



WVARR Provisional Certification Policy

5/13/2021

NARR and WVARR are committed to a process that ensures all individuals in or seeking recovery housing will have access to residences in compliance with our national best practice standards. However, we realize that some providers face difficult challenges in bringing their existing residences into compliance. In some instances, particularly in their first year of certification or due to other extenuating circumstances, a provider may be eligible to receive provisional certification for a period **no longer than one year** to allow them time to make needed repairs and changes to the physical dwellings they operate. The provider must submit a formal waiver request to the WVARR director by mail or email which includes the information below. Each waiver application will be reviewed on a case-by-case basis and approved or denied by the WVARR director. In no circumstance will a waiver be approved if to do so would impact resident health or safety.

Criteria for Issuing Waivers:

Waivers are issued at WVARR's discretion after taking into consideration all relevant factors, including that the subject residence meets all standards other than those for which a waiver is requested. WVARR will adhere to the following guidelines in evaluating and acting on requests:

1. Applicant must be able to demonstrate financial hardship or extraordinary circumstance in order to be considered for a waiver.
2. The factors most commonly the subject of waiver requests are residence overcrowding, including insufficient square footage per resident in sleeping rooms, too few bathrooms for the number of residents, insufficient personal food storage and food preparation capacity, minor cosmetic repairs, and related conditions.
3. No waiver may be granted for conditions that jeopardize the health and safety of residents, including occupancy in violation of applicable local fire safety codes. *The applicant must certify that they are fully in compliance with such codes.*
4. With a very few exceptions, no waiver may be granted for elements of the standard other than those pertaining to physical environment issues without prior consultation with NARR.
5. Applicant must propose a remediation plan that will address the deficiencies, and a future date by which they expect to come into full compliance.
6. Waivers may only be granted to currently operating residences. All providers in the state should be notified that waivers will not be granted for any residences opened after the date of publication of these rules by you.

Waiver process:

Applicants must make a formal written request for a waiver, which will include:

1. NARR/WVARR standard(s) for which a waiver is requested
2. Exact nature of the waiver (e.g. maintain xx beds in excess of WVARR-rated capacity)
3. Source and nature of the hardship that is the basis for request
4. Remediation plan and period of time during which the waiver will be in effect

WVARR will maintain the application and records related to the waiver assessment process in the applicant's file. The assessment process may include interviews with individuals familiar with the applicant's business history.

WVARR Director Contact Information:

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