

Escambia County, Florida
Emergency Rental Assistance Program (ERAP) Policies & Procedures

General Provisions

The Emergency Rental Assistance Program provides funds to assist income eligible households with the payment of rent and/or utilities due to the COVID-19 pandemic. Households must be obligated to pay rent on a residential dwelling in Escambia County. Eligible expenses must have occurred after March 13, 2020.

Applicant Eligibility

In order to participate in the Escambia County Emergency Rental Assistance (ERA) Program, applicants must meet the following criteria:

- 1) Must be a resident of Escambia County, Florida, including the City of Pensacola and the Town of Century
- 2) Applicant must have a valid government issued photo ID
- 3) Must have a financial hardship that was directly or indirectly tied to the COVID-19 pandemic (i.e. job loss due to closure of business due to COVID-19; layoff due to COVID-19, etc.).
- 4) Total household income at or below 80% of the local Area Median Income.
- 5) One or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability.
- 6) Eligible tenants must not have received assistance from another government agency, non-profit or private provider for the month of assistance provided or to be provided. Assistance received from another government agency (including the State's OurFlorida/ERA program), non-profit or private provider shall not be for rental or utility assistance or duplicate the benefit to be received from Escambia County for the same month of assistance.
- 7) Must have documentation supporting need for rental and/or utility assistance is due to the impact or hardship created by COVID-19.
 - a. Job/employment loss after March 13, 2020 (i.e. statement from employer on letterhead), or
 - b. Reduction in hours/pay, or
 - c. Copy of Unemployment Insurance Benefits statement, or
 - d. Documentation of extraordinary out of pocket expenditures due to school closures, medical expenses, etc. resulting in economic hardship, or
 - e. Other income loss with documentation (i.e. verified stipend loss, child support, etc.)

Policy on Applicant Attestation

All applications for assistance must include an attestation from the applicant that all information included is correct and complete.

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Policy on Income Verification

The Treasury provides that income eligibility may be based on either the household's adjusted gross income for calendar year 2020; or sufficient confirmation of the household's monthly income at the time of application, as determined by the Treasury Department.

All household members age 18 and older must provide current income. Income can be substantiated using one or more of the following documents:

- 1) 1040 Tax Return for 2020
- 2) 1040 Tax Return transcript for 2020
- 3) IRS Form 8879 for 2020
- 4) Two recent consecutive months of check stubs (must be consecutive and current)
- 5) Form W-2 Wage statement for 2020
- 6) Bank statements demonstrating regular income
- 7) Attestation from employer
- 8) Pension/Retirement statement
- 9) Monthly social security administration statements
- 10) Categorical eligibility: determination letter from another government agency that verifies the applicant's household income (i.e., City of Pensacola Housing Office, Public Housing Agency)

Household members with no income must provide a current bank statement. If member(s) have no bank account, they will complete an Affidavit of No Income.

If an applicant qualifies based on monthly income, the County must re-determine the household income eligibility every three months for the duration of assistance.

Occupancy Verification

A current rental agreement signed by the landlord and applicant that identifies the address of the unit where the applicant resides and establishes rental payment amount.

Utilities Assistance Verification

Utilities should be in applicant's name or another member of the household. Assistance *may* be able to be provided if additional documentation is provided to substantiate that the applicant is residing at the address on the bill. Staff will contact you to request additional documentation if needed.

Water, Sewer, Trash, Propane (for heating, cooking, and hot water), Electricity, and Gas payments are eligible, and will be paid directly to service providers.

The County will provide payments for utilities where a shut off notice has been issued. Past due utility bills with a statement date more than 30 days prior to when the payment recommendation has been provided to the County

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may require follow up requests for updated statements to confirm the amount owed prior to issuing payment.

Additional statement copies may be requested from applicant to ensure that no arrears are prior to March 2020. Applicant will provide a release to the County to allow staff to directly contact utility providers to confirm amounts owed. Late fees may be included in the payment if directly attributable to arrears related to COVID-19.

Rental Assistance Verification

Arrears and prospective rental payments are eligible under the program. All rental arrears will be addressed first up to 12 months. Rent due will be considered in arrears per the lease or in the absence of a lease, on the 10th of the current month.

Utilities covered by the landlord as included in a lease agreement will be treated as rent payment for the purpose of this Program. Reasonable late fees may be paid as specified in written lease agreements. The County will not pay landlords/property managers for any eviction related fees or costs.

The County will obtain the following information from landlords/property managers to participate in the Program:

- 1) Provide a valid and complete W-9
- 2) ACH payment information (optional)
- 3) Current tenant rent roll, ledger, and/or other financial records indicating rent amounts and/or late fees
- 4) Property Management Agreement (if applicable)
- 5) Completed Landlord/Property Manager Certification form

Policy on Vendor Eligibility & Verification

Verification:

- 1) Name and address on W-9 match vendor application
- 2) Property address
 - a. Verify address(es) of properties and confirm that the vendor is the owner of the property
 - i. Access the Escambia County Property Appraiser website by visiting www.escpa.org
 - ii. Search for the property record using the address, or owner name(s)
 - iii. Verify the following matches the vendor application: vendor name, property address
 - b. If the property cannot be verified, perform outreach to confirm the address
- 3) Verify good standing
 - a. check System of Award Management www.sam.gov and click on “search records” tab
- 4) Lease and Rent Roll
 - a. Review submitted lease agreement and rent roll to verify the property address matches
 - b. If the address does not match, perform outreach to the vendor
- 5) Review Landlord/Property Manager Certification form for completeness. If questions or incomplete areas exist, perform outreach to the vendor.
- 6) Property Management Agreement (optional step) – review submitted agreement to confirm that the authorized party or parties are permitted to submit an application for the property.

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Policy on Preference System for High Priority Households

Applicants meeting all eligibility requirements as defined by the Treasury's ERAP guidelines and guidance may be deemed "High Priority Households" if they document they meet one of the following:

- 1) Household income is at or below 50% of Area Median Income (AMI) for Escambia County; or
- 2) At least one household member (as listed on the lease) is currently unemployed and has been unemployed for at least ninety days prior to the date of application completion.

The County will provide preference to High Priority Households by processing High Priority Households applications first. For the first three weeks of the program, the application review process will focus on High Priority Households. After that date, subsequent applications will be evaluated and High Priority households will be processed prior to non-High Priority households as administratively feasible.

Policy to Ensure Compliance and Prevent Fraud related to Documentation and Self-Attestation

Applicants for the ERAP will be required to provide documentation whenever administratively feasible. When not feasible, applicants may self-attest for the following with the requirements for each as shown:

Self-attestation allowed if documentation is not administratively feasible to obtain, such as:

- 1) No written lease
 - a) Requires completion of documentation waiver request, which may be subject to review and approval by County Neighborhood & Human Services (NHS) staff
 - b) Requires landlord certification form
 - c) Requires demonstration of history of past pattern of rent payment
 - d) Requires alternate residency documentation (official mail)
- 2) No (or insufficient) income and/or income loss documentation
 - a) Requires completion of documentation waiver request, which will be subject to review and approval by County NHS staff.
 - b) Requires provision of contact information for employers and/or prior employers and a detailed listing of income sources and amounts
 - c) County will document attempts to contact current and/or prior employers to verify information provided
- 3) No unemployment eligibility documentation
 - a) Requires completion of documentation waiver request, which will be subject to review and approval by County NHS staff.
 - b) County will provide instructions to applicant on alternative methods to obtain documentation.
 - c) Requires provision of dates of eligibility determination and dates paid

Waivers of any documentation requirements, or of any eligibility requirements imposed by the County that are not otherwise required by Section 501 of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) as may be explained by any applicable guidance published by the U.S. Treasury, may be

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made by the County Auditor or designee, upon recommendation of the appeals panel.

In addition, payments will be made directly to landlords, property owners, utility companies, and/or property managers (with appropriate property management agreements) on behalf of the applicant. Payments will not be made to applicants unless the landlord/property manager refuses to participate despite County outreach as outlined in the Treasury ERAP guidelines and frequently asked questions (FAQ). Consultant/County staff will document outreach made to landlord/property manager as follows:

- A request for participation to landlord/property manager is sent in writing, by certified mail, and addressee does not respond to the request within seven business days after mailing; or
- Three attempts by phone or email over a 5 calendar day period to request the landlord/property manager's participation; or
- A landlord/property manager confirms in writing that they do not wish to participate.

All outreach efforts will be documented in the case file. After all reasonable efforts have failed to obtain cooperation of the landlord/property manager, the County may consider making payments directly to the household, depending on specific circumstances of the case.

The County Clerk's office and NHS staff performing the review and approval of waiver of documentation requests will not be the same individuals as those serving on the appeals panel. The appeals panel will consist of two NHS staff and one County consultant staff who were not involved in the original review and approval/denial process.

The County's third party consultant's review of applications may identify applications where statements and/or documentation submitted are inconsistent or appear to be fabricated or altered. In these cases, the consultant will notify the County project manager and will provide the full case file for further review. During review of files for payment, Clerk's office staff may also identify applications with inconsistent documentation. If both the County and Clerk's representatives deny the application based on inconsistent, fabricated, altered or untrue statements, the applicant's case will be denied and the applicant will be determined ineligible for ERAP funding.

Policy on Determining Presence of Unsafe or Unhealthy Living Conditions

Applicants for the ERAP will be required to self-certify residence in the rental unit and to represent that there are no conditions making the unit uninhabitable. If the tenant believes unsafe or unhealthy living conditions exist, the tenant should provide documentation of unsafe or unhealthy living conditions through a combination of a detailed narrative explanation and photographs if applicable. The applicant must certify or verify under penalty of perjury that the information they have provided is true and correct based on their personal knowledge.

Upon receipt of such documentation, the County will evaluate the description and documentation based upon current building codes or similar guidelines. If the County determines there is sufficient evidence of possible codes (or similar guideline) violations that could create an unsafe or unhealthy living environment, the County will attempt to contact the landlord or property manager to request a statement as to their response and/or plan to remediate. Where possible, the County will work to incentivize the landlord/property manager to remediate the unsafe or unhealthy living conditions through an agreement that back rent may be paid (if otherwise eligible) upon evidence of correction of the conditions within a set time

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period.

If the landlord is not responsive within seven calendar days or responds with a refusal to participate, the County may proceed in determining other eligibility of the applicant for the payment of eligible relocation costs to new rental residential housing in Escambia County, including deposits and required first and last month rent payment along with utility activation/turn-off/turn-on costs and prospective rent as deemed eligible.

If the unsafe or unhealthy living condition can be verified to be unrelated to the landlord/property manager, such as homelessness, congregate living conditions, lack of utilities due to nonpayment, the County will work with the applicant to determine what assistance is available from the ERAP as described in the paragraph above and may refer the applicant to other partners and/or programs if appropriate.

Policy on Determining What Evidence of Risk of Housing Instability and/or Homelessness is Acceptable for Determination of Eligibility in Absence of Late/Delinquent Rent and/or Utilities

Applicants for the ERAP will be required to submit one of the following forms of documentation when claiming risk of housing instability and/or homelessness in the absence of late/delinquent rent and or utilities:

- 1) Late notices on internet, childcare, health insurance, vehicle loans, vehicle insurance, other loans, and/or credit cards
- 2) Documentation of new (after March 13, 2020) loans from individuals, banks, pawn shops, and/or payday lenders
- 3) Signed statement on letterhead from government or not-for-profit community agency attesting to the household's risk of housing instability and/or homelessness