



National Association of Housing and Redevelopment Officials

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Ms. Janet Yellen
Secretary Designate
U.S. Department of the Treasury
Washington, D.C.

Representative Marcia Fudge
Secretary Designate
U.S. Department of Housing and Urban Development
Washington, D.C.

Secretary Designate Yellen and Secretary Designate Fudge:

Formed in 1933, the National Association of Housing and Redevelopment Officials (NAHRO) represents over 20,000 housing and community development individuals and agencies that own and operate affordable housing sites, including public housing, LIHTC and other federal and locally developed units, and who administer rental assistance programs in urban, rural, and suburban communities at the state and local level.

NAHRO urges the Department of the Treasury (Treasury or the Department) to act quickly in implementing the \$25 billion Emergency Rental Assistance Program (ERAP) enacted in the COVID-19 relief bill passed last month. NAHRO further requests that Treasury provide swift guidance and technical assistance to ERAP grantees so they may effectively implement the program. NAHRO also suggests that the Department work cooperatively with HUD in standing up, implementing, and reporting on ERAP.

Setting Program Goals and Desired Outcomes

Treasury, in cooperation with HUD, should consider providing clarity on what the Department sees as the specific outcomes of the ERAP: payment of rent arrears, payment of rent, or interrupting or halting evictions. We acknowledge the general goal of providing housing stability for program participants. Clarity on desired outcomes of the program will help grantees determine how best to design their programs and most effectively allocate funds within their communities.

- To stop households from facing eviction, “other expenses related to housing incurred due . . . to the novel coronavirus (COVID-19) outbreak” should include rent late fees, penalties, application fees, security deposits, and court costs related to eviction. Without these expenses being included, households will still face eviction even though their rental obligations have been met.
- Employment and education from home has become essential during the COVID-19 outbreak for both adults and children. Residential internet should also be covered as another expense related to housing.

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- To prevent evictions, landlords that receive funding from this program must agree not to evict based on non-payment events that occurred before the receipt of the funding.
- Tenants and landlords participating in the Public Housing or Section 8 programs should not be precluded from applying to use funds for the unsubsidized portions of rent and/or rental arrears, or other household costs. There are instances where the program does not cover all the costs. For example, a voucher participant may have to use 40 percent of their income to afford a unit, while the voucher program assumes, they will only use 30 percent of their income. This additional cost burden is currently unsubsidized. Additionally, utility allowances, allowing PHAs to help cover the cost of tenant-paid utilities, are only estimates. Utility allowances may not cover the rising costs of utilities when families remain at home to slow the spread of COVID-19. Furthermore, living costs (food, internet) have increased for many households with “stay home” orders. The very low-income families who live in these units can least afford these additional expenses.
- Implementing entities should be allowed the broadest use of Housing Stability funds.
- It has been established that smaller landlords are the hardest hit. To ensure these owners and the tenants who live in their units have fair access to these funds, we recommend that Treasury and grantees turn to local and state public housing agencies that administer the tenant-based voucher program for outreach and program administration. These agencies are likely to have existing business relationships with these landlords.

Focus on Urgency

Due to the immediate crisis faced by renters across the country, Treasury should ensure expeditious program delivery for ERAP. Once Treasury releases ERAP funds, grantees should be allowed to assume applicants are eligible for the program unless proven otherwise. After ERAP funds are distributed to tenants and landlords, grantees can conduct audits on participants to ensure they are serving the appropriate population and rectify any issues that may have arisen. Quick movement of funding from grantees to implementing entities, landlords, and individuals is critical.

- Evidence of household income, tenancy, housing instability, and unemployment should be achieved with minimal documentation and preferably via a self-certification by the head of household or landlord, or by attesting or declaring as to their eligibility for the program subject to the penalty of perjury.
- To best serve communities quickly, the program should be implemented in a manner to give local jurisdictions maximum flexibility, in implementing rental assistance programs. States and localities should in turn be advised not to create burdensome document requirements that slows the distribution of funding and increases the likelihood of eviction.
- Implementing entities should have immediate access to funds to stand-up their administration of the program and to deliver payments. ERAP funds should be provided to these entities in full, placed in escrow, and unused funds returned to the grantee at the end of the program period.

Program Integrity

To ensure adequate and appropriate program integrity for ERAP, Treasury should encourage grantees to access existing data systems, like state unemployment records and public housing agencies’ Enterprise Income Verification (EIV), to document eligibility. NAHRO firmly believes in the need for strong program integrity for ERAP while still ensuring funding can be released and utilized as quickly as possible with minimal burden on participating households and landlords.

- As cooperation is intended between Treasury and the U.S. Department of Housing and Urban Development (HUD), states and local jurisdictions should work together with their counterpart Public Housing Agencies in implementing ERAP. This includes electronic verification of household income through HUD's EIV system.
- Program transparency is important for ERAP. Treasury's reporting and data collection system should make grantee level data publicly available so that the public may see the communities that have been served by ERAP.
- To ensure grantees are afforded the space they need to implement the program quickly, we encourage safe harbors that allow grantees to operate in good faith within the intent of the law.

Reporting Requirements

Although reporting requirements are critical both to ensure appropriate use of ERAP dollars, to inform the impact on programs' designs, and for future research, we should be careful not to require reporting parameters that slow the startup of programs. Creating a new process to collect required information can slow the release of funding similar to aggressive documentation of household eligibility.

- Treasury should also consider using existing federal data platforms to collect some of the statutorily required information. This will further assist grantees in getting rental assistance to households quickly.
- To ensure uniform and accurate data collection and reporting, Treasury should consider creating and providing, but not requiring, a data collection/reporting system or portal that can be used by all grantees and their sub-grantees.

NAHRO will continue to provide input and ask for clarity as the Emergency Rental Assistance Program ramps up and as it operates. NAHRO staff and its members are available for further discussion. Feel free to contact me or Georgi Banna, NAHRO Director of Policy and Program Development at 202-580-7234 or at gbanna@nahro.org.

Thank you,



Adrienne Todman
Chief Executive Officer
National Association of Housing and Redevelopment Officials (NAHRO)