Usage of Waiver: Restriction of Rental Assistance to Units with Rent at or Below FMR

**ESG Program**

On March 31, 2020, the Department of Housing and Urban Development issued a memorandum regarding “Availability of Waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19.” The memorandum outlined waivers of ESG Program grant requirements available to all ESG grant recipients. [RECIPIENT NAME] notified the HUD San Francisco Regional Office of our intent to implement the Restriction of Rental Assistance to Units with Rent at or Below FMR waiver on [DATE].

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| **Restriction of Rental Assistance to Units with Rent at or Below FMR** |
| **The FMR restriction is waived** for any lease executed by an individual or family receiving ESG RRH or Homelessness Prevention assistance during the six-month period beginning on the date of HUD’s memo (March 31 – September 30, 2020). The restriction is waived for the life of the lease. Rent for leases executed must still meet rent reasonableness. |

# Instructions

This form documents the use of the FMR for Individual Units and Leasing Costs 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 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:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Address of Unit:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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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 |  |
| A completed rent reasonableness analysis. |  |

# Justification for Use of Waiver

Explain why it was necessary for the individual or family receiving assistance to enter into a lease for a unit in excess of FMR, in order to quickly locate and move into housing. The explanation must be specific to this client’s situation.

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