



OFFICE OF HOUSING

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

MEMORANDUM FOR: All Multifamily Regional Center Directors
All Multifamily Satellite Office Directors
All Multifamily Asset Management Directors
All Multifamily Performance Based Contract Administrators

FROM: Tobias J. Halliday, Director, Office of Asset Management and
Portfolio Oversight, HTG

SUBJECT: Annual and Interim Recertification Protocol during COVID-19

On April 2, 2020 the Office of Multifamily Housing issued an updated Questions and Answers (Q&A) for Office of Multifamily Housing Stakeholders – Coronavirus (COVID-19) on the HUD Multifamily webpage. As part of that Q&A, the processing of annual and interim recertifications and the protocol to use during the pandemic was addressed (and supersedes earlier guidance on this topic as published in the Q&A on 3/16/20 and 3/24/20). The updated and current protocol is provided below and is effective immediately.

HUD statute and regulations require family income to be reviewed at least annually to determine the amount paid by the family for the assisted unit. Owners must continue to perform annual and interim recertifications, as requested by tenants, within the required timeframes and using current/anticipated data. Annual recertifications must not use previous year's income to determine rent and assistance, except in instances when using streamlined income determinations.

Considering the current COVID-19 emergency, there may be extenuating circumstances that impede owners and tenants from complying with interim and annual recertification requirements. When the use of traditional procedures is not possible, the extenuating circumstance instructions provided in this document, HUD Handbook 4350.3, REV-1, and the TRACS MAT Guide should be used. HUD considers the CDC's recommendations for controlling the spread of the virus as well as shelter-in-place and similar orders as qualifying as an extenuating circumstance.

It is recommended the owner begin, and if possible, complete, the recertification actions within 90 days of being advised of the extenuating circumstance. When an extenuating circumstance is present, there is no change to the tenant's recertification anniversary date. The Total Tenant Payment/Tenant Rent and the assistance payment are effective retroactively to the recertification anniversary date.

Use of Tenant Self-Certifications for Interim and Annual Recertifications

HUD will allow assisted tenants that may have lost income due to COVID-19 to self-certify for annual or interim recertifications. Acceptable methods of verification of income for all recertifications, in order of acceptability, are provided in HUD Handbook 4350.3, paragraph 5-13, B and Appendix 3.

Family certification can be used if the information cannot be verified by another acceptable verification method. When family certification is used, owners must document the tenant file to

explain why third-party verification was not available. During the COVID-19 National emergency, this certification can be provided to the owner by other means such as mail or email. The owner may consider collecting the original documents from the family at a later date.

Signatures

For owners or tenants impacted by the COVID-19 virus, HUD will allow alternate signatures (e.g. copies or images of signatures sent by email, fax, or other electronic means) as long as original, “wet” signatures are obtained within 90 days from the termination of national, state, or local orders restricting movement to essential activities, whichever comes later. Forms that will require original, “wet” signatures to be obtained in the time period noted above include, but are not limited to, form HUD-9887/9887-A, form HUD-50059, lease agreements/addendums, family certifications of income (unemployment, zero income, etc.), and state lifetime sex offender forms.

Form HUD-9887/9887-A and Form HUD-50059

When a tenant’s “wet” signature cannot be obtained on form HUD-9887/9887-A or on form HUD-50059, due to extenuating circumstances, the forms, and HUD Handbook 4350.3, REV-1, paragraph 5-21.C (for HUD-9887/9887-A) and paragraph 5-31.F (for HUD-50059) , instruct the owner to document the tenant file with the reason for the delay and the specific plans to obtain the signature(s). As referenced above, HUD will allow alternate signatures as long as original, “wet” signatures are obtained within 90 days from the termination of national, state, or local orders restricting movement to essential activities, whichever comes later. Please note that form HUD-9887/9887-A remains in effect for 15 months after signature.

Documentation for Certifications

Tenants experiencing extenuating circumstances due to the COVID-19 virus can provide the owner with documentation for the recertification by email or other electronic delivery at the owner’s discretion. Documentation includes, but is not limited to, paystubs, (Social Security) SS/Supplemental Social Security (SSI)/State Supplemental Program (SSP) awards, bank statements, and public assistance documents. If electronic documentation is received by the owner, and original documents are required by HUD Handbook 4350.3, REV-1, the owner must collect the original documents from the tenant at a later date.

Tenant Rental Assistance Certification System (TRACS)

When an extenuating circumstance is present due to the COVID-19 virus, the owner must submit the Interim Recertification (IR) or Annual Recertification (AR) to the TRACS (via the Contract Administrator or directly to TRACS, as appropriate) using one of the following three (3) extenuating circumstances codes:

- 1 = Medical (medical staff have quarantined the tenant)
- 2 = Late annual certification due to accommodation or extenuating circumstances.
- 10 = Other

A correction certification to remove the extenuating circumstance code must be submitted to TRACS once the appropriate signature(s) is obtained on form HUD-50059.

Owners are reminded to maintain at least 90% of their certifications in an active status in TRACS to maintain subsidy payments. TRACS users experiencing technical issues can continue to submit requests through the system’s [Help Desk](#).