



ANDREW M. CUOMO  
Governor

# Homes and Community Renewal

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## GUIDANCE REGARDING OPERATIONS PUBLIC HOUSING AUTHORITIES AND LOCAL ADMINISTRATORS

TO: All New York State Public Housing Authorities (PHAs) and  
Section 8 Local Administrators (LAs)

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### BACKGROUND

In December 2019, a new respiratory virus novel coronavirus (SARS-CoV-2), or COVID-19, was discovered. Community-wide transmission of COVID-19 has occurred in New York State, where the number of persons under investigation and confirmed cases is increasing rapidly.

The New York State Department of Health (Department) and the Centers for Disease Control and Prevention (CDC) continue to closely monitor the novel coronavirus (COVID-19) outbreak. In response to the outbreak, Governor Andrew M. Cuomo's [Executive Order 202](#) declared a State of Emergency on March 7, 2020.

On March 18, 2020, Governor Cuomo's [Executive Order 202.6](#) ordered that all businesses and not-for-profit entities in the state utilize, to the maximum extent possible, any telecommuting or work from home procedures that they can.

On March 20, 2020, Governor Cuomo signed the "[PAUSE](#)" [Executive Order](#), a [10-point policy](#) to assure uniform safety for everyone. It includes a new directive that all non-essential businesses statewide close in-office personnel functions effective at 8PM on Sunday, March 22, 2020.

### PURPOSE

Public Housing Authorities (PHAs) and/or Section 8 Local Administrators (LAs) have sought guidance on whether their operations are exempt from the in-person restrictions imposed by the NY State Governor's Exec. Order 202.8.

### APPLICATION OF THE EXECUTIVE ORDERS ON PUBLIC HOUSING AUTHORITIES AND SECTION 8 LOCAL ADMINISTRATORS

To the extent staff at PHAs and LAs are necessary to maintain the safe operation of public housing or are required to directly engage participants in the Housing Choice Voucher program, these staff members are considered essential and are therefore exempt from the in-person workforce restrictions. These staff members may continue to work on-site.

**However, PHAs and LAs are strongly encouraged to maximize the number of employees working remotely and avoid in-person interaction unless absolutely necessary (e.g., establish call forwarding of office land lines, maximize electronic submission of rents, documents and forms currently accepted in-person). Employees who are required to interact face-to-face should follow social distancing protocol, where feasible, by maintaining a distance of at least 6 feet from others. Staff on site should exercise good hygiene practices. For more information on good hygiene practices, visit [Protect Yourself](#) on the Department's [website](#).**

## **ANALYSIS**

The US Department of Housing and Urban Development (HUD) provides federal Section 8 funding to a national network of PHAs and other municipal entities across the nation, including 165 such organizations in New York State. The NYS Housing Trust Fund Corporation is designated as a PHA and operates statewide in New York through a network of county-based vendors known as LAs.

PHAs provide a combination of services that ensure housing for very low- and extremely low-income households, including the ownership, maintenance and operation of public and affordable housing, as well as the administration of Section 8 rental subsidy assistance. While LAs under contract with HTFC generally do not own or manage public housing, they are collectively charged with administering, on behalf of the federal and state government, Section 8 voucher subsidies that landlords and tenants depend upon to maintain safe and affordable housing.

Several essential services categories identified in the Governor's [Executive Order 202.6](#) relate to the services provided by PHAs and LAs and staff fulfilling responsibilities are therefore not subject to in-person workforce restrictions. These categories include: (1) essential services necessary to maintain the safety, sanitation and essential operations of residences or other essential businesses, including security, building cleaning and maintenance; (2) essential services, including trash removal and recycling collection; and (3) providers of basic necessities to economically disadvantaged populations. Additional guidance on exempt services can be found at [Guidance for Determining Whether a Business Enterprise is Subject to a Workforce Reduction Under Recent Executive Orders](#).

A significant portion of any PHAs or LAs basic functions involve providing the essential services described above. Broadly speaking, these services enable PHAs and private landlords to maintain properties and provide safe, affordable housing for hundreds of thousands of individuals and families across NY State. Therefore, to the extent the PHAs and LAs staff are required to either directly engage participants in the HCV program, or are necessary to maintain the safe operation of public housing, at the present time, these employees are considered exempt from the in-person workforce restrictions and may continue to work on site. No tenant should have a disruption in such essential services, or other emergency services as a result of these directives.

**HCRs LAs can find more specific guidance on COVID-19 policies and procedures at:**

<https://hcr.ny.gov/system/files/documents/2020/03/covid-policy-guidance-for-section-8-las-3-18-20.pdf>