



Expiring Federal Provisions That May Impact Homelessness

Funding, Flexibilities, and Waivers Set to Expire in FY 2022

The current Declaration of Public Health Emergency (PHE) for COVID-19 is scheduled to expire April 16, 2022. The chart on Pages 2-29 identifies federal funding, flexibilities, and waivers linked to the public health emergency as well as others set to expire in Fiscal Year (FY) 2022. All may impact homelessness prevention and intervention.

The status and timelines of these funding streams, flexibilities, and waivers continue to evolve. For questions, contact your [USICH regional coordinator](#).

Primary Authorities:

- **[CARES Act](#)**: Passed on March 27, 2020, this law provided relief to address COVID's impact on the economy, public health, state and local governments, individuals, and businesses.
- **[Section 319 of the Public Health Service Act](#)**: On January 31, 2020, the secretary of Health and Human Services declared a public health emergency, which has been extended eight times since and is set to expire April 16, 2022—though it could be renewed at least one more time through mid-July. The secretary may determine that: a) a disease or disorder presents a public health emergency; or b) that a public health emergency, including significant outbreaks of infectious disease or bioterrorist attacks, otherwise exists. Following a section 319 declaration, the secretary can take appropriate actions in response to the emergency consistent with other authorities.
- **[Consolidated Appropriations Act of 2021](#)**: Passed on December 12, 2020, this law provided COVID emergency response and relief for FY 2022.
- **[American Rescue Plan Act](#)**: Passed on March 11, 2021, this law provided additional relief to address the continued impact of COVID-19. For more on the law's funding that impacts homelessness, [read this USICH guide](#).
- **[Robert T. Stafford Disaster Relief and Emergency Assistance Act](#)**: The president may declare a major disaster or emergency exists for one or more states at the request of the governor or a chief executive of an affected Indian tribe, and may also declare a federal emergency, without a gubernatorial request, for subject areas that are determined to be under the primary responsibility of the United States based on the Constitution or laws of the United States. Any federal agency charged with the administration of a federal assistance program may, if so requested by the applicant, state, or local authorities, modify or waive, for a major disaster, such administrative conditions for assistance as would otherwise prevent the giving of assistance under such programs if the inability to meet such conditions is a result of the major disaster.

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
<p>FEMA Public Assistance Program – Category B (DHS)</p> <p>Non-Congregate Sheltering</p>	<p>Eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of state, local, tribal, and territorial public health officials may be reimbursed under Category B of FEMA’s Public Assistance program.</p>	<p>Section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act</p>	<p>President Joseph R. Biden, Jr. announced that funding to support all eligible COVID-19 work will continue at a 100% federal cost-share through July 1, 2022.</p>	<p>Study Shows Need for Non-Congregate Housing Arrangements for People Experiencing Homelessness National Low Income Housing Coalition (nlihc.org)</p>	<p>FEMA Emergency Non-Congregate Sheltering during the COVID-19 Public Health Emergency Guidance</p> <p>HUD/FEMA Guidance on Model Transitions Document FINAL (hud.gov)</p> <p>FEMA Advisory on Cost Share Extension (March 2022)</p>
<p>Emergency Rental Assistance 1 and 2 (Treasury)</p>	<p>ERA1 provides up to \$25 billion under the Consolidated Appropriations Act, 2021, enacted on December 27, 2020, and ERA2 provides up to \$21.55 billion under the American Rescue Plan Act of 2021, enacted on March 11, 2021.</p>	<p>Consolidated Appropriations Act, 2021 and American Rescue Plan Act of 2021</p>	<p>ERA 1 funds provided shall remain available only through September 30, 2022, unless, in the case of a reallocation. ERA 2 funds are available through September 30, 2027.</p>	<p>As of spending data through January 31, payments had reached over 3.25 million.</p> <p>Treasury promising practices</p>	<p>On January 7, Treasury released the reallocation amounts for ERA1 Round 1 Reallocation and Voluntary Reallocation.</p>
<p>Emergency Housing Vouchers (HUD)</p>	<p>Through EHV, HUD is providing 70,000 housing choice vouchers to local PHAs to assist individuals and</p>	<p>Section 3202 of the American Rescue Plan Act</p>	<p>After 9/30/23, PHAs may not reissue EHV’s when assistance ends. An EHV</p>		<p>Program Guidance Webinar</p>

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<p>families who are homeless, at-risk of homelessness, fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, or were recently homeless or have a high risk of housing instability.</p>			<p>that has never been issued to a family may be initially issued and leased after 9/30/23.</p>		<p>highlights Flexibilities included within the program center around income verifications at admission, portability, payment standard amount, COVID-19 waivers, initial search term, etc.</p> <p>FAQs updated as of November 29, 2021</p> <p>Reported barriers to greater take-up from the field include: a lack of accompanying services dollars; landlord engagement issues; insufficient rental units</p>

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<p>Community Planning and Development (HUD)</p> <p>Housing Quality Standards – Initial Inspection of Unit</p>	<p>On March 31, 2020, HUD waived the physical inspection requirement at 24 CFR 578.75(b)(1) for 6-months so long as recipients or subrecipients were able to use technology and visually inspect the unit to ensure Housing Quality Standards (HQS) before any assistance was provided. Plus, recipients or sub-recipients had written policies in place to physically reinspect the unit within 3 months after the health officials determined special measures to prevent the spread of COVID-19 are no longer necessary</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 578.75(b)(1)</p>	<p>This waiver of the requirement is in effect until March 31, 2022, for recipients and sub-recipients that can meet the following criteria: a. The recipient can visually inspect the unit using technology, such as video streaming, to ensure the unit meets HQS before any assistance is provided; and b. The recipient or sub-recipient has written policies that require physical inspection of the units not previously physically inspected by June 30, 2022.</p>		
<p>Community Planning and Development (HUD)</p> <p>Suitable Dwelling Size and Housing Quality Standards</p>	<p>24 CFR 578.75(c), suitable dwelling size, and 24 CFR 982.401(d)(2)(ii) as required by 24 CFR 578.75(b), Housing Quality Standards, requires units funded with CoC Program funds to have at least one bedroom or living/sleeping room for each two persons. On September 30, 2020, HUD waived the requirements at 24 CFR 982.401(d)(2)(ii) and 24 CFR 578.75(c) to allow households experiencing homelessness to obtain permanent housing that is affordable and that they</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 578.75(c) and 24 CFR 982.401(d)(2)(ii) as required by 24 CFR 578.75(b)</p>	<p>The requirement that each unit assisted with CoC Program funds or YHDP funds have at least one bedroom or living/sleeping room for each two persons is waived for recipients providing Permanent Housing-Rapid Re-housing assistance for leases and occupancy agreements executed by recipients and sub-recipient s between the date of this memorandum and March 31, 2022. Assisted units with leases of occupancy agreements signed during the waiver period may have more than two persons for each bedroom or living/sleeping room until the later of 1) the end of the initial term of the</p>		

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	<p>assess is adequate.</p>		<p>lease or occupancy agreement; or 2) March 31, 2022. As a reminder, recipients are still required to follow State and local occupancy laws</p>		
<p>Community Planning and Development (HUD)</p> <p>Fair Market Rent for Individual Units and Leasing Costs</p>	<p>The CoC Program regulation at 24 CFR 578.49(b)(2) prohibits a recipient from using grant funds for leasing to pay above Fair Market Rate (FMR) when leasing individual units, even if the rent is reasonable when compared to other similar, unassisted units. On July 1, 2021, HUD again waived this requirement until December 31, 2021. Extending this waiver of the limit on using grant leasing funds to pay above FMR for individual units, but not greater than reasonable rent, will assist recipients in locating additional units to house individuals and families experiencing homelessness in tight rental markets</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 578.49(b)(2)</p>	<p>The FMR restriction continues to be waived for any lease executed by a recipient or sub-recipient to provide transitional or permanent supportive housing until March 31, 2022. The affected recipient or sub-recipient must still ensure that rent paid for individual units that are leased with leasing dollars meet the rent reasonableness standard in 24 CFR 578.49(b)(2).</p>		
<p>Community Planning and Development (HUD)</p> <p>One-Year Lease Requirement</p>	<p>The CoC Program regulation at 24 CFR 578.3, definition of permanent housing, and 24 CFR 578.51(l)(1) requires program participants residing in permanent housing to be the tenant on a lease for a term of one year that is renewable and terminable for cause. HUD originally waived this requirement for 6-months again on</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 578.3, definition of permanent housing, 24 CFR 578.51(l)(1)</p>	<p>The one-year lease requirement is waived for leases executed between the date of this memorandum and March 31, 2022, so long as the initial term of all leases is at least one month.</p>		

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	<p>July 1, 2021 until December 31, 2021 to help recipients more quickly identify permanent housing for individuals and families experiencing homelessness, which is helpful in preventing the spread of COVID-19.</p>				
<p>Community Planning and Development (HUD) HQS – Re-Inspection of Units</p>	<p>24 CFR 578.75(b)(2) requires that recipients or subrecipients are required to inspect all units supported by leasing or rental assistance funding under the CoC and YHDP Programs at least annually during the grant period to ensure the units continue to meet HQS. It continues to be important to maintain housing for people to enable social distancing and prevent the spread of COVID-19. Therefore, HUD is again waiving the requirement to inspect all units supported by leasing and rental assistance funds at least annually as described below</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 578.75(b)(2)</p>	<p>The requirement at 24 CFR 578.75(b)(2) is waived until March 31, 2022 for recipients and sub-recipients that are able to visually re-inspect the unit using technology, such as video streamlining, to ensure the unit meets housing quality standards.</p>	<p>Since the original waiver flexibility expired on September 30, 2021, recipients report that it is challenging to physically re-inspect units for HQS because of staffing shortages and program participants being uncomfortable having other people enter their units out of fear of contracting COVID-19. It continues to be important to maintain housing</p>	

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				for people to enable social distancing and prevent the spread of COVID-19.	
<p>Community Planning and Development (HUD)</p> <p>Homeless Definition – Temporary Stays in Institutions of 90 Days or Less</p>	<p>An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution is considered homeless per 24 CFR 578.3, definition of "homeless." HUD is extending this waiver to allow someone who was residing in an emergency shelter or place not meant for human habitation prior to entering the institution to maintain their homeless status while residing in an institution for longer than 90 days.</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 578.3, definition of "homeless" (1)(iii)</p>	<p>An individual may qualify as homeless under paragraph (1)(iii) of the homeless definition in 24 CFR 578.3 so long as he or she is exiting an institution where they resided for 120 days or less and resided in an emergency shelter or place not meant for human habitation immediately before entering that institution. This waiver is in effect until March 31, 2022.</p>	<p>Recipients continue to report potential program participants are staying in institutions for longer periods of time due to COVID-19. Additionally, since people experiencing homelessness are at higher risk of COVID-19 infection, showing lower vaccination rates and poorer health outcomes when compared to the general population it is important that they be able to</p>	

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				<p>exit to permanent housing when they exit an institution to allow for social distancing and prevent the spread of COVID-19.</p>	
<p>Community Planning and Development (HUD)</p> <p>Permanent Housing Rapid Re-housing Limit to 24 Months of Rental Assistance</p>	<p>The CoC Program regulation at 24 CFR 578.37(a)(1)(ii) and 24 CFR 578.51(a)(1)(i) defines medium-term rental assistance as 3 to 24 months and 24 CFR 578.37(a)(1)(ii) and 24 CFR 578.37(a)(1)(ii)(C) limits rental assistance in rapid re-housing projects to medium-term rental assistance, or no more than 24 months. Continuing to waive the limit on using rental assistance in rapid re-housing projects to pay more than 24 months will ensure that individuals and families currently receiving rapid re-housing assistance do not lose their assistance, and consequently their housing, during the COVID-19 public health crisis and the subsequent economic downturn.</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>4 CFR 578.37(a)(1)(ii), 24 CFR 578.37(a)(1)(ii)(C), and 24 CFR 578.51(a)(1)(i)</p>	<p>The 24-month rental assistance restriction is waived for program participants in permanent housing rapid re-housing project who will have reached 24 months of rental assistance until March 31, 2022. Program participants who have reached 24 months of rental assistance during this time and who will not be able to afford their rent without additional rental assistance will be eligible to receive rental assistance until March 31, 2022.</p>		

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<p>Community Planning and Development (HUD)</p> <p>Disability Documentation for Permanent Supportive Housing</p>	<p>24 CFR 578.103(a) requires recipient to maintain records providing evidence they met program requirements and 24 CFR 578.103(a)(4)(i)(B) establishes the requirements for documenting disability for individuals and families that meet the “chronically homeless” definition in 24 CFR 578.3. Acceptable evidence of disability includes intake-staff recorded observations of disability no later than 45 days from the date of application for assistance, which is confirmed and accompanied by evidence in paragraphs 24 CFR 578.103(a)(4)(i)(B)(1), (2), (3), or (5). HUD is waiving the requirement to obtain additional evidence to confirm staff-recorded observations of disability. On March 31, 2020 HUD waived the requirement to obtain additional evidence within 45 days and instead allowed recipients up to 6-months 11 from the date of application for assistance to confirm intake staff-recorded observations of disability with other evidence.</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 578.103(a) and 24 CFR 578.103(a)(4)(i)(B)</p>	<p>The requirement that staff-recorded observation of disability be confirmed and accompanied by other evidence no later than 45 days from the application for assistance documentation requirement is waived until March 31, 2022.</p>	<p>Many communities continue to experience substantial rates of COVID-19 and hospitalizations and resulting in staff shortages for non-COVID related concerns. As a result of this and of reduced hours of agencies and providers that can provide disability documentation, recipients are reporting that obtaining documentation of a disability still takes longer than usual.</p>	

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<p>Community Planning and Development (HUD)</p> <p>Homeless Definition – Temporary Stays in Institutions of 90 Days or Less</p>	<p>An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution is considered homeless per 24 CFR 576.2, definition of “homeless. HUD originally waived this requirement on September 30, 2020, 2021 to keep housing options open for individuals who otherwise would have been homeless but were reporting longer stays in institutions as a result of COVID-19.</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 576.2, definition of “homeless,” (1)(iii)</p>	<p>An individual may qualify as homeless under paragraph (1)(iii) of the homeless definition in 24 CFR 576.2 so long as he or she is exiting an institution where they resided for 120 days or less and resided in an emergency shelter or place not meant for human habitation immediately before entering that institution. This waiver is in effect for individuals whose homeless status is determined between the date of this memorandum and March 31, 2022.</p>	<p>Recipients continue to report potential program participants are staying in institutions for longer periods of time due to COVID-19.</p>	
<p>Community Planning and Development (HUD)</p> <p>Assisting Program Participants with Subleases</p>	<p>The use of “owner” and “lease” in 24 CFR 576.105 and 576.106 restrict program participants from receiving rental assistance under 24 CFR 576.106 and certain services under 24 CFR 576.105 with respect to units program participants sublease or lease from a person other than the owner or the owner’s agent. Notice CPD-21-08: Waivers and Alternative Requirements for the ESG Program Under the CARES Act allows ESG rapid re-housing and homelessness prevention assistance to be provided to program participants who are legally subleasing housing from a primary leaseholder.</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 576.105, 24 CFR 576.106</p>	<p>This waiver is only made available with respect to leases and subleases entered into between the date of this memorandum and March 31, 2022. However, unless HUD notifies the recipient otherwise, the recipient may continue to use its FY2021 ESG grant funds to assist program participants housed under this waiver through the end of their otherwise allowable term of assistance</p>		

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<p>Community Planning and Development (HUD)</p> <p>Funding Deadline</p>	<p>All funds awarded to a recipient through the first and second allocations of ESG-CV funds must be expended for eligible activity costs by September 30, 2022</p>	<p>The Coronavirus Aid, Relief, and Economic Security Act provided \$3.96 billion in funding for the Emergency Solutions Grants Program. These ESG-CV funds must be used to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus.</p>	<p>Funds must be expended by September 30, 2022</p>		
<p>Community Planning and Development (HUD)</p> <p>Helping Current Program Participants Maintain Housing – Housing Relocation and Stabilization Services.</p>	<p>Section 576.105(a)(5) prohibits a program participant from receiving more than 24 months of utility payments under ESG during any three-year period. Notice CPD-21-08: Waivers and Alternative Requirements for the ESG Program Under the CARES Act provides flexibility to provide housing relocation and stabilization services to program participants for more than 24-months during any 3-year period.</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 576.105(a)(5), (b)(2) and (c).</p>	<p>For recipients that can document they meet the conditions for applying this waiver to FY21 grants funds, consistent with the justification paragraph above, the 24-month limits on housing relocation and stabilization services under 24 CFR 576.105(a)(5), (b)(2) and (c) are waived for program participants receiving rapid re-housing and homelessness prevention assistance who will have reached these 24-month limits between the date of this memorandum and March 31, 2022, as long as the assistance provided under this waiver does not extend beyond March 31, 2022 and is limited to program participants who will not be able to obtain or maintain</p>		

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			housing without the benefit of this waiver		
<p>Community Planning and Development (HUD)</p> <p>Helping Current Program Participants Maintain Housing – Rental Assistance.</p>	<p>24 CFR 576.106(a) limits the total amount of time a program participant may receive rental assistance to 24 months in a 3-year period. Notice CPD-21-08: Waivers and Alternative Requirements for the ESG Program Under the CARES Act provides flexibility to provide rental assistance to program participants for more than 24-months during any 3- year period.</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 576.106(a).</p>	<p>For recipients that can document they meet the conditions for applying this waiver to FY21 grants funds, consistent with the justification paragraph above, the 24-month in a 3-year period restriction on rental assistance is waived for program participants receiving rapid re-housing and homelessness prevention assistance who will have reached their 24- month limit between the date of this memorandum and March 31, 2022, as long as the assistance provided under this waiver does not extend beyond March 31, 2022 and is limited to program participants who will not be able to obtain or maintain housing without the benefit of this waiver.</p>		
<p>Community Planning and Development (HUD)</p> <p>Restriction of rental assistance to units with rent at or below FMR</p>	<p>Under 24 CFR 576.106(d)(1), rental assistance cannot be provided unless the total rent is equal to or less than the FMR established by HUD, as 17 provided under 24 CFR Part 888, and complies with HUD’s standard of rent reasonableness, as established under 24 CFR 982.507. HUD already provided a waiver of this requirement in Notice CPD-21-08: Waivers and Alternative</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 576.106(d)(1)</p>	<p>For recipients that can document they meet the conditions for applying this waiver to FY21 grants funds, consistent with the justification paragraph above, the FMR restriction is waived for any individual or family receiving Rapid Re-housing or Homelessness Prevention assistance who executes a lease for a unit during the period beginning on the date of this memorandum and</p>		

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	<p>Requirements for the ESG Program Under the CARES Act. However, that flexibility only applies to ESG-CV funds and FY 2020 and earlier fiscal year ESG grant funds that are used under the conditions provided in Notice CPD-21-08. HUD has determined good cause exists to allow certain ESG recipients to use a similar waiver with respect to their FY2021 ESG grant funding.</p>		<p>ending on March 31, 2022. The ESG recipient or sub-recipient must still ensure that the units in which ESG assistance is provided to these individuals and families meet the rent reasonableness standard. This waiver is only made available with respect to leases and subleases entered into between the date of this memorandum and March 31, 2022. However, unless HUD notifies the recipient otherwise, the recipient may continue to use its FY2021 ESG grant funds to assist program participants housed under this waiver through the end of their otherwise allowable term of assistance</p>		
<p>Community Planning and Development (HUD) Property Standards for HOPWA</p>	<p>Section 574.310(b)(2) of the HOPWA regulations provides minimum housing quality standards that apply to all housing for which HOPWA funds are used for acquisition, rehabilitation, conversion, lease, or repair; new construction of single room occupancy dwellings and community residences; project or tenant-based rental assistance; or operating costs under 24 CFR 574.300(b)(3), (4), (5), or (8). On March 31, 2020 HUD waived the physical inspection requirement for tenant-based rental assistance at 24</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 574.310(b)(2), Housing Quality Standards (HQS)</p>	<p>This waiver is in effect until March 31, 2022 for grantees and project sponsors that can meet the following criteria: 1. The grantee or project sponsor can visually inspect the unit using technology, such as video streaming, to ensure the unit meets HQS before any assistance is provided; and 2. The grantee or project sponsor has written policies that require physical reinspection of the units not previously physically inspected by June 30, 2022.</p>	<p>Since the original waiver flexibility expired on September 30, 2021, grantees report that it is challenging to physically inspect units for HQS because of stay-at-home orders for many grantee workplaces, staffing shortages, and</p>	

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	<p>CFR 574.310(b) for one year so long as grantees or project sponsors were able to visually inspect the unit using technology to ensure the unit met HQS before any assistance was provided and grantees or project sponsors had written policies in place to physically reinspect the unit after health officials determined special measures to prevent the spread of COVID-19 were no longer necessary</p>			<p>program clients feeling uncomfortable with other people entering their units out of fear of contracting COVID-19</p>	
<p>Community Planning and Development (HUD)</p> <p>Rent Standard for HOPWA Rental Assistance</p>	<p>Grantees must establish rent standards for their rental assistance programs based on FMR (Fair Market Rent) or the HUD-approved community-wide exception rent for unit size. HUD originally waived the FMR rent standard requirement for tenant-based rental assistance for one year on March 31, 2020.</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 574.320(a)(2), Rent Standard</p>	<p>The FMR requirement continues to be waived until March 31, 2022. Grantees and project sponsors must still ensure the reasonableness of rent charged for a unit in accordance with §574.320(a)(3).</p>		
<p>Community Planning and Development (HUD)</p> <p>Adequate Space and Security</p>	<p>This section of the HOPWA regulations provides that each resident must be afforded adequate space and security for themselves and their belongings. When HUD originally waived this requirement on March 31, 2020, an end date was not established.</p>	<p>In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions.</p> <p>24 CFR 574.310(b)(2)(iii), Space and Security</p>	<p>This space and security requirement is waived until March 31, 2022, for grantees addressing appropriate quarantine space for affected eligible households during the allotted quarantined time frame recommended by local health care professionals.</p>		
<p>Public and Indian Housing (HUD)</p>	<p>PHAs have the option to increase the payment standard for the family at</p>	<p>The Coronavirus Aid, Relief, and Economic Security Act (Public Law</p>	<p>Waiver requests must be received on or by March 1, 2022, and are only</p>		

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<p>Increase in Payment Standard During Housing Assistance Payment Contract Term</p>	<p>any time after the effective date of the increase, rather than waiting for the next regular reexamination.</p>	<p>116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs.</p> <p>982.505(c)(4)</p>	<p>available until December 31, 2022, unless noted otherwise.</p>		
<p>Public and Indian Housing (HUD)</p> <p>Section 8 Management Assessment Program Score</p>	<p>PHAs with a fiscal ending of 3/31/22, 6/30/22, 9/30/22, may request to waive the application of SEMAP in its entirety, only if the PHA has SEMAP indicators affected directly or indirectly because of the disruption to PHA operations caused by its adoption of available CARES Act waivers.</p>	<p>The Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs.</p> <p>985.105 985.101</p>	<p>Waiver requests must be received on or by March 1, 2022, and are only available until December 31, 2022, unless noted otherwise.</p>		
<p>Public and Indian Housing (HUD)</p> <p>Term of Voucher: Extensions of Term</p>	<p>Allows PHAs to grant a family one or more extensions of the initial voucher term regardless of the policy described in the Administrative Plan. PHAs should ensure consistency with these requests and remain in</p>	<p>The Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing,</p>	<p>Waiver requests must be received on or by March 1, 2022, and are only available until December 31, 2022, unless noted otherwise.</p>		

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	compliance with the PHA's informally adopted interim standard.	nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs. 982.303(b)(1)			
Public and Indian Housing (HUD) Homeownership Maximum Term of Assistance	Allows a PHA to extend homeownership assistance for up to one additional year.	The Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs. 982.634(a)	Waiver requests must be received on or by March 1, 2022, and are only available until December 31, 2022, unless noted otherwise		
Public and Indian Housing (HUD) Voucher Tenancy: New Payment Standard Amount	PHAs may request an expedited waiver to allow for establishment of payment standards from 111 to 120 percent of the FMR. PHAs must follow the instructions below specific to this waiver.	The Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs. 982.503(b)	Waiver requests must be received on or by March 1, 2022, and are only available until December 31, 2022, unless noted otherwise		

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<p>Supplemental Nutrition Assistance Program (USDA)</p> <p>Benefit Levels</p>	<p>Congress temporarily increased SNAP benefits in two ways:</p> <p>1) Emergency Allotments (EAs), which have been in effect since spring 2020 and remain in about 40 states. The Trump Administration originally used the authority to provide the SNAP maximum benefit to all households. In April 2021, USDA took action to ensure that boost increased benefits for all households by at least \$95 to help very low-income families who already received the maximum benefit – or close to it – before the pandemic.</p> <p>2) raising maximum benefits by 15%.</p>	<p>The Families First Coronavirus Relief Act (P.L. 116-127) authorized EAs during a public health emergency declaration by the Secretary of Health and Human Services under section 319 of the Public Health Service Act related to an outbreak of COVID-19 when a state has also issued an emergency or disaster declaration.</p> <p>The 15 percent increase was authorized by the December 2020 Consolidated Appropriations Act (P.L. 116-260) for January 2021 through June 2021. The American Rescue Plan Act extended it through September 2021.</p>	<p>The 15% increase expired for everyone on Sept. 30, 2021. The maximum benefit boost ends when a participant’s state or the federal government ends their pandemic emergency status.</p> <p>As of February 2022, more than 40 states still are issuing EAs.</p>	<p>Urban Institute estimated that increased SNAP benefits through the bipartisan emergency relief measures and the ARP are keeping almost 8 million people out of poverty during the pandemic.</p> <p>The Brookings Institution estimates that in the 2020-21 school year, Pandemic EBT: reduced the share of families in SNAP households where children experienced very low food security by 17 percent; and reduced food insufficiency among SNAP</p>	<p>All states and territories that participate in SNAP initially opted to automatically provide all SNAP households the maximum benefit for their household size under legislation passed in response to the pandemic.</p> <p>USDA has granted waivers to 43 states, allowing for the issuance of emergency allotments</p>

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<p>Supplemental Nutrition Assistance Program: (USDA)</p> <p>Temporary Suspension of Three-Month Time Limit</p>	<p>Congress temporarily suspended nationwide SNAP’s three-month time limit that applies to many non-disabled adults under age 50 without children in their home who aren’t working or in a training program for at least 20 hours per week.</p>	<p>The Families First Coronavirus Relief Act (P.L. 116-127) authorized EAs during a public health emergency declaration by the Secretary of Health and Human Services under section 319 of the Public Health Service Act related to an outbreak of COVID-19</p>	<p>The partial suspension applies through the end of the month subsequent to the month in which the Public Health Emergency based on an outbreak of COVID-19 is lifted by the Secretary of Health and Human Services. (So if it ends in July then September will be the first month).</p>	<p>households by 28 percent.</p> <p>Time’s Up for SNAP’s Time Limit Center on Budget and Policy Priorities (cbpp.org)</p>	<p>States can apply for and receive waivers of the time limit for areas with high unemployment. Many states will continue to qualify for waivers statewide or for substate areas. Some states do not opt to request these waivers and a handful have laws that prohibit them from requesting a waiver even in times of high unemployment.</p> <p>There are exemptions from the time limit that states need to screen for, including an</p>

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
					exemption for homelessness.
<p>Special Supplemental Nutrition Program for Women, Infants, and Children (USDA)</p> <p>WIC Benefit Levels</p>	<p>Under the CR, the temporary WIC Cash-Value Voucher/Benefit increase continues to apply to all women and children participants, via WIC food packages III, IV, V, VI, and VII, as defined by WIC regulations at 7 CFR 246.10(e). Through the second quarter of FY 2022, all WIC state agencies must maintain the same increased CVV/B amounts from quarter one of FY 2022 of \$24 for child participants, \$43 for pregnant and postpartum women participants, and \$47 for fully and partially breastfeeding women participants</p>	<p>Government Funding Act of 2022 (PL 117-70)-Section 101 of this Continuing Resolution amends Section 118 of the Extending Government Funding and Delivering Emergency Assistance Act of 2022</p>	<p>Expires March 31, 2022</p> <p>On Dec. 3, 2021, President Biden signed the Further Extending Government Funding Act of 2022 (PL 117-70). Section 101 of this Continuing Resolution (CR) amends Section 118 of the Extending Government Funding and Delivering Emergency Assistance Act of 2022 (PL 117-43) and directs USDA to extend through the second quarter of fiscal year (FY) 2022 (Jan. 1, 2022, to March 31, 2022) the temporary increase in the WIC Cash-Value Voucher/Benefit (CVV/B) for fruit and vegetable purchases.</p>	<p>WIC Is Critical During the COVID-19 Pandemic: Lessons Learned From Los Angeles County Participants (nih.gov)</p>	<p>Since the authority to increase the amount of the CVV/B terminates on March 31, 2022, state agencies may only provide the increased CVV/B to participants as monthly food benefits for October 2021 through March 2022.</p>
<p>Meals and Snacks for Young Adults in Homeless Shelters (USDA)</p> <p>Access to Food in Shelters</p>	<p>Temporarily allows young adults ages 18 through 24 who are experiencing homelessness to receive meals and snacks at shelters through the Child and Adult Care Food Program</p>	<p>American Rescue Plan Act</p>	<p>Expiration linked to the end of the Public Health Emergency (scheduled for 4/16/22.)</p>		
<p>Provide support for struggling college students. (USDA)</p>	<p>In December 2020, Congress provided USDA with the flexibility to extend SNAP benefits to college students who would otherwise be</p>	<p>Consolidated Appropriations Act, 2021</p>	<p>The new, temporary exemptions will be in effect until the first recertification of a household that occurs 30 days after the COVID-19</p>		<p>SNAP benefits for eligible students during the COVID-19</p>

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<p>College Student SNAP Eligibility</p>	<p>ineligible if they are eligible to participate in workstudy programs or have an expected family contribution of zero in the current academic year.</p>		<p>public health emergency ends (assuming the PHE ends on 4/16/22, this flexibility would end around 5/16/22).</p>		<p>pandemic (EA ID: GENERAL-21-11) (Updated April 5, 2021) Knowledge Center</p>
<p>SNAP Administrative Flexibilities</p>	<p>Flexibilities range from application processing to claims to quality control. Examples include:</p> <ul style="list-style-type: none"> - FNS will allow the state to document in writing in the case file that a client verbally attested to the information provided on the application, instead of requiring an audio recording of the verbal attestation to constitute a valid telephonic signature. - FNS will allow flexibility in the time frame for establishing or disposing of new claims. States are also permitted to suspend collection of active recoupment of SNAP overpayments, delaying collection on newly established overpayments, and not considering any payments delayed due to this suspension to be delinquent. - FNS will permit state agencies to conduct streamlined interviews for at 	<p>The Continuing Appropriations Act, 2021 (PL 116-159), extends a number of the Supplemental Nutrition Assistance Program (SNAP) flexibilities approved under the Families First Coronavirus Response Act.</p>	<p>The Continuing Resolution provides a finite time period for each adjustment option. The options below are available to states regardless of whether or not a public health emergency declaration or a state emergency declaration are in place.</p>		

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	<p>least 50% of non-elderly or disabled households. All initial applicants will continue to be interviewed.</p>				
<p>Emergency Assistance for Rural Housing (USDA) Rental Assistance</p>	<p>Provides \$100 million until September 30, 2022, for payments to owners of USDA-financed rural rental housing or Farm Labor Housing projects on behalf of low-income tenants who can't pay their full rent</p>	<p>American Rescue Plan Act</p>	<p>Expires September 30, 2022</p>		<p>The American Rescue Plan Act of 2021 Emergency Rental Assistance for Rural Housing (usda.gov)</p>
<p>Centers for Disease Control and Prevention (HHS) COVID-19 Testing and Vaccine Funding</p>	<p>The \$80,000,000, under the 'Testing in Homeless Sites & Other Congregate Facilities' award, will be awarded to the current 64 ELC recipients based on a recipient's jurisdictional number of people experiencing homelessness divided into the total national homeless population. The objectives and goals of this funding are focused on providing support to homeless service sites, encampments, and other congregate living facilities for the detection and mitigation of COVID-19.</p>	<p>American Rescue Plan Act of 2021, P.L. 117-2</p>	<p>Funds will be awarded in Budget Period 3 (i.e., August 1, 2021, through July 31, 2022); however, the awards will have an extended budget period to support activities through July 31, 2024.</p>		
<p>Centers for Medicare and Medicaid Services (HHS) Program Administrative Coists</p>	<p>The Families First Coronavirus Response Act authorized a 6.2 percentage point increase in the</p>	<p>Families First Coronavirus Response Act and public health emergency declaration.</p>	<p>The FMAP increase will expire at the end of the quarter in which the public health emergency expires.</p>	<p>As of July, 76.7 million people, or nearly 1 in 4 Americans, were enrolled (record high)</p>	<p>Medicaid is consistently the most common source of insurance for Healthcare for the Homeless</p>

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<p style="background-color: #800000; color: white; text-align: center;">[Redacted]</p>	<p>federal Medicaid match rate ("FMAP") (retroactive to January 1, 2020) available if states meet certain "maintenance of eligibility" (MOE) requirements.</p>			<p>The Urban Institute estimated that 15 million people younger than 65 could lose their Medicaid benefits once the public health emergency ends</p>	<p>patients, even in states that did not expand Medicaid to single adults.</p> <p>CMS' new guidance aims to make sure states are well-prepared to initiate eligibility renewals for all individuals enrolled in Medicaid and CHIP within 12 months of the eventual end of the PHE and to complete renewals within 14 months.</p> <p>Unwinding and Returning to Regular Operations after COVID-19 Medicaid</p>

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					Careful Planning Now Can Reduce Health Coverage Losses When Medicaid COVID-19 Continuous Coverage Ends Center on Budget and Policy Priorities (cbpp.org)
<p>Centers for Medicare and Medicaid Services (HHS)</p> <p>Other Maintenance of Eligibility Provisions</p>	<p>States accepting additional Medicaid Funds cannot implement more restrictive eligibility policies or procedures and states cannot increase Medicaid premiums. States also must cover coronavirus testing and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs.</p>	<p>Families First Coronavirus Response Act</p>	<p>Expires the end of the quarter in which the PHE ends.</p>		<p>Medicaid Coverage Protections in Families First Act: What They Require and How to Implement Them Center on Budget and Policy Priorities (cbpp.org)</p>
<p>Centers for Medicare and Medicaid Services (HHS)</p> <p>Continuous Coverage Requirement</p>	<p>Requires states receiving enhanced FMAP to provide continuous eligibility for those enrolled prior to or during the emergency, regardless of changes in circumstances, unless the individual requests termination or ceases to be a resident.</p>	<p>Families First Coronavirus Response Act</p>	<p>Expires the end of the month in which the PHE ends</p>		<p>COVID-19 FAQs for State Medicaid and CHIP Agencies</p> <p>Medicaid Coverage Protections in Families First Act: What They</p>

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
<p>Centers for Medicare and Medicaid Services (HHS)</p> <p>Temporary Rate Increase</p>					<p>Require and How to Implement Them Center on Budget and Policy Priorities (cbpp.org)</p> <p>Unwinding the Medicaid Continuous Coverage Requirement Center on Budget and Policy Priorities (cbpp.org)</p> <p>Unwinding and Returning to Regular Operations after COVID-19 Medicaid</p>
	<p>Section 9817 of the American Rescue Plan provides states with a temporary 10 percentage point increase to the federal medical assistance percentage (FMAP) for certain Medicaid home and community based services from April 1, 2021 through March 31, 2022</p>	<p>Section 9817 of the American Rescue Plan</p>	<p>Expires on March 31, 2022</p> <p>States will be permitted to use the state funds equivalent to the amount of federal funds attributable to the increased FMAP through March 31, 2024 on activities aligned with the goals of section 9817 of the ARP.</p>		<p>SMD# 21-003: Implementation of American Rescue Plan Act of 2021 Section 9817: Additional Support for Medicaid Home and Community-</p>

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<p style="text-align: center;">Centers for Medicare and Medicaid Services (HHS)</p> <p style="text-align: center;">Program Administration Flexibility</p>	<p>Rural Health Clinics and Federally Qualified Health Centers can provide distant site telehealth services to Medicare patients, wherever they are located, even in their homes, during the COVID-19 public health emergency.</p>	<p>Section 3704 of the CARES Act</p>	<p>Expires when the Public Health Emergency expires (scheduled for 4/16/22).</p>		<p>Based Services during the COVID-19 Emergency.pdf</p> <p>Strengthening and Investing in Home and Community Based Services for Medicaid Beneficiaries: American Rescue Plan Act of 2021 Section 9817 Spending Plans and Narratives Medicaid</p>
	<p>SAMHSA has allowed Opioid Treatment Programs (OTP) to dispense 28 days of take-home methadone doses to stable patients for the treatment of opioid use disorder, and up to 14 doses of take-</p>	<p>Therefore, SAMHSA is pre-emptively granting OTPs an exemption, effective upon the expiration of the COVID-19 Public Health Emergency, and subject to the conditions identified below, from the</p>	<p>SAMHSA is extending the methadone take-home flexibilities for one year, effective upon the eventual expiration of the COVID-19 Public Health Emergency. SAMHSA is also</p>	<p>Preliminary studies show that nearly two years after the exemption was first granted,</p>	

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<p>Patient Access to Medication for Opioid Use Disorder</p>	<p>home methadone for less stable patients, who the OTP determines can safely handle this level of take-home medication.</p>	<p>unsupervised take-home medication requirements of 42 C.F.R. § 8.12(i) that are necessary to (1) dispense up to 28 days of take-home doses of opioid use disorder medication to stable patients if the OTP believes the patient can safely handle this amount of take-home medication and (2) dispense up to 14 days of take-home doses of opioid use disorder medication to less stable patients if the OTP believes the patient can safely handle this amount of take-home medication.</p>	<p>considering mechanisms to make this flexibility permanent.</p>	<p>stakeholders report increased engagement with treatment, improved patient satisfaction, and very few incidents of misuse or diversion of medication. The flexibility promotes individualized, recovery-oriented care by allowing greater access for people who reside farther away from an OTP location or who lack reliable transportation.</p>	
<p>Temporary Assistance for Needy Families (HHS)</p> <p>Program Administration Flexibility</p>	<p>Benefits must be designed to deal with a specific crisis or episode of need, must not be intended to meet ongoing needs, must not extend beyond four months, and must only include expenditures such as emergency assistance and diversion payments, emergency housing and</p>	<p>The American Rescue Plan Act of 2021, Public Law 117-2, amends section 403 of the Social Security Act to create a new \$1 billion Pandemic Emergency Assistance Fund to assist needy families impacted by the COVID-19 pandemic.</p>	<p>Expires September 30, 2022</p>	<p>Amid the nationwide hardship in 2020 that resulted from the pandemic, the number of families receiving</p>	<p>the-use-of-tanf-funds-for-emergency-rental-assistance-and-eviction-prevention-during-covid-</p>

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	<p>short-term homelessness assistance, emergency food aid, short-term utilities payments, etc.</p>			<p>TANF benefits increased in some states but stayed the same or fell in others over the course of the year. Nationally, the average monthly TANF caseload declined between 2019 and 2020, but that metric misses the rise and fall of the caseload during the year. In fact, caseloads rose at the beginning of the pandemic in early 2020 and fell by the end of the year.</p>	<p>19_0.pdf (urban.org)</p>
<p>Temporary Assistance for Needy Families (HHS) Program Administration Flexibility</p>	<p>States and tribes may choose to implement a range of flexibilities, such as these suggested in TANF-ACF-PI-2020-01: 1. Offering online or telephonic applications to minimize face-to-face contact;</p>	<p>Title IV-A of the Social Security Act and implementing regulations in 45 CFR Parts 260-265 and 286, and TANF-ACF-PI-2007-08 (Using Federal TANF and State Maintenance-of-Effort (MOE) Funds for Families in Areas Covered by a Federal or State Disaster Declaration).</p>	<p>Expires with the expiration of a federal or state disaster declaration.</p>	<p>Within state TANF programs, similar early investments in some states that promoted virtual</p>	<p>TANF-ACF-PI-2020-01 (Questions and answers about TANF and the Coronavirus Disease 2019 (COVID-19))</p>

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	<p>2. Providing online approaches for participants to engage in work activities virtually, such as online trainings and work readiness;</p> <p>3. Providing case management by phone or other virtual/electronic communication platforms; and</p> <p>4. Increasing cash benefit levels for TANF cash assistance recipients who have reduced income or increased needs related to the COVID-19 pandemic.</p>			<p>employment and training services, with flexible options for when and how people engage in services, have expanded opportunities to engage parents in new ways.</p>	<p>pandemic) The Administration for Children and Families (hhs.gov)</p>
<p>Continued Safe Operation of Child Welfare Programs and Support for Older Foster Youth (HHS)</p> <p>Temporary Benefit Increase</p>	<p>Increases the maximum Education and Training Voucher program award amount from \$5,000 to \$12,000 through September 30, 2022</p>	<p>Consolidated Appropriations Act, 2021 (P.L. 116-260)</p>	<p>Expires September 30, 2022</p>		
<p>Stafford Act Flexibility for Title IV-E Eligibility, Licensing, and Foster Care Placements (HHS)</p> <p>Temporary Eligibility Expansion</p>	<p>Title IV-E agencies may opt to extend eligibility for title IV-E foster care maintenance payments, adoption assistance, and guardianship assistance (if operating pursuant to §473(d) of the Social Security Act (the Act) for youth up to age 19, 20, or 21, as elected by the agency</p>	<p>Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §5121 et seq.)</p>	<p>Expires with the expiration of the Public Health Emergency declaration (scheduled for 4/16/22).</p>		

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<p>Supportive Services for Veteran Families (VA)</p> <p>Program Administrations and Cost Flexibility</p>	<p>SSVF can provide greater flexibility in the types and amounts of services available to Veteran households while the national public health emergency is in place, including the waiving of time limits on number of months for Rental Assistance, Utility Assistance, and EHA</p>	<p>Stafford Act</p>	<p>Expires with the expiration of the Public Health Emergency declaration (scheduled for 4/16/22).</p>		<p>SSVF Program Guide.pdf (va.gov)</p>