

**MAINE STATE HOUSING AUTHORITY
Emergency Rental Assistance (ERA) Program**

**Program Guide Updates
March 24, 20201**

Action and Page	Changes (in red)
Add - Page 4	<p>A. <u>INTRODUCTION AND BACKGROUND</u> The Emergency Rental Assistance Program is also referred to as “ERA”</p>
Add – Page 5	<p><u>Household Eligibility:</u> 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:</p>
Add – Page 6	<p><u>Documentation of Income:</u> 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 re: Tenant Income available on the Partner Portal on MaineHousing’s website.</p>
Edit – Page 7	<p><u>Income Inclusions:</u> 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.</p>
Delete – Page 8	<p><u>Income Exclusions:</u></p> <p><u>NOTE:</u> The Grantee has determined that (deleted: one time) 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.</p>
Add – Page 8	<p><u>G. RISK OF HOMELESSNESS OR HOUSING INSTABILITY</u> The CAA must consider whether the household might benefit from Housing Stability Services and refer applicants to Housing Stability Services when appropriate.</p>
Add – Page 9	<p><u>H. RENTAL ASSISTANCE and DOCUMENTATION</u></p> <ul style="list-style-type: none"> • A tenant may receive arrears only.
Edit – Page 10	<p><u>H. RENTAL ASSISTANCE and DOCUMENTATION</u></p> <ul style="list-style-type: none"> • 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 15 months’ total rent and may not receive rent twice for the same month. • The Program does not dictate limits on rental arrears or monthly rental limits, except when FMRs are (deleted: to be considered as) 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 or storage fees. The applicant and landlord must be in agreement in the amount of arrearages prior to payment to the landlord.

Add – Page 9	<p>H. <u>RENTAL ASSISTANCE and DOCUMENTATION</u></p> <ul style="list-style-type: none"> 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.
Edit – Page 10	<p><u>Documentation of Occupancy and Rental Amounts:</u> 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 (deleted: address is different from the landlord address). Preexisting written lease and evidence of a history of consistent rent payments is required.</p> <p><u>A lease establishing a rental relationship is required for any rent to own situations. No household member may be on the deed or on a mortgage of the property.</u></p>
Add – Page 11	<p><u>Documentation of Occupancy and Rental Amounts:</u> A lease establishing a rental relationship is required for any rent to own situations. No household member may be on the deed or on a mortgage of the property.</p>
Add – Page 12	<p>I. <u>LANDLORD APPLICATION AND REQUIREMENTS</u> By signing the Landlord Application & Attestation, a landlord agrees not to take any eviction action against the household for non-payment of rent or any related costs for the months for which they are receiving payment. The landlord also agrees not to increase the applicant’s rent in 2021 unless the landlord and tenant signed a lease with a rent increase provision prior to submitting their applications for the Program. The Program does not pay for rent increases that are not supported by language in a lease; written notice of a rent increase that is not supported by language in the lease is not sufficient. If rent is increased without the support of a lease, the CAA may pay the tenant for rent amount prior to the increase.</p>
Add – Page 12	<p>I. <u>LANDLORD APPLICATION AND REQUIREMENTS</u></p> <p><u>EXAMPLE:</u></p> <p>Examples of leases with a rent increase include:</p> <ul style="list-style-type: none"> A market lease with a provision for a rent increase Leases and addenda to leases which provide for a change in rent based on household size or income, or the low income housing tax credit program income limits Leases and addenda to leases which provide for a change in the tenant’s portion of the rent based on HUD’s requirements (such as HCV, Mod Rehab, and Section 8 Project Based Voucher leases) Leases and addenda to leases which provide for a change in total tenant payment in accordance with HUD requirements and Public Housing Authority admissions and occupancy policies

Add – Page 13	<p>J. <u>UTILITY ASSISTANCE</u></p> <ul style="list-style-type: none"> • When utilities and rent are paid in the same month, together they count as one month of assistance (of up to 15 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 15 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.
Edit – Page 13	<p>J. <u>UTILITY ASSISTANCE</u></p> <ul style="list-style-type: none"> • CAAs may determine the number of months of utility arrears through any of the following provided by the tenant: <ul style="list-style-type: none"> ○ (deleted: the applicant may need to contact their utility to get) a month-by-month breakdown of outstanding charges for the arrearage (deleted: to be considered for payment) from the utility. ○ (deleted: The applicant may also provide) 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. ○ (deleted: The number of months of utility arrears paid on behalf of a tenant is equal to the) dividing the utility arrears paid on behalf of the tenant (deleted: divided) by the amount for the current month (or most recent month).
Add – Page 14	<p>J. <u>UTILITY ASSISTANCE</u></p> <ul style="list-style-type: none"> • Unlike rental arrears which must be paid in full; all, some or none of the utility arrears may be paid.
Add – Page 14	<p>J. <u>UTILITY ASSISTANCE</u></p> <ul style="list-style-type: none"> • Utility assistance must be for the applicant’s current rental unit.
Edit – Page 14	<p>K. <u>OTHER HOUSING RELATED EXPENSES DUE TO COVID -19</u></p> <ul style="list-style-type: none"> • Such expenses include relocation expenses, (deleted: and a) security deposits, and application or screening fees if a household has been temporarily or permanently displaced due to COVID-19 (deleted: outbreak), and Internet service provided to a rental unit. • Hotel expenses are eligible provided: <ul style="list-style-type: none"> ○ the household has been displaced from its primary residence or does not have a permanent residence elsewhere; ○ total months of assistance do not exceed 12 months (plus an additional three months if necessary to ensure stability for the household); • Process for hotel expenses: <ul style="list-style-type: none"> ○ 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.

Add – Page 14	<p>K. <u>OTHER HOUSING RELATED EXPENSES DUE TO COVID -19</u></p> <ul style="list-style-type: none"> • No minimum number of days is required for hotel expenses to be covered.
Edit – Page 14	<p>K. <u>OTHER HOUSING RELATED EXPENSES DUE TO COVID -19</u></p> <ul style="list-style-type: none"> • All reimbursements or payments for other housing related expenses due to COVID-19 must be accompanied by supporting documentation such as a bill, invoice or evidence of payment to a provider for service(s).
Add – Page 15	<p>K. <u>OTHER HOUSING RELATED EXPENSES DUE TO COVID -19</u></p> <p>An applicant for other housing related expenses due to COVID-19 (except for hotel expenses) must provide CAA documentation which shows the applicant is a renter.</p>
Edit – Page 16	<p>N. <u>TENANT APPLICATION PROCESSING</u></p> <p><u>EXAMPLE:</u></p> <p>Examples of eligible housing circumstances include, but are not limited to:</p> <ul style="list-style-type: none"> • 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 (deleted: long term hotel occupancy) <p>Note: Applicants living in recovery houses, boarding houses, (deleted: hotels, motels) 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.</p>
Add – Page 16	<p>N. <u>TENANT APPLICATION PROCESSING</u></p> <p>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 removed from EmpowOR. The applicant may begin the process again at a later time.</p>
Edit – Pages 20	<p>R. <u>FRAUD INVESTIGATION</u></p> <p>Moved CAA Responsibility to top of section.</p> <p><u>MaineHousing Responsibility:</u></p> <p>MaineHousing’s Fraud Prevention Specialist will identify, investigate, and resolve allegations of fraud, waste, and abuse in the ERA program. (Deleted: MaineHousing has an obligation to investigate all allegations of fraud, and if fraud is determined, it is)</p> <p>MaineHousing may pursue collection of overpayments or (deleted: and) take other appropriate actions. MaineHousing will maintain a tracking log for all fraud allegations and investigations and maintain documentation for each incident.</p> <p>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.</p>

Add – Page 20	R. <u>FRAUD INVESTIGATION</u> ERA applicants are advised that MaineHousing reserves the right to randomly select applications to request supporting documentation to verify eligibility. The Fraud Prevention Specialist will research and obtain additional supporting documentation to substantiate household income and claims of financial hardship and housing instability for selected applicants and participants.
Edit – Page 23	X. <u>APPEALS</u> If an applicant is determined to be ineligible for assistant, 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. 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.