



GHURA

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NOTICE TO THE PUBLIC Summary of Public Housing Waivers

May 6, 2021

On May 4, 2021, the U.S. Department of Housing and Urban Development (HUD) issued **Notice PIH 2021-14 (HA), REV-3**, COVID-19 Statutory and Regulatory Waivers and Alternative Requirements for the Public Housing Program, Housing Choice Voucher (including Mainstream and Mod Rehab), Indian Housing Block Grant and Indian Community Development Block Grant programs, Suspension of Public Housing Assessment System and Section Eight Management Assessment Program, Revision 3.

This notice extends the period of availability for the Public Housing waivers, which is in most cases extended to December 31, 2021. Other waivers have unique dates, such as the period of availability, which are dependent on GHURA's fiscal year end date or based on a specific action or activity.

The use of the Waivers is necessary to keep the Public Housing Program operational to the extent feasible and allows the Guam Housing and Urban Renewal Authority (GHURA) to continue to carry out its mission to provide decent, safe, and sanitary affordable housing for low-income families amidst the pandemic. This Notice carries forward information on previously specified HUD actions.

Through HUD Notice PIH 2021-14 (HA), REV-3, GHURA opts to adopt the Waivers specified for the Public Housing Program as indicated in the attached chart. The chart provides a summary of each Statutory and Regulatory Waiver, the period the Waiver is available, and the Amended Availability Period, as adopted by GHURA's Public Housing Program.

GHURA has issued a Notice to Residents notifying them of GHURA's decision to adopt the Waivers and the impacts the Waivers may have on them.

RAY S. TOPASNA
Executive Director

Attachment: Summary of Public Housing Waivers and Alternative Requirements

This chart summarizes the waivers authorized under this Notice and the availability period for each. As stated in Section 5, PHAs must keep written documentation on the waivers applied by the PHA as well as the effective dates. To fulfill those requirements, PHAs may but are not required to utilize the last two columns to record this information.

STATUTORY AND REGULATORY WAIVERS & ALTERNATIVE REQUIREMENTS #4 (AS ADOPTED BY GHURA)

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH and HCV-1 PHA 5-Year and Annual Plan Notice PIH 2021-14 (HA), REV-3: pages 9-10	<u>Statutory Authority</u> Section 5A(a)(1), Section 5A(b)(1), Section 5A(g), Section 5A(h)(2) <u>Regulatory Authority</u> §§ 903.5(a)(3), 903.5(b)(3), 903.13(c), 903.21, 903.23	<ul style="list-style-type: none"> Alternative dates for submission Changes to significant amendment process Submission Dates: Significant Amendment Requirements	<ul style="list-style-type: none"> Varies based on FYE 12/31/2020 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
PH and HCV-2 Family Income and Composition: Delayed Annual Examinations Notice PIH 2021-14 (HA), REV-2: page 10	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> §§ 982.516(a)(1) - HCV, 960.257(a) – Public Hsg	<ul style="list-style-type: none"> Permits the PHA to delay the annual reexamination of income and family composition HCV PHAs must implement HCV-7 for impacted families if they implement this waiver 	<ul style="list-style-type: none"> 6/30/2021 All reexams due in CY20 must be completed by 12/31/20. Reexams due between 1/1/21 and 12/31/21 would need to be completed by 12/31/21 .	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH and HCV-3 Family Income and Composition: Annual Examination; Income Verification Requirements Notice PIH 2021-14 (HA), REV-3: pages 11-12	<u>Regulatory Authority</u> §§ 5.233(a)(2), 960.259(c), 982.516(a) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> • Waives the requirements to use the income hierarchy, including the use of EIV, and will allow PHAs to consider self-certification as the highest form of income verification • PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later 	<ul style="list-style-type: none"> • 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
PH and HCV-4 Family Income and Composition: Interim Examinations Notice PIH 2021-14 (HA), REV-2: pages 12-13	<u>Statutory Authority</u> Section 3(a)(1) <u>Regulatory Authority</u> §§ 5.233(a)(2), 982.516(c)(2), 960.257(a), (b) and (d), 960.259(c) <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> • Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations 	<ul style="list-style-type: none"> • 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
PH and HCV-5 Enterprise Income Verification (EIV) Monitoring Notice PIH 2021-14 (HA), REV-2: page 13	<u>Regulatory Authority</u> § 5.233 <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> • Waives the mandatory EIV monitoring requirements 	<ul style="list-style-type: none"> • 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH and HCV-6 Family Self-Sufficiency (FSS) Contract of Participation: Contract Extension Notice PIH 2021-14 (HA), REV-3: page 14	<u>Regulatory Authority</u> § 984.303(d)	<ul style="list-style-type: none"> Provides for extensions to FSS contract of participation 	<ul style="list-style-type: none"> 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
PH and HCV-7 Waiting List: Opening and Closing; Public Notice Notice PIH 2021-14 (HA), REV-3: page 14	<u>Regulatory Authority</u> § 982.206(a)(2) <u>Sub-regulatory Guidance</u> Notice PIH 2012-34	<ul style="list-style-type: none"> Waives public notice requirements for opening and closing waiting list Requires alternative process 	<ul style="list-style-type: none"> 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
PH and HCV-8: Eligibility Determination: Income Verification Notice PIH 2021-14 (HA), REV-3: pages 15-16	<u>Regulatory Authority</u> 24 CFR § 960.259(c) – Public Housing; 24 CFR 982.201(e) - HCV <u>Sub-regulatory Guidance</u> Notice PIH 2018-18	<ul style="list-style-type: none"> Waives the third-party income verification requirements for applicants, and will allow PHAs to consider self-certification as the highest form of income verification at admission PHAs must review the EIV Income and IVT Reports to confirm/validate family-reported income within 90 days 	<ul style="list-style-type: none"> 12/31/2021 	YES	05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH and HCV-9: Eligibility Determination: Social Security Number and Citizenship Verification Notice PIH 2021-14 (HA), REV-3: pages 16-17	<u>Statutory Authority</u> 42 USC 1436a(d)(2) <u>Regulatory Authority</u> § § 5.216(b)(2), (g), (h), 5.218, 5.508(b)(2)(ii), (b)(3)(ii),(g) <u>Sub-regulatory Guidance</u> Notice PIH 2012-10	<ul style="list-style-type: none"> • Waives the requirements to obtain and verify social security number documentation and documentation evidencing eligible noncitizen status before admitting applicants to the HCV and Public Housing programs • PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. • Individuals admitted under this waiver must provide the required documentation within 90 days of admission to be eligible for continued assistance 	<ul style="list-style-type: none"> • 12/31/2021 	YES	05/04/2021
PH-1 Fiscal Closeout of Capital Grant Funds Notice PIH 2021-14 (HA), REV-3: page 33	<u>Regulatory Authority</u> § 905.322(b)	<ul style="list-style-type: none"> • Extension of deadlines for close-out documents ADCC and AMCC 	Varies by PHA; For grants that were open on March 19, 2020, the deadline for submission of grant closeout documents (ADCCs and AMCCs) is extended from 120 days to one year.	YES	11/30/2020 05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH-2 Total Development Costs Notice PIH 2021-14 (HA), REV-3: pages 33-34	<u>Regulatory Authority</u> § 905.314(c) - (d)	<ul style="list-style-type: none"> • Waives the TDC and HCC limits permitting approval of amounts in excess of published TDC by 25% to 50% on a case by case basis 	Applies to development proposals submitted to HUD no later than December 31, 2021	NO	N/A
PH-3 Cost and Other Limitations: Types of Labor Notice PIH 2021-14 (HA), REV-3: page 34	<u>Regulatory Authority</u> § 905.314(j)	<ul style="list-style-type: none"> • Allows for the use of force account labor for modernization without HUD approval regardless of whether the PHA is a high performer 	<ul style="list-style-type: none"> • 12/31/2021 	NO	N/A
PH-4 ACOP: Adoption of Tenant Selection Policies Notice PIH 2021-14 (HA), REV-3: page 34	<u>Regulatory Authority</u> § 960.202(c)(1)	<ul style="list-style-type: none"> • Establishes an alternative requirement that policies may be adopted without board approval until 9/30/2021 • Any provisions adopted informally must be adopted formally by 12/31/2021 	<ul style="list-style-type: none"> • 9/30/2021 • 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH-5 Community Service and Self-Sufficiency Requirement (CSSR) Notice PIH 2021-14 (HA), REV-3: pages 34-35 Superseded by 12.e.	<u>Statutory Authority</u> Section 12(c) <u>Regulatory Authority</u> §§ 960.603(a) and 960.603(b)	<ul style="list-style-type: none"> Temporarily suspends CSSR 	<ul style="list-style-type: none"> N/A – this waiver is superseded by 12.3. 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
PH-6 Energy Audits Notice PIH 2021-14 (HA), REV-3: page 35	<u>Regulatory Authority</u> § 965.302	<ul style="list-style-type: none"> Allows for delay in due dates of energy audits 	<ul style="list-style-type: none"> 12/31/2021 	NO Energy Audit was completed in PHA Five-Year Plan in 2019	N/A

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH-7 Over-Income Families Notice PIH 2021-14 (HA), REV-3: page 35	<u>Statutory Authority</u> Section 16(a)(5) <u>Sub-regulatory Guidance</u> Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit 83 FR 35490, Notice PIH 2019-11	<ul style="list-style-type: none"> Changes to timeframes for determination of over-income when a delay in the annual reexamination occurs as a result of adoption of waiver PH and HCV-2 	<ul style="list-style-type: none"> 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
PH-8 Resident Council Elections Notice PIH 2021-14 (HA), REV-3: page 36	<u>Regulatory Authority</u> § 964.130(a)(1)	<ul style="list-style-type: none"> Provides for delay in resident council elections 	<ul style="list-style-type: none"> 12/31/2021 	NO	N/A
PH-9 Review and Revision of Utility Allowance Notice PIH 2021-14 (HA), REV-3: page 36	<u>Regulatory Authority</u> § 965.507	<ul style="list-style-type: none"> Provides for delay in updating utility allowance schedule 	<ul style="list-style-type: none"> 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH-10 Tenant Notifications for Changes to Project Rules and Regulations Notice PIH 2021-14 (HA), REV-3: page 36	<u>Regulatory Authority</u> § 966.5	<ul style="list-style-type: none"> Advance notice not required except for policies related to tenant charges 	<ul style="list-style-type: none"> 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
PH-11 Designated Housing Plan Renewals Notice PIH 2021-14 (HA), REV-3: pages 36-37	<u>Statutory Authority</u> Section 7(f)	<ul style="list-style-type: none"> Extends the Plan's effective period through June 30, 2021 for Plans due to expire between July 2, 2020 and June 30, 2021 	<ul style="list-style-type: none"> 12/31/2021 	NO	N/A
PH-12 Public Housing Agency Annual Self-Inspections Notice PIH 2021-14 (HA), REV-3: page 37	<u>Statutory Authority</u> Section 6(f)(3) <u>Regulatory Authority</u> § 902.20(d)	<ul style="list-style-type: none"> Waives the requirement that the PHA must inspect each project 	<ul style="list-style-type: none"> 12/31/2020 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
PH-13 Over-Income Limit: Termination Requirement Notice PIH 2021-14 (HA), REV-3: pages 37-38	<u>Statutory Authority</u> Section 16(a) as amended by section 103 of HOTMA <u>Implementation Notice:</u> Housing Opportunity Through Modernization Act of 2016: Final Implementation of Public Housing Income Limit, 83 Fed. Reg. 35,490 (July 26, 2018)	<ul style="list-style-type: none"> • Waives the requirement that a family whose income has exceeded the over-income limit for the locality for two consecutive years be terminated within 6 months of the third income determination. • As an alternative requirement, over-income families will remain public housing households instead of being terminated and will be charged the applicable FMR as the family's monthly rental amount. 	<ul style="list-style-type: none"> • 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
PH-14 Annual Choice of Rent Notice PIH 2021-14 (HA), REV-3: pages 38-39	<u>Statutory Authority:</u> 42 USC 1437a(a)(2)(A) <u>Regulatory Authority</u> § 960.253	<ul style="list-style-type: none"> • Allows a PHA to give families up to two opportunities to choose between a flat rent and an income-based rent within the same one-year period 	<ul style="list-style-type: none"> • 12/31/2021 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
11. PHAS, SEMAP, AND UNIFORM FINANCIAL REPORTING STANDARDS					
11a PHAS Notice PIH 2021-14 (HA), REV-3: page 39	<u>Regulatory Authority</u> 24 CFR Part 902	<ul style="list-style-type: none"> Allows for alternatives related to inspections PHA to retain prior year PHAS score unless requests otherwise 	HUD will carry forward the most recent PHAS score on record for any PHAs with a fiscal year on or before 12/31/2021	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
11c Uniform Financial Reporting Standards: Filing of Financial Reports; Reporting Compliance Dates Notice PIH 2021-14 (HA), REV-3: pages 40-42	<u>Regulatory Authority</u> §§ 5.801(c), 5.801(d)(1)	<ul style="list-style-type: none"> Allows for extensions of financial reporting deadlines 	Varies by PHA FYE	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
12. OTHER WAIVERS AND ADMINISTRATIVE RELIEF					
12a PHA Reporting Requirements on HUD Form 50058 Notice PIH 2021-14 (HA), REV-3: pages 42-43	<u>Regulatory Authority</u> 24 CFR Part 908, § 982.158 <u>Sub-regulatory Guidance</u> Notice PIH 2011-65	<ul style="list-style-type: none"> • Waives the requirement to submit 50058 within 60 days • Alternative requirement to submit within 90 days of the effective date of action 	<ul style="list-style-type: none"> • 12/31/2020 	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021
12b Designated Housing Plans: HUD 60-Day Notification Notice PIH 2021-14 (HA), REV-3: page 43	<u>Statutory Authority</u> Section 7(e)(1)	<ul style="list-style-type: none"> • Allows for HUD to delay notification about designated housing plan 	<ul style="list-style-type: none"> • 07/31/2020 	NO	N/A
12c Extension of Deadline for Programmatic Obligation and Expenditure of Capital Funds Notice PIH 2021-14 (HA), REV-3: page 44	<u>Statutory Authority</u> Section 9(j) <u>Regulatory Authority</u> § 905.306(d)(5)	<ul style="list-style-type: none"> • Provides a 24-month extension 	For all open Capital Fund grants that were open on April 10, 2020, a 24-month extension from the obligation and expenditure end date in LOCCS as of April 10, 2020; For new Capital Fund grants opened	YES	1) 5/11/2020 2) 7/02/2020 3) 11/30/2020 05/04/2021

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
			between April 11, 2020 and December 31, 2020, a 24-month extension from the obligation and expenditure and dates in LOCCS s of December 31, 2020.		
12d Section 6(j) 1- and 2-Year Substantial Improvement Requirements Notice PIH 2021-14 (HA), REV-3: pages 44-45	<u>Statutory Authority</u> Section 6(j)(3)(B)(ii) <u>Regulatory Authority</u> 24 CFR § 902.75(d)	<ul style="list-style-type: none"> For PHAs designated as troubled prior to the date of this Notice that have not received a PHAS assessment for the first full fiscal year after the initial notice of the troubled designation, HUD will: (1) evaluate the 1-year substantial improvement benchmark based on the first released score for fiscal years ending on or after March 31, 2022; and, (2) toll the evaluation of the 2-year recovery benchmark to the next sequential fiscal year 	The period of availability for this waiver and alternative requirement: (1) is effective on the date of this Notice; and, (2) will continue through March 31, 2023, at which time HUD will reevaluate any additional impacts of this waiver on any PHA in the process of being evaluated.	NO GHURA is not designated as a troubled agency.	N/A

Item	Statutory and regulatory waivers	Summary of alternative requirements	Availability Period Ends	Did the PHA implement the waiver or alternative requirement?	Date of PHA adoption.
12e Community Service and Self-Sufficiency Requirement (CSSR) Suspension Notice PIH 2021-14 (HA), REV-3: pages 45-46	<u>Statutory Authority</u> Section 12(c) <u>Regulatory Authority</u> 24 CFR § 960.603(a), 960.603(b), 960.607, 966.4(1)(2)(iii)(D)	<ul style="list-style-type: none"> • Waives the requirement that each non-exempt adult resident of public housing contribute 8 hours per month of community service and/or participation in an economic self-sufficiency program. This non-discretionary waiver also suspends enforcement of the requirement by all PHAs operating a public housing program 	Effective for all annual reexaminations completed between the publication date of this notice through April 30, 2022.	YES	05/04/2021