



Legislation Text

File #: 22-0299, Version: 2

**Resolution to Amend the Administrative Plan Regarding Expedited Regulatory Waivers for the Housing Choice Voucher Program**

The Ann Arbor Housing Commission's (AAHC) Housing Choice Voucher Administrative Plan details its policies and procedures for the management of its Housing Choice Voucher (HCV) Program.

The AAHC submitted a request to HUD pursuant to Notice PIH 2021-34, "Expedited Regulatory Waivers for the Public Housing and Housing Choice Voucher (including Mainstream and Mod Rehab) Programs." The Notice provided instructions on the expedited processing of Public Housing Authority (PHA) requests to continue to use specific regulatory waivers for the Public Housing and Housing Choice Voucher (HCV) (including Mainstream and Mod Rehab) programs impacted by the COVID-19 pandemic.

AAHC's application was submitted by an authorized official and included AAHC's justifications for the waiver(s) to be granted. Notice PIH 2021-34 specifies that good cause justification must include: (a) why a PHA needs the waiver; (b) the impact on PHA operations or applicants if the waiver is not provided; and (c) the proposed waiver duration is limited to only the time necessary for a PHA to resume normal operations and not to exceed December 31, 2022.

Waiver Name	Regulation	Summary of relief from HUD Requirements
Voucher Tenancy: New Payment Standard Amount	24 CFR § 982.503(b)	PHAs may request an expedited waiver to allow for establishment of payment standards from 111 to 120 percent of the FMR.
SEMAP Score	24 CFR § 985.105 24 CFR § 985.101	PHAs with a fiscal year end 3/31/22, 6/30/22, or 9/30/22, may request to waive the application of SEMAP in its entirety, only if the PHA has a SEMAP indicator affected directly or indirectly because of the disruption to PHA operations caused by its adoption of available CARES Act waivers.
Term of Voucher: Extensions of Term	24 CFR § 982.303(b)(1)	Allows PHAs to grant a family one or more extensions of the initial voucher term regardless of the policy described in the Administrative Plan. PHAs should ensure consistency with these requests and remain in compliance with the PHA's informally adopted interim standard.
Homeownership: Max. Term of Assistance	24 CFR § 982.634(a)	Allows a PHA to extend homeownership assistance for up to one additional year.

Ann Arbor Housing Commission management staff have reviewed the Notice and are recommending the waivers indicated above, were approved by HUD and should be adopted by the Board. Ann Arbor Housing Commission recommends that the effective date

of these waivers is February 7, 2022.

Written by: Misty Hendershot, Voucher Program Manager

Approved by: Jennifer Hall, Executive Director Ann Arbor Housing Commission

WHEREAS, The Ann Arbor Housing Commission's Housing Choice Voucher Administrative Plan details its policies and procedures for the management of its Housing Choice Voucher (HCV) Program; and

WHEREAS, The Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations for the HCV and Public Housing programs; and

WHEREAS, Most CARES Act waivers and alternative requirements contained in notice PIH 2021-14 (published May 5, 2021) expire on December 31, 2021; specific previously exercised HCV waiver approvals may extend to December 31, 2022, and

WHEREAS, Notice PIH 2021-34 provides instruction on expedited waiver processing that would allow for PHAs to continue to use specific CARES Act regulatory waivers for the Public Housing and Housing Choice Voucher (including Mainstream) programs, and

WHEREAS, It also provides for an expedited approval process for one new waiver in the Housing Choice Voucher Program related to Payment Standards that will help facilitate leasing, which was not part of the CARES Act waivers, and

WHEREAS, the proposed waiver duration is limited to only the time necessary for a PHA to resume normal operations and not to exceed December 31, 2022.

RESOLVED, that the Board of the Ann Arbor Housing Commission approves the extension all of the waivers listed in the chart of waivers in the memorandum above to take effect February 7, 2022, which is the date HUD approved the waivers.