

Appendix B: Waivers

Waiver requests necessary to carry out activities described in the project application must be submitted to HUD prior to or with the project application submission. Project Applicants should submit waivers anticipated to be necessary at the time of project application submission for any activity referenced in the project application. HUD will not issue waivers before it receives and approves a project application. However, HUD understands that the recipient may also need to request a waiver during the course of the project's activity. HUD will not grant waivers of fair housing and civil rights requirements.

Waivers must be submitted as attachments to project applications or via email to HUD at youthdemo@hud.gov. Project applicants must demonstrate that their YHDP funds will be used for eligible activities as described in the Act for the grants to be eligible for renewal in the CoC program. For good cause, the Secretary may grant waivers of regulations. Grants that include activities that do not meet the eligibility requirements of the Act will not be eligible for renewal in the CoC Program.

Waiver requests concerning 24 CFR part 578 must be addressed to the Secretary of HUD and include the following:

- A description of the project
- The citation from the CoC Program Interim rule that the Project Applicant requests HUD to waive
 - A description of how the waiver accomplish a needed outcome
 - Why the project outcomes could not be met without the waiver
- Any supporting documentation

Examples of possible waiver requests include (please see Appendix A for more detail):

- Waiver of the maximum number of months of rental assistance allowed under 24 CFR 578.37(a)(1)(ii)(C).
- Waiver of the maximum number of months of supportive services available after assistance ends under 24 CFR 578.53(b)(3).
- Waiver of limitation of amount that can be paid for damages when a participant leaves the unit as described in 24 CFR 578.51(a)(2).
- Waiver of the amount of security deposits that can be paid as described in 24 CFR 578.49(b)(4) and 24 CFR 578.51(a)(2).

HUD may determine that the project design requires an additional waiver or that additional information is needed to make a determination regarding a submitted waiver request. In these cases, HUD may contact the project applicant at any time and request that the applicant submit a waiver request for consideration or additional information to support a previous request.

HUD will notify project applicants if their waiver request has been approved before the conditional project award, or within 30 days in the case of waivers submitted after project award. Project applicants are cautioned that not all waiver requests may be approved.