



Federal Emergency Rental Assistance Program (ERAP)

Policy Updates and Clarifications

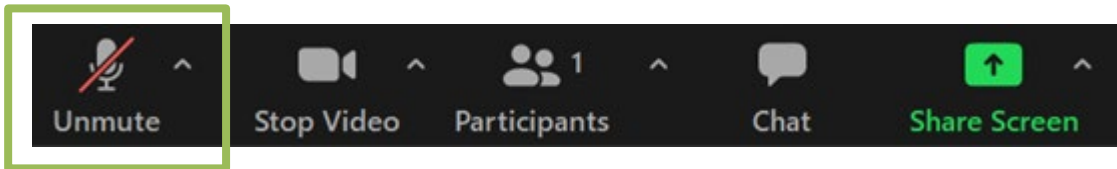
Community Based Organizations

August 11, 2021

Last Updated: 8/5/2021

Please Mute

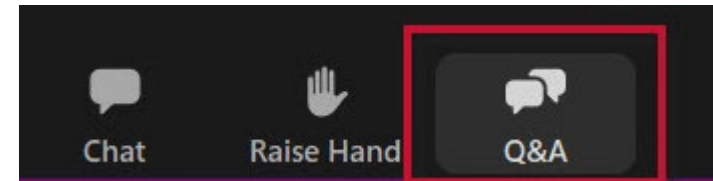
Please join the meeting muted during the session to keep interruptions to a minimum



Asking Questions

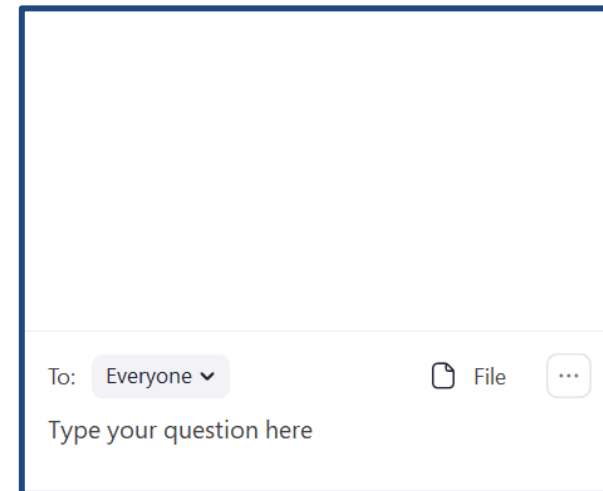
We will be monitoring the Q&A for questions

1



Click “Q&A” to open the chat window

2



Enter your question into the chat

We will follow up with answers to any questions that we don't get to during the session.

THIS CALL IS BEING RECORDED



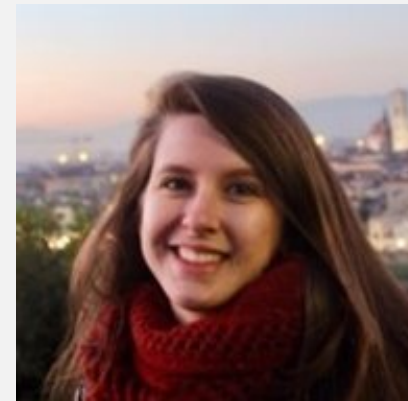


WELCOME

MEET YOUR FACILITATORS



Jeremy Jacobson



Natalie Goodman

TRAINING SUPPORT

Amy Mullen & Chris McClave

Accenture



Our Journey Today

60 MINUTES



Welcome, Goals, & Good News Highlights

10 mins



ERAP Policy Overview & Changes



Direct Payment to Tenant Policy Overview

25 mins



Community Mediation & CEHLP



Questions

20 mins



Policy Reminders, Next Steps, & Resources

5 mins



Purpose



Review **new ERAP policies** and provide an understanding of the overall program and changes to process and policies since initial launch.

Goal



Provide Community Based Organizations with guidance to support tenants to apply for ERAP and understand the **new ERAP Policies and processes**

ERAP Good News Highlights (1 of 2)



Rental Assistance Programs

Data source: Commonwealth of Massachusetts EOHD
Data date range: 1/1/2020 - 6/30/2021
Last updated: 7/15/2021

Choose a Reference Date

Start of MA COVID-19 State of Emergency

FUNDS DISTRIBUTED

32,197

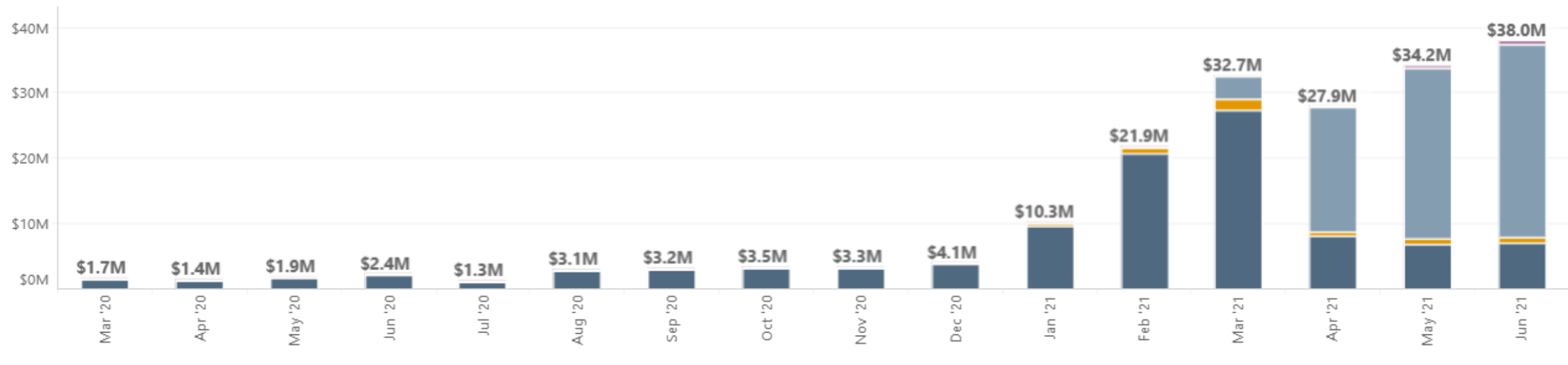
Total # of Unique Households Served

\$190.9M

Total Amount of Funds Distributed

Funds Distributed by Month

RAFT ERMA ERAP SHERA



1) The "Households Served by Month" view displays the number of unique households served within each month. There may be duplicate households across months if they receive multiple payments.

2) Funds Distributed is calculated only with direct assistance to households and does not include administration fees.

ERAP Good News Highlights (2 of 2)



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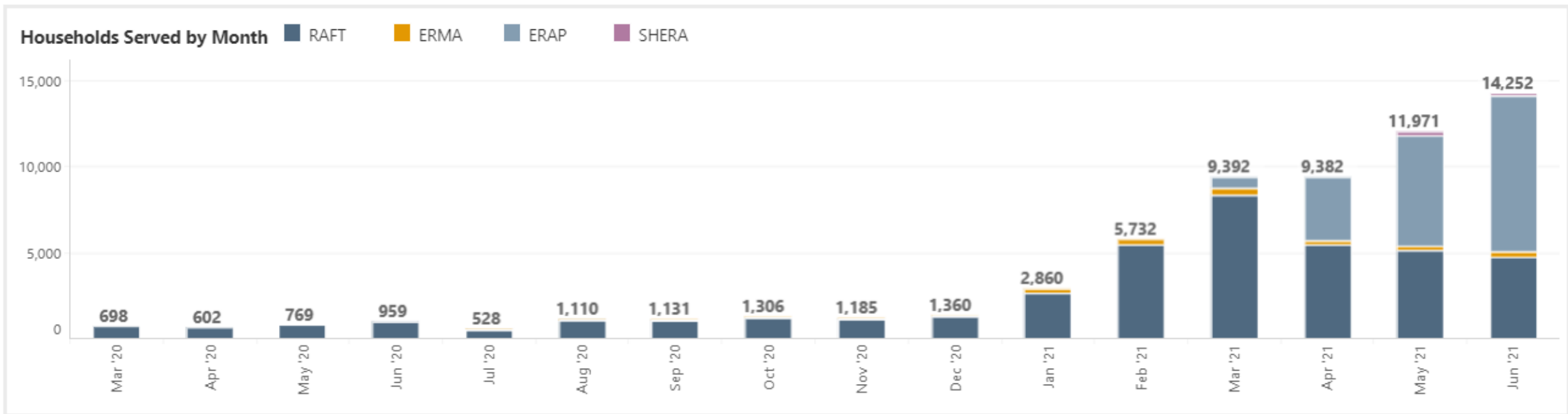
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Massachusetts Context: Emergency Rental Assistance



EMERGENCY FINANCIAL ASSISTANCE FOR HOUSING

STATE BUDGET

Not COVID-19 Impacted
~\$20M annually

RAFT

≤50% AMI
Up to \$10,000
Rent, Moving, Utilities,
Mortgage

FEDERAL FUNDS to STATE

COVID-19 Impacted
~\$850M one time

ERMA (CDBG-CV)

<80% AMI
Up to \$10,000
Rent & Mortgage

ERAP (Treasury)

≤80% AMI
Up to 18 Months
Rent, Moving, Utilities

MUNICIPAL ERAP

(Local Funds, CDBG, CARES,
Treasury for Boston Only)
~80M one time

SHERA (Treasury)

≤80% AMI & Subsidized
Housing Resident
Up to 18 months
Rent Arrears Only



FEDERAL EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP) OVERVIEW

The Federal **Emergency Rental Assistance Program (ERAP)** is a federally funded emergency housing assistance program for renters impacted by COVID-19

Massachusetts DHCD has received \$768M use-it-or-lose-it federal emergency rental assistance dollars.

Tenants must meet the eligibility criteria below to be served through ERAP



COVID-19 impact



Risk of homelessness or housing instability



Currently renting or moving into a new rental housing



Income at or below 80% [Area Median Income \(AMI\)](#)





All households being served with ERAP must attest to having been impacted by COVID-19. DHCD is issuing new language to community partners to make it clear that this COVID-19 impact can be direct **or indirect**.

The following language is included on DHCD websites,
and will be part of the central application:

COVID-19 impact can be indirect. When applying for assistance, please select Yes if your situation was either directly caused by COVID-19 **OR** has become worse since March 2020. This could include losing a job, having hours reduced, losing access to childcare or dependent care, seeing increased expenses, or something else. You must describe your situation, but documentation is not required. Some programs do not require a COVID-19 related impact



ERAP provides a maximum of 18 months' worth of assistance including stipends (3 months at a time).

There is no dollar cap on ERAP funds, but households cannot receive more than the monthly contract rent amount for any month.

ERAP may be used on the following expenses:

RENT ARREARS

- May be used for **rent due on or after March 13, 2020**
- Cannot cover a period exceeding **18 months**
- For renters with income-based subsidy, can only cover **tenant's portion of rent**

FUTURE RENT (STIPENDS)

- Rent stipends may be paid for rent due after the time of the application, but will **only be approved in 3-month increments**
- If the tenant has rental arrears, at least **a portion of the arrears must be paid** for the applicant to receive an ERAP stipend
- ERAP stipends will pay for **100%** of the household's **full monthly rent amount**
- Tenant will need to **recertify need at end of every 3-month period of stipends** in order to receive more
- Renters with income-based rental subsidies are not eligible for stipends, because subsidy payments are already being made and rent is already affordable based on actual household income



ERAP may also be used to pay the following expenses:

UTILITY ASSISTANCE

- Maximum of **\$2,500** per household to pay for:
 - Tenant-paid utility arrears, dating back to March 13, 2020, including:
 - Electricity
 - Gas
 - Water/Sewer
 - One delivery of tenant-paid heating fuel, such as oil, propane, wood pellets

MOVING RELATED EXPENSES

- First and last month's rent, security deposits, moving trucks, and furniture payments up to \$1,000

RECERTIFICATION OVERVIEW



To be eligible for recertification, applicants must:



Have been awarded **ERAP funds**



Receiving their last month of stipends



Have received **fewer** than the maximum **18 months of benefits**



Not be a renter with an income-based subsidy

Recertification Process:



Will allow eligible ERAP participants to receive **three additional months of stipends**. Eligible applicants are encouraged to complete the recertification as soon as possible to ensure no break in benefit funding.



Not all applicants will be eligible for the additional assistance.



DHCD will **identify potentially eligible applicants** and will reach out to them by email. A private link for recertification will be emailed to the email associated to the application. This link is sent only to eligible tenants. RAAs will contact those without emails by phone or mail.



RAAs will be responsible for processing Recertification Forms and administering payments to approved applicants



ERAP DIRECT PAYMENT TO TENANT POLICY OVERVIEW



Since June 28, 2021, RAAs must pay tenants directly for ERAP rental payments that would otherwise be paid directly to the landlord (arrear, stipends, security deposits, etc.) if the landlord is unresponsive, fails to cooperate by providing required documentation, or refuses in writing to participate

ARREARS

- Arrears payments to tenants are limited to a maximum of \$15,000. In situations where tenant arrears exceed \$15,000, ERAP will only cover 100% of arrears if the payment is made to the landlord

OTHER COSTS

- There is no dollar cap on direct tenant payments for other costs (stipends, first/last month's rent, or security deposits) that would normally be paid to the landlord

Before issuing direct payment to a tenant, RAAs and the Rental Assistance Processing (RAP) Center must attempt to pay the landlord first in all cases.

Eligibility criteria still needs to be met in order to direct payments to tenants

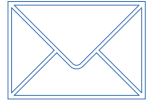


Before issuing direct payment to a tenant, Regional Administering Agencies (RAA's) and the Rental Assistance Processing (RAP) **MUST attempt to pay the landlord first in ALL cases**

Per U.S. Treasury guidance, tenant payment must be made when the landlord:

- Is non-responsive or fails to provide required documentation after **7 days** to a letter sent via certified US postal mail with return receipt requested
- Is non-responsive or fails to provide required documentation in response to **3 phone, email, or text messaging** attempts **over 5 days**; OR
- **Confirms** in writing that they **are refusing to participate** in a rental assistance application.

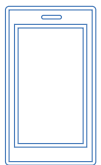
In all such cases, the RAA will inform the landlord that payments to tenants may be in a lesser amount than if the landlord receives payment directly and that refusal to participate in ERAP may constitute a violation of state antidiscrimination laws.



All emails or letters to the landlord requesting Property Owner documentation or participation will include the following language:

“You should be aware that refusal of emergency rental assistance *may, under some circumstances*, violate Chapter 151B of the Mass. General Laws, which prohibits discrimination against a tenant receiving housing subsidies.

In addition, if you, as landlord, do not respond to this communication by [DATE] or refuse to accept this emergency rental assistance, then our agency may issue a payment directly to the tenant. Any payment to the tenant for arrears shall not exceed \$15,000.”



Text messages will include this language:

“Refusing to accept rental assistance may be a violation of Massachusetts law that prohibits discrimination. If you do not respond by [DATE], assistance may be paid to the tenant directly.”



LANDLORD OUTREACH

- At least one outreach by telephone, followed by subsequent text messages or emails
- If the tenant does not have email or cell phone contact information for the landlord, or if the landlord's voicemail is full, then the RAA must contact the landlord via letter by certified mail



NEW DUE DILIGENCE PROCESSES

- Require **face-to-face meeting** (virtual or in person) between tenant and RAA before funds can be issued to the tenant
- Require **public records check** by RAA to confirm that the landlord listed on tenant application is actually the owner of the property
- Require new outreach attempts to landlord if tenant returns for additional assistance



TERMS OF FUNDING AGREEMENT LETTER

RAA must require the tenant to sign letter (provided by DHCD) outlining program requirements/expectations and payment details. RAA must transmit the signed letter to both the tenant and landlord.

TERMS OF FUNDING AGREEMENT LETTER



- **Tenant must sign this letter before being paid directly through ERAP. The Terms of Funding Agreement letter outlines program requirements and expectations, namely:**
 - Payment must be returned to the RAA if the landlord doesn't accept it
 - Payment must be returned to the RAA if the tenant fails to pay the landlord within 30 days of signing agreement
 - Tenant may not use the funds to pay other costs, even if those costs are also housing-related
 - Landlord must provide a receipt for payment made by tenant if requested by tenant, RAA and/or DHCD.
- **The Terms of Funding Agreement letter also includes:**
 - The amount of the payment
 - The address of the unit it is paying for
 - The intended use of the payment (i.e., arrears, stipends)
 - Landlord Rights & Responsibilities
 - A sample **receipt of payment**
- **Termination of Benefits**
 - If the landlord contacts the RAA and says the tenant didn't make a payment, the RAA will send a termination of assistance letter to both parties

A sample written rent receipt form titled "ERAP RENT PAYMENT RECEIPT". The form includes fields for: DATE OF PAYMENT; ACCOUNT NUMBER (IF APPLICABLE); RECEIVED FROM (Tenant First and Last Name); FOR THE SUM OF (Amount of ERAP payment); FOR RENT AT (Complete tenant address, Street Name, Unit / Apt #, City, Zip Code); FOR THE PERIOD (Rental payment period covered in months); RECEIVED BY (Landlord/Property Owner Name); LANDLORD/PROPERTY OWNER ADDRESS (Complete landlord/property owner address); PAID BY; and a section for payment method: Check No., Cash, Online, Money Order, Bank Transfer, and Other. There is a line for the Landlord Signature at the bottom.

Payment Receipt Sample



COMMUNITY MEDIATION

What is Community Mediation? (and what it isn't)



Trained mediators can help landlords and their tenants find a workable solution for everyone

Mediation is a **voluntary** and **confidential** process facilitated by a **neutral** third party (the mediator) who prioritizes self-determination and informed consent of the parties to reach a **mutually agreeable** outcome or progress towards one.

It is not:

- **Adjudicatory:** the mediator does not take sides, make recommendations or direct the parties
- **A reluctant compromise:** parties find out what is most important to them and how best to achieve it



Why Should I Choose Community Mediation?

Free and faster alternative to court action

- 100% of participants surveyed thought the process was fair
- 441 cases handled (November '20 - May '21)

High rate of success

- Settlement rate 79.4% of completed cases

No tenant income eligibility limit for services

- Available to all community members and at any stage in process

Allows for flexible and creative outcomes

- 95.35% satisfied with how their problem was handled.

Can help with ongoing communication or relationship issues

- Mediation participant – *“I have other summary process matters pending with the Court and will advise the clients to pursue mediation to resolve the dispute.”*

When and How to Access Mediation



Any time!



As soon as there is a problem

Before people get too escalated, entrenched, fearful



Prior to filing a NTQ

Avoids costs and implications of going to court



After filing a NTQ but before hearing

Final chance to build in flexible outcomes and access other resources that may not be available on day of trial



Day of trial

Final chance to have a say on the outcome that works for everyone rather than a win/lose of a court judgment



After trial if other outstanding matters may still affect the tenancy

Issues like communication, behavior that also need to be resolved



Mediations can be held by phone, online via Zoom or in-person at some Centers

Visit www.resolutionma.org/housing to learn more.

Community Resource: **COVID Eviction Legal Help Project**



There is free legal help available

If you have received a notice from your landlord saying that you need to move out, or you own a 2- or 3-family home and your tenant can't pay the rent

The COVID Eviction Legal Help Project **gives free legal help to low-income** tenants and to low-income owner-occupants of 2 or 3-family homes.

To be eligible for CELHP free legal help:

- Your household income must be **under 200% of the Federal Poverty Guidelines.**
- The eviction must be related to COVID.

CELHP also offers **low cost legal help** to low-income owner-occupants of 2 or 3-family homes with incomes above the CELHP limit for free legal help.



Visit <https://evictionlegalhelp.org/> to search for free or low-cost legal help



QUESTIONS



RESOURCES & NEXT STEPS

CENTRAL EMERGENCY HOUSING ASSISTANCE APPLICATION



Emergency Housing Payment Assistance
Commonwealth of Massachusetts

Home Program Information RAA Login

Massachusetts Emergency Housing Payment Assistance Application

- 1 Instructions
- 2 Living Situation
- 3 COVID-19
- 4 Housing Crisis
- 5 Applicant Information
- 6 Household Income
- 7 Request for Assistance
- 8 Your Required Documents
- 9 Application Certification and Contract

INSTRUCTIONS FOR COMPLETING THE APPLICATION

This application for rental assistance will take 20-30 minutes. Please be honest - if you give inaccurate or incomplete information, your application will be rejected.

The application will ask you:

- About your current housing, and what challenges you may be facing
- For the names, dates of birth, and social security numbers of everyone in your household
- How much money everyone in your household makes
- What kind of assistance you need

You will also have to submit the following documentation. Your application will be reviewed by a Regional Administrator.

- ID for the head of household
- Proof of housing crisis (for example an eviction notice or letter saying you are being evicted)
- Proof of housing (for example a lease)
- Proof of income (for example paystubs)

Click here to learn more about required documentation.

After you submit the application, a case manager from a Regional Administrator will contact you.

Next

The Central App is a **simplified user experience**, replacing each RAA's individual Cognito application(s)

Emergency Housing Payment Assistance
Commonwealth of Massachusetts

Home Program Information RAA Login

WELCOME TO THE MASSACHUSETTS EMERGENCY HOUSING PAYMENT ASSISTANCE PORTAL

Use this portal to upload additional documents and see which RAA is processing your application.

Available Services

- Upload Documents**
Family and income are required. Upload them here. [More >>](#)
- Application Information**
Check basic information about application. [More >>](#)
- Need Help?**
Please contact us at (781) 422-4200
RAFTCentralApp@NHSMass.org

- Planning and readiness preparations for full Central Application implementation across the state is currently underway



1

[DHCD Website](#)

Visit the DHCD Rental Assistance Website for more information on ERAP

2

[EDI Portal](#)

Central resource to provide partners with key updates, FAQs, training materials and helpful info. **Meeting Materials**, included a recording of this session will be shared and uploaded.

3

[Public Information Campaign Portal](#)

Includes promotional materials, and summary of how to submit an application

4

Community Mediation

Local non-profits are available to help landlords and tenants resolve disputes.
<https://www.resolutionma.org/housing>

5

COVID Eviction Legal Help Project

Visit <https://evictionlegalhelp.org/> to search for free or low-cost legal help

The screenshot shows a webpage from Mass.gov titled "Eviction Diversion Initiative: Service Organization Trainings". The page is offered by the Housing and Community Development department. It provides information about trainings for service organizations and staff to better understand the effort to prevent evictions during the COVID-19 pandemic. The page includes a "TABLE OF CONTENTS" section with the following items:

- Eviction Diversion Initiative: ERAP Trainings and Resources
- Eviction Diversion Initiative Training: RAFT and ERMA NEW DOCUMENTS Jan 2021*
- Eviction Diversion Initiative Training: HCECs
- Eviction Diversion Initiative Training: Mediation Centers
- Eviction Diversion Initiative Training: Rapid Rehousing
- Eviction Diversion Initiative Training: Legal Services
- Eviction Diversion Initiative - Tenancy Preservation Program (TPP) Training



THANK YOU!