

COVID-19 HSNH (VHSP, HTF and HOPWA) Guidance

In light of the challenges that COVID-19 may pose for agencies serving our communities’ most vulnerable, the following is a compilation of guidance for Virginia Department of Housing and Community Development Homeless and Special Needs Housing (HSNH) grantees under the following programs: Virginia Homeless Solutions Program (VHSP), Housing Trust Fund - Homeless Reduction Grant (HTF), and Housing Opportunities for Persons With AIDS (HOPWA). Understanding that the current public health emergency may continue to affect the work of our grantees please do not hesitate to reach out to your Program Administrator with questions and concerns not covered by this guidance. Please note this guidance may change as additional state and federal guidance is received.

Waiver of Program Requirements (VHSP Rapid Re-housing and Targeted Prevention)

DHCD has elected to provide the following waivers for VHSP-funded Rapid Re-housing and Targeted Prevention activities (please note the duration of the waiver begins on April 2, 2020):

- Fair Market Rent Waiver
- Recertification Waiver
- Monthly Case Management Waiver

Fair Market Rent Waiver (Duration: 6 months)

Units assisted with VHSP Rapid Re-housing and Targeted Prevention financial assistance may exceed Fair Market Rent (FMR) but not exceed the Rent Reasonableness requirement for any lease executed during the waiver period (6 months).

At the end of the waiver period, all program participants assisted in units exceeding FMR must either be stabilized in the unit without further VHSP Rapid Re-housing or Targeted Prevention financial assistance or be moved into a unit that is at or below the FMR standard. Once the waiver period ends, VHSP Rapid Re-housing and Targeted Prevention financial assistance must not be utilized for units exceeding Fair Market Rent.

Required documentation to utilize waiver (must be included in program participant file):

- Notation in the program participants’ file stating Fair Market Rent requirements are impeding the program participant’s ability to obtain permanent housing within the community.
- Rent Reasonableness
- Housing Plan must address how household will be stabilized in affordable in unit prior to the end of the waiver period

Recertification Waiver (Duration: 6 months)

In order to better enable program participants to remain stable in housing during the economic hardship of COVID-19, the requirement that recertification of eligibility be completed once every 3 months is waived. Recertification must be completed no less than once every 6 months.

Required documentation (must be included in program participant file):

- Note that 3-month recertification was not completed due to COVID-19

Monthly Case Management Waiver (Duration 3 months)

The requirement that case management for program participants in Rapid Re-housing and Targeted Prevention occur at least once monthly is waived as needed (see below).

Required documentation (must be included in program participant file):

- Documentation that monthly case management could not occur due to:
 - Limited staff capacity; AND/OR
 - Lack of technology/inability to connect with program participant virtually

Waiver	Duration	Time Frame
Fair Market Rent	6 months	April 2, 2020- October 2, 2020
Recertification	6 months	April 2, 2020- October 2, 2020

Monthly Case Management	3 months	April 2, 2020- July 2, 2020
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Guideline allowances to enable continuity of service provision

1. Electronic and verbal signatures will be accepted for all VHSP-required documentation.
2. Housing search and inspection (see below)

Housing Search and Inspection

Below are a few suggestions of potential housing search modifications to consider. Adjustments should be tailored to the unique needs of each client. Coordinate with your local public health authority on how to assist clients who have been exposed to COVID-19 or are experiencing symptoms.

Housing Search:

Encourage clients to view apartments prior to completing rental applications. Contact the landlord/ property manager to ensure they are still accepting applications and discuss options for viewing the apartment.

If possible, a virtual tour of an apartment may be a viable option for viewing a unit. Live tours are preferable for viewing units so that the client may ask specific questions regarding their potential unit.

If viewing the apartment virtually is not an option, an in-person tour may be necessary. Clients may view units on their own or with the landlord. If a tenant cannot view the unit on their own, ask landlords to allow Housing Staff and the client to view the unit without the landlord in order to reduce the amount of individuals in the unit. Landlords may let the clients and/or staff into the unit or utilize a lockbox. Landlords should open windows in the unit and if possible disinfect any high- touch places, such as door knobs and countertops between each showing. Also please utilize social distancing whenever possible, keeping 6 or more feet between all persons.

Once a client chooses a unit and is approved, discuss options for electronic lease signing.

Housing Inspections:

HSNH Guidelines pg. 10 requires the completion of the DHCD Basic Habitability Checklist and Lead Based Paint Visual Assessment form prior to providing assistance.

DHCD is permitting the use of virtual inspections for the duration of 6 months.

Virtual inspections may be completed by the landlord or the agency staff. If a virtual inspection cannot be completed, photographs are also an allowable option for inspections.

Required Documentation (must be included in program participants' files):

- Notation in the program participants' file of utilization of virtual inspection.
- Notation on DHCD Basic Habitability checklist of completion of virtual inspection
- Notation on Lead Based Paint Visual Assessment of completion of virtual inspection
- Photographs of unit if a virtual inspection was conducted along with notation of inability to complete virtual inspection along with reasoning
- If a virtual inspection or photographs of the unit cannot be completed or obtained then an in person inspection is required.

In-person inspections should utilize safeguards against contracting or spreading COVID 19. Prior to inspecting the unit, the landlord should wipe down high touch surfaces such as door knobs and countertops and open windows. Staff and clients should utilize proper hand washing technique or hand sanitizer prior to entering the unit. Landlords/property managers are not required to be on site but rather could call in or video-in during the inspection, where technology permits. Landlords may allow Housing Staff and client to access the unit via lockbox or may let Housing Staff and client in to access the unit.

During inspection, persons should utilize social distancing and maintain 6 or more feet of distance between individuals.

Electronic signatures from landlord/ property management and clients are permitted for DHCD Basic Habitability Checklist and Lead Based Paint Visual Assessments. In the instance that the landlord/ property manager or client cannot attend the inspection in person please ensure appropriate documentation is signed prior to the release of payment to the landlord.

Housing Opportunities for Persons with Aids (HOPWA)

DHCD has elected to apply the following waivers from [HUD's Availability of Waivers of CPD Grant Program Notice: #14, #15, and #16](#). Grantees must pay special notice to the "applicability" portion of each waiver to understand how long this waiver will be active.

14. HOPWA – Self-Certification of Income and Credible Information on HIV Status

Requirement: Source Documentation for Income and HIV Status Determinations.

Citation: 24 CFR 574.530, Recordkeeping

Explanation: Each grantee must maintain records to document compliance with HOPWA requirements, which includes determining the eligibility of a family to receive HOPWA assistance.

Justification: This waiver will permit HOPWA grantees and project sponsors to rely upon a family member's self-certification of income and credible information on their HIV status (such as knowledge of their HIV-related medical care) in lieu of source documentation to determine eligibility for HOPWA assistance of families and grantees affected by COVID-19.

Applicability: Eligibility is restricted to a low-income person who is living with HIV/AIDS and the family of such person. This waiver is in effect for recipients who require written certification of the household seeking assistance of their HIV status and income, and agree to obtain source documentation of HIV status and income eligibility within 3 months of public health officials determining no additional special measures are necessary to prevent the spread of COVID-19.

15. HOPWA – FMR Standard

Requirement: Rent Standard for Tenant-Based Rental Assistance (TBRA).

Citation: 24 CFR 574.320(a)(2), Rent Standard

Explanation: Grantees must establish rent standards for their tenant-based rental assistance programs based on FMR (Fair Market Rent) or the HUD approved community-wide exception rent for unit size. Generally, the TBRA payment may not exceed the difference between the rent standard and 30 percent of the family's adjusted income.

Justification: This waiver of the FMR rent standard limit permits HOPWA grantees to establish rent standards, by unit size, that are reasonable, and based upon rents being charged for comparable unassisted units in the area, taking into account the location, size, type, quality, amenities, facilities, management and maintenance of each unit. Grantees, however, are required to ensure the reasonableness of rent charged for a unit in accordance with §574.320(a)(3). This waiver is required to expedite efforts to identify suitable housing units for rent to HOPWA beneficiaries and HOPWA-eligible families that have been affected by COVID-19, and to provide assistance to families that must rent units at rates that exceed the HOPWA grantee's normal rent standard as calculated in accordance with §574.320(a)(2).

Applicability: Such rent standards may be used for up to one year beginning on the date of this memorandum.

16. HOPWA – Property Standards for TBRA

Requirement: Property Standards for Tenant-Based Rental Assistance (TBRA)

Citation: 24 CFR 574.310(b), Housing Quality Standards

Explanation: This section of the HOPWA regulations provides that units occupied by recipients of HOPWA TBRA meet the Housing Quality Standards (HQS) established in this section. Justification: This waiver is required to enable grantees and project sponsors to expeditiously meet the critical housing needs of the many eligible families that have been affected by COVID-19 while also minimizing the spread of the coronavirus.

Applicability: This waiver is in effect for one year beginning on the date of this memorandum for recipients and project sponsors that are able to meet the 12 following criteria: a. The recipient or project sponsor is able to visually inspect the unit using technology, such as video streaming, to ensure the unit meets HQS before any assistance is provided; and b. The recipient or subrecipient has written policies to physically reinspect the unit after the health officials determine special measures to prevent the spread of COVID-19 are no longer necessary.

FEMA

DHCD has received FEMA funding to provide non-congregate emergency shelter to eligible individuals/households (see attached FEMA Project Participant Eligibility for more details).

- If you have served a FEMA-eligible client/household from April 2 or later using the COVID-19 emergency response funds distributed by DHCD, the costs to serve this household are reimbursable under the FEMA cost category. Contact your HSNH Program Administrator to discuss how to begin utilizing FEMA funds.
- A weekly FEMA report must be sent to DHCD which details how many eligible households have been served and the funding spent on their hotel/motel stay and supplies (including food costs).
 - FEMA reports cover a reporting period of Sunday through Saturday and are due the following Wednesday

Based on what we know now, those at high-risk for severe illness from COVID-19 are:

- [People 65 years and older](#)
- People of all ages with [underlying medical conditions, particularly if not well controlled](#), including:
 - People with chronic lung disease or moderate to severe asthma
 - People who have serious heart conditions
 - People who are immunocompromised
 - Many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications
 - People with severe obesity (body mass index [BMI] of 40 or higher)
 - People with diabetes
 - People with chronic kidney disease undergoing dialysis
 - People with liver disease

Source: <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>