



The **Emergency Rental Assistance (ERA)** program makes available \$25 billion, provided directly to States, U.S. Territories, local governments, and Indian tribes through the Consolidated Appropriations Act (CAA). Funds are to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic. Grantees may use the funds to provide assistance to eligible households through existing or newly created rental assistance programs.

# Guidance on the Consolidated Appropriations Act Emergency Rental Assistance (ERA) Program

## How to Apply as a Local Government

For the Treasury to disburse funds within 30 days of the Act’s enactment, local governments with a population of over 200,000 may access 45% of their state’s allocation by submitting certification to the Treasury (reducing the amount that goes to the state). Forms can be found here: [Submission required for Emergency Rental Assistance payment.](#)

## Spending Timeline

- Funds expire **December 31, 2021**
- Statute provides for recapture of unspent funds on **September 30, 2021**. Local governments who have spent at least 65% of funds by September 30 will receive redistributed funds from grantees that are not on track to spend all funds by December 31, 2021.
- Maximum assistance to an eligible household is for a period of **12 months** with an option to extend for 3 months to ensure housing stability. The additional 3 month period is for remaining funds and should not be included in applications unless funds remain after the initial 12-month period.

## Eligibility Factors

Eligible households are defined as renter households who: (1) have a household income not more than 80% of AMI; (2) have one or more household members who can demonstrate a risk of experiencing homelessness or housing instability; and (3) have one or more household members who qualify for unemployment benefits or experienced financial hardship due, directly or indirectly, to the pandemic.

- Priority will be given to households with incomes of no more than 50% of AMI and to households in which one or more member is unemployed and has been unemployed for 90 days.
- Priority should be given to housing-related arrears, paid in 3-month increments.
- Landlords and owners may apply on behalf of tenants meeting the eligibility requirements.
- If a landlord does not wish to participate, payments may be made directly to households.
- **Grantees must ensure that households receiving rental assistance provided under this program do not receive funding under any other federally funded rental assistance program.**



Completed payment information and a signed Acceptance of Award Terms form must be submitted no later than **11:59 p.m. EDT on January 12, 2021.**



At least **90% of the funds** must be spent to pay rent, rental arrears, utilities and home energy costs (including arrears), and other housing related expenses incurred due to COVID-19. The remaining 10% can be used for other services related to the pandemic (e.g., case management, housing stability services) and/or agencies’ administrative costs.

# Calculating Household Income

Household income is determined as either the household's total income for calendar year 2020 or the household's monthly income at the time of application. For household incomes determined using the latter method, income eligibility must be redetermined every 3 months. Households may reapply for additional assistance at the end of the three-month period, if needed, and if the overall time limit for assistance is not exceeded.

Assistance can last up to 12 months, plus an additional 3 months if necessary, to ensure housing stability. When documented by tenant confirmation, the agency must re-determine eligibility every 3 months. The assistance does not count as income for purposes of determining eligibility under any federally funded program.

## Application Documentation

Applications for rental assistance may be submitted to eligible recipients by a household member or a landlord on behalf of an eligible household. Landlords submitting on behalf of a tenant must notify the tenant and obtain their consent.

### CARES CRF "Old" Rental Assistance Requirements

- Tenant's inability to pay is due to financial hardship resulting from the economic impact of COVID-19
- Tenant does not have sufficient income or other resources to pay tenant's rent
- Tenant or landlord did not receive another source of funding for the same assistance
- Evidence of lease/rent amount provided
- Documentation of income and/or job loss due to the pandemic
- Residency verification

### CAA "New" Emergency Rental Assistance Requirements

- Tenant's inability to pay is due to financial hardship resulting from the economic impact of COVID-19
- Tenant does not have sufficient income or other resources to pay tenant's rent
- Tenant or landlord did not receive another source of funding for the same assistance
- Tenant household income is no more than 80% of AMI with priority for:
  - Households under 50% AMI
  - Households where one member has been unemployed for at least 90 days
  - Households with housing-related arrears that could result in eviction
- An application must provide documentation of:
  - Income (2020 calendar year or current verified income statements)
  - Job loss due to the pandemic and/or unemployment for 90 days
  - Evidence of lease/rent amount
  - Residency verification
  - Data privacy and security requirements that provide:
    - ◆ All information and used only for the purpose of submitting reports; and
    - ◆ Confidentiality protections for survivors of intimate partner violence, sexual assault, or stalking.
- Applications must also address Treasury reporting requirements:
  - Number of households receiving assistance
  - Application acceptance rate
  - Types of assistance provided (rent, utilities, etc.)
  - Average funding per eligible household
  - Income information disaggregated at 30%, 50%, and 80% AMI
  - Average number of monthly rental or utility payments covered
  - Disaggregated applicant gender, race, and ethnicity information
  - Proof of payments to households



**For more information, contact:**  
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