Usage of Waiver: Suitable Dwelling Size and HQS

**CoC 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,” followed by a second memo on December 30, 2020. These memoranda outlined waivers of CoC Program grant requirements available to all CoC grant recipients. [RECIPIENT NAME] notified the HUD San Francisco Regional Office of our intent to implement the Suitable Dwelling Size and Housing Quality Standards waiver on [DATE].

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| **Suitable Dwelling Size and Housing Quality Standards** |
| **The occupancy limit of two people per bedroom or sleeping/living room in the CoC Program Interim Rule is waived** for leases and occupancy agreements signed between September 30, 2020 and March 31, 2021, as necessary for a client to obtain housing that is both affordable and that the client considers adequate. The requirement is waived from the signing of the lease until the later of: the end of the initial lease term or March 31, 2021. |

# Instructions

This form documents the use of the Suitable Dwelling Size and Housing Quality Standards 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. Continue to respect and prioritize client choice in selection of housing. Before using this waiver on behalf of a client, you must discuss all identified housing options with the client, inform the client of typical occupancy limits, and ensure that the client understands that they may need to seek other housing at the end of the waiver period. 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** |
| A copy of the lease clearly displaying the date of execution and including the initial term, automatic renewal, language that the lease is terminable only for cause, and all lease terms required to comply with the Violence Against Women Act (VAWA) Final Rule. |  |

# Justification for Use of Waiver

Explain why it was necessary for the client to accept a unit that does not meet typical occupancy limits due to COVID-19. The explanation must be specific to this client’s situation and to local conditions at this time.

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