

HUD issues some relief, flexibility options for housing providers

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As the global health emergency worsens, providers of HUD-assisted housing for older adults continue to grapple with keeping residents and staff protected and prepared. On March 24th, HUD issued much-needed relief in response to pressure from LeadingAge and our partners, including related to electronic operations and in-unit maintenance requests.

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In a [Q&A document](#) updated late in the day, HUD's Office of Multifamily Housing announced limited regulatory flexibility to help senior housing providers respond to COVID-19 cases in their apartment complexes. While we welcome the clarity and flexibility provided, we continue to push the agency for certain critical needs, including how housing providers should access masks and other supplies, and whether HUD and Congress will make extra funding available to help navigate the emergency.

How will providers know if a resident is diagnosed with COVID-19, and how should they communicate it to other residents and staff?

A major concern of LeadingAge housing provider members was how and with whom to communicate in the event of a confirmed case; HUD's new Q&A says that providers will be notified by local health departments if someone who resides in their communities is diagnosed. In addition, HUD has outlined how they think providers can best prepare their communications plan for this scenario without violating privacy laws, for example by omitting identifiable information about specific residents, staff, or units.

How should providers clean their facilities to prevent the spread of infectious disease?

HUD has provided additional direction for housing staff by pointing to two specific CDC resources for cleaning protocols.

How should staff handle recertifications and other operations involving quarantined residents or remote property staff?

HUD has provided much-needed regulatory flexibility to help providers continue their operations. In particular, HUD is allowing a 90-day window within which to fulfill resident-components for the annual recertification process, such as form signatures. The tenant rent and the assistance payment are then effective retroactive to the anniversary date. In addition, HUD is allowing providers to use electronic signatures on forms (such as HUD-9887, HUD-50059, lease agreements or addendums, and unemployment affidavits), and to accept electronic resident submissions of background verification (such as bank statements and SSI awards), as long as the file adds the “wet” signature or original document when possible. HUD also reminds providers to continue processing interim recertifications as required, and encourages owners to make expedited income reviews possible to help residents through economic hardship. The HUD document also outlines other operations that can be accomplished with electronic signatures or file submission.

How should communities handle financial statement submissions when the audit is disrupted due to COVID-19?

For any audited financial reports due on or before April 30, HUD has extended the deadline to 120 after the end of the fiscal year of the reporting period. HUD may adjust this if additional extensions are needed by provided. However, this waiver does not apply to previously delinquent submissions.

How should property staff handle in-unit maintenance requests?

HUD’s updated document outlines questions maintenance staff can ask of households before entering a unit to determine if it’s safe, and what to do if staff suspect they are dealing with unreported illness in the unit or community. HUD says deferral of non-essential or non-health

and safety repairs can be made on a unit-by-unit basis, and provides an example of policies that staff can follow if the repair is necessary, but the unit is unsafe.

How should owners mitigate the financial impacts of COVID-19?

Operating expenses can be used to cover reasonable and necessary costs, including supplies and extra staff hours. Costs directly related to safety or preventative equipment are eligible costs for reserve or residual receipts funds because these are considered “project expenses.” HUD has also outlined how providers can request to use reserve accounts for non-eligible funds, such as delinquent mortgage payments, which includes demonstrating loss of rental receipts and account balances.

What else are federal agencies doing to help providers and residents?

LeadingAge continues to push HUD, the White House, other federal agencies, and Congress for relief and support during these challenging times. Additional agency guidance requested by LeadingAge includes:

- How providers can help impacted residents continue to access community services and food access, including onsite communal dining;
- Additional clarity and flexibility for extended vacancies due to COVID-19;
- Info on how to handle or halt evictions that results from economic displacement;
- Expansion of subsidy funds and eligible uses;
- Additional regulatory relief, including for mortgage payments, late fees for residents, expiring HAP contracts, recertifications, MORs, and other operations;
- Assistance with accessing cleaning and PPE supplies;
- Extensions and flexibilities for tax credit properties; and
- Guidance for rural housing providers.

Recent LeadingAge letters to the **White House** and to **Congress** are available online. To read HUD’s updated Q&A document, please click [here](#).