

A Public Hearing will be conducted on May 5, 2020 by the Mayor and Municipal Council of the City of Clifton.

Due to the Corona Virus Social Distancing, the Mayor and Council are remotely holding the City Council meetings – Verizon Subscribers can tune into channel 40 and Cablevision Subscribers can tune into channel 77 at 8:00 p.m. Audio will only be available. The meeting will also be streamed Live on Clifton’s website - www.Cliftonnj.org

Please check with the City of Clifton’s website at: www.Cliftonnj.org for any updates to the Mayor and Council Meetings.

Amendment to the Administrative Plan for the Clifton Public Housing Agency. Additional HUD approved waivers and alternative requirements for statutory and regulatory requirements for the Housing Choice Voucher Program in response to the COVID-19 national emergency.

PURPOSE

Pursuant to the authority provided under the Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136), HUD is waiving and establishing alternative requirements for numerous statutory and regulatory requirements for the Public Housing program, Housing Choice Voucher (HCV) program, Indian Housing Block Grant (IHBG) program, and Indian Community Development Block Grant (ICDBG) program. These waivers provide administrative flexibilities and relief to public housing agencies (PHAs), Indian tribes, and tribally designated housing entities (TDHEs) in response to the COVID-19 national emergency. With respect to the Public Housing and HCV programs, use of these waivers is at the discretion of the PHA; however, HUD strongly encourages PHAs to utilize any and all waivers and alternative requirements as necessary to keep public housing and HCV programs operational to the extent practicable.

On March 27, 2020, President Trump signed the CARES Act into law, which authorizes over \$2 trillion in emergency assistance and health care response for individuals, families and businesses affected by the COVID-19 pandemic, and emergency appropriations to support Executive Branch agency operations during the COVID-19 pandemic. The CARES Act further provides HUD with broad authority, in the context of the current public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the Public Housing and HCV programs.

WAIVER AND ALTERNATIVE REQUIREMENT AUTHORITY.

These waivers and alternative requirements are established under the authority of the CARES Act as well as Secretary Carson's finding that these waivers and alternative requirements are necessary for the safe and effective administration of the Public Housing and HCV programs, consistent with the purposes described under the CARES Act, to prevent, prepare for, and respond to COVID-19.

WAIVER AND ALTERNATIVE REQUIREMENT APPLICABILITY

Through this notice HUD is making the waivers and alternative requirements listed in this notice effective immediately for those PHAs that elect to adopt them. PHAs may adopt the use of these waivers at any time during the period of availability. With respect to the HCV program, the CARES Act provides that the Secretary may waive or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of amounts made available under the CARES Act supplemental appropriation or under the FY 2020 Tenant-Based Rental Assistance (TBRA) appropriation.

The use of these waivers is at the discretion of the individual PHA. A PHA may choose to apply all, some, or none of the waivers to their Public Housing and HCV programs.

PHAs are required to keep written documentation that record which waivers the PHA applied to their programs(s) and the effective dates. A summary of the available waivers/alternative requirements and a suggested format for such documentation is included as an attachment to this notice. A PHA does not need to notify HUD or receive HUD approval to begin utilizing 5 these waivers/alternative requirements. However, HUD may subsequently require the PHA to provide information to HUD on the waivers used by the PHA and the date the PHA applied the waiver to its program(s).

If a PHA chooses to apply any of the waivers provided for in this notice, the PHA is required to notify residents and owners of any impacts that the waiver and alternative requirement (where applicable) may have on them by whatever means it considers most effective as soon as practicable. HUD recognizes that the COVID-19 public health emergency presents unique challenges from a staffing and communication perspective and encourages PHAs to adapt their communications in consideration of local conditions and resources. For example, a PHA may need to initially provide this notification by placing information on its website and as a voice-mail message and following up with more formal written notice as circumstances allow.

PERIOD OF AVAILABILITY.

With respect to the Public Housing and HCV programs, pursuant to the CARES Act, the waivers/alternative requirements are effective for immediate use by PHAs as of the date of this notice.

The period of availability for these waivers/alternative requirements, collectively or individually, may be extended by PIH notice should HUD determine this to be necessary. PHAs are not required to keep the waiver/ alternative requirement in-place for the full period of availability (including any extension) but may at any time choose to revert to regular program requirements and operations.

.....

The period of availability for the Public Housing and HCV waivers is in most cases either one of short-term or longer-term duration. Short-term waivers generally end on July 31, 2020, while the longer-term waivers typically expire on December 31, 2020. Short term waivers provide PHAs with essential flexibilities when normal operations are severely disrupted. Longer term waivers include waivers that permit PHAs to defer important but less critical functions to focus on their most vital responsibilities and effectively manage their transition back to normal operation.

SEMAP

Regulatory Authority: 24 CFR Part 985

Description: Part 985 sets out the requirements by which Section 8 tenant-based assistance programs are assessed. For PHAs that have a SEMAP score pending as of the date of this notice, and for any PHA with a fiscal year ending on or before December 31, 2020, HUD will not issue a new SEMAP score unless the PHA requests a that new SEMAP score be issued. HUD will instead carry forward the most recent SEMAP score on record.

Period of Availability: HUD will resume issuing new SEMAP scores beginning with PHAs with fiscal year end dates of March 31, 2021.

Uniform financial reporting standards; Filing of financial reports; Reporting Compliance Dates

Regulatory Authority: 24 CFR §§ 5.801(c), 5.801(d)(1)

Description: Section 5.801 establishes uniform financial reporting standards (UFRS) for PHAs (and other entities). Section 5.801(c) requires that PHAs submit financial information in accordance with 24 CFR § 5.801(b) annually, not later than 60 days after the end of the fiscal year of the reporting period. Section 5.801(d)(1) requires that PHAs submit their unaudited financial statements not later than 60 calendar days after the end of their fiscal year, and that PHAs submit their audited financial statements not later than 9 months after the end of their fiscal year.

HUD is waiving these requirements and is providing the alternative requirements for the following PHAs:

PHAs with a FYE of June 30, 2019; September 30, 2019; December 31, 2019; and March 31, 2020, and a deadline to submit audited financial information in accordance with 24 CFR § 5.801(b) and (d); and

FYE	Due Date	Extended due date
6-30-19	3-31-2020	9-30-2020
9-30-19	6-30-2020	12-31-2020
12-31-19	9-30-2020	3-31-2020
3-31-2020	12-31-2020	6-30-2021

PHAs with a FYE of December 31, 2019 and March 31, 2020, and a deadline to submit unaudited financial information in accordance with 24 CFR § 5.801(b) and (d).

FYE	Due Date	Extended due date
12-31-19	2-29-2020	8-31-2020
3-31-2020	5-31-2020	11-30-2020

Period of Availability: Varies by PHA by FYE, see description for details.

Other Waivers and Administrative Relief.

a. PHA Reporting Requirements on HUD Form 50058.

Regulatory Authority: 24 CFR Part 908, § 982.158

Sub-regulatory Guidance: PIH Notice 2011-65

Description: PHAs must submit form HUD-50058 no later than 60 calendar days from the effective date of any action recorded on line 2b of the form HUD-50058 or form HUD-50058 MTW. The Notice states HUD will monitor timeliness of reporting and may sanction a PHA for late reporting.

HUD recognizes that PHAs that implement waivers and alternative requirements under this notice likely will submit form HUD-50058 later than 60 calendar days from the effective date of certain actions, particularly related to reexaminations and inspections. HUD is waiving the 60-day deadline and providing that PHAs must submit form HUD-50058 or HUD-50058 MTW for transactions impacted by implemented waivers and alternative requirements within 90 days of the effective date of action.

Although this waiver provides up to 90 days for PHAs to submit HUD-50058 forms into IMS-PIC, HUD encourages those PHAS that are have operational capacity to do so to continue submitting HUD-50058 forms within the normal 60-day timeframe.

PIH recognizes this Notice and any subsequent Notices providing waiver authority to HUD-50058 submission requirements could impact the PHA’s ability to submit HUD-50058 forms into the IMS-PIC system and potentially result in fatal errors. In order to minimize the occurrence of these errors resulting from implementing these waivers, PIH will be issuing guidance in the near future that will provide PHAs with workarounds to avoid any potential issues in the PIC system.

For PHAs that submit HUD-50058 forms and receive a fatal error, PIH will not require these HUD-50058 forms to be re-submitted consistent with the waiver of reporting provisions in the Notice. PIH encourages these PHAs to not re-submit these forms until after PIH issues the revised guidance for HUD-50058 reporting. For PHAs that submit HUD-50058 forms successfully in the interim period before the new reporting guidance is issued, PIH may require corrections to these HUD-50058 forms and re-submission to IMS-PIC.

Period of Availability: The period of availability ends December 31, 2020.

Designated Housing Plans – HUD 60 Day Notification

Statutory Authority: Section 7(e)(1) of the USHA of 1937

Description: The statute requires HUD to notify PHAs that have submitted a Designated Housing Plan whether the plan complies with the requirements to establish the designation of a project for occupancy by elderly and/or disabled families no later than 60 days after receiving the plan. Under the statute, if HUD does not respond within 60 days the plan is considered accepted. HUD is temporarily waiving this deadline to ensure that it can review and adequately address any fair housing concerns while its operations are impacted by the COVID-19 emergency but will complete Designated Housing Plan reviews as expeditiously as possible. HUD is waiving the 60-day notification requirement for those plans submitted after March 1, 2020.

Period of Availability: This waiver ends on July 31, 2020, unless subsequently extended by HUD.

The above listed waivers and alternative requirements will become effective immediately upon Council Approval at the May 5, 2020 Council Meeting.

Any questions can be directed to Donna Sidoti by email: DSidoti@Cliftonnj.org.



Judy:

Please advertise once in Herald and News on April 17, 2020

Please provide affidavit of service

Bill; Clifton Public Housing Agency, Attn: Donna Sidoti, 900 Clifton Ave., Clifton, NJ 07013
Email: DSidoti@Cliftonnj.org Cell Phone: 973-747-4423

Saved as: Section 8 – Admin Plan Change II – COVID 19 waivers 5-5-2020