

# Get the Facts: HOPWA and COVID-19 Response



## FMR STANDARD

The U.S. Department of Housing and Urban Development HUD has issued two memoranda providing regulatory waivers of certain Housing for Persons With AIDS (HOPWA) requirements to help with the nation's response to the COVID-19 global pandemic. Two of these waivers allow adjustments for the **FMR Rent Standard**.

Grantees 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 days** before they anticipate using the waiver flexibility. Grantees should communicate the use of waivers to their Project Sponsors.

**Note:** Only Grantees can make the determination to use this waiver. Project Sponsor questions about the waiver and local options should be directed to the Grantee.

### What changes do the FMR Rent Standard waivers allow?

These waivers allow grantees to assist HOPWA-eligible households in units that exceed the current rent standard, when needed. HOPWA grantees may establish rent standards, by unit size, that are reasonable, and based upon rents being charged for comparable unassisted units in the area, taking into account the location, size, type, quality, amenities, facilities, management and maintenance of each unit. Grantees are still required to ensure the reasonableness of rent charged for a unit in accordance with §574.320(a)(3).

The 4/01/20 Mega-Waiver allows FMR adjustments for HOPWA TBRA only and the 5/22/20 Mega-Waiver allows FMR adjustments for all HOPWA rental housing for which a rent standard applies, including Master Leasing. Each waiver may be used for up to 1 year beginning on the published dates of 4/01/20 and 5/22/20.

### When the FMR-Rent Standard waiver period ends, must all units immediately be returned to the normal rent standard?

At the end of the applicable waiver period, programs must cease applying the higher rent standard to newly leased units and return to using the normal local rent standard. Any units for which leases were signed during the waiver period should be returned to the normal rent standard at the time of the HOPWA-eligible household's lease renewal.

The contents of this fact sheet reflect guidance presented in a series of HOPWA/COVID-19 Q&A webinars available at: <https://www.hudexchange.info/programs/hopwa/covid-19/#webinars>