

RAFT / ERMA Training – Eviction Diversion Initiative

Responses to questions asked during training held on October 29, 2020

- Can a tenant use RAFT/ERMA if the tenant already has a subsidy such as Section 8, MRVP or project based voucher where the tenant-paid rent is based on household income?
 - Yes, RAFT and ERMA can help tenants with subsidies with a few limitations. If the tenant's income has changed, the tenant must first seek an income and rent redetermination to adjust the amount of tenant-paid rent going forward. The funds cannot be used for ongoing rental stipends, but they can potentially be used for arrears. In addition, the RAA needs to confirm that there was good cause for past non-payment of rent.

- Is the \$10,000 RAFT fund only for those at risk for eviction? Or will it apply to those who are already homeless due to COVID reasons?
 - The \$10,000 benefit is only for tenants that are at risk of eviction from their current units. Households not affected by COVID, or households who are experiencing a COVID-related housing crisis but do not already have tenancies, can still qualify for RAFT up to the \$4,000 benefit limit.

- Is sustainability still a requirement for eligibility to RAFT?
 - Yes, households who access RAFT must use it to sustain housing either in their current housing situation or in a new housing situation. It is stricter for people getting the higher RAFT benefit because it comes with the tenant's and the landlord's agreement to sustain the tenancy for 6 months or, if longer, through June 2021 if there are school-aged children in the household. For benefits up to \$4,000, the RAFT Administering Agency must make a determination that there is a plan moving forward for sustaining housing.

- Do RAFT/ERMA payments go directly to the landlord or utility provider?
 - Payments always go to the party to whom the payment is owed.

- If a family is experiencing a housing crisis not related to COVID-19, are they still eligible for RAFT?
 - For "regular" RAFT, someone does not need to have a COVID-19 related housing crisis but in that case they would only be eligible for a payment up to \$4,000. For the expanded RAFT and ERMA, there always needs to be a COVID-19 related hardship.

- Is the RAFT screening tool still in place?
 - We have temporarily waived the use of the prior RAFT screening tool for all types of RAFT and it was never in place for ERMA. Part of the streamlining of the application involved temporarily waiving that requirement.

- Can the \$4,001 to \$10,000 in COVID RAFT be accessed solely to cover arrearages for families whose current income exceeds 30% of their rent?

- Yes
- What documentation is now needed from an applicant?
 - Currently, the application requires an ID for the head of household (ID, birth certificate, etc.), proof of income, proof of housing (lease), and proof of what is currently owed.
- Could you expand on the exact role of a mediator?
 - The HCECs and RAA will be able to refer cases to the community mediation centers. The idea is that there are no one size fit all cases. The trained mediators will be trained in summary process and the programs that are available with the hopes that they will be able to help solve these cases upstream before they make it to the courts.
- If a landlord takes the expanded RAFT payment, and the tenant again falls behind on rent, will they be evicted?
 - A landlord would be able to evict if the tenant does not pay what they agreed to.
- Are there any processes to avert eviction while a tenant waits for a response on a RAFT application?
 - Tenants are highly encouraged to fill out the CDC Declaration form and to give the form to their landlords and to keep a copy of that form. The Courts will be asking landlords if they received this document from their tenants at least twice during the court process.
- Why is ERMA designed for people with a higher income?
 - ERMA is a program targeted to people whose incomes are too high to qualify for RAFT, but who have experienced a financial hardship related to COVID-19 and are in need of emergency financial assistance. Households whose income is not high enough to qualify for ERMA can be served through RAFT.
- Is there help for someone living in a crowded home that they shouldn't be in?
 - Yes, traditional RAFT can be accessed to help people move into safer housing under the "overcrowded" housing crisis.
- Many tenancies are informal, without a lease or receipts of payments. Can RAFT still help those tenants?
 - Yes, as long as the household can document the tenancy in some way and the property owner agrees to accept payment. RAAs will work with tenants and landlords to identify suitable proof of housing, such as a written tenancy agreement or a letter outlining the rental agreement.
- What is a rent or mortgage stipend?
 - The phrase is being used for any upcoming payments that will be due after the date of application.
- What RAA should people go to?

- People should go to the RAA that serves their community unless the applicant intends to use RAFT funds to relocate to a community in another RAA's service area. RAAs have regional service areas and are not permitted to take applications from another RAA's region. Households can find their local RAA using the lookup tool on mass.gov/covidhousinghelp.
- I have many families in my caseload who are already homeless. How can these programs help those that are already homeless?
 - RAFT can help homeless households with up to \$4,000 to move into new housing. However, households in family Emergency Assistance (EA) shelters or those who are eligible to EA have access to up to \$10,000 in HomeBASE.
- Will Community Mediation centers be expected to mediate court-referred cases if they've already mediated the same case in a pre-court referral with no settlement?
 - Yes, if it makes sense to do so. A community mediation center would most likely take the case and do another screening to determine if the parties truly wanted to give it another try and, if so, would likely conduct another mediation for them. As long as the parties voluntarily choose to engage in mediation and give informed consent, the centers would move forward.
- I had read that landlords would be able to apply on behalf of their tenants. How would they do that?
 - DHCD is exploring some potential options for how to enable landlords to begin the application process on behalf of their tenants. However, the tenant will always need to sign off on an application being submitted on their behalf.
- If someone lives in an affordable housing with a flat rent and is not based on income, is it considered subsidized housing for RAFT eligibility purposes (given the requirement that households with subsidies cannot receive more than 6 months of their rent share in arrears through RAFT and have to show good cause for nonpayment)?
 - It depends. Low-income tax credit units sometimes have a flat rent and are considered subsidized housing, but do not calculate rent based on a tenant's income. In those cases, RAAs follow the Emergency Assistance (EA) rule on whether a tax credit unit is considered subsidized (<https://www.mass.gov/files/documents/2016/07/mu/hsn201211.pdf>). The unit is considered subsidized for RAFT application purposes if the rent is less than 50% of the tenant's household income.
- I am getting calls from attorneys that are telling me they are hesitant to accept the \$10,000 because of the way the contract is written. How can I assure them that they can proceed with an eviction if they default on original agreement?
 - When the policy was developed, it was DHCD's intention that owners could evict if the tenant did not comply with the agreement. See [Frequently Asked Questions for Landlords about Accepting State Funded Rental Assistance](#)

- Can RAFT for moving expenses be applied before a prospective unit is selected? I would imagine it would be most efficient for a client to approach a prospective landlord knowing they've been approved and funds have been earmarked.
 - RAFT funds are first-come, first-served so RAAs cannot earmark funds for an applicant who has not yet identified a unit. Each RAA has a slightly different process around applications where a unit has not been identified, so tenants should contact their RAA for details on their process.

- If a tenant had already used RAFT within the preceding 2 year period and needs assistance again due to COVID are they eligible to be able to reapply again?
 - Yes, they would be eligible to apply again. All households are limited to a maximum of \$10,000 in a 12-month period combined between any type of RAFT, ERMA, and HomeBASE.

- I appreciate that everyone processing RAFT applications are working extremely hard to speed up the process, but the message that has been received by the courts is that it'll take a few weeks and that is not the case. So their willingness to continue court events (and landlord's expectations) do not line up with reality. How can DHCD and RAA's get the message out that it will take longer than a few weeks?
 - DHCD has informed the courts that there is a backlog and that it will take some time before RAAs are consistently able to process applications within the targeted 3-week time period. We are meeting regularly with the courts and, as we have more information about timing, will convey that to the courts. We also understand that time frames vary by region and court, depending on demand and the extent of the existing backlog at each RAA.

- If we are trying to prevent the eviction process and trying to keep it upstream how do we hold off on LL proceeding with the eviction?
 - The best option may be for the tenant to apply for RAFT/ERMA as soon as possible to see if a solution can be worked out that satisfies the landlord and helps to avoid eviction proceedings.
 - Community mediation programs are also available to help resolve disputes upstream. Parties should be encouraged to contact their HCEC for details and referrals.