

Tarrant County Emergency Rental Assistance Program (ERAP)
Program Policy and Guidelines
Updated 11/9/2021

Program Description

The Tarrant County Emergency Rental Assistance Program (ERAP) is designed to assist eligible households who are unable to pay rent and/or utilities due to **or during** the COVID-19 pandemic as established by section 501 of Division N of the Consolidated Appropriations Act, 2021 (ERA 1) and Section 3201 of Subtitle B, Title III of the American Rescue Plan Act, 2021 (ERA 2) **and additional guidance provided by Treasury.**

Assistance may be provided for unpaid, overdue rent (arrears) from April 1, 2020, and for future rent. Using a combination of ERA 1 and ERA 2, total months of assistance is not to exceed 15 months, or 18 months if necessary, for housing stability as defined by US Treasury.

If applicant/household is eligible, assistance will be provided as follows:

- Rent arrears plus three months in future rent, for a total of up to 15 months
- Rent arrears plus three months in future rent, for a total of up to 18 months if more than 12 months in arrears exists at time of application
- Arrears only if 18 months in arrears exists at time of application
- Utility arrears plus current month utility expense if applicant provides current month's utility bill
- Additional assistance may be provided for future rents in three-month increments or utility payments one month at a time as outlined in Income Determination section.

Fees included in a lease agreement are eligible for assistance. Late fee assistance will be provided using the definition of reasonableness provided in Section 92.189 of the Texas Property Code. Additionally, utilities included in a lease agreement and paid directly to landlord are considered rent. Internet is considered an eligible utility.

Application Prioritization

Applications will be prioritized based on the following point system:

- Current eviction notice or case – 5 points
- Unemployed for 90 days or more – 5 points
- Household income 50% AMI or lower – 10 points

Eligibility and Documentation Requirements

An eligible household is defined as a renter household obligated to pay rent on a residential dwelling located in Tarrant County, outside the cities of Fort Worth and Arlington, in which one or more individuals meet the following criteria:

- Qualifies for unemployment or has experienced a reduction in household income, incurred significant costs or experienced a financial hardship due to **or during** the COVID-19 **pandemic**
 - If applicant claims qualification based on unemployment eligibility, documentation must be submitted to prove eligibility (statement of benefits, approval letter, or benefits remittance from the Texas Workforce Commission)
 - If applicant claims qualification based on any other COVID-19 impact, **applicant must provide self-attestation and a written description of hardship via the application**
 - Applicants selection of impact must be consistent with written description

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- Demonstrates a risk of experiencing homelessness or housing instability
 - Applicant must have at least one month of past-due rent; or
 - Applicant may self-attest that they are at risk of experiencing homelessness or housing instability
- Has a household income at or below 80% of the Area Median Income (AMI)
 - Area Median Income for Tarrant County

	Very Low Income	Low Income
Household Size	50% AMI	80% AMI
1	\$28,300	\$45,300
2	\$32,350	\$51,750
3	\$36,400	\$58,200
4	\$40,400	\$64,650
5	\$43,650	\$69,850
6	\$46,900	\$75,000
7	\$50,100	\$80,200
8	\$53,350	\$85,350

Income Determination

Household income will be defined based on one of the following:

- The Department of Housing and Urban Development (HUD) definition in 24 CFR 5.609
- Adjusted Gross Income (AGI) as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040

Income eligibility will be determined by the household's total income for calendar year 2020 or household's monthly income at the time of application, extrapolated over a 12-month period.

The following will be accepted as income documentation:

- 2020 tax return
- Bank statements for the three months prior to date of application
- Paycheck stubs/wage statements dated within 60 days of date of application
- Employer attestation of wages paid within 60 days of date of application
- Unemployment statement dated within 60 days of date of application
- Categorical Eligibility
 - If an applicant's household income has been verified to be at or below 80% AMI in connection with another local, state or federal government assistance program, a determination letter from that agency verifying income and program eligibility on or after January 1, 2020 may be accepted (e.g. SNAP or Medicaid)

A written attestation may be accepted from the applicant, a caseworker or other professional regarding household income in the following situations (limited circumstances):

- Place of employment closed
- Payment was received in cash
- Household has no qualifying income

Self-attestation alone may be accepted if the applicant confirms they are unable to document their income. A self-attestation form must be completed and uploaded to the application.

Landlord will be required to provide the following:

- Completed Form W-9 (on rev. October 2018 form)
- Tenant ledger
- Current signed lease agreement

A current lease agreement will be required to verify rental status, address, and rent amount. If a lease agreement does not exist, the following may be accepted:

- Evidence of applicant paying utilities at property address
- Attestation by landlord who is verified property owner or owner's representative
- Bank statements, check stubs or other payment documentation supporting a consistent rent payment/amount up to a monthly maximum of 100% of the greater of the Fair Market Rent for the area in which the applicant resides, as most recently determined by HUD.

An applicant is not required to request rental assistance to qualify for utility assistance. To be considered for utility assistance, the applicant must provide:

- Current signed lease agreement or other proof of address as described within this policy
- Current utility bill or invoice from utility provider

To receive continued assistance for rent, applicants will be required to submit updated income documentation every three months, and landlords will be required to submit an updated ledger for the corresponding period. To receive continued assistance for utilities, applicants will be required to submit utility bills monthly and updated income documentation every three months.

Landlords must agree not to evict a tenant during period of assistance or for 30 days following period of assistance.

Payment

Reasonable outreach efforts will be made, and payment made directly to the utility provider or landlord unless one of the following requirements are met. Outreach will be considered complete if:

- At least three attempts to gain landlord participation have been made within a 5-day period
 - Attempts may be by email, phone, or text and be documented
- A letter has been mailed to landlord and no response has been received within 7 days
- Landlord confirms in writing that they do not want to participate.

If payment is made directly to applicant/household, proof of payment to landlord or utility provider must be submitted to Tarrant County within 30 days of receipt of ERAP assistance by applicant. If proof is not submitted within 30 days, Tarrant County will attempt to recapture funds from applicant and may deem applicant ineligible for future assistance through ERAP.

Duplication Prevention

Rental assistance provided to an eligible household may not duplicate any other assistance provided to that household.

- Screening portal (getrenthelp.com) will serve as first stop for all Tarrant County renters and will route applicant to appropriate ERAP grantee and application.
- Each applicant must certify that they have not received assistance, nor do they have a pending application for assistance to any other programs, for the months included in their application.
- To specifically ensure no duplication with the Texas Rent Relief program, application reviewers will follow the Duplication Prevention Process outlined in the diagram included in this policy document. Exceptions may be made on a case-by-case basis at the discretion of program management and with the approval of the Auditor's Office.

If an eligible household receives a monthly federal subsidy (*e.g.*, a Housing Choice Voucher, Public Housing, or Project-Based Rental Assistance) and the tenant rent is adjusted according to changes in income, the renter household may receive ERA assistance for the tenant-owned portion of rent or utilities that is not subsidized.

Other

- Renters occupying mobile and manufactured homes are eligible for rental assistance through ERAP
- Rent-to-own agreements may be considered for assistance provided that no member of the applicant's household:
 - Is a signor or co-signor to the mortgage on the property
 - Holds the deed or title to the property
 - Has exercised the option to purchase
- Program requires applicants to disclose familial landlord/tenant relationship. If relationship exists, additional documentation may be required.
- Program requires applicants to disclose if they are an employee, elected official, or are otherwise engaged in a professional capacity with Tarrant County.
- Any exceptions to or circumstances not covered by this policy will be presented to the Tarrant County Commissioners Court for consideration.