

ESG Annual Winter Storm Waivers*

April 6, 2021

***Slides have been updated since
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Speakers

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Background

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Winter Storm Waivers Background

- Texas' severe winter weather in February 2021 was the subject of the disaster declaration DR-4586-TX
- HUD offered waivers for people living in the disaster-declared counties or displaced as a result of the disaster
- TDHCA accepted the HUD waivers in relation to DR-4586-TX to be effective March 6, 2021



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Declared Disaster Area*

Waivers apply to persons in all Texas counties

<https://www.fema.gov/disaster-federal-register-notice/dr-4586-tx-initial-notice>

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ESG Annual Winter Storm Waivers



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ESG Annual Winter Storm Waiver TIME PERIOD OF ASSISTANCE (Pt 1)

Extending the time period that assistance is offered from 24 months to up to 36

- Limits on rental assistance, utility assistance and housing relocation and stabilization services are expanded from 24 months to 36 months.



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ESG Annual Winter Storm Waiver TIME PERIOD OF ASSISTANCE (Pt 2)

Extending the time period that assistance is offered from 24 months to up to 36

- Households must meet the two following conditions:
 - i. Be displaced or live in the declared disaster area FEMA-DR-4586-TX; and
 - ii. households who were receiving rental assistance, utility assistance or housing relocation stabilization on March 6, 2021, or will begin receiving rental assistance, utility assistance, or housing relocation services between March 6, 2021, and the earlier of the end of the Contract Term or February 25, 2023.

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**ESG Annual Winter Storm Waiver
FAIR MARKET RENT REQUIREMENT (Pt1)**

Waiver of Fair Market Rent (FMR) requirement.

- Subrecipient must still document that the unit meets the rent reasonableness standard.



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**ESG Annual Winter Storm Waiver
FAIR MARKET RENT REQUIREMENT (Pt 2)**

Waiver of Fair Market Rent (FMR) requirement.

- The Fair Market Rent restriction is waived for:
 - i. households living or moving into in units located in the declared disaster area FEMA-DR-4586-TX; and
 - ii. households who were receiving rental assistance on March 6, 2021, or will begin receiving rental assistance between March 6, 2021, and the earlier of the end of the Contract Term or February 25, 2023.

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Using the waivers

- Subrecipient must modify their written standards to allow for these waivers.
- When using a waiver, please note in the Program Participant file which waiver was used and the reason for its use.



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Waiver Acceptance – FMR and Time Limit of Assistance

- For FMR and time limit of assistance – *no action needed to accept*
- Waivers will be applied through a Contract amendment.
- If you wish to opt out of the waivers, please email esg@tdhca.state.tx.us.

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Additional ESG Annual Winter Storm Waivers

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Habitability Waivers

Minimum standards for emergency shelter and permanent housing

- March 6, 2021 – April 27, 2021

For more information or if you wish to receive the waivers, please email esg@tdhca.state.tx.us.



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Reporting on ESG Winter Storm Waivers



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Changes to ESG Annual Monthly Reporting

Monthly Reporting Updates

- TDHCA will be updating the ESG MPR to reflect reporting on waivers.
- An update will be sent when this has been completed.

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Questions?

esg@tdhca.state.tx.us



	Topic	Question Asked	Answer
1	Term Assistance Waiver	of So a client could be enrolled prior to March 6, 2021, but since they are still receiving assistance March 2021 this waiver applies?	Households who were receiving assistance on March 6, 2021, or will begin receiving assistance between March 6, 2021, and the earlier of the end of the Contract Term or February 25, 2023 may be eligible to receive up to 36 months of assistance.
2	Term Assistance Waiver	of Does this extension effect only the current term of assistance or extend the lifetime assistance? So, if - say- someone isn't currently receiving assistance and had received 24 months in the past but needed it now, could they receive up to 12 months?	The waiver for length of assistance is within a 3 year period. The 3 year period would be assessed for the 3 years prior to when the person applies for assistance.
3	Term Assistance Waiver	of For clarification, the waiver applicable to extend assistance from 24 to 36 months, does this mean that if a client has received rental assistance in March, july is the 24th month, is this client eligible for the extension?	Households who were receiving assistance on March 6, 2021, or will begin receiving assistance between March 6, 2021, and the earlier of the end of the Contract Term or February 25, 2023 may be eligible to receive up to 36 months of assistance.
4	FMR Waiver	If I am reading the FMR waiver correctly (and since I am located in a county declared a disaster), any ESG annual allocation RRH move-in we do from March 6th, 2021 to February 25th, 2023 can be above FMR as long as the unit is rental reasonable?	FMR is waived for a Program Participant who begins to receive rental assistance between March 6, 2021, and the earlier of the end of the Contract Term or February 25, 2023. The unit must still meet rent reasonableness standards.
5	FMR Waiver	Am i understanding correctly that FMR is waived for those currently residing in their homes and not just for a new move in?	Households who were receiving rental assistance on March 6, 2021, or will begin receiving rental assistance between March 6, 2021, and the earlier of the end of the Contract Term or February 25, 2023. This waiver applies for both Rapid Re-Housing and Homelessness Prevention, and can be used for Program Participants executing a new lease, or already in an existing lease.
6	ESG/ESG CARES Contracting	Do these waivers apply to both ESG and ESG CARES? So none of this applies to RRH programs - ESG CV or CV2?	These waivers only apply to ESG Annual Contracts. The time period extension and FMR waivers apply to both homelessness prevention and rapid re-housing.