

# Get the Facts: HOPWA and COVID-19 Response



## → PROPERTY STANDARDS FLEXIBILITIES

### How do Shared Housing Inspection Requirements differ from stand-alone unit requirements?

Initial inspections may also occur remotely using technology for shared housing units and HOPWA habitability requirements are the same for shared housing units and stand-alone units. The entire shared housing unit itself (not just the private living space) must meet HOPWA habitability standards before beginning HOPWA rental assistance.

### Do HOPWA inspectors need to be certified?

No, inspector certification is not required nor is a HOPWA habitability inspection certification available. However, program staff who are conducting inspections should understand the HOPWA habitability requirements and be able to identify if a unit meets or does not those requirements.

### Are there required forms that must be used when conducting an inspection?

While inspection documentation is required and should be maintained in assisted household files, there are no specific forms required. However, an example HOPWA habitability inspection form is available on the HUD Exchange, here: <https://www.hudexchange.info/resource/1827/hqs-habitability-standards/>.

### Is there any additional information or training on HOPWA inspection requirements?

Additional information about HOPWA habitability requirements is included beginning on page 130 of the [HOPWA Rental Assistance Guidebook](#), which includes the requirements associated with Lead Paint and Fire Safety.

### Where can I find the waivers? What dates apply to the inspection waiver? Who needs to apply for the waivers? How do I apply for the waiver?

HOPWA Property Standards waiver flexibilities are included in [Mega Waiver 1 - 4.1.2020](#) and [Mega Waiver 2 - 5.22.2020](#).

For one year beginning on the date of the waiver memos, HOPWA grantees and project sponsors may delay in-person, on-site inspection of units for HOPWA habitability/HQS normally required prior to providing TBRA assistance per the first waiver and then expended to all forms of housing where HOPWA habitability/HQS is required via the second waiver, to HOPWA-eligible households (24 CFR 574.310(b)). To utilize this waiver, grantees and project sponsors must meet the following criteria:

- 1. The recipient is able to visually inspect the unit using technology**, such as video streaming, to ensure the unit meets HQS before any assistance is provided; and
- 2. The recipient or subrecipient has written policies** to physically reinspect the unit after the health officials determine special measures to prevent the spread of COVID-19 are no longer necessary.

Recipients wishing to utilize any of the waivers provided in the memorandum should notify their local CPD Director by email of their intent to utilize a specific waiver flexibility **two calendar days** before they anticipate using the waiver flexibility.

HUD has established email addresses by CPD Field Office that recipients should use to direct all waiver requests. [Download the list of CPD email addresses](#). [Attachment #1 of the memorandum](#) provides details of the exact information the recipient must include in their notification.

Outside of what is required in Attachment #1, recipients are not expected to provide any additional information to HUD at this time but are expected to update their program records to include written documentation of the specific conditions that justified the use of the waiver consistent with the justifications and applicability provided for each waiver flexibility in the memorandum.

## **Do inspections need to be virtual or can they be in person?**

Generally, HOPWA habitability does not have to be conducted virtually; however, programs should always follow public health directives health officials regarding social distancing and make a concerted effort to keep both clients and staff safe.

## **Can inspections be over the phone (no video, pictures, etc.)?**

No, initial inspections cannot occur by phone only. HOPWA program staff must be able to remotely see the unit using a form of technology, such live-streaming, videos, or photos.

## **How do you ensure videos and pictures are time/date stamped?**

The answer to this question will depend on the type of technology used to conduct HOPWA habitability, most of which should enable both time and date stamping. In most cases when HOPWA program staff are directly involved and remotely present during an inspection, time and date stamping is not needed.

## **Are virtual lead-based paint (LBP) visual assessments acceptable?**

Yes, an LBP visual assessment may be conducted remotely visually to identify deteriorated paint. Deteriorated paint includes painted surfaces inside the unit and any common areas inside and outside the building where the unit is located. A HUD-Certified Visual Assessor must conduct visual assessments. Anyone may become a HUD-Certified Visual Assessor by completing the [Lead-Based Paint Visual Assessment Training Course](#).

## **Can virtual methods for inspection be combined?**

Yes. Virtual methods used to conduct inspections such as live streaming, pre-recorded video, and photographs may be combined to document that a unit meets HOPWA habitability.

## **Does there need to be documentation in the client file that the inspection was virtual?**

Yes, programs must include documentation in all client files noting that the inspection was conducted virtually due to public health directives associated with COVID-19.

## **Do virtual methods need to be stored?**

No, there is not a HOPWA regulatory requirement to store videos and photographs used to document conducting HOPWA habitability. If videos or photos will be stored, HOPWA programs should ensure compliance with HOPWA confidentiality.

## **If a landlord or client doesn't have the technology, how do you perform a virtual inspection?**

It may be possible to allow a landlord or client to borrow, from the grantee or project sponsor, the equipment and technology needed to complete an inspection. As the equipment is owned by the grantee/project sponsor, it must be returned once the inspection is completed.

## **What is the time frame for conducting in-person inspections as a follow-up?**

There is no specific timeframe for conducting in-person follow-up inspections. For grantees who use the Property Standards waiver flexibility, they must develop written policies to physically reinspection units after the health officials determine special measures to prevent the spread of COVID-19 are no longer needed.

## **What if the client moves out of the unit before an in-person inspection can be done?**

HUD recognizes that some assisted households may no longer be residing in units that received a virtual HOPWA habitability inspection during the public health emergency. In those instances, no physical reinspection would be required. However, assisted household files should include information about why a physical inspection will not be conducted in those units, as applicable.

## **Does a Grantee need to make sure project sponsors have similar policies?**

Yes. Grantees should always ensure that project sponsors have HOPWA Program policies and procedures in place for all activities delivered, not only virtual inspection policies and procedures.

## **Any suggestions for landlords who do not want to complete virtual inspections?**

The answer to this question will depend on why a landlord does not want to complete a virtual inspection. Programs need to explore those reasons and identify possible solutions. For example, suppose the reason is related to not having the necessary equipment. In that case, it may be possible to allow a landlord or client to borrow, from the grantee or project sponsor, the equipment and technology needed to complete an inspection.