



MaineHousing
MAINE STATE HOUSING AUTHORITY

**EMERGENCY
RENTAL
ASSISTANCE
PROGRAM
ERA 2**

Program and Policy Guide

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A. INTRODUCTION AND BACKGROUND

The Emergency Rental Assistance Program (the “Program” or “ERA”) was originally established by the provisions of Section 501(a) of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 166-260 dated December 27, 2020 (the “Appropriations Act”). Funds from the Appropriations Act are ERA 1 funds. Additional funding with more flexible requirements was made available under section 3201 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (March 11, 2021) (“ARPA”). Funds from ARPA are ERA 2 funds.

This Program is also subject to separate guidance provided by the US Department of the Treasury as posted and updated on <https://home.treasury.gov/policy-issues/cares/emergency-rental-assistance-program>, laws and rules of the State of Maine and other provisions set forth in this guide (the “Guide”).

The purpose of the Program is to provide emergency rent and utility assistance and housing stability services to households who meet the eligibility criteria described in this Program Guide. The Program is administered by MaineHousing in collaboration with the Community Action Agencies and Cultural Based Organizations participating in the Program (hereafter collectively “CAAs” or “Subgrantees”) of Maine who deliver the Program in their respective service areas across the state. CAAs must deliver the services of the Program in accordance with this Guide, the provisions of fully executed Emergency Rental Assistance Program Subgrant Agreements and subsequent amendments, Housing Stability Services Subgrant Agreements, and other guidance as provided by MaineHousing.

This Guide is designed to provide information about Program rules, policies and guidelines. The Guide is a working document and will be kept up to date by MaineHousing staff. When Program guidelines or clarifications are made, MaineHousing will issue a notification of revisions to this Guide. When income limits change, new charts will be issued for replacement and made available on MaineHousing’s website identified below.

Any questions pertaining to the Guide should be directed to MaineHousing using the email address ERAHelp@mainehousing.org and/or phone number provided on the below referenced website. All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

B. PROGRAM OVERVIEW

Pursuant to ARPA cited above, ERA 2 funds may be used for the following activities:

- rent (current and prospective);
- rental arrears owed to the household’s current landlord (back to March 13, 2020);
- current costs and arrearages for electricity costs at the household’s current unit; and
- other expenses related to housing incurred during or due, directly or indirectly, to the coronavirus pandemic, as defined by this Program Guide.

Such assistance shall be provided for a period not to exceed 12 months. Any applicant currently in the Program at or above 11 months would automatically get 2 additional months unless the additional months put them beyond the Program limit.

Up to 10% of the funds may be used for Housing Stability Services outlined in Section L.

Up to 15% of the funds may be used for administrative costs.

Applications submitted either online or using the ERA 1.0 version paper application that are in queue when the transition to ERA 2.0 occurs will be processed under the ERA 2.0 guidelines. The transition will not require extra work for the CAA and will not require the applicant to re-submit a 2.0 application.

C. HOUSEHOLD ELIGIBILITY

Household Eligibility

A household will qualify for the Program if they are obligated to pay rent on a residential dwelling, which is their primary residence, and meet each of the following criteria:

- The total household income is at or below 50% Area Median Income (AMI) for the area where they live. AMIs are established and published by HUD on an annual basis. Median family incomes are calculated for all metropolitan and non-metropolitan counties using data from the American Community Survey and the Consumer Price Index (see 42 U.S.C. 1437a(b)(2)). Income limits are also adjusted for household size.
- One or more of the members of the household has experienced one of the following:
 - qualified for unemployment benefits any time after March 13, 2020; or
 - experienced a reduction in income during or due to the coronavirus pandemic; or
 - experienced a financial hardship during or due to the coronavirus pandemic; or
 - incurred significant costs during or due to the coronavirus pandemic (e.g. medical expenses, Internet, transportation, childcare)
- The household is at risk of experiencing homelessness or housing instability, such as:
 - having past due utility or rent notices or eviction notices; or
 - unsafe or unhealthy living conditions including overcrowding; or
 - any other evidence of risk as determined by the CAA.

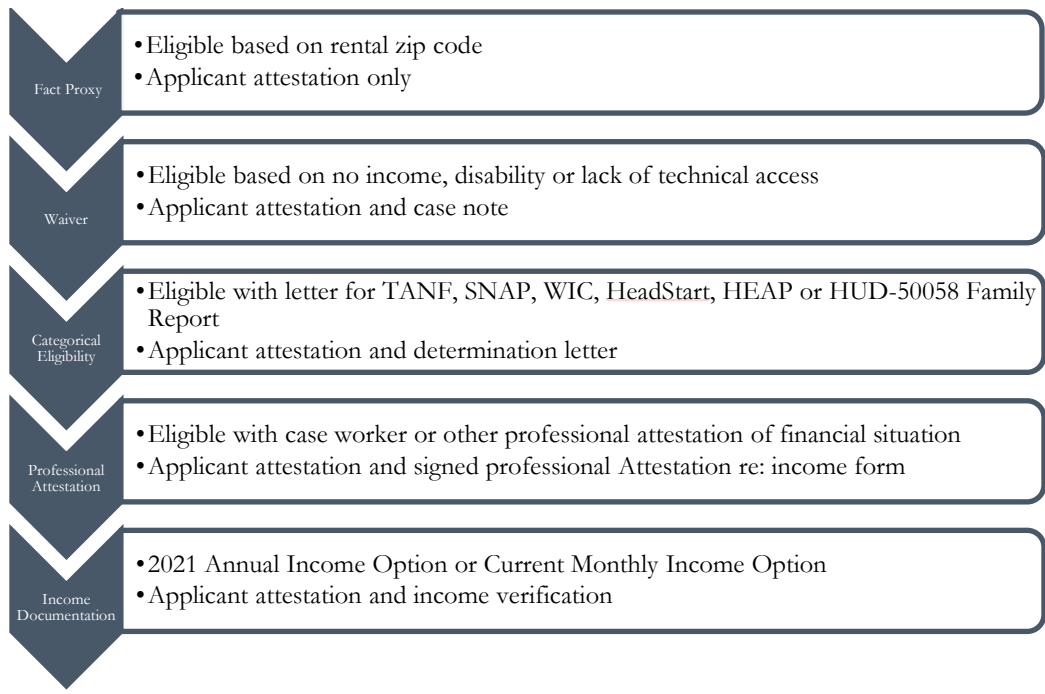
Homeowners

Homeowners are not eligible for rental, utility or other assistance under the provisions of the Program.

D. HOUSEHOLD INCOME DOCUMENTATION

“Treasury strongly encourages grantees to avoid establishing documentation requirements that are likely to be barriers to participation for eligible households.” – US Department of the Treasury, May 7, 2021 Fact Sheet and June 24, 2021 FAQ’s.

Income eligibility may be determined by any one of the following:



Fact-Specific Proxy

For households who live in qualifying zip codes, the tenant application and attestation is sufficient and no additional forms are required; the CAA must do its best to determine household annual income and make a note in EmpowOR.

Zero Income or Waivers

For zero income households, in order to reduce the burden of further documentation, the tenant application and attestation is sufficient and no additional forms are required; the CAA must do its best to determine if there is any income and make a note in EmpowOR.

CAAs have discretion to provide waivers or exceptions to documentation requirements to accommodate disabilities, extenuating circumstances related to the pandemic, or the lack of technological access. In these cases, the CAA is responsible for determining the applicant's household income (which has been attested to by the applicant on the application) and documenting that determination. All waivers, exceptions or extenuating circumstances should be thoroughly documented in EmpowOR.

Categorical Eligibility

If an applicant's household income has been verified to be at or below 50% AMI by a local, state, or federal government assistance program, the CAA is permitted to rely on a determination letter or other evidence of proof from that program or from that government entity, provided that the determination was made on or after **January 1, 2020**. Examples of determination letters include, but are not limited to TANF, SNAP, WIC, Head Start, HEAP, and HUD-50058 Family Report or HUD-50059 Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures. It is the responsibility of the applicant to provide the determination letter or other evidence of proof, not the CAA. If the applicant elects this form of income eligibility documentation, the applicant will need to contact the agency that provided the verification.

NOTE:

- For instances of HEAP, the CAA may contact MaineHousing at LIHEAP@mainehousing.org to request a benefit notification letter which can be uploaded to ShareFile.
- Applicants will need to contact MaineHousing or the HCV administrating agency for documentation of Sec. 8 due to the need for an executed permissions to share document.

The income of the household will still need to be reported to the CAA in order to determine the percentage of AMI for reporting and prioritization purposes as described in a later section of this Guide.

All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>

Documentation

For fact based proxy, zero income or waivers, the CAA may rely on the tenant application and attestation from the applicant.

In some situations, it may be necessary to rely on a written attestation from a caseworker or other professional that has knowledge of the household's circumstances. The professional must complete the Professional's Attestation available on the Partner Portal on MaineHousing's website.

Documentation may be in the form of photocopies or digital photographs of documents.

If income eligibility has not been determined by any of the options above an applicant may choose the 2021 Annual Income Option or the Current Monthly Income Option.

Submission requirements are as follows:

2021 Annual Income Option

- For all household members 18 years of age or older, submission of signed 2020 IRS Form 1040; receipt for E-filed 2020 IRS Form 1040; or for households that file electronically through a volunteer organization, the cover page with the name of the organization and the PIN assigned for e-filing purposes; or
- Submission of wage statements, pay stubs, IRS form W-2, IRS Form 1099 and Schedule C if self-employed, interest statements, Form 1099G or benefit statements from the Department of Labor (available from DOL ReME account at <https://reemploye.maine.gov/accessme/faces/login/login.xhtml>) if unemployed, or other annual income proof for all household members 18 years of age or older for determination of annual income pursuant to HUD's definition of income as described in 24 CFR 5.609 which can be found at <https://www.hud.gov/sites/documents/CALCULATINGATTACHMENT.PDF> and is outlined below under Income Inclusions and Exclusions under 24 CFR 5.609 ("HUD's Definition"); or
- Eligibility determination letter or other evidence of proof from a government agency dated January 1, 2020 or later (see "Categorical Eligibility" described above).

Current Monthly Income Option

- Submission of prior month's wage statements, pay stubs, interest statements, unemployment benefit statements (available from DOL ReME account – see link above), a written attestation from an employer, or other proof of monthly income for all household members 18 years of age or older for determination of income pursuant to HUD's Definition.
- When using the Current Monthly Income option, the CAA will annualize the income reported to ensure that the household's annual income is at or below 50% AMI by multiplying the prior month's income by 12.

If the household qualifies for the Program using Fact Proxy, Categorical eligibility, professional attestation or the 2021 Annual Income Option, and requests additional rental or utility assistance in the future, the applicant will not need to provide income documentation again. If a written attestation without further documentation of income (or fact-specific proxy) is relied on, CAA must reassess household income for the household every 3 months.

Households using the Current Monthly Income Option are required to submit updated income documentation.

E. INCOME INCLUSIONS AND EXCLUSIONS UNDER 24 CFR 5.609

The Department of Housing and Urban Development (HUD) defines income as all amounts, monetary or not, which go to, or on behalf of, any family member from any source outside the household. For a detailed list and descriptions of forms of income see 24 CFR 5.609 (b) and (c), which can be found at <https://www.hud.gov/sites/documents/CALCULATINGATTACHMENT.PDF>.

Income Inclusions

- All wages, including commissions (before any payroll deductions);
- Net income from the operation of a business or profession;
- Interest, dividends and other net income from real or personal property;
- Periodic payments (e.g. Social Security, pensions, disability benefits);
- Payments in lieu of earnings (e.g. unemployment including supplementary unemployment, worker's compensation, severance pay);
- Welfare assistance (excluding any designated for housing or utilities);
- Periodic and determinable allowances (e.g. alimony, child support, period gifts from sources outside of the household); and
- All regular pay, special pay, and allowances for members of the Armed Forces.

Income Exclusions

- Income from children or foster children under the age of 18 years;
- Income from household members over 18 who are full time students;
- Foster child or adult care payments;
- Lump-sum additions to family assets (e.g. inheritances, insurance payments, capital gains, settlements)
- Reimbursements for medical costs;
- Income of a live-in aide;
- Special Armed Forces payments (e.g. Operations Desert Storm);
- Amounts from certain training programs;
- Temporary, non-recurring, or sporadic income (gifts);
- Reparations from a foreign government;

- Adoption assistance payments;
- Deferred periodic payments from Social Security;
- Property tax refunds or rebates;
- Payments for developmentally disabled household members' equipment or services for them to remain at home; and
- All other amounts excluded by federal statute as described in 24 CFR 5.609.

NOTE: MaineHousing has determined that stimulus payments as a result of the COVID 19 Pandemic or other assistance related to the Pandemic are excluded from the annual income and Current Monthly Income options described above.

All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

F. FINANCIAL HARDSHIP

The applicant must attest that one or more of the members of the household:

- Qualified for unemployment benefits any time after March 13, 2020; or
- Experienced a reduction in income during or due to the coronavirus pandemic. (The applicant must explain the reduction in income during or due to the coronavirus pandemic.); or
- Had significant increased expenses during or due to the coronavirus pandemic. (The applicant must explain the significant increase in expenses during or due to the coronavirus pandemic. See examples of Significant Increased Expenses below.); or
- Experienced a financial hardship during or due to the coronavirus pandemic. (The applicant must explain the financial hardship during or due to the coronavirus pandemic. See examples of Financial Hardship below.)

EXAMPLE:

Examples of Significant Increased Expenses During or Due to the coronavirus pandemic may include, but are not limited to:

- Healthcare costs, including care at home for individuals with COVID 19;
- Purchases for Personal Protective Equipment (PPE);
- Penalties, fees, and legal costs associated with rental or utility arrears;
- Moving costs for households that relocated to avoid homelessness or housing instability;
- Childcare costs;
- Internet access and computer equipment required to work or attend school remotely;
- Alternative transportation for households unable to use public transportation during the pandemic.

EXAMPLE:

Examples of Financial Hardship during or due to the coronavirus pandemic may include, but are not limited to:

- Evidence household is forgoing or delaying purchase of essential goods in order to pay rent or utilities, such as food, prescription drugs, childcare expenses, transportation costs, or equipment needed for remote work or school
- Payments for rent or utilities are made by credit card, payday lenders, high-cost debt products to avoid homelessness or housing instability

G. RISK OF HOMELESSNESS OR HOUSING INSTABILITY

Applicants must attest that one or more individuals within the household is at a risk of experiencing homelessness or housing instability, which may be demonstrated by:

- A past due utility or rent notice or eviction notice;
- Unsafe or unhealthy living conditions (See examples of unsafe or unhealthy living conditions below); or
- Any other evidence of risk, as determined by the CAA (See examples of risk of homelessness or housing instability below).

EXAMPLE:

Examples of unsafe or unhealthy living conditions may include, but are not limited to:

- Conditions that increase the risk of exposure to COVID-19 because of overcrowding
- Potential for exposure to intimate partner violence, sexual assault, or stalking

EXAMPLE:

Examples of risk of homelessness or housing instability may include, but are not limited to:

- Housing cost burden that makes it difficult for renters to afford their housing costs
- Informal rental arrangement with little or no legal protection
- Evidence household is forgoing or delaying purchase of essential goods such as food, prescription drugs, childcare expenses, transportation costs, or equipment needed for remote work or school
- Harassment or verbal threats of eviction by landlord
- Evidence household is relying on credit cards, pay-day lenders, other high-cost debt products to pay for rent or utilities

The CAA must consider whether the household might benefit from Housing Stability Services and refer applicants to Housing Stability Services when appropriate. See Section L. Housing Stability Services.

H. RENTAL ASSISTANCE AND DOCUMENTATION

- Eligible households may receive up to 12 months of assistance.
 - Prospective rent for tenants living in subsidized housing can only be paid if payment is made directly to the tenant
 - Payments made directly to subsidized landlords can only be for arrears and current month.

- The number of months of assistance for rental arrears is equal to the rental arrears divided by the monthly rent.
- A tenant may apply for arrears without applying for current or prospective months.
- The date of application determines whether amounts are arrears, current, or prospective.
- Subgrantees may only pay future assistance for up to three (3) months at a time.
- Households may reapply for additional assistance at the end of the three-month period if needed and the overall time limit for assistance is not exceeded.
- If a household that received assistance for a rental home moves out, the household may receive assistance for subsequent months in a new apartment, but may not receive more than 12 months' total rent and may not receive rent twice for the same month.
- Before moving into a new residence, a tenant may not yet have a rental obligation, CAA's can provide to otherwise eligible households an ERA Eligibility Preliminary Determination letter. The preliminary determination expires after 90 days after the issuance date.
- The Program does not dictate limits on rental arrears or monthly rental limits, except when FMRs are the maximum rent allowed as described in this Guide. Outstanding rental arrears and allowable late fees, which are provided for in an existing lease and do not exceed 4% of the monthly rent, will be considered for payment. The Program does not pay for parking, pet, air conditioning, dryer or existing storage fees. The applicant and landlord must agree on the amount of arrearages prior to payment to the landlord.
- When a tenant pays a portion of the total rent based on tenant's income, and the remaining rent is paid by another source, only the tenant's portion of rent (the tenant payment to the landlord) is eligible for ERA.
- The tenant's payment must be entered as the tenant rent in the Tenant Application & Attestation and the Landlord Application & Attestation.
- The tenant must sign the Application & Attestation by electronically entering their name or providing a wet signature.

Documentation of Occupancy and Rental Amounts

A landlord or tenant may receive rental assistance for a unit the tenant has vacated only if the tenant occupied the rental unit on the day the tenant submitted their application. A landlord or tenant may receive rental assistance for a unit the tenant does not yet occupy provided they have entered into a rental agreement for the property.

EXAMPLE:

If a tenant applies on April 12 while living at Apartment A and moves to Apartment B before the application is processed:

- The application is for rent for Apartment A only
- The tenant or their landlord may receive arrears prior to April 12 for Apartment A
- The tenant or their landlord may receive current or prospective rent under the application only for months in which the tenant still lives at Apartment A
- The Apartment A landlord (or tenant) must return to CAA any rent paid for months when the tenant does not occupy Apartment A
- The tenant may later apply for prospective rent (and possibly security deposit and screening or application fees for displacement due to COVID-19) for Apartment B when the tenant has a lease or rent agreement at Apartment B
- The tenant's total months of rent and utility assistance for Apartments A and B may not exceed 12 months

Note: If a CAA becomes aware that a tenant is moving from the CAA's service area to a second CAA's service area, the CAA will let the second CAA know. Also, if a CAA becomes aware that a tenant is moving into its service area from another CAA's service area, the CAA will let the other CAA know.

CAAs must obtain, if available, a signed lease or rental agreement that identifies the unit where the tenant resides and the amount of rental payment. A lease that has turned to a month to month lease after the first year is the effective lease.

If a signed lease or rental agreement is not available, the applicant will need to provide evidence of residence at the rental unit and the amount of rent.

The Landlord Application & Attestation plus either proof of the landlord's ownership (such as a tax bill or deed) or proof a landlord agent has agency (such as a management agreement) is sufficient to prove occupancy and rental amount.

A utility bill, water/sewer bill, cell phone bill, credit card statement, insurance policy, W-2 form, tax return, tax bill, or driver's license in the name of a household member can be used to prove residency.

Bank statements, check stubs or other reasonable documentation can be used to verify rental amount.

In the absence of satisfactory documentation of the monthly amount of rent, an attestation from the applicant may be accepted. In these circumstances, the amount of rental assistance under this Program will be the attested monthly rental amount up to the greater of 100% of the Fair Market Rent (FMR) or the Small Area Fair Rent (SMFR) for the area in which the applicant resides. FMRs are provided on the Partner Portal at the link provided below.

Tenants who receive direct rent payments must use that payment for the property listed on the Application & Attestation. If they do not use the rent payment for this property, they must repay the assistance received or face civil action and criminal penalties.

When a CAA Certifier determines a tenant will be paid directly, the Certifier contacts the tenant to let them know a direct payment must be used for the property listed on the application and attestation.

If multiple roommates live in the same household, but only one roommate needs assistance, that roommate can apply for their portion. The applicant does not need to include their roommates' income on the application. If eligible, the portion of the rent will be prorated and paid directly to the landlord. If the applicant has been paying rent directly to landlord, landlord attestation is sufficient. If the applicant has been paying rent to a roommate, documentation of payment history is required.

Leasing arrangements with family members are eligible only if the tenant lives in a separate fully contained living unit with its own kitchen, bathroom, and private entrance. Preexisting written lease and evidence of a history of consistent rent payments is required.

A lease establishing a rental relationship is required for any rent to own situations. No household member may be on the deed or a signor or co-signor on a mortgage or have exercised the option to purchase the property.

Those living with related parties and paying rent informally are not eligible. Definition of related parties: the spouse, parent, child, brother, sister, grandparent, grandchild, including steps, and in-laws; and any person cohabitating with

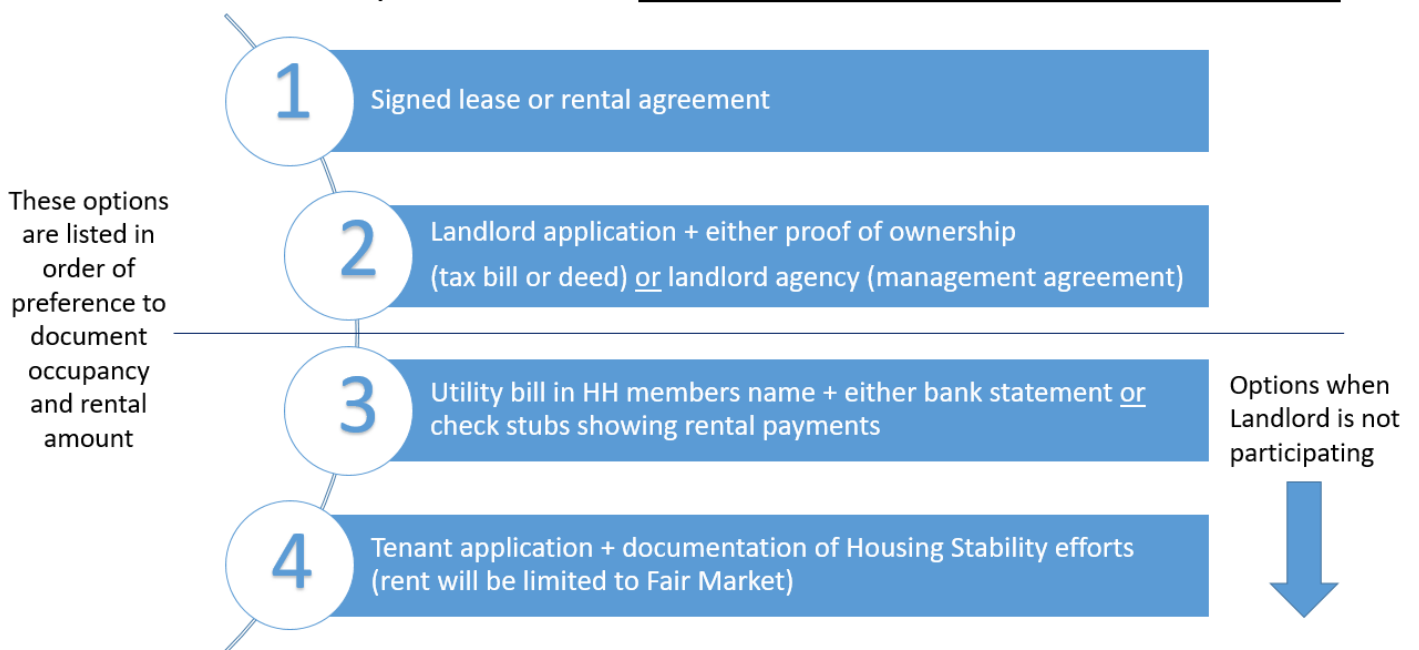
an applicant, as well as any immediate family member related by blood, marriage, or adoption, including cousins, aunts, and uncles.

Rent/expenses charged to a credit card or borrowed can show financial hardship as well as housing instability if the applicant can show that it is not the usual way they pay their rent/expenses or utilities.

EXAMPLE:

The applicant cannot provide satisfactory documentation of the monthly rental amount as described above. The applicant attests in writing a monthly rental amount of \$500 and the FMR is \$600, the CAA may provide assistance up to \$500. If the attested monthly rental amount is \$700 and the FMR and SAFR are \$600, the CAA may provide assistance only up to \$600. It is anticipated that it will be a rare situation in which the actual monthly rental amount cannot be satisfactorily documented.

Documentation Requirements for Proof of Occupancy and Rental Amount



Arrears

The Program pays for all unpaid rent back to March 13, 2020. If arrears are owed for March 2020, payment must be prorated. Late rental fees may be included provided they are included in the applicant's lease or rental agreement and do not exceed 4% of the monthly rental amount.

Non-Duplicative Rental Assistance

Only arrearages and current month for the tenant portion of the rent may be paid to the landlord under this program. Households occupying federally-subsidized residential or mixed-use property may receive assistance under this program provided that the assistance is not applied to costs that have been or will be reimbursed under any other federal assistance program. Examples of federal assistance program include:

- Project-Based Rental Assistance (HUD)
- Housing Choice Voucher (HUD – Administered by MaineHousing and Public Housing Authorities)
- Rental Assistance (USDA-RD)

The Tenant Application & Attestation requires the tenant to attest that if they had a change in income, they told the program administrator who changed their portion of the rent. Applicants receiving monthly federal subsidies as described above must work with the subsidy administrator to adjust the tenant portion of their rent if there has been a change in the household income. Reasonable efforts should also be made to ensure that other local or state sources of assistance are not duplicative.

A list of subsidized housing in Maine is provided on the Partner Portal. All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

I. LANDLORD APPLICATION AND REQUIREMENTS

- After receipt and processing of the Tenant Application & Attestation, the landlord will be contacted by the CAA to confirm the information on the application.
- CAA can help a landlord fill out an online Landlord Application & Attestation. However, the landlord must sign the Landlord Application & Attestation.
- If the landlord agrees to accept the terms of the program and payment on behalf of the applicant, the landlord will submit a signed copy of the Landlord Emergency Rental Assistance Application & Attestation, a complete IRS Form W-9, and the current lease.
- If there is no current lease, the landlord must show proof of ownership such as a deed or tax bill. An eviction notice does not suffice as proof of ownership. If an agent is acting on behalf of a landlord, the agent must provide the management agreement. If the landlord had submitted a W-9 to the CAA for a prior rent relief program, a new form is not required. A CAA can verify ownership using online town/city websites or calling them directly.
- Landlords may also opt for direct deposit by completing the CAA's required form.
- The landlord may submit the required forms at the same time the applicant applies for the Program. However, the amount of rental arrears and prospective rent must be agreed upon by the tenant applicant and the landlord applicant.
- The landlord must sign the Landlord Application & Attestation by electronically entering their name or providing a wet signature.

By signing the landlord application and attestation the landlord agrees not to take any action to evict Tenant for nonpayment of rent or any related costs for any months from March of 2020 to date or for any months they are paid from this program. Landlord also agrees not to increase Tenant rent greater than 5% within a 12-month period. If Tenant is or becomes a tenant at will, Landlord agrees not to initiate a no-cause eviction during the months Landlord is paid by the Emergency Rental Assistance Program.

Once the amounts of rental arrears have been agreed upon by the applicant and the landlord and all landlord documentation is received and processed by the CAA for payment, the landlord must provide the applicant with a copy of the Landlord Application and Attestation for the applicant's records.

It is hoped that all landlords will participate in the Program and accept payments. However, there are no provisions in the Program to require a landlord to participate.

CAAs notify the tenant and the landlord upon approval of payment. The notification requires: (1) the landlord and tenant to notify the CAA if the tenant moves out and does not occupy the unit in any months for which the CAA pays rent, and (2) repayment of the rent for any months the tenant does not occupy the unit.

Outreach to Landlords

CAAs will make reasonable efforts to obtain the cooperation of landlords to accept payments from the Program. Outreach will be considered completed if:

- i. A request for participation is sent in writing, by mail, to the landlord and the addressee does not respond to the request within seven (7) calendar days after mailing;
- ii. The Subgrantee has made at least two (2) attempts by phone, text, or email over a five (5) calendar day period to request the landlord's participation; or
- iii. A landlord confirms in writing or verbally and documented in EmpowOR that the landlord does not wish to participate in the Program.

CAAs must attempt to verify the landlord's contact information if the CAA receives no response from the landlord. All efforts by the CAA must be documented in EmpowOR.

All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

If a landlord refuses or declines to participate in the Program, the CAAs will issue payment directly to the renters. There may be instances when a landlord refuses to accept a payment from a tenant who has received assistance directly from a CAA for the purpose of paying the landlord. In these cases, the CAA may allow the tenant to use the assistance for other eligible costs in accordance with the terms of the ERA program.

J. UTILITY ASSISTANCE

- Utilities and home energy costs are separately-stated charges related to the occupancy of rental property and are not covered by the landlord in the rent or paid for by another source.
- For the purposes of this Program, utilities include separately-stated electricity.
- Telecommunication services (telephone, cable, Internet) delivered to the rental dwelling are not considered to be utilities.
- Documentation of the utility arrearage will need to be provided, such as a utility bill. Since arrearages may only be considered for the period on or after March 13, 2020, if the utility bill does not clearly define the period for which the arrearages occurred, additional documentation will be needed.
- When utilities and rent are paid in the same month, together they count as one month of assistance (of up to 12 months' maximum assistance).
- When utilities are paid for a month in which the tenant is not receiving rental assistance, the utility payments also count as one month of assistance (of up to 12 months' maximum assistance).
- In some instances, it may be more beneficial for a tenant to forgo utility assistance to obtain more months of rental assistance.
- Utility credits on a closed account must be sent back to the CAAs.
- CAAs may determine the number of months of utility arrears through any of the following provided by the tenant:
 - a month-by-month breakdown of outstanding charges for the arrearage from the utility.
 - a copy of the March 2020 bill along with the current bill so the CAA can calculate what portion of the utility arrearages is eligible for payment.

- dividing the utility arrears paid on behalf of the tenant by the amount for the current month (or most recent month).
- Unlike rental arrears which must be paid in full, all, some or none of the utility arrears may be paid.
- The utility bill may be in the name of a household member other than the primary applicant. If the bill is not in the applicant's name, the delivery address for the utility must match the unit address. If the utility bill is in the name of the landlord, the lease must reference that the tenant is responsible for making the utility payment.
- The CAA will pay the utility provider directly.
- An applicant may apply for utility assistance even if rental assistance is not requested.
- Utility assistance must be for the applicant's current rental unit.

If a household is in an emergency energy crisis, they should be referred to HEAP or 211 for immediate assistance. Prospective energy costs cannot be considered in this Program.

An applicant for utility assistance must provide CAA documentation which shows the applicant is a renter.

All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

K. OTHER HOUSING RELATED EXPENSES DURING OR DUE TO COVID-19

- This Program allows funds to be used for other housing related expenses that were incurred during or due, directly or indirectly to the coronavirus pandemic.
- Such expenses include, security deposits and hotel/motel stays.
- Households must meet other housing and income requirements described earlier in this program to qualify for other expenses.
- All reimbursements or payments for other housing related expenses during or due to the coronavirus pandemic must be accompanied by supporting documentation such as a bill, invoice or evidence of payment to a provider for service(s).
- Applicants who need a rental unit should be referred to Housing Stability Services.
- Hotel expenses are eligible provided:
 - the household has been displaced from its primary residence or does not have a permanent residence elsewhere (a hotel is not considered a permanent residence);
 - total months of assistance do not exceed 12 months;
- Process for hotel expenses:
 - CAA initially refers a request for hotel expenses to Housing Stability Services to ensure other federal assistance is not available and to assist the applicant in finding a rental unit.
 - Housing Stability Services contacts the local Emergency Solutions Grant (ESG) sub-recipient and checks the requested hotel against the list of hotels that are funded with FEMA funds.
 - If Housing Stability Services determines the request is for a hotel that is not ESG or FEMA funded, Housing Stability Services refers the application back to the ERA team for processing.
- No minimum number of days is required for hotel expenses to be covered.
- Hotel payments count toward the 12 month maximum in rental and utility assistance.
- Hotel payments do not include expenses incidental to the charge for the room.
- Hotel payments reimbursed at the current government rate: https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-results/?action=perdiems_report&state=ME&fiscal_year=2022&zip=&city=

- Alternate “lodging places ” i.e. hotels, motels, bed and breakfasts and campgrounds where the owner or managing entity maintains the lodging facilities can be considered as other housing related expenses.

This chart shows how to process payment for hotel/motel or lodging places:

| | Previously Paid by Applicant | Past due in Arrears | Current Due | Prospective |
|----------------------------|------------------------------|---------------------|--------------|--|
| Hotel/Motel/Lodging places | Not allowed | Pay Provider | Pay Provider | Not allowed – refer to housing stability |

An applicant for other housing related expenses during or due to the coronavirus pandemic (except for hotel expenses) must provide CAA documentation which shows the applicant is a renter.

L. HOUSING STABILITY SERVICES

Overview

Housing Stability Services are intended to promote and improve the housing stability of Maine renters through services intended to help maintain or obtain stable housing. A portion of the Program funds, separate from the 90 percent for direct payments on behalf of eligible tenants, may be used to provide Housing Stability Services.

Housing Stability Services will be coordinated by the CAAs. CAAs will offer Housing Stability Services to households who appear to be eligible for direct financial assistance under the Program and need help to complete an application, work with their landlord, address legal threats, or need other non-financial support to achieve housing stability. The CAA will include other community providers as part of the housing stability team and will work collaboratively to identify and offer appropriate services to support housing stability for renters.

The CAAs will be supported by access to services procured by MaineHousing including mediation and informal facilitation between landlord and tenant, assistance for applicants who need translation or cultural supports, training opportunities, and legal aid.

Community Action Agencies will coordinate Housing Stability Services within their jurisdiction. CAAs will leverage existing program models and approaches to the CAAs’ work, specifically the Whole Family approach to case management services a guiding principle shall be that the loss of housing, and/or the experience of homelessness, is an emergency which requires a prompt, targeted response to alleviate the emergency in a timely fashion. To ensure services are available promptly, CAAs should leverage existing internal and external programming, services and providers and procure services as needed.

Program Requirements

Each CAA will designate a Housing Stability Coordinator and establish a Housing Stability Team as outlined in the [Housing Stability Operating Framework](#).

For each applicant referred to Housing Stability Services, the Housing Stability Coordinator, or designated CAA staff member must:

- Verify that the applicant is in the EmpowOR system and appears to be eligible for ERA financial assistance
- Attempt to contact the applicant within two (2) business days of referral to Housing Stability Services

- CAA must ensure applicant has authorized CAA to share the tenant’s information on the Tenant Application & Attestation prior to providing applicant’s information to another entity for a referral
- If the above release form is not signed, CAAs may obtain verbal consent from the applicant, sign and date electronically (FBO applicant), then appropriately make notes on the document that verbal permission was received. A copy of the signed document will then be sent to the applicant.
- Process requests for payments to hotels as set forth in Section K., Other Housing-Related Expenses during or due to the coronavirus pandemic.
- Create an Individualized Housing Stability Plan for each referred household as outlined in the [Housing Stability Operating Framework](#)
- Provide on-going support as needed and documented in the Individualized Housing Stability Plan including the direct provision of services, referrals to internal programs, referrals to external programs and providers
- Follow principals and guidance outlined in the [Housing Stability Operating Framework](#)

Eligibility and Prioritization

When assessing the need for Housing Stability Services, the Housing Stability Teams will prioritize

- Households experiencing homelessness
- Households who are at imminent risk of or in process of eviction
- Households who have been displaced from their primary residence or do not have a permanent residence
- Households with a member who has been unemployed for the last 90 days

The Housing Stability Coordinator may cause a CAA to prioritize processing financial assistance to any applicant receiving Housing Stability Services who meets one of the criteria above.

Assistance for Persons Who Need a Rental Unit

Housing Stability Services are available for applicants who are experiencing homelessness or otherwise need a rental unit. The Housing Stability Coordinator may help an applicant obtain relocation expenses, security deposits, and application or screening fees if a household has been temporarily or permanently displaced during or due to the coronavirus pandemic. See Section K. OTHER HOUSING RELATED EXPENSE DURING OR DUE TO THE COVID-19. The Housing Stability Coordinator may provide an applicant with a [Preliminary Determination of Eligibility for Emergency Rental Assistance](#) to give to prospective landlords.

Reporting and Evaluation

MaineHousing will use a community of practice approach to identify and establish program standards and outcomes and to establish tracking expectations. Each CAA will also comply with the reporting requirements of the federal legislation, the U.S. Department of Treasury, and MaineHousing including the requirements outlined in P. REPORTING Required by MaineHousing: Application status and Household Information: 8. referrals.

Additional Guidance

Additional guidance regarding program design, goals, team structure, housing stability activities, risk indicators, and resources are available in the [Housing Stability Services Operating Framework](#).

All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

M. SUBGRANTEES

MaineHousing has entered into Subgrant Agreements with the ten (10) Maine Community Action Agencies to deliver the components of this Program. Housing Stability Services are described in a separate Program Guide which includes other sub-grantees and can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

A complete list of CAAs and contact information can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

N. TENANT APPLICATION PROCESSING

The program opened on March 1, 2021 at 12:00 pm. Subject to prioritization described in Section L. Housing Stability Services and Section U. Prioritization, applications will be received and processed on a first-come-first-served basis until such time the Program is terminated as directed by the Secretary of the Treasury or until Program funding has been exhausted.

Applicant households must be obligated to pay rent on a residential dwelling unit and meet the other eligibility and documentation criteria described in this Guide. Applicants may apply for rental and utility arrears or prospective rent. An applicant does not have to have rental arrears to apply for the Program.

EXAMPLE:

Examples of eligible housing circumstances include, but are not limited to:

- Apartment or house rentals
- Mobile home rentals or lot/pad rentals (not park fees) if the applicant owns the mobile home
- Recovery houses
- Boarding houses
- Roomer/boarders situations

Note: Applicants living in recovery houses, boarding houses, or renting a room in the landlord's home must provide a lease, rental ledger, or payment history to prove residency for 60 days or more.

Applicants may apply for the Program by completing the online Tenant Emergency Rental Assistance Application and Attestation. Applications may be accessed by:

- Going to MaineHousing's website at: www.mainehousing.org/covidrent which provides a link to the online application website.
- Going to the Maine Community Action Program website at <https://mecap.org/rent-relief>
- Contacting the respective CAA or Cultural Based Organization participating in the program for assistance with completing the on-line application or obtaining a paper application.
- Contacting MaineHousing at 1-800-452-4668 for a paper application. MaineHousing will take the name, mailing address and/or email address of the prospective application. Paper applications can also be downloaded from the MaineHousing website. All paper applications should be mailed to the respective CAA.

Should MaineHousing receive paper applications or applications by another method, the application will be uploaded to ShareFile. Upon upload, the CAA will be notified in ShareFile that a new application has been uploaded.

Applications are available in multiple languages to accommodate non-English speaking applicants, both tenant and landlord. CAAs should also use language support services when possible or make referrals to local agencies that provide support to non-English speaking or limited English proficiency tenant and landlord applicants.

Notice of approval for payment is sent to the landlord and the tenant. The notice requires the landlord and the tenant to notify the CAA if the tenant moves out before the last month of rental assistance. If payment was made to the landlord, the landlord must repay the CAA for the months when the tenant does not live in the unit. If payment was made directly to the tenant, the tenant must repay the CAA for the months when the tenant does not live in the unit.

CAAs, landlords, caseworkers, caregivers, or housing stability providers may help an applicant complete the Tenant's Application & Attestation. The applicant must execute the attestation. The helper's name and contact information should be completed on the form. If a tenant is unable to execute an attestation, the tenant should be referred to the CAA's Housing Stability Services Team for support.

If an applicant starts but does not submit an application, the CAA will reach out to the applicant. CAA will attempt to telephone and email the applicant; if an applicant fails to respond within 7 days of a phone message and email from the CAA, the applicant's information will be archived in EmpowOR. The applicant may begin the process again at a later time.

If a tenant submits an application and then fails to respond to an inquiry from the CAA for further documentation or information for a period of 30 days, the CAA may deny the application. The denial reason is either "documentation not provided" or "applicant not responsive."

NOTE:

Since applications and landlord documents contain Personal Identifiable Information (PII), applications and supporting documentation should never be emailed between MaineHousing and CAAs. CAAs can upload the application and documents to SHAREFILE.

All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

O. SUBSEQUENT REQUEST

- A tenant may apply for additional assistance up to 12 months.
- CAA will include information regarding subsequent requests in the payment notification to tenant.
- The CAA will verify that the tenant has additional months of eligibility for rental assistance.
- The additional assistance is considered prospective rent. A tenant may apply for additional assistance in up to 3 month increments.
- To apply for the additional assistance, the tenant must submit a Tenant Subsequent Request Attestation and any other required documentation. Documents may be uploaded to the same link the tenant used for their initial application.

- If the household qualifies for the Program using Fact Proxy, Categorical eligibility, professional attestation or the 2021 Annual Income Option, and requests additional rental or utility assistance in the future, the applicant will not need to provide income documentation again.
- If a written attestation without further documentation of income (or fact-specific proxy) is relied on, CAA must reassess household income for the household every 3 months.
- Tenants that used the Current Monthly Income Option are required to submit new income documentation for additional assistance.
- The CAA will send an email to the tenant with the Tenant Subsequent Request Attestation for the tenant to complete and an email to the landlord with a new Landlord Emergency Rental Assistance Application & Attestation for the landlord to complete.
- The tenant must demonstrate that they are still experiencing risk of homelessness or housing instability.
- If the tenant fails to respond to the inquiry from the CAA for a period of 30 days, the CAA will archive the application.
- The landlord must complete and submit the Landlord Emergency Rental Assistance Application & Attestation.

P. REPORTING

The most recent Reporting Guidance from Treasury for ERA1 and ERA2 may be found here:

<https://home.treasury.gov/system/files/136/ERA-Reporting-Guidance.pdf>

Information Required by the U.S. Department of Treasury

- Verification of Recipient Details, to be verified and updated quarterly:
 - For landlords and utility providers:
 - Recipient type;
 - Name;
 - Address; and
 - Social Security Number, Tax Identification Number or DUNS Number
- For quarterly reporting the following items are required to be reported by household zip code;
 - Amount and percentage of monthly rent covered by ERA assistance;
 - Amount and percentage of separately stated utility and home energy costs covered by ERA assistance;
 - Total amount of each type of assistance provided to each household,
 - Rent;
 - Rental arrears;
 - Utilities and home energy costs;
 - Utilities and home energy costs arrears;
 - Other expenses related to housing;
 - Housing Stability Services; and
 - Administrative Costs;
 - Amount of outstanding rental arrears for each household;
 - Number of months of rental payments and number of months of utility or home energy cost payments for which ERA assistance is provided;
 - Household income **total** and by;
 - Does not exceed 30 percent of AMI
 - Exceeds 30 percent but does not exceed 50 percent
 - Exceeds 50 percent but does not exceed 80 percent

- Number of individuals in the household; and
- Gender, race, and ethnicity of the primary applicant for assistance:
 - Gender:
 - Female
 - Male
 - Nonbinary
 - Declined to Answer
 - Data Not Collected
 - Race:
 - American Indian or Alaska Native
 - Asian
 - Black or African American
 - Native Hawaiian or Other Pacific Islander
 - White
 - Declined to Answer
 - Data Not Collected
 - Ethnicity:
 - Hispanic or Latino
 - Not Hispanic or Latino
 - Declined to Answer
 - Data Not Collected
- Participant Household Data File:
 - Physical address of the participant household;
 - Payee type (i.e., Tenant; Landlord or Owner; Utility/Home Energy Service Provider; Other Housing Services and Eligible Expenses Provider);
 - Category of Financial Assistance provided (Rent, Rental arrears, Utilities and home energy costs, Utilities and home energy cost arears, Other expenses related to housing, Housing Stability Services and Administrative Costs);
 - Amount of payment;
 - Date of payment; and
 - Date range for the period of performance the ERA Financial Assistance is intended to cover for the household (that is, the months in which household expenses are covered as documented in the participant household's application, as appropriate).

Recipients should report multiple entries per participant household where households received multiple forms of assistance under separate agreements, as needed, taking care to avoid counting assistance twice.

Required by MaineHousing

- Application status and Household Information:
 - Client inquiries
 - Client Inquiry Household ID; and
 - Date
 - Pending enrollments
 - Case number & household ID;
 - Created date; and
 - City, county, and zip code;
 - Denied or withdrawn

- Case number & household ID;
 - Denied or withdrawn date;
 - City, county, and zip code; and
 - Exit reason
- Enrolled households
 - Case number & household ID;
 - Enrolled date;
 - City, county, and zip code;
 - Service date;
 - Arrearage rent (y/n);
 - Arrearage utilities (y/n);
 - Rent months (from service items); and
 - Current utilities (y/n);
- Expenditures
 - Case number & household ID, and expenditure ID;
 - Vendor name;
 - Date (authorized payment);
 - Expenditure type;
 - Amount; and
 - Descriptions text of months;
- Demographics
 - Case number & household ID;
 - Number of people in household;
 - Number of children in household;
 - Race of primary applicant;
 - Ethnicity of primary applicant;
 - Gender of primary applicant;
 - % AMI; and
 - Disaggregation for the below by household:
 - Type of housing stability service;
 - Assistance in applying;
 - Housing counseling;
 - Supportive conversations with landlord and tenant;
 - Housing navigation;
 - Referrals to and help with filling out applications for services offered by the CAA and the Department of Health and Human Services;
 - Referrals to appropriate services offered by community providers or other organizations such as intensive case management, workforce development; and
 - Referrals to legal assistance
- Approvals and payments
 - Case number & household ID;
 - Date (authorized payment); and
 - Date (payment issued)
- Referrals
 - Case number & household ID; and
 - Enrolled date;
 - Housing Stability Services

- Type of housing stability service;
- Assistance in applying;
- Housing counseling;
- Supportive conversations with landlord and tenant;
- Housing navigation;
- Referrals to and help with filling out applications for services offered by the CAA and the Department of Health and Human Services;
- Referrals to appropriate services offered by community providers or other organizations such as intensive case management, workforce development;
- Referrals to legal assistance; and
- Dollar amount and hours billed for housing stability services

Other reporting and administrative requirements related to this Program may be found in the ERA Treasury Terms – OMB 1505-0266 Use of Funds and the Memorandum of Understanding between the Department of Economic and Community Development and Maine State Housing Authority.

All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>

Q. RECORDS RETENTION

All records pertaining to this Program shall be maintained by MaineHousing and the CAAs for a period of five (5) years after all funds have been expended or returned to the US Treasury Department.

R. QUALITY ASSURANCE ACTIVITIES AND MONITORING

CAA Quality Assurance Monitoring

Monthly internal quality assurance reviews will be required of each CAA. The intent of the quality assurance review is to monitor the accuracy of application files throughout the program year, and to ensure staff are correctly interpreting and applying program requirements and policies. Additionally, results should be used to identify areas that should be used for internal training purposes.

As part of the monthly reviews, CAAs will select a file sample, maintain a quality assurance log identifying the files and results, and upload results to MaineHousing’s ShareFile, subfolder Quality Assurance Monitoring for review.

- **File Sample:** CAA will select a sample of no less than one percent (1%) or two (2) files, whichever is greater, of the total applications taken or processed by each intake worker and processor during the month. The sample selection shall include eligible and denied applications (if any).
- **File Review:** A full review of the file and EmpowOR shall be performed to verify accuracy and completeness, and include an assessment of the following:
 - Case file notes and documentation – should tell the entire story of the household and should be clear to anyone reviewing the file.
 - Information is legible and logical.
 - Appropriate documents are completed, signed and dated.
 - Information is entered correctly in EmpowOR.
 - Household has been served according to the program guidelines.
- **Quality Assurance Log:** The CAA shall maintain a quality assurance log identifying the files reviewed and include the household ID, intake worker’s name, certifier’s name, reviewer name, date reviewed, and results.

- **Share Results and Log:** CAA management must upload a report to MaineHousing’s ShareFile, a Quality Assurance Monitoring sub-folder on or no later than the twentieth of each month (or first working day following the twentieth day if the twentieth day falls on a weekend or a holiday). To obtain access to ShareFile, please complete and submit the MaineHousing User Authorization Form, which can be found at <http://www.mainehousing.org/partners/partner-type/community-agencies/HEAP> (select “Program Tools” tab).

MaineHousing Monitoring

In order to ensure program integrity and monitor CAA performance, MaineHousing will perform program and fiscal monitoring to satisfy all program oversight requirements. The objective of the monitoring process is to examine policies, processes, and standard operating procedures related to the delivery of services and compliance with program regulations. It is MaineHousing’s goal during monitoring to not only confirm consistent delivery of the program, but to also recognize best practices, improvement of the delivery of services and to acknowledge successful program compliance. These monitoring activities also identify areas that need improvement and specific activities which may require corrective action and a revision of operating procedures.

All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

S. FRAUD INVESTIGATION

Fraud is defined as an *intentional* act to deceive or mislead. The element of intent must be present in order to be considered fraud.

Fraud is **not** information provided or other actions taken based on a misunderstanding of program rules or questions being asked.

ERA Fraud: Potential Red Flags

If two or more of the below red flags exist, take a closer look or request additional documents. The presence of red flags alone does not prove that fraud exists, but the probability does go up.

- Total rent owed for one household is more than \$12,000
- Monthly rent is higher than expected for the area
- The landlord’s mailing address is out of state, or different than the mailing address on the W-9.
- No proof of residence submitted by Tenant
- No lease or proof of ownership is submitted by Landlord
- Requests that checks be made out to or sent to someone other than the LL
- Tenant requests to be paid directly

CAA Responsibility

The following steps should be taken if a CAA discovers or receives information that appears to conflict with the applicant/landlord application or program guidelines:

- Document the date, time, and details of the initial report/discovery (including contact information of the source of the fraud complaint).
- Initiate contact with the applicant and/or landlord. Give the applicant and/or landlord an opportunity to explain the discrepancy. (Note: never use the term “fraud” or any language that sounds like an accusation. Also, never reveal the identity of someone who has alleged fraud.)

- Allow the applicant and/or landlord the opportunity to amend the Emergency Rental Assistance application.
- Evaluate the information provided by the applicant and/or landlord.

If after reviewing all available information, there is a suspicion of fraud, please forward it to MaineHousing.

For further assistance on fraud matters, contact Fraud Prevention Specialist Kevin Strout kstrout@mainehousing.org or by phone at 207-626-4671. Please upload documentation to the fraud folder in ShareFile.

MaineHousing Responsibility

MaineHousing’s Fraud Prevention Specialist will work to investigate and resolve allegations of fraud, waste, and abuse in the ERA program. MaineHousing will maintain a tracking log for all fraud allegations and investigations and maintain documentation for each incident. Depending on the situation, MaineHousing may pursue collection of overpayments, withhold future ERA payments, refer the case to law enforcement, or take other appropriate actions.

MaineHousing’s website and Landlord and Tenant applications ask participants to report suspected fraud to the Maine State Auditor’s fraud hotline: (207) 624-6250 or via email: fraud.stateauditor@maine.gov.

ERA applicants are also advised that MaineHousing reserves the right to randomly select applications to request supporting documentation to verify program eligibility.

T. PERFORMANCE EXPECTATIONS

This Program adheres to two core values:

RESPECT: All applicants are treated with sensitivity and individualized care.

RESPONSIVENESS: All applicants are guaranteed a prompt response to their inquiries and their unique situations are recognized.

- MaineHousing, the CAAs and all subrecipients in this Program are held to the standard that all inquiries will have a phone or email response within two (2) business days.
- The client experience in this Program will be monitored through direct feedback from clients and community partners who contact MaineHousing regarding the Program.
- MaineHousing will provide support to the extent feasible and suggest corrective action if necessary to improve the client experience.
- A *Community of Practice* will be established between participating agencies and MaineHousing to address issues with delivery of program including intake, processing applications, and housing stability. Regular meetings will be established to foster a client focused culture of continuous improvement.

Performance

MaineHousing encourages CAAs to take all necessary steps to respond to questions, process applications, approve for payment, and issue payment for ERA clients promptly to the extent possible. In order to ensure prompt service, MaineHousing will measure timeliness of each CAA’s ERA application process. If a CAA consistently doesn’t meet the below time frames, MaineHousing may request a change to the CAA’s workflow.

| Time Frame | Milestone |
|-------------------|---|
| 5 Business Days | Completed Application to Application Approved for Payment |
| 14 Calendar Days | Application Approved for Payment to Payment Issued |

A Completed Application is defined as once all required documents have been received from both tenant and landlord to verify and approve payment.

MaineHousing encourages the use of EmpowOR to measure application milestones. If a CAA chooses not to enter Payment Issued date in the Client Record, an ad hoc data reporting system will be required to ensure timely processing and payment.

<https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

U. PRIORITIZATION

The payment of existing housing-related arrears that could result in eviction of an eligible household may be prioritized. MaineHousing will reserve sufficient funds to ensure all eligible households with incomes that do not exceed 50% AMI and all eligible households with one or more individual who has been unemployed for 90 days up to and including the date of application are funded.

V. FISCAL MANAGEMENT AND DOCUMENTATION

Guidance for fiscal management, budgets, and monthly billing can be found at

<https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

W. MAINEHOUSING CUSTOMER CARE RESPONSIBILITIES

- During normal operational hours, all callers to the MaineHousing switchboard hear a pre-recorded message, with the first option being “Press 7 for the Emergency Rental Assistance Program.”
- Callers that press 7 will go into the Customer Care Team (CCT) call queue. Calls will sequentially route through the CCT members who are currently logged in and accepting calls.
- The CCT will answer as many calls as possible with a live operator. If there are more than 10 callers already in the queue, or if the caller has waited 4 minutes without an available operator, the caller will be able to leave a message in the Emergency Rental Assistance voice mailbox.
- This mailbox will be monitored by MaineHousing Front Desk staff, and will be checked multiple times throughout the day.
- MaineHousing CCT members will utilize an Access data base to capture names, addresses and phone numbers of callers who need a paper application mailed, or who have queries that need additional follow up for questions that cannot be directly addressed while on the call.
- The CCT team will provide basic assistance regarding such questions as how to apply on-line, how to receive a paper application and how to upload documents, and will utilize MaineHousing’s FAQs to answer basic program questions.

- The CCT will not provide additional program details that are not listed in the FAQ, or answers to questions about the status of an application (e.g. has my application been processed? Has my landlord been paid? etc). Those calls will be referred back to their appropriate CAA.
- The CCT will also capture census information for callers who say they have called the CAA multiple times but have not heard back from them.
- MaineHousing CCT Leaders will monitor the Access data base and follow up with callers as necessary.
- Application packets will be mailed by the MaineHousing Front Desk staff within one business day of receipt of the request. The packet will include an instruction page, the paper application, the printed list of FAQ's and a postage-paid return envelope, addressed to the appropriate CAA.

All documents and guidance referred to in this section and subsequent sections can be found at <https://www.mainehousing.org/partners/partner-type/community-agencies/emergency-rental-assistance-program>.

X. CONFLICTS OF INTEREST

Conflicts of Interest

As stated in the fully executed Subgrant Agreements between MaineHousing and the CAAs, the CAAs are expected to be attentive to and disclose potential conflicts of interest when employees, temporary staff, volunteers or contractors are beneficiaries of ERA. The aforementioned relationships are examples and do not represent an all-inclusive list of situations that could potentially be perceived as partiality, a perceived conflict of interest or an actual conflict of interest. Monthly monitoring requirements are described in the Subgrant Agreement, and more detailed procedures are documented below:

- Each month, CAA will submit a report notifying MaineHousing of the employees, including temporary staff and volunteers, of the CAA who are beneficiaries (or prospective beneficiaries) of the Program. The report shall be cumulative and inclusive of those who received services or benefits funded by ERA during the contract period. The report shall identify the following:
 - Person's name;
 - Person's job title or description of their affiliation with the CAA; and
 - ERA benefits applied for or received and for which month or time period
- CAA management must upload a report to MaineHousing's ShareFile, Conflict of Interest subfolder, on or no later than the twentieth of each month (or first working day following the twentieth day if the twentieth day falls on a weekend or a holiday). To obtain access to ShareFile, please complete and submit the MaineHousing User Authorization Form, which can be found at <http://www.mainehousing.org/partners/partner-type/community-agencies/HEAP> (select "Program Tools" tab).

Y. APPEALS

If an applicant is determined to be ineligible for assistance, CAA will notify the applicant in writing with the reason for the denial and let the applicant know that if they wish to appeal the decision, they must notify the CAA of their intent to appeal the decision in writing within 30 days. A review will be conducted by a person other than the one who made or approved the decision under review or a subordinate of this person. The reviewer will review the file, conduct necessary research, and give the Applicant an opportunity to provide additional information and present written or oral objections to the decision under review. In rendering a decision the CAA will evaluate the accuracy of the calculations, the level of documentation provided by the applicant, and the accuracy of the decision. The CAA will communicate the results of the research/review to the applicant and advise the applicant that it may make a final appeal to MaineHousing at: 26 Edison Drive, Augusta, Maine 04330-6046, Telephone Number 1-800-452-4668 (voice in state only), (207) 626-4600 (voice) or Maine Relay 711. The CAA will communicate the following to

the tenant: “We reviewed the information regarding your appeal of ineligibility for the Emergency Rental Assistance Program and unfortunately have confirmed that you are ineligible. If you continue to disagree with our decision, you may make a final appeal to Maine State Housing Authority. To appeal, send an email to bbrann@mainehousing.org within 30 days of this email. MaineHousing will investigate our reasoning for the denial and make a recommendation to the Director of MaineHousing to uphold or reverse the denial. MaineHousing will then communicate the Director’s decision to you.” MaineHousing will request documentation needed to make a decision be uploaded to ShareFile (downloaded documents folder). MaineHousing will investigate the CAA’s reasoning for the denials and make a recommendation to the Director of MaineHousing to uphold or reverse the denial. The Director’s decision will be communicated to the applicant and is final agency action.

MaineHousing does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, marital status, national origin, ancestry, physical or mental disability, age, familial status or receipt of public assistance in the admission or access to or treatment in its programs and activities. In employment, MaineHousing does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, age, physical or mental disability or genetic information. MaineHousing will provide appropriate communication auxiliary aids and services upon sufficient notice. MaineHousing will also provide this document in alternative formats upon sufficient notice. MaineHousing has designated the following person responsible for coordinating compliance with applicable federal and state nondiscrimination requirements and addressing grievances: Lauren Bustard, Maine State Housing Authority, 26 Edison Drive, Augusta, Maine 04330-6046, Telephone Number 1-800-452-4668 (voice in state only), (207) 626-4600 (voice) or Maine Relay 711.