



# DISASTER WAIVERS

Recognizing the challenges that a public housing agency (PHA) faces when recovering from a disaster, HUD makes regulatory and administrative waivers available following a Presidentially declared disaster (PDD). The list of available waivers is summarized on page 2 of this fact sheet and detailed in the Federal Register. Available waivers for calendar years 2022 and 2023 are listed in [FR-6301-N-01](#); for future years, refer to the Federal Register or the HUD Disaster Readiness, Response, and Recovery webpage.

Waivers are not automatically granted; they must be requested by the PHA within 120 days following the PDD and approved by HUD. Requests submitted after that time will not be considered except in special cases outside of the agency's control. Upon approval, waivers will be in effect for a period not to exceed 12 months from the date of HUD approval, unless a PHA can show good cause for a longer period. HUD is not able to waive fair housing, civil rights, labor standards, or environmental review requirements.

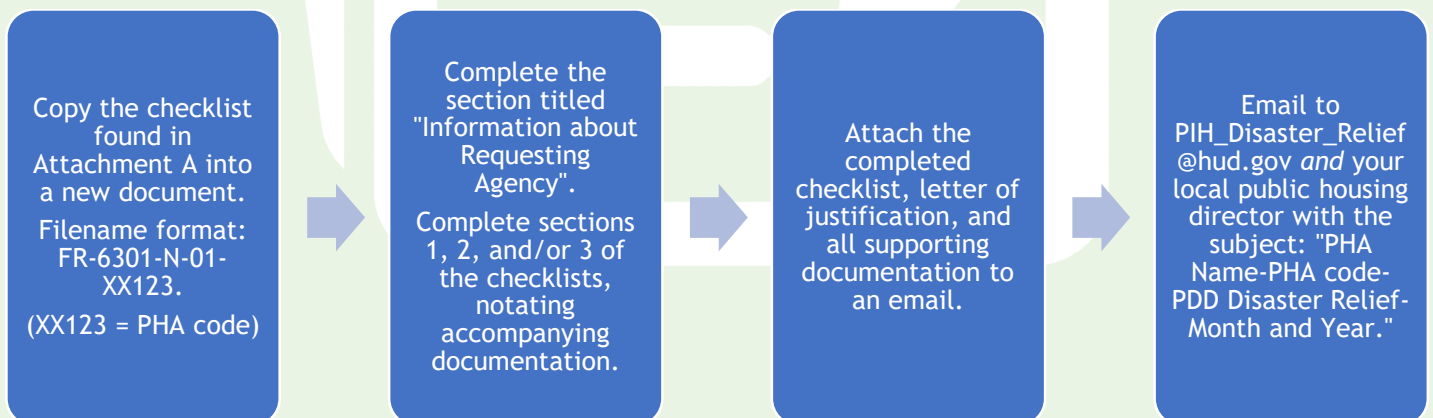


## Submitting a Waiver Request

A PHA must complete the checklist, Attachment A in [FR-6301-N-01](#), to take advantage of the waivers and expedited review of waiver requests due to a PDD.

Each provision on the checklist indicates the documentation that must accompany the request along with a good-cause justification for why the waiver is needed for the PHA's disaster relief and recovery efforts.

After deciding which waiver request(s) your PHA will need, copy and/or print the required form and checklist and fill them out completely. Next, attach any justification required for the specific waivers your PHA is requesting from HUD. HUD requires a thorough and complete package to process waiver requests. For more information on which waiver requests may be most helpful in your specific situation, contact your local HUD field office.



A PHA may request waivers from HUD in the following categories; further details on each of these can be found in [FR-6301-N-01](#). For further clarification, contact the HUD field office.

## Reporting Requirements

**Submission deadline for financial reports:** Deadlines to submit both unaudited and audited financial reports may be extended.

**Public Housing Assessment System (PHAS):** A PHA may request that HUD delay the physical inspection and scoring of public housing projects.

**Fiscal closeout and submission of financial, performance, and other reports:** Deadlines to submit Actual Development Cost Certificate, Actual Modernization Cost Certificate, and other financial and performance reports may be delayed.

## Housing Assistance Payments (HAP) and Program Participation

**Exception payment standards:** Voucher payment standards up to 150 percent of the published fair market rent (FMR) may be approved.

**Housing Quality Standards (HQS) space requirements:** HUD may waive the requirement of one room for every two persons for displaced families.

**Continuation of HAP payments when a homeownership family is displaced:** Continuation of HAP mortgage payments may be approved for families displaced from their homes for more than a month.

**Extension of Family Self-Sufficiency (FSS) contracts:** FSS contracts may be extended for up to 3 years.

**Section Eight Management Assessment Program (SEMAP) scoring:** A PHA may be authorized to carry forward the prior SEMAP score.

**HUD-50058 transmission deadline:** The deadline to transmit form HUD-50058 following receipt of Social Security Number documentation may be extended to 90 days.

## Other Waivers

A PHA may request an exception for other HUD requirements not listed here or in Sections II or III of [FR-6301-N-01](#).

## Funding Flexibility

**Operating subsidy for vacant units:** Public housing units that are vacant and in the [Natural Disaster sub-category](#) may continue to receive operating subsidy.

**Total development costs (TDC) limitations for projects using Capital Funds:** Capital Funds used to repair disaster-damaged units may be able to exceed the TDC and housing cost cap limits.

**Use of force account labor for development and modernization projects without board approval:** The use of force account labor for modernization and development activities may be approved irrespective of whether this was included in the board-approved 5-Year Action Plan.

**Ability to use Capital Fund replacement housing funds for modernization projects:** Unexpended Capital Fund Replacement Grants may be approved for modernization activities.

## Notification Requirements

**Tenant selection policy revision:** The Tenant Selection Plan may be temporarily revised without board approval.

**Tenant-based waiting list opening:** The public notice requirement for opening the HCV waitlist may be satisfied by placing a public notice on the PHA website, at PHA offices, or by voice message.

## Demolition and Disposition

**Demolition of units based on environmental review:** HUD may accept an environmental review performed under [24 CFR Part 50](#) or [24 CFR Part 58](#) if the review indicates that conditions are not suitable for housing.

**Demolition requests without a cost analysis:** HUD may waive the requirement to justify a cost estimate on a demolition application.