



HALL COUNTY GEORGIA  
EMERGENCY RENTAL ASSISTANCE GRANT  
PROGRAM PROCEDURES HANDBOOK

Administered By:

## Emergency Rental Assistance Program Procedures Handbook Revisions History

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## Overview

The Emergency Rental Assistance Program (ERAP) was established by section 501 of Division N of the Consolidated Appropriations Act, 2021 (Act). The Act allocated \$25 billion to the U. S. Department of the Treasury (Treasury) to provide funds directly to states, territories, local governments, and Indian tribes for households that are unable to pay their rent due to the financial impacts of the COVID-19 pandemic. Hall County, GA received \$6,153,845.20 for the Emergency Rental Assistance Program.

Emergency Rental Assistance Program funding may only be used to provide financial assistance for rent to eligible households. All household applicants and landlords must provide an attestation that all information included in the application for assistance is true, correct, and complete.

This Procedures Handbook outlines the Hall County, GA Emergency Rental Assistance Program requirements for eligible applicants through guidelines, and the administration requirements through policies and procedures. Handbook users may include potential applicant households, property owners, management agents, Hall County, GA staff, as well as staff or agents of the U.S. Department of the Treasury, including the Office of Inspector General.

## Authorization and Source of Funds

The Consolidated Appropriations Act, 2021, Division N, Title V, Section 501, Public Law 116-260 (Dec. 27, 2020) established the Emergency Rental Assistance Program. Treasury provided funds directly to states, local governments with populations of 200,000 or greater, and Indian Tribes to aid eligible households that are unable to pay rent and utilities due to the COVID-19 pandemic.

The Code of Federal Domestic Assistance number for the Emergency Rental Assistance funding is 21.023.

## Procedures

### **Outreach and Engagement**

The Program will develop specific assistance priorities and create a broad-based community outreach plan that explains the program purpose, eligibility and describes the application and payment processes through the development of a Communications Plan. This Communications Plan serves the following purposes:

- As the National Eviction Moratorium is close to expiring on March 31, 2021, emergency rental assistance has played an integral role in assisting local renters to remain secure in their homes and avoid future evictions during the COVID-19 pandemic.
- The Program will develop a strategic communications plan and recommended outreach efforts to ensure it effectively reaches the following applicants:
  - a. Households under 50% AMI
  - b. Households under 80% AMI where one or more members have been unemployed for more than 90 days
  - c. Household under 80% AMI
  - d. Households affected by Covid-19
  - e. Landlords

### **Methods for Outreach and Community Engagement**

As norms continue to change, the methods for communication to reach the majority of the community must include a variety of modalities. These include but are not limited to

- press releases,
- inserts into mailed jurisdiction-owned utility bills or advertising packets,
- radio advertisements,
- Libraries,
- Schools
- Community recreation centers/Boys and Girls Clubs
- social media posts such as Facebook, Twitter, and Next Door,
- links on agency webpages,
- e-newsletters,
- e-mail notifications to interested parties, and
- website information.

### **Compliance for Communications**

All outreach and advertising of program details will meet the required Americans with Disabilities Act requirements, as well as being available in the following languages:

- English
- Spanish

## **Application Intake**

Applications will be submitted through an online application, whether this is on a smart phone, tablet, or desktop computer. It is anticipated that the majority of applications will be generated by an adult household member.

The online system will open to a pre-screening page that includes four qualification questions that will allow potential applicants to self-screen their eligibility. The pre-screening questions address the following categories:

- 1). Applicant household is a tenant.
- 2). Someone in the household is receiving unemployment benefits or has experienced negative financial impacts due to the COVID-19 pandemic.
- 3). Household is experiencing housing instability or is at risk of homelessness.
- 4). Total household income is at or below 80% of the AMI for the area where the rental unit is located.

Based on the answers to the questions, the potential applicant will be provided feedback about whether they meet the criteria for the ERA program. Along with a "It looks like you do not meet the criteria for Emergency Rental Assistance," information on contacting 1-855-718-4630 to learn about eligibility for the program or to request a reasonable accommodation will appear.

If the household successfully meets the pre-screening criteria, the system will display a message notifying the applicant that they may be eligible for assistance and that they will need to complete an application.

The online system will require the applicant to identify a Head of Household member (first and last name) and to establish login information, which will include an email address, phone number, password (which will be required to be confirmed).

Applicants that have questions about creating and submitting application, are experiencing difficulties with the online application may contact 1-855-718-4630 *or* United Way of Hall County, Family Promise, Georgia Legal Services, or the Gainesville Housing Authority for assistance. 1-855-718-4630 can answer questions regarding eligibility, as well as guide an applicant through the application process.

Community partners will assist households that do not have online access to submit their applications for assistance. Households that prefer an alternative to online application submission may fill out a paper application and seek the assistance of a nonprofit to enter the application in the system. All paper applications must be entered into the system and all supporting documentation will be uploaded.

### **Information Necessary to Create and Submit a Tenant Application**

Applicants will be required to provide details about their household, the rental property, lease, total household income and COVID-19 impacts.

The Hall County application portal will require the following information to create an account:

Tenant Household intake will require valid information for the following:

- rental address
- applicant identification
- total household income
- unemployment details for household members, if applicable
- COVID-19 impacts
- assistance request
- lease for household rental unit
- attestations, as required.

To qualify for rental assistance, applicants must meet the minimum eligibility criteria stated in the Program Guidelines. Applications must reflect each program requirement and be supported with verifiable documentation. Submission of an application does not guarantee financial assistance.

### **Landlord Intake**

Landlord intake will include providing valid information for the following:

- lease for applicant household as tenants at subject property address
- rent ledger showing applicant household is behind on payments.
- notice of past due rent
- Eviction Notice
- W-9
- payment information (Automated Clearing House (ACH), electronic transfer, or check).

### **Case Management: Processing of Applications**

Case Management validates the information submitted in the applications, whether generated through the tenant or landlord portal. The application intake process must be completed for the application to be accepted into the system and moved into Case Management. Case Managers will validate the information in the system and the uploaded documentation for each of the areas of eligibility.

### **Application Assignments**

Case Managers will assign themselves applications based on the next priority application in line. Applications may be reassigned by Case Manager Supervisors.

### **Identification**

Applicants are required to provide documentation that verifies their identification. This may be substantiated with an uploaded photo of their driver's license, passport, or other government-issued identification, court filing notice addressed to the applicant at the place of residence that matches the rental unit, a copy of a utility or cell phone bill in the name of the applicant and at the rental unit address, or mail from a federal, state, county, or city agency.

Case Managers must compare the name and address for the household member in the system to the documentation uploaded and confirm it matches. Any discrepancies must be explained and documented, with notations describing the issue and resolution within the system.

### **Place of Residency as a Renter**

A copy of the fully executed lease agreement between the applicant household and the landlord will document that the household is renting the unit. If a fully executed lease agreement is not available, alternative documentation to support the residency of the applicant as a renter at the property address identified in the Emergency Rental Assistance application may include one of the following:

- Copy of a utility bill in the household name at the rental address.
- Copies of cancelled checks, electronic payments (bank, Venmo, PayPal, etc.), or money orders showing payment of rent to the landlord.
- Attestation by a landlord that can be verified as the owner of the property or as a managing agency.

Case Managers must compare the property information against the uploaded documentation to ensure the household's residency has been established. Case Managers must also ensure there are not discrepancies between the information provided to support rental residency and that it does not conflict with documentation or information provided to establish the applicant's identity.

Any discrepancies must be explained and documented, with notations describing the issue and resolution within the system.

### **COVID-19 Hardship**

Applicants will be required to provide a certification that one or more of the household members has experienced at least one of the following:

- Is unemployed and has been for 90 days prior to the application,
- Reduction in income,
- Incurred significant costs, or
- Experienced financial hardship, either directly or indirectly due to COVID-19.

Examples of significant costs or financial hardship may include, but not limited to:

- Penalties, late fees, legal costs, or other fees associated with late or non-payment of rent.

- Rent costs paid by credit card to avoid becoming homeless.
- Increased child-care costs
- Increased healthcare costs, including those for caring for individuals with COVID-19 at home.
- Unable to find work due to business closures, reduced job opportunities and high unemployment numbers.

The applicant must provide a self-attestation that the household meets these criteria.

### **Risk of Homelessness or Housing Instability**

Households must indicate if they are at risk of housing instability or becoming homeless. This information is provided through a self-attestation. Supporting documentation may include a past due rent notice or an eviction notice.

### **Total Household Income**

Each applicant must complete the information regarding total household income. Applicants will have the opportunity to report their total gross household income from all sources as either:

1. 2020 Annual Income, or
2. Monthly household income, current at the time of application.

**2020 Annual Income** is documented by submitting a copy of the 2020 1040 Income Tax Return (all pages) or by submitting all wage statements (W-2's), unemployment compensation earnings statements, 1099's, Balance Sheet showing net business income, interest statements, and other taxable income.

**Monthly Income** is documented through paystubs, account statements showing interest, unemployment payments, gig economy payment notifications, or other sources of income that will be reportable and taxable at the end of the year. Applicants are required to submit a minimum of 60 days income.

Case Managers must convert monthly income into an annual amount. If the household supplies two months income, that amount will be multiplied by 6 to determine the total annual household income. If the household provides 3 months income, the income is multiplied by 4 to arrive at the total annual income.

All application files require income determination. If a household indicates they receive their income in cash, the household must sign a self-attestation, and a Case Manager Supervisor must review and approve the application. The file must support a situation where the family is likely to receive payments in cash; if a household has submitted automatic payments for utilities as evidence of residency, for instance, it may be unlikely the household lives on a cash economy.

Additionally, if a household indicates they have no income, in addition to the self-attestation of no income the file must support how the rents, utilities, food, transportation and other costs of living are paid.

All discrepancies must be explained, supported by documentation, and noted in the file.

### **Contact with Applicants and Landlords,**

Case Managers must contact the appropriate parties to resolve incomplete or conflicting information.

The Case manager can make contact via email, text or phone call. All contact with applicants or landlords will be documented in the system.

### **Assistance Requested**

Applicants will enter the type and amount of assistance they are requesting. Rent and amounts will be indicated for the months owed, whether this is past due, current, or forward rents.

### **Validation of Assistance Requested**

Landlords must provide the period and amounts of rent owed for the household.

If forward rents are requested, the landlord must confirm the amount of past due rents to ensure that all rent arrears are paid prior to payment of forward rents.

Case Managers must compare the amounts requested by the applicant to the amounts reported as due by the landlord. The periods of time and the amounts due must match. Any discrepancies must be resolved, documented, and noted in the file.

### **False Claims**

Any false claims that are made in connection with the application, by the Landlord or the Tenant, including statements as to the facts stated in the application for assistance are true and correct will be considered to be an act of perjury. The program participants will be advised in writing that knowingly making a false written declaration may be charged as a felony of the third degree. Program participants will acknowledge that they may be prosecuted by Federal, State, or local authorities and/or that repayment of all Hall County Emergency Rental Assistance program funds may be required if they make or file false, misleading, or incomplete statements and/or documents.

### **Decision Process**

Once the Case Manager has reviewed the file and confirmed all required information has been received, reviewed, and accepted, and the amount of assistance has been confirmed, the file

will be ready for approval or denial. The Case Manager must ensure all checklists in the file have been completed, all required documentation supporting the household's circumstances are in the file and the amount of assistance meets the ERAP guidelines.

If the review of the file determines the household is eligible and the amounts and types of assistance are eligible, the file may be recommended for approval. The Case Manager will review each file, using the checklist provided in the program platform. Once all processes of application review have been completed (including receiving and reviewing all documentation; eligibility criteria; prioritization criteria; household income has been determined; amounts of rent, and other expenses related to housing incurred due, either directly or indirectly, to the COVID-19 outbreak have been confirmed; and payment information has been received by the landlord and duplication of benefits and property ownership has been verified), applications will be recommended for approval or denial and forwarded to the Case Management Supervisor for final approval.

### **QA/QC**

The Case Management Supervisor will review each denial file and will also pass 10% of each day's files to QA/QC who will review the files and return them to the Case Management Supervisor before they are released to the queue for payment. QA/QC should occur within 24 hours of receipt by QA/QC. All completed QA/QC files will be returned to Case Management Supervisor once they have passed review or returned to the Case Manager if they do not pass. If a file has been rejected by QA/QC, it must be corrected and returned through QA/QC a second time before it is returned to the Case Management Supervisor for final approval and released into the queue for payment.

Households that do not meet one or more criteria will be notified of the denial determination via email.

### **Notification of approval/denial**

The Tenant and Landlord will be provided notice of approval via system generated email to each provided through the program platform. The email will include information about when the ACH transfer will be processed. If the application is denied, the applicant has the right to appeal.

Once an applicant has applied and been approved for all rent arrears, and up to 3 months prospective assistance, additional assistance for prospective rents (not to exceed a total of 12 months assistance) must be submitted. Additional prospective assistance is not guaranteed or automatically provided; the additional assistance must be validated, along with recertification of total household income.

## Appeals Process

Once applicants have received the determination notice of the approval or denial of their request for assistance, applicants may appeal the following decisions:

- Eligibility determination (criteria for household size, income, or property standards).
- Amount of assistance to be provided (amount due, amount of assistance received, and/or period of assistance), including zero assistance: and/or
- Additional assistance needed to ensure housing stability determination.

All appeals will be reviewed and resolved by the Appeals Committee with assistance from the Case Management Supervisor. The actual appeal will be prepared by the Case Manager based on information and evidence provided by the applicant. ERAP applicants or participants may request an appeal of a decision **within 14 days of the determination notice** from the ERAP Case Management System

The appeal must be submitted in writing via the link, email or regular mail and must include supporting documentation. The decision of the Appeals Committee will be provided to the applicant in writing and the application will be processed through to approval or denial.

Applicants may only appeal once; decisions made by the Appeals Committee will be final.

## Violence Against Women Act

Pursuant to 24 CFR 92.359, the Program will provide form HUD-5380- Notice of Occupancy Rights Under VAWA and HUD-5382- Certification of Domestic Violence, Sexual Assault, or Stalking, and Alternative Documentation, and the TBRA Lease Addendum with VAWA Protections to all TBRA participants. Under VAWA protections, the lease may be bifurcated to allow the owner to remove only the tenant(s) engaged in criminal activity, while the remaining tenants retain TBRA assistance. Limitations of VAWA protections:

- VAWA does not supersede the obligation to pay rent.
- Violation not premised on an act of domestic violence, sexual assault, or stalking.
- Court order regarding right of access / control of property or distribution / possession of property
- Actual and imminent threat to other tenants
- Failure to provide victim status documentation, if requested by property owner
- Confidentiality of Information must be maintained in the strictest confidence. The following types of information must not be entered into shared database or disclosed to any other entity or individual, except to extent the disclosure is: a) requested/consented to in writing by victim in time-limited release, b) required for use in eviction proceeding or termination hearing; or c) otherwise required by applicable law. Confidential information concerning incident(s) of violence, includes:
  - Fact that applicant or tenant is a victim.

- Any information on certification form, other victim status documentation, or emergency transfer request.
- Information provided by applicant/ tenant regarding VAWA inquiry or assertion of rights.

The Program must maintain records and annually report on:

- Emergency transfers requested.
- Outcomes of those requests

## **Payment process**

The Hall County Grants Division of the Financial Services Department will enter the UnQork system of record every two weeks (approximately) initially and then monthly as needed and will be able to access a file of all approved disbursements.

Hall County will cut checks to Landlords and will solely manage the disbursement of program funds in accordance with the Hall County Accounts Payable Administrator Standard Operating Procedures for Fiscal Year 2021, and all Landlords will be set up as vendors in accordance with the Hall County New Vendor Setup, and instructions, both of which by reference is made a part hereof.

The County will issue 1099's to the Landlords at the end of each year.

If in any instance the Landlord refuses to participate in the program and the program has made the contact attempts as described herein, the application will be denied.

## **Interim Recertification**

If an applicant has qualified for the Program by providing monthly income rather than annual income and wishes to continue to receive prospective payments (and the Program allows prospective payments) the applicant will be required to resubmit income verification documents for approval not later than every 60 days to allow for processing in time for the next 90-day approval.

## **Monitoring**

See the Monitoring Manual for details about Program monitoring requirements.

## **Closeout**

See the Closeout Manual for details about Program closeout requirements.

## **Training Section**

See the Training Manual for details about the Training Process.

## **Non-Compliance of Contractors**

If, through its monitoring, Witt O'Brien's determines that any sub-contractor is not in compliance with the terms and conditions of the program policies and procedures, then Witt O'Brien's will provide written notice of the non-compliance and will allow (10) days for the contractor to remedy the error. Witt O'Brien's can terminate the contract with its subcontractors at any time by giving at least ten (10) days' notice in writing. If the actions of the contractor are not legal, then Witt O'Brien's will report the contractor for disbarment and will pursue legal remedies for repayment.

## **References**

Hall County ERAP Policies  
Hall County ERAP Guidelines  
Hall County ERAP Training Manual  
Hall County ERAP Phone Scripts  
Hall County ERAP Monitoring Manual  
Hall County ERAP Closeout Manual

## **Sample Documents**

Release of information  
DOB statement  
Tenant certification  
Landlord certifications  
Grant agreement  
Self-Attestation