



**Council of Large Public Housing Authorities**

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March 19, 2020

Dr. Benjamin S. Carson, Sr.  
Secretary  
Department of Housing and Urban Development  
451 7th Street SW  
Washington, DC 20410

Dear Secretary Carson,

The COVID-19 pandemic represents a serious threat to the short- and long-term well-being of many vulnerable families in HUD-assisted housing and to the public housing authorities (“PHAs”) that own and manage housing and vouchers for nearly 3.3 million households. In addition to supporting residents, PHAs must also make efforts and provide resources to support and protect the health of their staff. To enable PHAs to properly care for their residents and staff while maintaining their mission of providing safe and affordable housing, HUD must provide a number of flexibilities and resources to PHAs as quickly as possible. The Council of Large Public Housing Authorities, which represents 70 of the nation's largest PHAs, requests the following regulatory and statutory relief for from the PIH and Multifamily programs:

**Waivers**

As PHAs will need regulatory and statutory waivers, HUD should exercise the full extent of its waiver authority under 24 C.F.R. § 5.110 and obtain blanket statutory waiver authority (and blanket regulatory waiver authority to the extent HUD believes it does not already have it) to ensure that PHAs can receive all needed waivers more expeditiously. Statutory and regulatory waivers requested by CLPHA members include the following:

**Inspections.** Until further notice, HUD should suspend all HQS inspections and temporarily allow PHAs to self-certify that the unit either meets HQS standards or does not have any life-threatening conditions in order to allow households to move into their Section 8 units without delay and without the need for additional Administrative Plan amendments or other approvals.

**Reporting and data submission requirements.** PHAs are experiencing staff absences, leaving them unable to complete many basic functions. HUD should implement 90-day extensions for all reporting and data collection submissions coming due in March and April 2020, including but not limited to extensions for recertifications, competitive grant applications, and Annual or MTW Plan deadlines.

**Requirements involving leaving home or large events.** Because residents in many communities are required or advised to stay home, HUD should temporarily waive the community service

requirement for public housing residents and waive requirements for any public meetings, including for PHA Plan submissions.

**Electronic signatures.** Many agencies have staff working remotely, where they are unable to collect signatures from residents for required paperwork, such as leases and recertifications. HUD should expedite approval and implementation of electronic signatures for these and other file documents requiring resident signatures.

**RAD and other PHA affordable housing transactions.** HUD should extend deadlines required for RAD financial conversions, mixed finance development, subsidy layering reviews, Section 18 demolition and disposition, and other forms of PHA affordable housing transactions so that PHAs have adequate time to complete all required submissions.

**HUD rulemaking.** To allow PHAs to fully participate in the rulemaking process, HUD should extend the comment period for the Affirmatively Furthering Fair Housing notice that ended on March 16 and place a moratorium on publishing any APA Rulemaking or PRA Information Collections unrelated to COVID-19 in the Federal Register.

**PHAS and SEMAP Scoring.** HUD should temporarily hold harmless PHAs on PHAS and SEMAP scores or allow PHAs to carry over the prior year's score.

**Monitoring and reviews.** Due to PHA staff reductions and staff time spent responding to COVID-19, HUD should suspend routine reviews and monitoring of PHA programs.

**MTW Annual Plan & Process.** HUD should temporarily waive the public hearing and public comment requirements for amendments to Annual MTW Plans, as described in the Standard Agreement.

### **Guidance**

In addition to waiving these requirements, our members request that HUD provide additional guidance on several issues, including for:

- Sending out and receiving resident paperwork such as leases in a remote setting;
- Determining temporary versus permanent income loss; and
- Collecting electronic signatures from residents.

Waivers and guidance will be critical tools to PHAs as they respond to the pandemic. Another essential resource required by PHAs at this time is additional funding. PHAs have three major unexpected expenses for cleaning, staffing, and equipment. PHAs must regularly and thoroughly sanitize buildings, pay for overtime or temporary staffing to cover work shortages, and purchase personal protective equipment, cleaning supplies, and hardware for staff who must work remotely but are not currently set up to do so. Collectively, these represent enormous unforeseen costs to PHAs, and existing operating funds are simply inadequate for covering these costs. For example, NYCHA alone estimates costs at \$100 million for six months of deep cleaning its properties. We urge HUD to support CLPHA's supplemental funding request of \$5 billion for public housing and \$3.5 billion for the voucher program, which was shared with Congressional leadership and is attached to this letter.

Thank you for considering our request on behalf of CLPHA members. We look forward to working with HUD on helping PHAs obtain the resources that their residents and staff desperately need. Please do not hesitate to contact me with any questions you may have regarding our requests.

Sincerely,

A handwritten signature in cursive script that reads "Sunia Zaterman". The signature is written in black ink and has a fluid, connected style.

Sunia Zaterman  
Executive Director