

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
COMPLIANCE GUIDANCE RELATED TO COVID-19**

**Training:** No first Thursday training scheduled at this time

Trainings done in partnership with the Texas Apartment Association will be conducted online.

**Monitoring:** Uniform Physical Condition Standards Inspections and Final Construction inspections have been postponed. Reviews of resident files will be conducted as desk reviews.

**Corrective action deadlines:** If you are in the corrective action period and need an extension, please make a request in writing to [compliance.extensionrequest@tdhca.state.tx.us](mailto:compliance.extensionrequest@tdhca.state.tx.us)

Staff can grant extensions for up to 6 months if there is good cause. If the issue is related to noncompliance with the Housing Tax Credit program and required to be reported to the IRS on form 8823, in the absence of federal guidance, staff cannot provide a corrective action period of more than six months.

If the issue is not a matter that is required to be reported to the IRS on form 8823, staff may have some flexibility in extending corrective action deadlines further. Please explain in your request how COVID-19 is preventing the correction of the issue and the date that you believe you can resolve the matter and provide a response to the Department.

**Supportive Services:** On March 16, 2020, the Department suspended the requirement to provide supportive services that are social or recreational in nature or involve gatherings of more than 50 people. Since that time, federal, state and local governments have suggested further limiting the number of people that should be gathered together to 10 or less, and the Department's guidance is modified as federal, state or local governments change this guidance throughout the COVID-19 pandemic.

If your LURA requires services that are not social or recreational in nature, the Department urges you to find ways to safely continue service delivery. For example, if your property is to provide after school meals, to avoid gatherings of more than 10 people and practice social distancing, an option is to deliver food to households and leave it outside their door or set up a schedule to stagger the number of people that come for the service.

**Reporting:** The next quarterly Unit Status Report is due April 10, 2020, and the Annual Report is due April 30, 2020. These deadlines will not be extended.

**Resident files:** TDHCA permits electronic records (and has prior to COVID-19). Applications, leases, verification of income and assets, and student status can all be completed electronically. Digital signatures on forms (both property management and household) are and have been acceptable. If you are not set up to complete paperwork electronically please use appropriate social distancing to get signatures and forms completed.

March 18, 2020

This document will be periodically updated as federal guidance is received.

**Utility Allowances:** The Department cannot think of any reason utility allowance requests, approvals or implementation of new allowances would be disrupted by COVID-19 at this time. If you are in need of guidance about utility allowances related to COVID-19 please contact Patricia Murphy at [patricia.murphy@tdhca.state.tx.us](mailto:patricia.murphy@tdhca.state.tx.us) Families will likely be using increased utilities as schools are closed and people are staying home more. If your households need assistance paying higher utility bills please refer them to this section of the Department's website: <https://www.tdhca.state.tx.us/texans.htm> where they can identify the provider of the Low Income Home Energy Assistance, Comprehensive Energy Assistance Program provider in your area.

**Income and rent limits:** The Department is under the impression that the U.S. Department of Housing and Urban Development will be releasing income limits on or around April 1, 2020. The Department's tool will be updated as soon as possible thereafter. At this time, it is not clear what kind of long term impact COVID-19 will have on the nation's economy, unemployment and future income and rent limits. However, keep in mind that through the Housing and Economic Recovery Act, once a project is placed in service, the income limits will not drop.

**Evictions:** The Department is aware that some counties are halting evictions. Remember that evictions for other than good cause are prohibited and to follow the guidance and prohibitions of your local area.

**Other federal laws:** At this time, the Department is not aware of any waivers of the requirements of the Federal Fair Housing Act, the Violence Against Women Act, Section 504 of the Rehabilitation Act, or the Americans with Disabilities Act. Your property must continue to make reasonable accommodations and process transfer requests related to disabilities or VAWA protections.

**Vacant Units:** Vacant program units must be leased to qualified households. At this time, there is no relief to use program units for any other purpose, even if it is related to COVID-19.

March 18, 2020

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