Usage of Waiver: One-Year Lease Requirement

**CoC 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,” which was supplemented by memos on May 22, 2020, September 30, 2020, December 30, 2020, March 31, 2021, June 30, 2021, December 30, 2021, and June 15, 2022. These memoranda outlined waivers of CoC Program grant requirements available to all CoC grant recipients.

* Use of Waiver Prior to March 31, 2022: [RECIPIENT NAME] notified the HUD San Francisco Regional Office of our intent to implement the One-Year Lease Requirement waiver on [DATE].
* Requested Non-Expedited Regulatory Waiver after June 15, 2022: [RECIPIENT NAME] submitted a non-expedited waiver request for this regulatory requirement from the HUD San Francisco Regional Office identifying the grant number(s) the waiver would apply to with a good cause justification to implement the One-Year Lease Requirement waiver on [DATE]. [RECIPIENT NAME] received approval from HUD by email on [DATE]
* Requested Expedited Regulatory Waiver after June 15, 2022: [RECIPIENT NAME] submitted an expedited regulatory waiver request to SNAPSinfo@hud.gov on [DATE]. CPD replied on [DATE] that the request was received. [RECIPIENT NAME] received approval from HUD on [DATE].

|  |
| --- |
| **One-Year Lease Requirement** |
| **The one-year lease requirement for permanent housing is waived** for the period specified in HUD’s memos (March 31, 2020 – March 31, 2022,) so long as the initial lease term of all leases is for at least one month.Recipients can request that the one-year lease requirement for permanent housing is waived for the period specified in HUD’s most recent memo (June 15, 2022 – March 31, 2023) so long as the initial lease term of all leases is for at least one month.  |

# Instructions

This form documents the use of the One-Year Lease Requirement 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:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| **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. |  |

# Good Cause Justification for Use of Waiver

Explain why it was necessary for the client to accept a lease for less than one year, in order to quickly locate and move into housing. The explanation must be specific to this client’s situation. The good cause justification must include: why the recipient needs the waiver, the impact on the recipients ability to help people experiencing homelessness to obtain or maintain housing if the waiver is not provided, and the proposed waiver duration. The explanation must be related to HUD’s reasons for expediting the waiver request which include preventing the spread of COVID-19 and facilitate assistance to communities and households economically impacted by the pandemic.

|  |
| --- |
|  |