



# Commonwealth of Massachusetts

## DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ◆ Karyn E. Polito, Lt. Governor ◆ Jennifer D. Maddox, Undersecretary

To: Regional Administering Agencies (RAAs) and the Rental Assistance Processing (RAP) Center

From: Amy Mullen, Program Director, DHCD

Date: December 7, 2021

Subject: Policy changes to ERAP and RAFT programs

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In an effort to extend the use of remaining emergency housing assistance funds with the goal of serving as many unique households as possible, DHCD is introducing the following policy changes to Emergency Rental Assistance Program (ERAP) and Residential Assistance for Families in Transition (RAFT). Except where otherwise stated, all policy changes to ERAP and RAFT take effect on January 1, 2022.

These policy changes will be reviewed in detail during Office Hours sessions on Friday, December 10, 2021 and Friday, December 17, 2021 at 1pm. We encourage all staff and managers to attend both sessions, if possible.

### I. Rent Arrears Required for “Pre-Court Rental Assistance” Crisis (now called “Pre-Court Rental Arrears”)

\*Effective January 1, 2022, the “Pre-Court Rental Assistance” crisis has been renamed to “Pre-Court Rental Arrears” to reflect a new policy requiring at least one month of arrears for households not yet in court, and not experiencing another housing crisis. Households seeking ERAP (or RAFT) will no longer be found eligible for prospective rental assistance (stipends) under the “Pre-Court Rental Assistance” crisis without first owing at least one month of rent arrears. Households with any other eligible housing crisis (listed below) may still be found eligible for stipends as part of their overall award (without needing to show rent arrears in addition to their housing crisis). However, the housing crisis “Pre-Court Rental Arrears” can only be used by households who owe at least one partial or full month of rent at the time of eligibility determination.

The list of eligible housing crises for RAFT and ERAP is listed below and has not changed (except that the mortgage-related housing crises have been removed (see previous memo, “Launch of Homeowner Assistance Fund and Transition from RAFT/ERMA,” sent on November 23, 2021). However, “Pre-Court Rental Assistance” will now only apply to those with a notice of arrears (such as, but not limited to, a letter from the landlord or a rental ledger) or Notice to Quit from the landlord, and not those who have not yet fallen behind on rent. Households with a court summons will continue to be served under the “Eviction” housing crisis.

#### Eligible Housing Crises:

- Pre-court rental assistance
- Eviction
- Doubled up and must leave/Overcrowding
- Health and safety
- Domestic violence
- Fire/Flood/Natural disaster

- Utility shutoff/Utility arrears
- Other crisis that will result in imminent housing loss or instability

This change is effective for any payment not yet approved by January 1, 2022, regardless of the date of application. Starting on January 1, 2022, the Central Application will require applicants seeking stipends to certify they have rent arrears as well.

This change does not apply to “movers.” Households needing to move to a new location may receive assistance with moving costs, including up to three months of rental stipends, whether or not they have current arrears. This change does not impact the administration of ERAP-Enhanced HomeBASE.

## II. ERAP Recertifications Ending

Households will no longer have the option of recertifying the need for assistance through the shorter “recert” application hosted by DHCD via Formstack. DHCD will sunset the “recert” application on December 31, 2021 and, moving forward, any household who would like to request additional ERAP assistance must reapply through the Central Application.

DHCD will send a final invitation to recertify at the beginning of December 2021 to those households whose last scheduled stipends are for December 2021. This group of households will have the opportunity to recertify for up to three months of stipends (January, February, and March 2022). The recertification program will end once all “recert” applications in an RAAs queue are paid; while no new recerts will be accepted after December 31, 2021, RAAs can continue to process and pay recerts already in their pipeline until all have been processed.

Households approved for ERAP will continue to be offered three months of rental stipends equal to 100% of the full contract rent. Households in need of additional assistance after this award will be eligible to reapply and receive up to 18 months of aggregate assistance (including their initial award) if they are eligible at the time of their second application. (If the household has not yet fallen behind on rent or experienced another eligible housing crisis at the time of reapplication, they will not be eligible—see “I. Rent Arrears Required for ‘Pre-Court Rental Assistance’ Crisis,” above.)

## III. No RAFT after ERAP

Starting on January 1, 2022, households who are eligible for ERAP will no longer be able to use RAFT to supplement the ERAP award. This will apply in two kinds of scenarios:

1. **Households who have already received the maximum ERAP benefit (18 months of rental assistance or \$2,500 of utility assistance) and who reapply for additional assistance.** These households will not be eligible for funds through the RAFT program until at least the start of FY23.
2. **Households who are eligible for ERAP, but who are seeking assistance beyond what ERAP can cover (such as: rent from before March 13, 2020, or utility assistance in excess of \$2,500).** These households may be awarded ERAP only, instead of a combination of ERAP and RAFT, and may apply other sources (other program funds or household income) to cover the expenses that are not allowable by ERAP. (For households receiving three months of rental stipends at 100% of contract rent, the alleviated rent burden for those three months may free up household income to cover any expenses that ERAP cannot pay for.)

There are no restrictions on prior RAFT recipients accessing ERAP. For example, a household who received RAFT in July 2021 and who reapplies for emergency rental assistance in January 2022 may be found eligible for ERAP. Having received RAFT will not prevent them from receiving ERAP if they are otherwise eligible.

This change is effective for any payment not yet approved by the RAA or RAP Center by January 1, 2022, regardless of the date of application.

#### IV. RAFT and Homeowners

Effective January 1, 2022, the RAFT program will no longer serve homeowners. For the remainder of the fiscal year or until otherwise stated by DHCD, RAFT will, like ERAP, only be available to renters or homeless households moving into rental housing.

All homeowners with pending applications—for mortgage, utility, or other RAFT assistance—should be processed to the extent possible in accordance with the memo issued on November 23, 2021 (“Launch of Homeowner Assistance Fund and Transition from RAFT/ERMA”). After January 1, any homeowner whose application was not processed should instead be referred to the Homeowner Assistance Fund (HAF) program.

DHCD anticipates that some households who were pending assistance for RAFT and ERMA may not be eligible for HAF, either because they are not yet 90 days delinquent on their loan or because they are requesting a type of assistance that is not covered by HAF. In these cases, the household will still not be able to be served by RAFT. RAFT, at this time, is being preserved for renters at imminent risk of homelessness or housing instability.

Note that RAAs may make final RAFT payments in HAPPY after January 1, 2022 depending on the timing of their check runs—however, these payments will only be for homeowners whose applications were approved on or before December 31, 2021. RAAs may not make final ERMA payments on or after January 1, 2022 because the ERMA contracts end on December 31, 2021.

#### V. New RAFT Benefit Limit

Effective January 1, 2022, the maximum benefit limit is \$7,000 per household in a rolling 12-month period. The new \$7,000 benefit limit replaces the prior \$10,000 benefit limit.

Households who were approved for an award between \$7,000 and \$10,000 prior to this effective date may still receive the full benefit amount that they were awarded, even if some of those payments are issued after January 1, 2022. However, new approvals effective January 1, 2022 and later are subject to the new, \$7,000 benefit limit.

RAAs and the RAP Center must perform a “12-month lookback” at any prior RAFT payments in HAPPY in order to determine if an applicant is eligible for additional funds. Households may not exceed the \$7,000 limit in any rolling 12-month period. For example, if a household received \$6,000 in RAFT between February 1, 2021 and December 31, 2021, then the maximum the household is able to receive until at least February 1, 2022 is \$1,000 (the difference between the \$7,000 maximum benefit limit and the \$6,000 already received). The household is limited to the new \$7,000 benefit limit for any awards approved after January 1, 2022 even if their prior assistance was awarded under the old benefit limit, and even if they applied for assistance while the benefit limit was \$10,000.

HAPPY will be updated to reflect this change.

## Summary of Effective Dates

<b>Policy Change</b>	<b>Application Changed</b>	<b>Policy Effective</b> <i>No new payments approved after this date</i>
Arrears required to receive pre-court assistance (unless household has another eligible housing crisis)	January 3, 2022	January 1, 2022
End of recerts	January 1, 2022	Once all recerts received on or before 12/31/21 are processed
End combining RAFT & ERAP	No significant application change	January 1, 2022
Homeowners no longer served with RAFT	December 1, 2021	January 1, 2022
\$7K benefit limit for RAFT	No application change	January 1, 2022