Usage of Waiver: Temporary Stays in Institutions

**CoC and ESG Program**

On September 30, 2020, the Department of Housing and Urban Development issued a memorandum regarding “Availability of Additional Waivers for Community Planning and Development (CPD) Grant Programs to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19.” The memorandum outlined waivers of CoC and ESG Program grant requirements available to all CoC and ESG grant recipients. [RECIPIENT NAME] notified the HUD San Francisco Regional Office of our intent to implement the Homeless Definition – Temporary Stays in Institutions of 90 Days or Less waiver on [DATE].

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| **Homeless Definition – Temporary Stays in Institutions of 90 Days or Less** |
| The 90-day limit on retention of homeless status during a stay in an institution is waived to allow participants to qualify as homeless for the CoC Program under 24 CFR 578.3(1) or for the ESG Program under 24 CFR 576.2 who are **exiting an institutional stay of 120 days or less and were in shelter or a place not meant for human habitation immediately prior to entering the institution**. To use this waiver, the justification must explain how the institutional stay was prolonged by the COVID-19 crisis. |

# Instructions

This form documents the use of the Homeless Definition – Temporary Stays in Institutions of 90 Days or Less waiver. The waiver may only be used when necessary to enable a client to safely obtain permanent housing, in accordance with the CoC’s Quality Assurance Standards and [RECIPIENT/SUBRECIPIENT NAME]’s written policies. Complete this form and insert it into the client file every time this waiver is used:

1. Complete the “Documentation Checklist” section of this form to ensure that all necessary additional documentation is included in the client’s file, along with this completed form.
2. Complete the “Justification for Use of Waiver” section of this form.
3. Insert this form (and all documentation listed in the Documentation Checklist) in the client’s file.

# Documentation Checklist:

**Client name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| **The following additional documentation is included in the client’s file:** | **Checklist** |
| Documentation of the client’s stay in the institution that includes the start and end dates of the stay. Third-party documentation of the institutional stay is preferred; if no third-party documentation is available, the recipient or subrecipient must document their attempts to obtain it before relying on client self-certification of the institutional stay. |  |
| Documentation that the client was residing in an emergency shelter or place not meant for human habitation immediately prior to their stay in the institution. Third-party documentation of the client’s living situation is preferred; if no third-party documentation is available, the recipient or subrecipient must document their attempts to obtain it before relying on client self-certification. |  |

# Justification for Use of Waiver

Explain why the client’s institutional stay was longer than it would normally have been due to COVID-19 (e.g. longer time in jail due to a postponed court dates due to court closings or courts operating at reduced capacity, longer hospital stays when infected with COVID-19.)

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