exigent circumstance or reason to believe that there is a threat to life or property at a specific location, inspections will be conducted by HUD quality assurance inspectors in compliance with OSHA guidelines.

### **OC2. Our PHA determined that given the extent of the outbreak in our area and the impact on our staff, we may have significant disruptions in regular services, including annual recertifications, submission of PHA Plans, and other required documents. Should I submit a waiver request? (Updated 4-22-20)**

A. On March 27, 2020, the President signed the CARES Act, which provided new waiver authority described in [PIH Notice 2020-05](#). With the flexibility, HUD strongly encourages PHAs to continue using available funding to house families, keep families in their homes, and conduct critical operations that can be done remotely and safely. Some critical functions for PHAs include, but are not limited to issuing vouchers so families can find housing, processing Requests for Tenancy Approvals (RFTAs) so families can be approved to move into a unit, processing requests for portability moves, ensuring occupancy of Public Housing units, processing minimum rent hardship exemptions, and completing reexaminations for participants who have experienced a decrease in income.

Through Notice 2020-05, the waivers and alternative requirements were effective immediately for those PHAs that elected to adopt them during the period of availability. There is no need to submit individual waiver requests to adopt the provisions included.

### **OC3. Will HUD adjust SEMAP scoring for the HCV Program for agencies that must cancel or delay HQS inspections? (Updated 4-22-20)**

A. For PHAs that have a SEMAP score due during the remainder of CY 2020, HUD will carry forward the last SEMAP score received by the PHA unless the PHA requests otherwise. Additional information is available in [PIH Notice 2020-05](#).

### **OC4. What is HUD's guidance on HQS inspections for PHAs that have halted or are considering halting HQS inspections for health and safety reasons. For new applicants and current residents who need to move into new residences, can we enter into a HAP contract for the new unit without having inspected the unit? (Updated 4-22-20)**

A. In order to provide PHAs with the necessary flexibilities to continue to allow families to lease units and to postpone normally required HQS inspections for units under HAP contract, HUD is authorizing the use of the HQS related waivers and alternative requirements listed in PIH Notice 2020-05. PHAs are in the best position to determine which (if any) of the waivers should be applied to their HCV program based on the needs and current conditions in their local communities. HUD has provided relief in the following areas: initial inspection requirements;

biennial inspections; interim inspections; PBV inspections; quality control inspections; housing quality standards; and initial HQS homeownership inspections.

Under Section HQS-1 of the [notice](#), HUD is waiving and providing alternative inspection requirements in order to place a unit under HAP contract and commence making payments. See the notice for additional information.

**OC5. Can we delay processing any incoming or outgoing HCV Ports until this crisis has ended to limit the amount of personal exposure our staff has with clients?**

A. PHAs should continue to process incoming and outgoing ports similarly to how they are handling all operational issues at this time. PHAs are encouraged to consider processing portability requests through electronic communications, teleconferences, and phone communications to the extent practicable. HUD is not considering a portability waiver at this time.

**OC6. Are the new \$1200 stimulus payments, or “Recovery Rebates” to individuals considered annual income? (Updated 4-22-20)**

A. No. Pursuant to 24 CFR 5.609(c)(9), annual income does not include temporary, nonrecurring or sporadic income. The pending stimulus payments directly to individuals and families would be excluded from annual income, as they are temporary, non-recurring payments.

**OC7. Should PHAs consider unemployment benefits as income? What about the extra payments provided with the recent stimulus bills? (Updated 4-22-20)**

A. Regular unemployment benefits are considered income. PHAs shall exclude the \$600 per week enhancement provided by the CARES Act because these payments are temporary and likely non-recurring after the pandemic emergency ends.

**OC8. Many of our tenants have had a loss in income and cannot meet their rent obligations. Can we delay processing these requests until we reopen? (Updated 4-22-20)**

A. As described in PIH Notice 2020-05, HUD considers processing minimum rent hardship exemptions and completing reexaminations for participants who have experienced a decrease in income as critical functions for PHAs. A decrease in family income is not the basis for a termination of tenancy action (HCV/PBV program) or eviction from public housing.

PHAs operating public housing may also choose to revise their hardship and minimum rent policies. As provided in [PIH Notice 2020-05](#), changes to these policies may be completed on a temporary basis without Board approval.

**OC9. Can a PHA apply for an extension to its Capital Fund obligation end date because of delays impacting the obligation of Capital Funds related to COVID-19? (Updated 4-22-20.)**

A. Based on new authority in the [CARES Act](#), HUD is extending the obligation end date and expenditure end date for all open Capital Fund grants for one year, as described in [Notice PIH 2020-05](#), section 12(c).

**OC10. Do I need to take any action to extend the Capital Fund obligation end dates in LOCCS? (New)**

A. No, you do not need to take any action. Over the next week, HUD will automatically update the Capital Fund obligation end dates in LOCCS. If you have questions about obligation end dates or LOCCS, please contact your local HUD Field Office. You may also send Capital Fund policy questions to [PIHOCI@hud.gov](mailto:PIHOCI@hud.gov).

**OC11. Can Voucher Management System (VMS) reporting be delayed for impacted PHAs?**

A. VMS data reporting is time sensitive as it is the basis for monthly disbursement calculations, cash reconciliations, trend analysis, storyboards, set-aside funding adjustment calculations and budget projections. PHAs that are not able to meet reporting deadlines due to circumstances beyond their control must notify their Financial Analyst at the Financial Management Center (FMC) at [FinancialManagementCenter@hud.gov](mailto:FinancialManagementCenter@hud.gov) immediately to discuss their potential delay.

**OC12. Is HUD requiring the submission of Single Audits submissions under 24 CFR § 5.801(c) and 5.801(d)(1)? (Updated 4-22-20)**

A. OMB has allowed recipients and subrecipients of Federal funds that have not yet filed their single audits with the Federal Audit Clearinghouse as of March 19, 2020, and have fiscal year-ends from June 30, 2019 through March 31, 2020, to delay the completion and submission of the Single Audit reporting package, as required under Subpart F 2 CFR § 200.501- Audit Requirements, to six (6) month beyond the normal due date. For example, if your fiscal year ends on June 30, 2019, you do not have to submit until September 30, 2020.

Consistent with OMB’s guidance, HUD is also extending the due date of PHA’s audited submission to the REAC as required by 24 CFR 5.801(c) and 24 CFR 5.801(d)(1) by six months for PHAs with fiscal year end of 6/30/2019 through and including 3/31/2020. This extension includes both single audits and non-single audits. The table below provides the extended due date by fiscal year.

FYE	Due Date	Extended Due Date
6/30/2019	3/31/2020	9/30/2020
9/30/2019	6/30/2020	12/31/2020
12/31/2019	9/30/2020	3/31/2021
3/31/2020	12/31/2020	6/30/2021

This extension does not require individual PHAs to seek HUD approval for the extension.

**OC13. If my agency is unable to submit our single audit by the normal OMB required deadline of nine months, will this impact our low-risk auditee status?**

A. While HUD believes that a PHA that has taken advantage of this extension should not have their “low-risk auditee” classification under the criteria of 2 CFR § 200.520 (a) – “Criteria for a low-risk auditee” impacted solely on using the allowed extension authority, it is the PHA’s auditor, in their professional judgment, and not HUD who determines if the auditee should be considered a high or low risk auditee.

**OC14. Is HUD providing an automatic extension for a PHA’s unaudited submissions as required under 24 CFR § 5.801(c) and 5.801(d)(1) – Uniform Financial Reporting Standard rule? (New)**

A. HUD is extending the reporting due date of PHAs unaudited submission to the REAC as required by 24 CFR 5.801(c) and 24 CFR 5.801(d)(1) for PHAs with a fiscal year end (FYE) of December 31, 2019. The new due date for these PHAs unaudited submission is now August 31, 2020. For PHAs with a FYE of March 31, 2020, the new due date is November 30, 2020. The table below provides the extended due date for the unaudited submission by fiscal year.

FYE	Due Date	Extended Due Date
12/31/2019	2/29/2020	8/31/2020
3/31/2020	5/31/2020	11/30/2020

This extension does not require individual PHAs to seek HUD approval for the extension.

**OC15. Is REAC granting an extension of time for filing appeals due to COVID-19? (New)**

A. Yes. REAC will extend the deadline for submission of inspection appeals (Technical Reviews and Database Adjustments) and PHAS appeals. REAC will accept appeals within 60 days after resuming normal operations. Appeals received after the 60-day timeframe will be considered late and will not be honored. An example of an inspection appeal is for an inspection that was conducted prior to the outbreak of COVID-19 and the owner needs to appeal ownership of a fence. A PHAS appeal example is a financial submission that was approved prior to the outbreak of COVID-19 and there is a data error that the property owner would like corrected.

**OC16. During the COVID-19 pandemic, will PHAs be held accountable for responding to the quarterly Enterprise Income Verification (EIV) discrepancy letters?**

A. HUD is suspending the issuance of the quarterly EIV discrepancy letters until July 31, 2020. The department is monitoring the COVID-19 pandemic and will determine when to reinstate discrepancy letters.

**OC17. What is the status of the Semi-Annual EIV Certifications of Users? Are there any updates that can be shared with PHAs? (New)**

A. The Semi-Annual Certification will go on as scheduled, April 1 - April 29, 2020. All certifications **must** be completed no later than April 29<sup>th</sup> to avoid being locked out of the EIV

System. If PHA staff is unable to certify users because of closures or limited staff, Field Office EIV Coordinators can assist with certifying users, providing there is a HUD-52676 on file. If you have questions about the certification process, please submit an email to [EIV\\_help@hud.gov](mailto:EIV_help@hud.gov).

**OC18. How should staff who regularly interact with residents and their homes perform their regular duties if there is a quarantine? Activities may include in-person rent collection and income certification.**

A. PHAs should follow the guidance of their local and state health departments. PHAs should also plan now for alternative procedures for these processes, as they may become restricted during a quarantine or emergency orders. Options may include electronic transmission of funds, online teleconference calls, U.S. mail or secure collection boxes for payments. As part of planning, follow CDC guidance relative to the option selected. For more information, see CDC's guidance on personal protective equipment (PPE) and cleaning. As a reminder, HUD does not mandate in-person meetings for income certification or recertifications.

**OC19. During this period of COVID-19 where many Public Housing Agencies' staff are working from home, can PHA staff take tenant files (physically/electronically) home?**  
(New)

A. No. Public Housing Agencies are still obliged to follow the guidance of [PIH Notice 2015-06](#) HUD's Privacy Protection Guidance for Third Parties. The Secretary of HUD cannot waive the requirements of the Privacy Act.

**OC20. How do you conduct a HUD-required public meeting if the public may not be allowed to attend?** (Updated 4-22-20)

A. Public hearings are required for PHAs as part of the annual and Five Year planning and revision processes. As provided in [PIH Notice 2020-05](#), HUD is waiving the requirements for the 5-Year and Annual Plan submission dates as well as significant amendment requirements. Due to the potential postponement of public hearings due to limitations on large public gatherings, HUD waived requirements and provided alternative deadlines for some PHAs. More information is in Section 7 of the Notice.

**OC21. Can we switch to electronic signatures for leases, procurement documents, and forms? Do we need a third-party verification software for validation?**

A. This answer depends on your state or agency's own policies. There are no requirements for third-party verification for these documents in the public housing or HCV regulations. Requirements for Annual Contributions Contract (ACC) amendments for Capital Funds are described in 0.

**OC22. Can I allow public housing residents who are on the flat rent rate calculation to opt for income-based rent even if they had already done so during the recertification year end date?** (Updated 4-22-20)

A. Allowing families to switch from flat rent to income-based rent should be covered in your agency's hardship policy. If the PHA determines that the family is unable to pay the flat rent because of financial hardship, the PHA must immediately allow the requested switch to income-based rent (24 CFR 960.253(g)). HUD requires PHAs to adopt written policies for determining when payment of flat rent is a financial hardship for the family. As provided in [PIH Notice 2020-05](#), policy changes can be adopted without formal board approval. HUD has not waived the requirement that the resident be allowed to stay on the income-based rent until the next re-examination, and is not considering such a waiver at this time.

**OC23. Can I switch my public housing residents on fixed incomes to either biennial or triennial recertifications? (Updated 4-22-20)**

A. The provisions in the Streamlining Rule may help PHAs better manage their work if they have not already been adopted. See [PIH Notice 2016-05](#). As provided in [PIH Notice 2020-05](#), policy changes can be adopted without formal board approval.

**OC24. Public housing residents who are choosing to self-isolate have asked if we can suspend our Smoke Free policy so they can stay in their unit. Can we do that? (Updated 4-22-20)**

A. Residents are required to smoke outdoors at least 25 feet from the building or within a designated smoking area outdoors (See 24 CFR 965.653.) HUD is not currently considering applying COVID-19 flexibilities to these regulations.

**OC25. Is HUD entertaining waivers of environmental review requirements based on COVID-19? (Updated 4-22-20)**

A. HUD's Community Planning & Development Office of Environment and Energy (OEE) manages the environmental review process for HUD. OEE is considering responses and efficiencies related to COVID-19 and has released guidance on their [website](#).

[Federal Register FR-6115-N-02](#), effective February 27, 2020, provides administrative burden relief and exempts 1519 small and rural PHAs from environmental review for activities with a project cost of \$100,000 or less. The exemption applies to any section 9(d) Capital Fund, section 9(e) Operating Fund, or section 8(o)(13) PBV eligible work activity with a project cost of \$100,000 or less. Eligible PHAs may carry out exempt activities without a request for an environmental review or determination from a Responsible Entity or HUD. The eligible small and rural PHA list is published on hud.gov "[Section 209 Small Rural PHA List](#)."

**OC26. Is HUD entertaining waivers of the obsolescence test for demolition or disposition under Section 18 and 24 CFR 970?**

A. HUD does not currently plan to exercise its waiver authority under the CARES Act to waive the statutory obsolescence test for demolition, nor does it see any rationale for doing so based on COVID-19. With regard to dispositions, there is no obsolescence test that must be met to dispose of a project; PIH Notice 2018-04 simply states that obsolescence as to the physical condition of a project is an example of a 24 CFR 970.17(c) disposition justification.

**OC27. When HUD staff are teleworking, what is the best way to communicate with HUD?**

A. The best way to communicate with HUD is either by phone or via email as opposed to through the postal service or via an expedited delivery service. To the extent that an agency needs to transmit documents with signatures, the Department encourages PHAs to either sign the documents with legally binding digital signatures or to sign the documents – scan them – convert them to PDF and email the PDF document. There is one exception to this rule: because of specific language in HUD’s appropriation, the Department cannot accept Capital Fund Annual Contributions Contract (ACC) Amendments with digital signatures, but it can accept scanned Capital Fund ACC Amendments with written signatures in lieu of receiving hard copy signed ACC Amendments in the mail. If not already transmitted, PHAs should send the signed Capital Fund ACC Amendments by email since HUD offices are closed due to COVID-19. PHAs should **not** send Capital Fund ACC Amendments through the postal service or via expedited delivery service.

**OC28. We received an award of vouchers through the FY 2019 Mainstream Voucher Program NOFA (FR-6300-N-43). It will be difficult to lease all of the awarded vouchers within the first year because we are suspending issuing new vouchers and inspecting new units as part of our efforts to keep our clients and staff safe during the COVID-19 outbreak. Can we have an extension on our awards effective date or the date by which we must lease the awarded vouchers? (Updated 4-22-20)**

A. The NOFA stated that PHAs must lease 80% of the awarded vouchers or budget within one year of the award becoming effective. The NOFA provides that HUD may recapture awarded funds if a PHA fails to meet this requirement. HUD understands that COVID-19 may affect a PHA’s ability to lease up their award within 12 months, and therefore, HUD will exercise its discretion to allow an additional six months for leasing of the FY 2019 Mainstream awards. PHAs do not need to request this extension from HUD.

**OC29. We issued a Family Unification Program (FUP) or Foster Youth to Independence (FYI) voucher to a youth approaching their 25th birthday. As a result of COVID-19 restrictions in our community, they may turn 25 years of age before entering into a Housing Assistance Payment (HAP) contract. Can HUD waive the age limitation to allow the youth to lease up the voucher after he/she has turned 25? (Updated 4-22-20)**

A. HUD is waiving the requirement that youths enter into a HAP contract before their 25<sup>th</sup> birthday. HUD is providing as an alternative requirement that the PHA may execute a HAP contract on behalf of any otherwise eligible FUP youth up to the age of 26. See [PIH Notice 2020-05](#).

**OC30. What if the state asks to house a quarantined person in a vacant public housing unit? Can the state do that if there is a waiting list?**

A. For units in the public housing program (under the ACC), the PHA can only house persons who are eligible for public housing. PHAs are not able to bypass their waiting list to house new admissions requested by their state. However, PHAs may choose to amend or adjust waiting list

policies to support the needs of their local community. The regulations at 24 CFR 960.206 (b)(5) include preferences for single persons who are elderly, displaced, or homeless. As provided in PIH Notice 2020-05 Section PH-4, temporary policy changes can be made without Board approval.

**OC31. Can I ban visitors from my senior high-rise? (Updated 4-22-20)**

A. PHAs have the authority to restrict visitors from public housing properties. If a PHA plans to implement a visitor ban through amended PHA policies, PIH recommends it be done as part of a broader, publicly announced plan to respond to the pandemic national emergency. PHAs should consider that residents will still need to receive essential services, such as food deliveries, medications, and direct service professionals (DSP) [e.g. personal care assistants (PCAs) or home health aides (HHAs)] responsible for caring for older adults and/or persons with disabilities. For example, restrictions should track with CDC guidance and recommendations from state or local health officials. Once those policies are adopted, HUD regulations at 24 CFR 966.4(f)(4) requires tenants to abide by them.

Under the HCV program, including PBV's, PHAs and owners should review the lease, state and local laws to determine the permissibility of banning visitors.

**OC32. My area has a local shelter-in-place order. How can I continue any PHA operations? (Updated 4-22-20)**

A. PHAs are encouraged to continue operations to the extent possible during a shelter-in-place order (or other restrictions) in order to maintain decent, safe and sanitary public housing. Some critical functions for PHAs include, but are not limited to issuing vouchers so families can find housing, processing Requests for Tenancy Approvals (RFTAs) so families can be approved to move into a unit, processing requests for portability moves, ensuring occupancy of Public Housing units, processing minimum rent hardship exemptions, and completing reexaminations for participants who have experienced a decrease in income. As a reminder, there are no requirements in the regulations for face-to-face meetings with residents.

[PIH Notice 2020-05](#) also provides PHAs flexibilities to complete critical operations, especially re-examinations. Specifically, HUD waived the requirements for the use of EIV system, as well as using a third-party source to verify tenant employment and income information. Further, PHAs may consider self-certification as the highest form of income verification.

**OC33. Do we have discretion in deciding as to whether or not the employees continue to work? If no case of COVID-19 exists amongst the tenants, do we have to quarantine or do business as usual? (Updated 4-22-20)**

A. PHAs are encouraged to follow all state, local and federal guidance about social distancing and sheltering in place. PHAs have discretion on deciding whether employees continue to work as long as that decision is made in compliance with Federal, State and local laws and the PHA's employment personnel policy. See also DHS's [Guidance on the Essential Critical Infrastructure Workforce](#), Residential/Shelter Facilities and Services.

**OC34. Will there be any impacts to Form-50058 reporting in PIC resulting from the waivers included in Notice PIH 2020-05? (New)**

A. If a PHA decides to utilize the authority granted by one or more of the waivers, they will need to make adjustments to the data submitted on their Form-50058 submissions to prevent receiving fatal errors. Unless otherwise noted, the below items apply to both non-MTW and MTW PHAs.

- HQS inspections (*waiver notice provisions HQS-1, HQS-2, HQS-3*): For New Admissions where the PHA does not have a date to enter on line 5h, Date unit last passed HQS inspection, and/or line 5i, Date of last annual HQS inspection, they will enter 01/01/1900. For MTW PHAs, you can leave both lines blank when using the Form-50058 MTW.
- HQS inspections (*waiver notice provisions HQS-4, HQS-5*): For other action types where a date has previously been entered in lines 5h and 5i, those existing dates can be left in until a new date is available.
- Community Service and Self-Sufficiency Requirement (CSSR) (*waiver notice provision PH-4*) Due to the temporary suspension of CSSR, PHAs should enter 3, Pending, for all household members unless they are exempt, in which case the PHA would enter 4, Exempt, as they usually would. The PHA shall update this entry at the next annual reexamination based on the resident's compliance.
- Delay in submitting Form-50058s (*waiver notice provision 12a*): For Form-50058 submissions, there is currently a warning error in IMS-PIC that is presented if it has been more than four months since Form 50058 was last modified in the vendor software (e.g. date prepared and saved for submission). There is a similar error for Form-50058 MTW submissions that says three months. Because of this, it is recommended that PHAs start, finish, and transmit 50058s within the four month timeframe. If this is not possible, be aware that the applicable warning error will be shown upon submission to PIC, but that the 50058 will be submitted if there are no fatal errors present.

**OC35. Will PHAs that need to submit a SEMAP certification for FYE 03/31/20 have to submit a certification by the 60-day due date of May 30, 2020 (waiver notice provision 11b)? (New)**

A. The suspension of SEMAP reporting starts with FYE 03/31/20. For PHAs that have a SEMAP score due during the remainder of CY 2020, HUD will carry forward the last SEMAP score received by the PHA unless the PHA requests otherwise.

**OC36. Will PIH grant extensions to Memorandum of Agreement (MOA)/Recovery Agreement deadlines for troubled PHAs? (New)**

A. PIH will consider requests to extend MOA/Recovery Agreement deadlines on a case-by-case basis. A troubled PHA should work with the Field Office to request reasonable extensions of deadlines in the MOA/Recovery Agreement. Field Offices will review requests with the Office of Receivership Oversight (ORO). If the Field Office and ORO approve a MOA/Recovery Agreement deadline extension, then the troubled PHA and HUD will execute an amendment to the MOA/Recovery Agreement.

**OC37. Will HUD waive the requirement to inspect public housing units during the COVID-19 pandemic due to multiple state’s “stay at home” orders and social distancing guidelines from the CDC? (New)**

A. HUD did not provide a waiver of the requirement for PHAs to conduct annual self-inspections of each public housing property as part of Notice PIH 2020-5. Future waiver guidance will be provided through a subsequent notice. In the meantime, HUD encourages PHAs to prioritize safety of residents at all times, including during the COVID-19 pandemic. PHAs should follow CDC and local social distancing recommendations and minimize risk to residents. PHAs are to be responsive, however, in addressing life-threatening deficiencies when reported or discovered. PHAs should consider using methods other than on-site visits, such as email or other remote technologies to assist residents in submitting and verifying emergency conditions, and PHAs should exercise due care if on-site repair work is warranted.

5.0 Resident Health (RH)

**RH1. How will my PHA learn about a positive COVID-19 case? (Updated 4-22-20)**

A. PHAs will learn about COVID-19 activities in the community from their state and/or local health departments. PHAs should communicate with their local health department if they are concerned that residents/workers in their facility might have COVID-19. Residents can be encouraged to self-report as part of a broader pandemic emergency policy.

Guidance for health departments regarding HIPAA and COVID-19 is available through the [Department of Health and Human Services \(HHS\)](#).

**RH2. How should a PHA inform residents/staff within a public housing unit that there is a positive COVID-19 case? How should a PHA share this information within one of their units without breaking HIPAA/other privacy laws? (Updated 4-22-20)**

A. PHAs should follow all state and local health department guidance as well as the CDC’s COVID-19 communication resources in both print and digital form at: <https://www.cdc.gov/coronavirus/2019-ncov/communication/index.html>

If a housing provider is concerned that a person has COVID-19 and may pose a threat to the health or safety of others, the housing provider should set aside fear and speculation, and rely on objective medical information and advice from public health officials to determine steps that could mitigate or prevent the risk of transmission. See [HUD’s Statement on Fair Housing and COVID-19](#).

PHAs can create a communication plan for distributing timely and accurate information during an outbreak; this could be included in a broader pandemic emergency plan. PHAs can identify everyone in its chain of communication (for example, staff, volunteers, key community partners and stakeholders, the local HUD office and clients) and establish systems for sharing information. PHAs should maintain up-to-date contact information for everyone in the chain of communication and identify platforms appropriate for the communication need and size of the

agency. For example, PHAs may use a hotline, automated text messaging, and a website to help disseminate information to those inside and outside your organization.

PHAs can provide notification of positive COVID-19 cases without giving the name/apartment number/other personally identifiable information to their residents and staff. PHAs generally are not “covered entities” as defined by HIPAA but should exercise discretion in communications to avoid stigma and mistreatment of residents. See also [HHS guidance](#).

**RH3. Is there a place I can refer residents that are experiencing distress?**

A. The [Disaster Distress Helpline](#), 1-800-985-5990, is a 24/7, 365-day-a-year, national hotline dedicated to providing immediate crisis counseling for people who are experiencing emotional distress related to any natural or human-caused disaster.

**RH4. What should PHAs be doing to support victims of domestic violence who may be quarantined at this time? (New)**

A. Many survivors of violence, especially domestic violence, may be feeling trapped at this time. Because of job loss, sheltering in place requirements and restrictions on public transportation, individuals who are in a violent residential situation may feel like they cannot leave. HUD encourages PHAs to provide notice to residents, including remotely through their website and phone messages, that the PHA can still process requests for protections under VAWA. HUD also encourages publicizing the National Domestic Violence Hotline, funded by HHS: <https://www.thehotline.org/>

In addition, HUD suggests reminding individuals that shelter-in-place policies in the U.S. do not require anyone to stay in a violent or unhealthy situation, and that police officers can still visit any facility that is restricting visitors to respond to 911 calls. HUD also encourages PHAs to reach out to their local social services departments to see what resources are still available during this time.

**RH5. If tenants request temporary relocation during the quarantine, what are a PHA’s options for addressing the request?**

A. Residents may experience significant stress about their safety related to COVID-19 transmission and may ask for temporary relocation out of multi-unit properties. PHAs can request additional information from the resident to verify the need for relocation. PHAs are not required to grant these requests in advance of a specific health department directive. Health departments often recommend that residents self-isolate within their current home. PHAs can request verification from a medical health professional or the state or local health department as part of reviewing special requests related to COVID-19. PHAs can allow current resident families to use vacant units for temporary relocation if separation is recommended by the health department or a medical health professional.

**RH6. What if I am notified of a child with an elevated blood-lead level (EBLL) during a shelter-in-place order? Can someone enter the unit to do an environmental investigation (EI)? (New)**

A. When responding to a report of a child with an EBLL, the PHA’s first step is to verify the report and to notify the public health department as described in [PIH Notice 2017-13](#). When communicating with the health department, the PHA or owner (as applicable) should request guidance on whether the environmental investigation should proceed during the pandemic. PHAs should follow local health guidance on next steps. If the state or local health department cannot provide guidance, contact [Lead\\_Regulations@hud.gov](mailto:Lead_Regulations@hud.gov) with a courtesy copy to [PIH-COVID@hud.gov](mailto:PIH-COVID@hud.gov).

**RH7. Where can I refer residents that have health issues or symptoms, but no primary care provider? (New)**

A. Here’s guidance from the non-profit [National Center for Health in Public Housing](#): To locate the name and contact for the Health Centers located near a Public Housing Authority, try the interactive map available on the NCHPH website, Health Centers and Other Health Care Facilities Close to Public Housing Developments. The map is located at <https://nchph.org/training-and-technical-assistance/maps/>. This map shows health care facilities within a five-mile radius of public housing buildings and Public Housing Authorities. To find Health Centers near public housing in a specific state, click on the filter icon (funnel) in the upper left and enter the state abbreviation. You can also get a list of the Health Centers by pulling up the attribute table at the bottom of the screen. For more guidance, please visit NCPH’s [COVID-19 resources](#).

6.0 Eligible Use of Funds (EU)

**EU1. What activities and purchases can be supported with Operating and Capital Funds for COVID-19 response?**

A. The [CARES Act](#) provides new public housing funds and permits PHAs to use existing Capital Funds and Operating Funds flexibly. In addition, PHAs will be able to use these funds for “other expenses related to preventing, preparing for, and responding to coronavirus, including activities to support or maintain the health and safety of assisted individuals and families, and activities to support education and child care for impacted families.” This flexibility is allowed until December 31, 2020. HUD will issue detailed guidance on eligible uses of the funds soon. Eligible expenses can include:

- Staff labor hours for emergency planning and response;
- Personal protective equipment (PPE);
- Cleaning supplies such as disinfectants and sanitizers;
- Contracted services for cleaning;
- Transportation of staff to perform essential functions and assist residents;

- Capital expenditures designed to improve the safety of residents such as improved ventilation systems and high-grade filters, portable air filtration equipment, and portable humidifiers;
- Necessary equipment to protect people engaged in modernization activities;
- Public health training;
- IT equipment and upgrades; and
- Sanitation equipment for common areas.

**EU2. What activities and purchases can be supported with HCV Administrative Funds?**

A. The [CARES Act](#) provides new funds for administrative expenses for section 8 programs, to support or maintain the health and safety of assisted individuals and families, and costs related to retention and support of participating owners.

PHAs may use administrative fees and administrative reserves to cover HCV and PBV staff labor hours for planning and response, personal protective equipment (PPE), and cleaning supplies for the office such as disinfectants and sanitizers. Additionally, administrative fees and administrative fee reserves can be used to pay for costs to transport staff to perform essential functions. Such funds can also cover costs to upgrade equipment or technology to facilitate electronic communication and reduce reliance on in-person meetings and transactions.

**EU3. Will I continue to receive HUD funds if HUD staff are teleworking? (Updated 4-22-20)**

A. Yes, HUD is fully equipped to remain operational if HUD office are closed or HUD staff are teleworking. At this point, HUD is continuing to obligate all Public Housing and HCV funds through the normal process. HUD obligated 98% of all FY 2020 Public Housing Capital Fund grants during the week of April 6<sup>th</sup>, and provided both May and June Operating Subsidy on April 15<sup>th</sup>. In a very few cases, HUD was not able to obligate such funds including those cases in which the PHA had not yet submitted a signed Capital Fund Amendment to the Annual Contributions Contract (ACC). If not already transmitted, PHAs should submit signed Capital Fund ACC Amendments by email because HUD staff are teleworking during the COVID-19 emergency. PHAs should **not** send Capital Fund ACC Amendments through the postal service or via expedited delivery service.

**EU4. Can I pay workers who are unable to telework with HUD funds if a PHA is ordered to close by local or state officials with HUD funds? (Updated 4-22-20)**

A. Staff that work for the Public Housing and HCV programs can be paid using the relevant HUD funds for their program. This compensation includes leave and other benefits as described in the PHA’s personnel policies. Leave policies must comply with all relevant federal, state and local laws. Congress recently passed several new laws to assist employees including the Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act, both part of the Families First Coronavirus Response Act (FFCRA). Guidance on these laws is available through the [Department of Labor](#) (DOL).

As part of emergency planning, all PHAs should review employees and their roles, and consider which functions are essential in case of state-mandated closures or a local shelter in place requirement. This may already be part of your personnel policy or labor agreements.

**EU5. Does the Emergency Family Medical Leave Act (“EFMLA”) apply to Public Housing Authorities? How about the Emergency Paid Sick Leave Act? (New)**

A. The regulations for the EFMLA state that the law applies to “a Public Agency or any other entity that is not a private entity or individual [and] employs one or more Employees.” A Public Agency is defined as “the Government of the United States; the government of a State or political subdivision thereof; any agency of the United States (including the United States Postal Service and Postal Regulatory Commission), a State, or a political subdivision of a State; or any interstate governmental agency.”

The regulations further state: “Whether an entity is a Public Agency, as distinguished from a private Employer, is determined by whether the agency has taxing authority, or whether the chief administrative officer or board, etc., is elected by the voters-at-large or their appointment is subject to approval by an elected official.”

The final determination about whether a PHA is public agency may depend on how the PHA was established under state law, and how it is viewed by your state or local government views. PHAs should consult with their counsel for advice on applicability.

The Emergency Paid Sick Leave Act may also apply to Public Housing Authorities. This law requires covered employers to provide up to 80 hours of paid leave for their employees up to certain statutory caps. Guidance on both of these new laws are on [DOL’s site](#) which includes its own [Q&A](#). Additionally, the Department of Health and Human Services has published a brief on considerations for facilitating low-income families’ use of emergency paid family leave under the legislation.

<https://aspe.hhs.gov/pdf-report/low-income-emergency-paid-leave>

**EU6. My PHA will struggle to cover operating costs if there are significant drops in rent collections related to income loss by our residents. Will HUD help increase operating subsidy to cover this shortfall?**

A. The [CARES Act](#) provides new Operating Fund Supplemental Funding and funding flexibilities in the Operating Fund and Capital Fund programs for PHAs responding to the COVID-19 pandemic. HUD will soon publish guidance on the new provisions.

**EU7. Our PHA is struggling financially to pay staff. What if we have to lay people off? (New)**

A. In the case of staffing, PHAs should ensure that they follow existing PHA procedures, but HUD encourages PHAs to avoid layoffs if possible (separate from firing staff for good cause). In advance of this, PHAs can continue to use existing funding, reserves, and program income. HUD reminds PHAs, however, that in the case of Family Self-Sufficiency Coordinators, and Resident Opportunities for Self-Sufficiency Coordinators, grants for salaries would need to be repaid for the remaining grant period that wasn’t worked, although up to ten percent of the grant can be used for training and administrative costs.

**EU8. I'm trying to understand the President's mandate and it appears that if my employees don't work, I will have to pay them for 2 weeks and then deduct that amount from my quarterly FICA submission up to \$200 per day. Can we then use Capital Funds thru the Administrative section of our annual plans to be reimbursed for any additional days that we pay?**

A. PHAs must follow all Federal, state and local laws as well as their established employment personnel policies. The new CARES Act provides PHAs flexibility for the Operating and Capital Funds. HUD will issue guidance soon.

## 7.0 Grant Administration (ROSS-FSS, Choice) (GA)

**GA1. If a PHA has not established a policy for working remotely, and a Service Coordinator requests to work from home, may he/she work from home?**

(Updated 4-22-20)

A. A Service Coordinator should follow the human resources plan for its PHA as well as any guidance or mandate from state or local health departments.

**GA2. If Service Grant personnel are required by their properties, state, or local governments to work from home, may he/she work from home? (Updated 4-22-20)**

A. There are no provisions in HUD supportive services grants that prohibit a Service Coordinator/Coach/Case Manager from making him/herself available remotely on an interim basis. Personnel must follow their agency or locality's directives. In order to minimize disruption in case management, Service Coordinators may want to make their contact information available in a variety of ways:

- The PHA's home page
- The PHA's resident services page
- The PHA's Facebook and/or Twitter accounts
- An out-of-office message on your office phone with your telephone/email contact information
- An out-of-office email message with your phone number
- A resident hotline if your PHA has one
- Rent statements
- Texting/emailing clients for whom you already have contact information
- Other methods your PHA is using to communicate with residents during this time

**GA3. If permissible, how can Service Coordinators continue to serve residents effectively if they are working remotely? (Updated 4-22-20)**

A. Much of the work of Service Coordinators or Support Services Staff can be done remotely. We encourage you to use technology such as the following, inasmuch as they are available to you and your residents:

- Phones

- Text
- Email
- Web-based and Smart Phone-based Videoconferencing (e.g. Zoom, Skype, FaceTime)

See also Virtual/remote case management/casework – facts sheet on key considerations:

<https://aspe.hhs.gov/virtual-case-management-human-services-programs>  
<https://tinyurl.com/remotecasemgmt>

See additional tips/best practices garnered from other sites in GA2.

**GA4. Are Choice Neighborhoods Closings still taking place? (New)**

A. Choice Neighborhoods closings are still taking place. Choice Staff and the Office of General Counsel staff are all working remotely, and closings are continuing. We urge you to make advanced arrangements with the Field Office for any documents that they must sign and notarize.

**GA5. Due to required social distancing, our Choice Grant Team is unable to convene partners, residents and local citizens, nor conduct group and door to door outreach which supports our Annual Survey, Transformation, Critical Community Plan development, and overall resident engagement. May we have an extension? (New)**

A. Yes. The Choice Neighborhoods Program is willing to adjust deadlines for most deliverables. Implementation Grant terms may not be extended by statute. Please contact your HUD Team Coordinator for more information.

**GA6. Our Data Report is due soon. Will Choice Neighborhoods extend the time we have to submit our data? (New)**

A. Yes. Please work with you Team Coordinator.

**GA7. How do we handle documents requiring review and approval such as Budget Revision, Endowment Trust Proposal, People Plan, and the CCI Plan? (New)**

A. Choice Neighborhoods staff are working remotely and have established electronic mechanisms to support the review and approval of all documents. Please send documents as you usually do to your Team Coordinator.