



MEMORANDUM

FROM: Steve DiLella, John Merz, Alice Minervino, and Sonya Jelks (CT BOS Co-Chairs)

TO: CT BOS CoC & DOH ESG funded Provider Agencies

DATE: January 10, 2022

RE: Round Seven of COVID-19 Related Waivers to CoC and YHDP Requirements

Note: all blue underlined words throughout this document are live links. Clicking on the link will take you directly to the referenced document.

Dear Colleagues:

In light of the continued COVID-19 crisis, on [12/30/21 HUD released a memo](#) extending select waivers set to expire on December 31, 2021 and re-introducing select previously expired waivers. This new memorandum extends waiver flexibilities established in HUD's [3/31/21 memorandum](#), [9/30/20 memorandum](#), [5/22/20 memorandum](#), [3/31/20 memorandum](#), [12/31/20 memorandum](#) and [6/30/21 memorandum](#). All waivers that were extended or re-introduced now expire in March 31, 2022. This CT BOS memo has been updated to reflect the new information from HUD.

Please note that not all previously available waivers were extended or reinstated. Waivers that have now expired are indicated in **red text** in the attachment starting on page 3.

CPD anticipates that this is the last time it will offer extensions of these waivers to all recipients on an opt-in basis. Recipients who will need continued regulatory flexibility must submit a regulatory waiver request pursuant to 24 CFR 5.110. Each regulatory request must identify the regulation from which relief is sought and present a good cause justification pursuant to 24 CFR 5.110. These requests must be submitted to the Hartford HUD field office. Organizations needing continued regulatory flexibility beyond 3/31/22 can contact the CT BOS team at ctboscoc@gmail.com for assistance.

CT BOS previously provided a summary of all available waivers. That summary is available [here](#). **COC GRANTEES WISHING TO USE WAIVERS MUST ADOPT CERTAIN POLICIES & MAINTAIN CERTAIN DOCUMENTATION** (see [Sample Emergency Operation Policy](#)). Details about those requirements are also available [here](#).

Please use the available flexibility to prevent the spread of COVID-19 and to facilitate assistance to eligible households, particularly those most vulnerable to exposure to and/or serious complications from COVID-19.

If your agency is a Connecticut Balance of State Continuum of Care (CT BOS CoC) grant recipient (i.e., your agency receives CoC funds directly from HUD and not through another agency), you must take the actions specified below to enable waiver use. **Grantees that wish to use the waiver extensions must notify HUD of their intent to do so, even if they already submitted a notification of their intent to use the waivers that were made available under the three prior HUD memos.** The recipient of grant funds must notify Alanna Kabel (CPD Director of the Hartford Field Office) in writing no less than two calendar days before using the waiver flexibility. **WAIVER REQUESTS MUST BE SUBMITTED TO:** CPD_COVID-19WaiverHAT@hud.gov.

COC GRANTEES MUST NOTIFY HUD AND CT BOS OF INTENT TO UTILIZE WAIVERS.

The Connecticut Department of Housing (DOH) and Department of Mental Health and Addiction Services (DMHAS) previously notified HUD of their intent to use the available waivers. Both agencies have also notified HUD of their intent to use all newly available extensions. This notification covers all DMHAS and DOH CoC and ESG projects.

NOTE: DOH/DMHAS SUBRECIPIENTS SHOULD NOT SUBMIT WAIVER NOTIFICATIONS TO HUD.

Subrecipients of ESG funds administered by a recipient **other than DOH**, should coordinate with the relevant ESG recipient to determine what waivers they intend to use.

If your agency has a CoC grant agreement directly with HUD, you must submit a notification to HUD that you will be using the flexibility provided by the waivers and specify the waivers you will be implementing. CT BOS has provided a [waiver notification template](#) for this purpose. Agencies that have a CoC grant agreement directly with HUD are encouraged to use the materials created by CT BOS.

HUD approval is not necessary – only notification. Providers can proceed to use the available waivers two calendar days after the grant recipient submits the notification to HUD.

Please note that DMHAS, DOH, and /or CTBOS may re-visit use of these waivers at a later date. Please do not hesitate to reach out to us at ctboscoc@gmail.com, if you have any questions.

Please see also the attachment beginning on page 3.

Attachment		
CoC and ESG Program Waivers for Covid-19		
Program Component/Budget Line Item Affected	Waived Requirement	Duration of Waiver
All CoC Projects	<i>Participant self-certification of income.</i> Requirement to only rely on self-certification of income if source and third-party documentation of income are unobtainable is waived.	Effective through 9/30/21
CoC Leasing and Rental Assistance Budget Line Items & ESG RRH	<i>Initial HQS inspection.</i> Requirement that CoC projects physically inspect to assure that units meet HQS before any assistance is provided is waived. To use this waiver, recipients and subrecipients must meet certain criteria (see page 3 in the memo located here for details).	Effective through 3/31/22
CoC RRH	Suitable dwelling size requirements waived for RRH. The requirement that each unit assisted have at least one bedroom or living/sleeping room for each two persons is waived for RRH leases executed between 12/30/21 and 3/31/22.	Extends until the later of 1) the end of the initial term of the lease; or 2) 3/31/22.
All CoC Projects and ESG RRH	Homeless status is retained for up to 120 days for people exiting an institution. An individual may qualify as literally homeless as long as they are exiting an institution where they resided for 120 days or less and resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.	Effective through 3/31/22
CoC RRH Rental Assistance	<i>24-month Rental Assistance restriction.</i> Program participants who have reached 24 months of rental assistance and who will not be able to afford their rent without additional rental assistance will be eligible to receive rental assistance until 3/31/22.	Effective through 3/31/22

ESG RRH Rental Assistance	Program participants who receive the maximum amount of rental assistance (24 months within 3 years) between December 30, 2021 and March 31, 2023 may receive additional rental assistance as long as such assistance does not extend beyond 3/31/22.	Effective until 3/31/22.
All CoC Projects	Grant Amendments All CoC projects that amend their grant agreement in response to COVID-19 between March 31, 2020 and December 31, 2021 to move funds between budget line items may apply in the next CoC Competition based on the Budget Line Items before they were amended.	Applies to grant agreement amendments executed between 3/31/20 and 12/31/21
CoC Permanent Supportive Housing	Change to DedicatedPLUS Eligibility For Dedicated Plus projects awarded in the 2018 and 2019 competitions, people who were chronically homeless prior to entering TH will qualify as Dedicated Plus regardless of whether or not the TH is being eliminated.	Applies to Dedicated Plus projects awarded in the 2018 and 2019 competition.
CoC Leasing Budget Line Item	FMR for Individual Units and Leasing Costs Units assisted under leasing may rent for more than the applicable FMR provided that the rent passes rent reasonableness test.	Effective through 3/31/22
CoC Permanent Supportive Housing	Disability Documentation for PSH Disability determination can be based solely on staff-recorded observation of disability. Other documentation does not have to be provided within 45 days. A written certification by the individual seeking assistance that they have a qualifying disability is acceptable documentation to initiate assistance.	Effective through 3/31/22
CoC Supportive Services Budget Line Item	Limit on Eligible Housing Search and Counseling CoC Program funds may be used for up to 6 months of a program participant's utility arrears and up to 6 months of program participant's rent arrears, when those arrears make it difficult to obtain housing.	Effective through 12/31/21

CoC & ESG Rapid Rehousing	<i>RRH Monthly Case Management</i> Program participants are not required to meet at least monthly with their case manager.	Effective through 9/30/21
CoC Leasing and Rental Assistance Budget Line Items & ESG RRH	<i>HQS Re-Inspection of Units</i> Requirement to annually physically reinspect for HQS is waived.	Effective through 3/31/22
CoC Permanent Supportive Housing & CoC & ESG Rapid Re-Housing	<i>One-Year Lease Requirement.</i> Initial term of all leases must now be at least one month.	Effective through 3/31/22