

COLLABORATIVE SOLUTIONS, INC.

**Moderator: Valencia Moss
April 13, 2020
12:14 p.m. EST**

OPERATOR: This is Conference #: 301060104.

Valencia Moss: Just go into mute. Yes.

SLIDE 1

Hello, everyone, and thank you for joining us for the HOPWA Program COVID-19 Updates CARES Act Waiver Flexibilities Webinar.

Today's webinar will begin promptly at 12 noon, Central Standard Time, 1 Eastern Standard Time.

HOPWA Program COVID-19 Updates Webinar will begin promptly in four minutes.

HOPWA Program COVID-19 Updates CARES Act and Waiver Flexibility Webinar will begin promptly in four minutes.

We will begin shortly in one minute.

Hello, everyone, and thank you for joining us for the HOPWA Program COVID-19 Update CARES Act and Waiver Flexibilities Webinar. Today is April 13, 2020.

Today's webinar is being recorded for your on-demand listening pleasure and a copy of today's presentation will be made available immediately following the webinar by logging on to your link that you just logged into.

Also, you may download a copy of the webinar slide by looking in the handout on your – on the webinar slide sheet. Also, we will email you the slides immediately following today's webinar.

If you have any questions or comments, you may utilize the chat box located in the left-hand corner of your screen and we will answer your questions as they proceed.

I would like to introduce to you today the first speaker, Kate Briddell.

Kate Briddell: Hello, everyone. My name is Kate Briddell and I work at Collaborative Solutions, and we are pleased to host this online event entitled HOPWA Program COVID-19 Update CARES Act and Waiver Flexibilities. We're all glad you were able to join us today as well.

The moderators today are myself and Crystal Pope with Collaborative Solutions. And we will be assisting with the question and answer portion at the end of this webinar.

SLIDE 2

Today's speakers are Rita Harcrow, Director of the Office of HIV/AIDS Housing at HUD; Ben Ayers, Deputy Director, Office of HIV/AIDS Housing at HUD, and Amy Palilonis, the Senior Program Specialist at the Office of HIV/AIDS Housing at HUD.

As we have a shorter period for this webinar, I'm going to get us started right away and turn it over to Rita Harcrow.

SLIDE 3

Rita Harcrow: Thank you, Kate. Just briefly, to talk through the objectives of the webinar today, we do want to talk about just what's happening with the COVID-19 planning and response.

That includes discussing the regulatory waiver flexibility that's been issued in a memo how you can access and apply that to your program. We also want to talk about the information on the CARES Act and the funding associated with that, what it means for you as a grantee, what our process and timeline looks like so far.

We will be covering some guidance, so you can start the planning process, but just wanted to make sure you know that this is not the final notice of the guidance - that will be issued later. But hopefully, the information you get today will be helpful in your planning of how you will utilize those funds in your community.

We'll identify where you can go for additional information and hopefully have time to answer questions. We have a lot of questions that have already come in that will be presented as part of the presentation as well.

SLIDE 4

And just to be clear, we're not intending to discuss specific infectious disease response or talk about the potential number of cases in any local community or supersede any other public health guidelines that you've heard locally – that you have locally around the epidemic, or the pandemic.

We're not here to tell you specifically what to do in your community but give you the information that you need so that you can develop those processes yourself. So, we hope that we can help you get the information you need to build those solutions.

SLIDE 5

And with that, I will turn it over to Amy who's going to start talking through the waiver flexibilities with you.

Amy Palilonis: Thank you, Rita. I am going to start by walking through the waiver flexibilities for COVID-19 response that were included in a recently released HUD Memorandum.

Is that showing the Mega waiver background slide?

Valencia Moss: It is. It's saying waiver flexibility.

Amy Palilonis: OK. I'm not having, seeing, arrows to advance the slides.

Valencia Moss: OK. There you go.

Amy Palilonis: OK. Great. OK.

SLIDE 6

So, just for a little bit of background on the Mega Waiver, on April 1, 2020, HUD issued a memorandum to CPD grantees and recipients providing regulatory waivers of certain Continuum of Care, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS and Consolidated Plan requirements.

These regulatory waivers were provided to help – prevent the spread of COVID-19 and provide additional supports to individuals and families eligible for CoC, ESG and HOPWA assistance who are economically impacted by COVID-19.

Today, we're just going to be focusing on the waivers relevant to HOPWA grantees. But tomorrow, at 1:30 p.m. Eastern, there is going to be a webinar on waivers for CoC and ESG recipients that you should register for if you receive funding through those programs.

SLIDE 7

I'll start by talking about the Consolidated Plan waivers that that were included in the memorandum. And so, the memorandum includes waiver flexibilities for Consolidated Plan requirements related to the Citizen Participation Public Comment Period for Con Plan amendments and Citizen Participation for Reasonable Notice and Opportunity to Comment.

SLIDE 8

The first waiver is for the required Citizen Participation Public Comment Period for Con Plan Amendments. A CPD grantee may amend an approved Consolidated Plan in accordance with the regulations in 24 CFR Part 91. Substantial amendments to the consolidated plan are subject to the citizen

participation process in the grantee's Citizen Participation Plan. The Citizen Participation Plan must provide citizens 30 days to comment on substantial amendments.

Given the need to expedite actions to respond to COVID-19, HUD is waiving the 30-day minimum for the required public comment period for substantial amendments, provided that no less than five days are provided for public comment on each substantial amendment.

This waiver is available for the end of the grantee's 2020 Program Year. And any grantee wishing to undertake further amendments to prior year plans following the 2020 Program Year can do so during the development of its FY 2021 Annual Action Plan.

SLIDE 9

The second waiver related to Con Plan requirements included in the memorandum has to do with Citizen Participation and Reasonable Notice and Opportunity to Comment requirements. So, the Con Plan regulations at 24 CFR Part 91 set forth the Citizen Participation Plan requirements for grantees.

For substantial amendments to the consolidated plan, the regulations require the grantee to follow a Citizen Participation Plan to provide citizens with reasonable notice and opportunity to comment. The Citizen Participation Plan must state how reasonable notice and opportunity to comment will be given.

HUD recognizes the efforts to contain COVID-19 require limiting public gatherings such as those often used to obtain citizen participation and that there is a need to respond quickly to the growing spread and effect of the pandemic. Therefore, HUD is waiving these regulations to allow grantees to determine what constitutes reasonable notice and opportunity to comment given the community's specific circumstances. And this waiver authority is also in effect during the end of the 2020 program year.

SLIDE 10

So, those were the Con Plan related waivers included in the memo. I'm now going to cover the waiver flexibilities for HOPWA Program Requirements included in the memo. The specific flexibilities included in the memo include

those related to self-certification of income and credible information on HIV status, the Fair Market Rent standard, property standard requirements for Tenant Based Rental Assistance, and requirements around space and security.

SLIDE 11

The first waiver is around self-certification of income and credible information on HIV status. The HOPWA regulations require that each grantee must maintain records to document compliance with the HOPWA requirements which include determining the eligibility of a family to receive HOPWA assistance.

HUD, through the memo is waiving these requirements which will permit HOPWA grantees and project sponsors to rely upon a family member self-certification and income, and credible information on their HIV status, such as knowledge of their HIV-related medical care in lieu of source documentation to determine eligibility for HOPWA assistance.

It is important to note that program eligibility remains restricted to low-income people living with HIV and their families, but this waiver just provides flexibility for documenting that eligibility during the pandemic.

This waiver is in effect for grantees who require written certification of the household seeking assistance of their HIV status and income and agree to obtain source documentation of HIV status and income eligibility within three months of public health officials determining that no additional special measures are necessary to prevent the spread of COVID-19.

So, grantees that are choosing to utilize this waiver need to agree to obtain source documentation of HIV status and income eligibility within three months of officials determining that no special measures are necessary any longer.

SLIDE 12

The next waiver has to do with rent standards for Tenant-Based Rental Assistance. So the HOPWA regulations require grantees to establish rent standards for their Tenant-Based Rental Assistance programs based on HUD

Fair Market Rent or the HUD approved community-wide exception rent for unit size.

Generally, Tenant-Based Rental Assistance payments may not exceed the difference between the rent standard and 30 percent of the family's adjusted income. HUD is waiving the FMR rent standard regulations to permit HOPWA grantees to establish rent standards by unit size that are reasonable and based upon rents being charged for comparable, unassisted units in the area.

The waiver is being granted to expedite efforts to identify suitable housing units for rent to HOPWA beneficiaries and HOPWA eligible families that have been impacted by COVID-19 and to provide assistance to families that must rent units at rates that exceed the HOPWA grantees normal rent standard but still fall within the rent reasonableness requirements.

This flexibility may be used for up to one year beginning on the date of the memorandum and the memorandum was signed on March 31, 2020.

SLIDE 13

The next waiver flexibility has to do with property standards for Tenant-Based Rental Assistance. The HOPWA regulations provide that units occupied by recipients of HOPWA TBRA, meet the housing quality standards established in the regulations. HUD is waiving this requirement to enable grantees and project sponsors to expeditiously meet the critical housing needs of the many eligible families that have been affected by COVID-19, while also minimizing the spread of the Coronavirus.

The waiver is in effect for one year beginning on the date of the memorandum for grantees and project sponsors that are able to meet two criteria. First, the grantee or project sponsor must be able to visually inspect the unit using technology such as video streaming to ensure the unit meets the standards before any assistance is provided.

And second, the grantee or project sponsor has written policies to physically reinspect the unit after health officials determine special measures to prevent the spread of COVID-19 are no longer necessary.

So, it is important to note, just because we've gotten a lot of questions on it that this waiver is specific to initial inspections which are required by the HOPWA regulations. For annual re-inspections, those are not specifically required in the HUD regulation, which is why they're not specifically called out in the waiver memo.

Ben will be providing more information and clarity around initial versus annual inspections during the FAQ section of this webinar because we know people a lot of questions about that.

SLIDE 14

And the final HOPWA specific waiver flexibility included in the memorandum is around space and security requirements. The regulations provide that each resident must be afforded adequate space and security for themselves and their belongings. HUD is waiving this requirement to enable grantees and project sponsors operating housing facilities and shared housing arrangements the flexibility to use optional appropriate spaces for quarantine services of eligible individuals and households affected by COVID-19.

The space and security requirement is raised for grantees addressing appropriate quarantine space for affected households during the allotted quarantine timeframe recommended by local healthcare professionals. The intent of this waiver flexibility is to enable grantees and project sponsors operating housing facilities and shared housing arrangements the flexibility to use spaces in different or nontraditional ways for the purpose of self-isolation or quarantine even if the space and security standards are not met.

So, for example, an office space or dining area may be converted to temporary isolation living space, or family members within the same household may be placed together in hotel rooms, with shared bathing and limited or no personal secured storage.

And if you have any questions at all about what the space and security requirement means, you can ask us at the end of this webinar and also through the HOPWA Ask-A-Question portal.

SLIDE 15

So, those are the waiver flexibilities covered in the memorandum. The memo included a simplified notification process to expedite the delivery of assistance. So really this process is not a request process. HUD has already determined that these regulations can be waived. So, in order to utilize the flexibilities, it's really a notification and documentation process.

Grantees wishing to utilize any of the waivers need to notify their local CPD director by email of their intent to utilize a specific waiver two days before the grantee anticipates using the flexibility.

And project sponsors aren't able to submit these waiver notifications. The waiver notifications must come from the HOPWA grantee.

HUD has established email addresses for each of the field offices that grantees should use to direct all of their waiver notifications. There is a link to a spreadsheet with each of those email addresses on the resources slide at the end of this presentation. Grantees are required to update their HOPWA Program records to include written documentation of the specific conditions that justify their use of each waiver.

Grantees are also strongly encouraged to establish a set of emergency policies and procedures related to the COVID-19 pandemic that outline the waivers they're utilizing, policies and procedures for implementing those waivers, and the records they will maintain to support the waivers.

SLIDE 16

So, that covers the waiver flexibility memorandum that was issued a few weeks ago. Please consult that memorandum for more information. There is a link to that memo on the resources slide at the end of this presentation if any of you haven't accessed that yet.

So, we're now going to move on to the CARES Act. This section of the presentation will explain what the CARES Act means for HOPWA grantees and project sponsors, as well as HUD's process and timeline for implementation.

SLIDE 17

So, the Coronavirus Aid, Relief, and Economic Security, or CARES Act was signed into law on March 27, 2020 in response to the Coronavirus pandemic.

The Act provides substantial new HOPWA funding to be used by grantees and project sponsors to prevent, prepare for, and respond to the Coronavirus. The funding is intended to be flexible to help grantees respond to the immediate needs related to COVID-19 in their communities.

SLIDE 18

The CARES Act provides \$65 million in supplemental funding for the HOPWA program. \$53.7 million has been allocated to (formula) grantees using the same data elements used to determine their FY 2020 HOPWA formula allocation.

\$10 million in one-time nonrenewable funding is being provided to existing permanent supportive housing competitive grantees that is proportionate to their existing grant. And note, for competitive grantees, they are not required to use their supplemental grant fund on permanent supportive housing activities like their regular HOPWA competitive grants have those limitations. This new funding does not have the limitation that the funds must be used for permanent supportive housing.

The competitive and formula allocations are available on the HUD exchange and also on HUD.gov, if you have not seen those yet. And then, in addition to the funding for HOPWA formula and competitive grantees, \$1.3 million in funding under the CARES Act is being provided to HOPWA technical assistance providers as an increase to their prior awards, for technical assistance activities related to COVID-19 response.

I am going to cover the general eligible use of this new funding on the next slide. But it is important to note that this is – that this one-time funding, that is to be used in a manner directly related to the COVID-19 crisis and that grantee should carefully consider using any of this new funding to add additional permanent housing like TBRA which would require ongoing funding to support.

SLIDE 19

So, just a little bit on the general use of these CARES Act funds. They are being – they are to be used to maintain operations and for rental assistance, supportive services, and other necessary actions in order to prevent, prepare for, and respond to COVID-19. Funds may be used to provide any of the eligible HOPWA activities identified in 24 CFR Part 5 74 in a manner that addresses the need that each grantee community related to COVID-19 preparedness and response.

CARES Act funds may be used to self-isolate, quarantine or provide other coronavirus infection control services as recommended by the CDC for household members not living with HIV or aids.

CARES Act funds may be used to cover or reimburse allowable costs incurred by a grantee or project sponsor for allowable activities regardless of the date of which such cost were incurred.

So, costs may be used to reimburse allowable costs that have been or will be incurred before the grant agreements are officially in place for these funds. We are in the process of developing guidance related to accommodating this retroactive reimbursement and how to track the approximate cost incurred dates, so please stay tuned for that.

SLIDE 20

This slide shows the types of eligible activities that may be funded under the CARES Act supplemental grant awards. It includes stays at hotels, motels, or other locations to quarantine HOPWA eligible individuals or their family members, providing transportation services for eligible households including cost for privately-owned vehicle transportation when needed to access medical care, supplies, and food or to commute to places of employment.

Assisting HOPWA eligible households in accessing essential services and supplies such as food, water, medications, medical care and information, providing nutrition services for eligible households in the form of food banks, groceries and meal deliveries, educating assisted households on ways to reduce the risk of getting sick or spreading infectious diseases such as

COVID-19 to others and cost related to infection control measures such as cleaning and disinfectant supplies, gloves and other safety-related supplies for staff and assisted households.

So, now, I'm going to turn it over to Ben who will talk in more detail about some of the specific provisions in the CARES Act related to administrative costs, STRMU and technical assistance as well as next steps for implementation of these grant funds. Ben?

Ben Ayers: Hi, everyone. Let me launch this really quick.

SLIDE 21

OK. So, types of eligible activities that are specific in the law admin cost, right? So, the Act increases admin caps on the administrative expenses for both grantees and project sponsors. This is just with the CARES Act funding, all right? The grantee may use up to 6 percent of the CARES Act funding for administrative purposes and the project sponsor may use up to 10 percent of its CARES sub-award for administrative purposes.

Again, please pay close attention to this that that your regular HOPWA money still has the admin cost limits of 3 percent for the grantee and 7 percent for the project sponsor.

SLIDE 22

OK. For STRMU. So, the CARES Act fund may be used to provide short-term rent, mortgage, and utility assistance payments to prevent homelessness of a tenant or a mortgager of a dwelling for up to 24 months. That's the big difference between the regular pot of money STRMU and the CARES Act STRMU. The CARES Act STRMU goes up to 24 months.

Also, please note that the STRMU assistance provided – oh again. Everything provided under the regular is still under the 21 weeks in a 52-week period and the other provisions of STRMU are also in effect for both pots. So, STRMU payments must be provided in the manner appropriate to maintain the assisted household in a residence. So, based on need.

And each assisted household must be provided an opportunity to receive case management services from appropriate social services.

SLIDE 23

So, hotel and motel stays. So, the CARES Act – the funding may be used to pay for relocation services including lodging and hotels, motels, and other locations for eligible people living with HIV and AIDS as well as their household members who are not living with HIV/AIDS.

So, the funding may be used to lodge one or more household members who may need to be temporarily isolated from the other members of the household, members of the household that currently reside in HOPWA subsidized units are not precluded from receiving additional assistance for hotel/motel stays if isolation is needed.

So, meaning, you're supporting someone in a HOPWA rental unit, they need to be put in a hotel, you can pay for both at the same time. The HOPWA program guidance recommends limiting hotel and motel stays to no more than 60 days in a six-month period.

However, under the COVID-19 activities, assistance may be provided for a period that exceeds that limit where there are COVID-19-related health and safety concerns for the household members.

Grantees should have policies in place determining how exclusions can be approved and explaining when and how the policy will be consistently implemented.

SLIDE 24

OK. Technical Assistance. So, the Act did provide \$1.3 million in funding for a TA, directly for HOPWA. So, to provide an immediate increase in capacity building technical assistance available to grantees, the TA funding can be used to develop webinars, resource sites, and other TA materials to assist grantees in administering supplemental grant funds and implementing activities related to COVID-19 preparedness and response.

Grantees in need of TA related to COVID-19 should submit a TA request via the request program assistance webpage on the HUD Exchange Portal and there's the link there on the slide. And so, you'll have access to this link and slides once they're posted.

Again, we have money for TA. So, if you need help figuring all of this stuff out, how to work remotely, how to provide services remotely, how to set up the activities, which budget line items to go into. If you need help with all of that, we have the money to give you the help.

So, please, submit that TA request as soon as possible so that we can get that assistance out to you and make sure your operations continue.

SLIDE 25

So, next steps in timeline. All grantees, competitive and formula, have to sign a new grant agreement with HUD in order to accept the CARES Act funding. Prior to executing the grant payment, each grantee is expected to submit to the respect of field offices of brief description of the planned uses for the supplemental grant fund, and any identified immediate technical assistance needs.

Again, the sooner you identify those, the faster we can get you the help that you need. Each field office is going to inform the respective grantees with the process for executing the grant agreement and then grantees are expected to execute -- and this is a big one -- a new or amend existing project-sponsored agreements for the supplemental funds within 14 days of executing of the formula or competitive grant agreements.

The selection of project sponsors, as a reminder, is not subject to the procurement applying to 2 CFR 200, the -- Subpart D section. Specifically, you're going to want to take a look at 24 CFR 574.3.

So, on this, there's pros and cons to those, right? On the front end, it kind of takes longer to set up new contracts and issue contracts on -- and amending new contracts may be quicker on the front ends. But on the tail end, you're going to have to set up systems in place with your project sponsors internal

financial systems as well as the grantees internal financial system so that we can track that money from project sponsor to grantee to IDIS.

This can be done through codes or notes. But if you're amending an existing contract, you'll need to make sure that contract lists your COVID grant number in there and the specific amount of money associated with that sub award.

SLIDE 26

OK. So, frequently asked questions. We know you have a lot on your mind, a lot weighing on your mind, a lot of questions, a lot of questions have been coming in. We've kind of compiled a bunch of frequently questions that has been coming in recently around COVID. And hopefully, this will ease some of your questions.

SLIDE 27

So, the situation's, really, unlike anything we've ever experienced before. So, how do we start planning and developing a budget, right? So, the CARES Act funding is intended to be flexible to help you respond to the immediate needs in your community and you're best equipped to know what those needs are.

So, really assess what's available from known resources in your communities that have remained open, like your food banks, other services being provided through Ryan White programs, or as well as new resources that are going to be provided like in the FEMA. And right now, those resources might vary from community to community.

So, again, we'll be putting out a Notice. We'll be issuing it soon with additional guidance for your particular award. And in the meantime, there's some examples of things that you could consider in your planning.

So, for instance, will you need to provide a safe place for assisted household members to isolate from each other or self-quarantine. If so, this would require funds in the leasing line item to pay for lodging. It might also require some supportive services, money for additional case management, or other supports for household members.

So, some supportive services might be needed to assess and assist new household as well as provide additional case management for support in navigating other resources for food, transportation, for infection control measures, like cleaning and disinfectant supplies, gloves, and other safety supplies for staff as well as assisted households.

So, there may be lots of case management you need to provide to help client how to really kind of navigate care and participate in care in a very remote way.

OK. So, if you anticipate a larger number of households, really seeking short-term assistance to avoid homelessness which is kind of probably very likely scenario right now, then really ensure that you're planning on budgeting for STRMU. And remember that the STRMU under the CARES Act can assist people for up to 24 months if the household is in financial crisis due to COVID-19.

So, these are just a couple examples of the types of planning that you guys can really do right now. Remember that all the costs billed to the CARES Act funding should be directly related to COVID-19 crisis and also since CARES Act is one-time funding only, be very careful in considering adding on any new permanent housing like new households in TBRA since those – that is ongoing assistance and would require ongoing funding to support that household.

SLIDE 28

OK. So, here's one from a competitive grantee. It's a good question, I represent a HOPWA competitive grantee and I want to know what should be in my brief description in the document that I have to send the field?

So, again, prior to executing the grant agreement, each HOPWA competitive grantee is expected to submit a brief description of the planned uses for the supplemental grant funds in to their HUD field office. So, the brief description should be one to two pages, list the type and amount of each eligible activity.

The – your intended use in undertaking of those activities, a description of the process that will be used to carry out the work quickly, and a description of how eligible households will access the assistance during the time that your main operations are closed or maybe your main office is closed, due to a public health official guidance.

And then grantees are also referred to, again, identify the TA needs with this stuff as soon as possible.

SLIDE 29

Went one too far. Sorry. Signatures. OK. So, is there guidance on waiving of required signatures for clients that are eligible for HOPWA services. So, grantees should look at all remote reasonable methods that will allow critical program activities to continue, including ways to temporarily bypass any local hard signature requirements.

So, remote methods can contain – to contain signatures include, like, documents you can sign and scan and email back with use of electronic signatures. If remote methods aren't possible, programs can allow clients to do verbal agreements to sign where the program staff have to document that and place that in the client file.

Be sure to document these types of transactions very carefully and make sure you have policies on the remote message including verbal attestation signature and make sure that all of your project sponsors are really following those policies uniformly.

Remember the intent of all COVID-19 guidance from HUD is to ensure that programs continue to meet the needs of the client, just as much as possible while also keeping staff, clients, and others safe.

So, I also wanted to remind folks that hard and wet signatures are generally a local requirement and are not regulatory requirement for HOPWA.

OK. Also, during this time, when social distancing and community lockdowns make it pretty difficult to get a hard signature, you can also use

this FAQ. You can apply it to just other required signatures from any source, so not just clients.

Just be sure to put your clear policies in place and that all project sponsors are following, including how to deal with remote contracting – remote transactions and document those.

SLIDE 30

Hotel/motels. So, can we begin providing hotel/motel vouchers right now even if that's not a HOPWA activity that was funded in the past. And so, can – and can this be paid for through other activities such as STRMU or PHP?

So, the short answer to this is really no. So, hotel/motel vouchers are only eligible through the leasing line item and cannot be paid for through other activities like STRMU and PHP. The hotel/motel vouchers are – it's a type of short-term assistance that's classified and reported as transitional, facility-based housing costs for the leasing of hotel/motel units. And so, to use this temporary option, you must include it in a Consolidated Plan for your community as a planned HOPWA service. If your Con Plan or your Action Plan does not currently include the provision of hotel/motel vouchers, it will be necessary for you to amend that Con Plan or Action Plan prior to implementing this as a new HOPWA activity.

Also, I just want to remind folks that grantees are now allowed to increase the number of days that you can voucher for these hotel/motels above the 60-day within the six-month current policy standards that OHH has.

SLIDE 31

OK. More on hotels. So, we are already providing hotel rooms now to help clients – we're already providing hotel rooms now to help clients isolate. Can those costs be reimbursed later from the CARES Act award. Yes.

So, the new CARES Act funding can cover or reimburse allowable costs incurred by the grantee or sponsor for allowable activities to prevent, prepare for, and respond to COVID-19 pandemic regardless of the date the costs were incurred. So, if you're experiencing these expenses now, you will be able to retroactively bill those expenses to your CARES Act funding

And we're going to be issuing some IDIS guidance and reporting guidance to help accommodate this in the IDIS system and how to track an approximate cost date.

SLIDE 32

OK. So, income eligibility - stimulus checks. This is a great question. Should stimulus checks provided by the federal government as part of COVID-19 response be counted as income – in determining income eligibility for HOPWA programs and for determining client portion of rent?

So, at this time, COVID-19-related stimulus funds should be considered as under the category of temporary, nonrecurring, sporadic income, including gifts. And so, as such under that category, they should be excluded from income when determining income eligibility and rent calculations for HOPWA, again, excluded.

SLIDE 33

OK. What about equipment? So, laptops and software, can we purchase items like laptops and software to help ourselves carry out housing supportive services remotely. And generally, this is an eligible expense now.

So, you're always able to buy the equipment that you need in order to carry out your program and carry out your activities and services. So, the program should be able to purchase laptops and software as long as the costs are consistent with the Uniform Administrative Requirements of 2 CFR 200.

And items like laptops, cellphones, tablets and computer programs, of course, can be purchased when needed to conduct eligible HOPWA activities. And if these supplies are used for multiple HOPWA activities or the delivery of non-HOPWA programs, just be sure that those costs must be prorated based on the amount of time you use for each activity or program. So, percentage of benefit.

For competitive grants, the HOPWA – if you have a current permanent supportive housing renewal award and you're trying to come up or use the award to pay for expenses to buy these types of equipment and that wasn't in

your renewal budget award, you may need to do an amendment on your contract, it may be move some money around.

So, those are things to think about that might not be necessary because if you're a permanent supportive housing renewal grant, you will receive an award allocation for COVID activities.

Formula grantees can approve these costs for HOPWA activities that are currently funded in a Con Plan and these items should be considered supplies. So specifically see 2 CFR 200.94 supplies and 2 CFR 200.453, materials and supplies costs, including computing devices.

SLIDE 34

OK. Protective supplies. So, can HOPWA funds be used to purchase supplies, protective masks, hand sanitizers, sterilizing wipes for eligible clients and if so, would that be paid for under the Support Services line items? So, currently, these kinds of supplies would be eligible program expenses for facility-based housing programs under their operating cost budget for like the normal money.

So, many competitive grantees might not have a facility-based housing program, or a formula grantee - if you don't, no need to start one up. You can just bill those to Supportive Services so that you can purchase those HOPWA eligible household items.

And, again, you need to – on this one, you just need to document that there were no other resources available for these supplies. And so, the grantees should have some very clear policies laid out in place that include some key elements like documentation with efforts to show that no alternative sources are available and explanation of the specific types of supplies needed by clients, a description who may receive those supplies and in what quantity. And how the program will ensure that all clients that are identified within are treated equally.

The CARES Act allows these funds to be utilized for – some infection control supply and we'll be issuing more guidance on this soon. Also, you should take a look at your Ryan White funds and programs in the area and see if you can tap in to those resources before using the HOPWA and remember that some costs can also be retroactively applied to your CARES Act funding.

So, if you already billed those to your grant, you can shift those over to the COVID grant once those are up and loaded in IDIS, and we can get you some TA on how to do that.

SLIDE 35

OK. Unit inspections, this is a big one and a common one. So, does the waiver on property standards for TBRA apply to both initial and annual unit inspections? So, the waiver language only refers to the initial unit inspection conducted prior to placing HOPWA eligible households into the unit.

So, annual inspections may be delayed based on grantee policies until COVID-19 safety issues are no longer a concern. And so – but, of course, if a grantee still wants to conduct annuals remotely through remote methods, that's perfectly fine, they can do that.

So, initial inspections, what do I need to do, right, what's required for the initial unit inspections? So, grantees using this waiver provision may delay in-person onsite inspections.

To utilize this waiver, grantees and project sponsors have to meet the following criteria, OK. So, the grantee and sponsor must be able to visually inspect the unit using the technology like video streaming to ensure the unit meets Habitability Standards or HQS before any assistance is provided and the grantee or sponsor has written policies to physically reinspect the unit after the health officials determine special measures are no longer necessary.

OK. So, remote inspections, what methods are acceptable for remote inspection. So, methods can include video streaming like FaceTime or video recordings that are used by program staff to complete a unit inspection form.

As a backup option, you might include or use time/date stamped photographs, excuse me, and, again, visual inspections using this method should show all areas of the unit and include a test of the smoke detectors as well as visual pointing inspection when applicable.

SLIDE 36

So, I think that's it for me and I'm going to hand it back over to Amy.

Amy Palilonis: Great. Thanks, Ben. So, as Rita said earlier, the guidance and information that we presented today is really just what we have available as of today.

And so, more guidance and resources related to COVID-19 response will be coming out all the time. And so, please, sign up for the HOPWA mailing list if you have not done so already. That is really the mechanism that we have for sending out all HOPWA related information. So, again, if you're not signed up for the mailing list already, please make sure that you do so.

SLIDE 37

This slide just had some important links related to the information that was presented today. The first one is a link to our HOPWA COVID-19 webpage on the HUD Exchange.

That webpage is where we'll be posting all guidance and resources related to COVID-19 response for HOPWA after we send them out on the mailing list. So, that is where they will – that's where they'll live after we alert you all to their existence through the HOPWA mailing list.

The second link is to the waiver memorandum that we covered earlier and that waiver memorandum includes an overview of the available waiver flexibilities as well as the notification process.

The third link is for the CPD director contact information for waiver notification. The spreadsheet at the link includes the email that must be utilized by grantees to notify CPD directors of their intent to utilize any of the available waivers outlined in the memorandum.

And then at the bottom, there is a link to the HOPWA Ask A Question portal. All questions related to COVID-19 response as well as other HOPWA programmatic questions can be directed to the HOPWA Ask A Question portal and TA providers or HUD staff will respond to you as soon as possible.

SLIDE 38

There are more links to some important resources on this slide. The first is the Disease Risks and Homelessness webpage on the HUD Exchange. This page has all the guidance and resources from HUD and federal partners related to COVID-9 and persons experiencing homelessness.

The second link is HHS interim guidance for COVID-19 and people with HIV. It includes information and special considerations for people with HIV and their healthcare providers regarding the COVID-19 pandemic.

We also included a link to the HIV.gov webpage on COVID-19 and people living with HIV. And then finally, from our partners at HRSA and HIV/AIDS Bureau, we've included a link to COVID-19 FAQs for Ryan White HIV/AIDS program recipients and partners.

SLIDE 39

So, that is all of the content that we were planning to cover today. And now, I do think we have a few minutes for – to cover some of your questions.

Crystal Pope: Great. Thank you, Amy. I just want to say right up front that we have received an overwhelming number of questions in the chat box, understandably, based on all of the new information.

So, there is no way that we're going to get all those questions today. But we will say, please make use of the AAQ to put in your questions if they're not answered in this presentation. Review the slides again and/or re-watch this using the recording link that will be sent out to everyone because I think a lot of the questions that people have put in throughout were answered in this. So, there are number of ways to do that.

But let's- Kate, you and I can just jump in to pulling out some of the questions. Ben and others, there have been quite a few questions about the

video inspections and about what to do if video streaming is not available, who would actually be out at the unit doing that kind of inspection and so forth, which I know has not completely defined yet. But is there information you'd like to add about that?

Ben Ayers: I mean, I would just say try to think as inventively as possible on what you can do remotely and run it through your local field office and do them through the AAQ, see if that will work.

Again, if video streaming or FaceTime doesn't work, a recorded video will work. And you can also do those pictures of date and stamped time.

Kate Briddell: Ben, I have a follow-up to that. We had a question from someone that said, will self-certification from landlords be acceptable?

Ben Ayers: I think the current guidance right now is that at initial, you have to have at least the remote inspection completed. And then, again, as a reminder on annual, that of course, can be postponed until you can do it.

Crystal Pope: Also related to carrying out some of this new waiver requirement, do HUD grantees need to keep documentations themselves of each specific use of the waiver as well as client-based information on HQS inspections that are not done physically?

Ben Ayers: I mean, yes, I would say, document, document, document. I think that there's a requirement for the grantees to notify the field office within a few days before they use the waiver. But for your case files, yes, you're going to want to document that. An inspection wasn't done because of COVID-19 and you're utilizing waiver "blah" or that you did remote certification under the authority of COVID-19.

But you're going to want to document, document, document on those case files and then you're going to want to make sure that you have a plan of action to go back and do the actual physical inspection at a later date when it's safe to do so.

Kate Briddell: Great. Thanks, Ben. I had a question about communication between grantees and project sponsors regarding this waiver. Can you – well, there's a lot angst about it frankly. It's just can you talk about the timing of that and how that needs to go with grantees and implementing these waivers and kind of the flow down the project sponsors. I'm happy to say more about that if I was unclear.

Ben Ayers: No. I'm checking to see ...

Amy Palilonis: Yes. Can you ...

Ben Ayers: ... if Amy wanted to cover that particular one.

Amy Palilonis: So, the grantee needs to be the one communicating about their intent to utilize the waiver and as I mentioned, it has – the notification has to come two days before the waiver is going to be utilized.

I would just say if you're a project sponsor, definitely be in communication with your grantee about the things that you had heard today. But, again, everything still needs to flow through the grantee in order to go through the proper channel for notifying HUD of using the waivers.

Crystal Pope: Amy, just a follow-up on that, I think we should clarify because this was bundled as a large waiver that covers several programs that only the HOPWA specific ones apply to HOPWA and not some of the provisions that are in there for ESG and CoC.

Amy Palilonis: Correct. Only the HOPWA specific provisions as well as the general Consolidated Plan provisions were waived for HOPWA. Anything else included in there for other programs isn't applicable to HOPWA.

And I would also say if a provision wasn't specifically waived through this waiver, then it is not included. We are exploring what other types of waivers might be needed. That was really just the first-round waiver and hopefully, there will be more information coming out about that.

But if something in the waiver that isn't specific to HOPWA isn't going to be waived for HOPWA and then also, if a provision is not included in the waiver, then it hasn't been waived yet.

Ben Ayers: And these waivers – I would also say you shouldn't have angst in utilizing them. I mean, they're out there for you to use for this particular purpose to really help you handle and administer your programs in this crisis. So, take advantage of them if you need to and can.

Kate Briddell: Thanks, both. Quick question about a hotel and this one is a little bit different than what we have been hearing. But if a person is living – a person living with HIV resides with a family member that has COVID-19, can the non-HIV impacted family members be placed in the hotel to isolate them away from that HIV positive family member living using HOPWA funds?

Ben Ayers: Absolutely.

Amy Palilonis: Yes.

Kate Briddell: All right. Thank you. Just document that, right?

Amy Palilonis: The CARES Act specifically calls that out as well that those funds can be used for the non-HIV positive family members to quarantine them or isolate them.

Crystal Pope: So, there are also quite a few questions on STRMU and some confusion about how to manage the STRMU that is currently underway under formula and competitive grants versus what is allowed under the CARES Act because the CARES Act can go up to 24 months.

And so, people are asking, can we take people who we're serving right now under STRMU and switch them to the CARES Act money in order to get them more months of service? Can you actually switch people back and forth that way?

Ben Ayers: I mean, I think that might be one option – Rita, are you still on the line?

Rita Harcrow: Yes.

Ben Ayers: OK.

Rita Harcrow: Yes. Yes. I think that is something that you would want to consider if someone has reached their cap of 21 weeks that you would begin to pay their STRMU assistance out of your supplemental funds when those come in.

You could also start new household on the supplemental award if they haven't gotten the 21 weeks. That would be part of your planning process to see how you need to maximize that time.

And it is up to 24 months. That doesn't mean you have to provide the 24 months. Again, that would be part of what you would look out for what makes sense in your community.

Kate Briddell: Thanks. I have a number of questions related to the CARES Act funding and I know there's new guidance going to be coming out soon. But one requestor said, "Our city council contract approval process will not allow us to execute a new or amended agreement with the project sponsor within 14 days. Are there other ways to meet the executed requirements such as an award letter that documents commitment?"

Rita Harcrow: So, this is Rita again. What I would say there is that the nature of this funding is emergency funding. So, we need to shove – getting it out the door quickly and meeting need immediately and we're hearing from you that you need it immediately.

So, to the extent that you can, override any local process to get the funding out the door quickly is what needs to happen. If you're not able to meet the 14-day expectation, then show what you can do instead and document why you could not meet it.

Crystal Pope: OK. We also have a question related to the provision for self-certification of the income, which in the waiver really applies or mentioned specifically for program entrance and eligibility, and people are asking if – when they're doing recertifications for people whether that self-certification of income is applicable as well. And I think that would be part of the remote methods.

Rita Harcrow: So, you're asking if self-certification applies not just on intake but at re-certification?

Crystal Pope: Yes.

Rita Harcrow: Yes. Yes. So, it would be the same thing. The point of that waiver is to help people avoid going to the bank or having to be in contact with other people. So, that would be true not just for the initial, but also – for whatever contact you would have, including recertification steps.

Crystal Pope: Thank you.

Amy Palilonis: And also, as much as – yes, and as much as possible, if you can still complete those activities remotely and if you have ways to do that, then you definitely are encouraged to do so.

Crystal Pope: And, Amy, that might apply to your annual inspections as well. We have said that those were not part of the waiver requirements for doing remote video kinds of things but they could be delayed because of COVID-19 in the community.

But grantees can – and project sponsors could still use remote methods to do those annual inspections, but they're just not required to do so like they are for the initial ones.

Amy Palilonis: Correct.

Ben Ayers: Correct.

Rita Harcrow: So, Crystal and Kate, I know that we're starting to run out of time and I know that there are just so many questions coming in and I want to just let everyone know we'll be trying to package those up and hopefully have another session like this in the coming week so that we can make sure and get questions answered. All of this is an important discussion and things are changing very quickly and we want to be able to be responsive to what you need right now.

Kate Briddell: And just a reminder as Crystal said earlier, if you're question was not answered on this webinar, if you could just put that in HOPWA Ask A Question portal, we should be able to get you an answer fairly quickly.

Crystal Pope: And just to clarify, Valencia, these – the slides are going to be sent out to everybody who registered, is that the way it is being done today?

Valencia Moss: OK. So, if you registered for today's webinar, the on-demand recording is available through your Collaborate account. All you have to do is just log again to your Collaborate account and click on Handout. You will see a copy of today's live show.

Also, a link to the memo that you guys discussed. It's called the Availability Waivers for CPD grant and also a link for the CPD Program and Formula Allocations and CARES Act Supplement money is available.

You should also receive an email immediately after this webinar with the instructions on how to download the handout and how to log on to view the on-demand recording immediately after the webinar is over.

Kate Briddell: Great. Well, I think then we have probably time for one more question and then I'll turn it back over to OHH to bring it home if that's OK with everyone.

One question I have seen a number of times and I know we're going to get more guidance on the CARES Act in the coming days, but folks are really wondering how long they have to spend the Cares Act funding?

Ben Ayers: Rita, if you're still on, if you can confirm. I'm not sure ...

Rita Harcrow: It's the same as ...

Ben Ayers: Is it the same as the three-year performance period that's in our grant (inaudible)?

Rita Harcrow: Actually, it's two and three, right? Some are two, some are three.

Ben Ayers: So, that's funding availability for us to obligate.

Rita Harcrow: OK.

Ben Ayers: The grant agreement performance period is three years.

Amy Palilonis: So, even though a lot of the activities will be happening in the short term, it will be like typical HOPWA grants and there's that three-year period of performance.

Valencia Moss: OK. Crystal and Kate, are those all your questions for today?

Kate Briddell: Yes. Those are all the questions that are there today. Thanks.

Valencia Moss: All right. So, again, thank you everyone for joining us for HOPWA program COVID-19 Updates CARES Act and Waiver Flexibilities. Again, if you have additional questions following today's webinar, Amy, again, can you tell them how to submit those questions via the HUD Exchange?

Amy Palilonis: Yes. If you – to send any questions that you didn't get a response to, you should submit them through the HOPWA Ask a Question portal. And in step two of the question submission process, select HOPWA Housing Opportunities for Persons with AIDS, from the "My question is related to" dropdown and write, Health Preparedness and Response, in the subject line.

And hopefully, if you submit your questions today, we should be able to get to them shortly, certainly, as soon as we can. We know you are all anxious to get these questions answered and to start really hitting the ground running with the new funding.

Valencia Moss: OK. That would conclude today's webinar – I'm sorry, I have one more person speaking.

Rita Harcrow: Well, I just wanted to say make sure that you stay tuned to the list-serve because we will be having more of these tons of webinars and call-in sessions to answer additional questions and get more guidance going forward. So, thanks for that.

Valencia Moss: Also, Amy, I think you or Rita, you may have mentioned that there's a webinar tomorrow at 1:30. People have asked me how can they register for that, is that information available somewhere?

Amy Palilonis: Yes, it is. So, that would be a webinar for, related to CoC and ESG programs and registration for that webinar should be on – the link should be on the Disease, Risk and Homelessness webpage on the HUD Exchange and you should be able to register for there and there will be more information about that webinar.

Valencia Moss: All right. Thank you, everyone, for your participation today. We look forward to all of your answering all of your questions that we didn't get to answer.

Again, instructions will be made available to everyone who is registered for this webinar within the next five minutes. Thank you all. Have a great Monday and stay safe.

Operator: The leader has disconnected. The conference will be terminated in five minutes.

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