

**EMERGENCY RENTAL ASSISTANCE POLICIES
IMPLEMENTING DIVISION N, TITLE V OF HR 133-888**

**QUARTZ VALLEY INDIAN RESERVATION
EMERGENCY RENTAL ASSISTANCE PROGRAM**

The U.S. Department of the Treasury has awarded the Quartz Valley Indian Reservation (“the Tribe”) funding under the Emergency Rental Assistance Program (“ERA Funding”) adopted by Division N, Title V of HR 133-888, commencing with Section 500, to provide emergency rental and utility assistance to tenants and homebuyers and other eligible households.

HOW MUST THE TRIBE USE ERA FUNDING?

Not less than 90 percent of the awarded funds must be used for direct financial assistance, including current and on-going rent, back rent owed by an eligible household, current and on-going bills for utilities and home energy costs, and past due bills for utilities and home energy costs. Any funds remaining after the Tribe has paid for eligible households’ rent and utilities (not exceeding 10% of the Tribe’s ERA Funding) is available for housing stability services, including case management and other services intended to keep households stably housed. Not more than 10% of the ERA Funding can be used to pay the Tribe’s costs to administer the program, including record keeping and reporting requirements. Any ERA Funding unused by the Tribe by December 31, 2021 must be refunded to the Treasury Department.

WHAT ASSISTANCE IS AVAILABLE?

Assistance can be provided to pay:

- 1) **RENT:** back rent you owe and current and future rent.
- 2) **UTILITIES:** past due utility and home energy bills you owe and current and future utility and home energy bills. Utilities includes water, sewer, electricity, natural gas, propane, and garbage collection. They do not include telecommunication services (telephone, cable, Internet).

HOW MANY MONTHS OF ASSISTANCE CAN I RECEIVE?

Eligible households may receive up to 12 months of assistance, plus an additional 3 months if the Tribe determines the extra months are needed to ensure housing stability; that is to avoid eviction or a substantial risk of eviction. The Tribe can only pay assistance for extra months if it has sufficient ERA Funding, after providing 12 months of assistance to eligible households, to cover those payments.

WHEN CAN ERA FUNDING BE USED TO PAY BACK RENT AND UTILITIES AND WHEN CAN IT BE USED TO MAKE FUTURE RENT PAYMENTS?

Assistance must be provided to reduce an eligible household’s rental arrears before the household may receive assistance for future rent payments. The Tribe is not required to pay the entire amount of back rent owed, but it must substantially reduce the amount owed by the eligible household. The payment of back rent that could result in eviction of an eligible

household is prioritized. Once a household's rental arrears are reduced, grantees may only commit to providing future assistance for up to three months at a time. Households may reapply for additional assistance at the end of each three-month period, if needed, as long as the overall time limit for assistance (maximum 15 months) is not exceeded.

WHO IS ELIBIBLE FOR ASSISTANCE?

An "eligible household" is defined as a renter household in which at least one or more members meet all the following criteria:

1. Qualifies for unemployment insurance benefits or has experienced a reduction in household income, incurred significant costs, or experienced a financial hardship due to COVID-19;
2. Demonstrates a risk of experiencing homelessness or housing instability; and
3. Has a household income at or below 80 percent of the area median.

The available funds will be awarded on a first-come, first-served basis, except for eligible households that include an individual who has been unemployed for the 90 days prior to application for assistance and households with income at or below 50 percent of the area median, which are prioritized for assistance.

HOW IS HOUSEHOLD INCOME DETERMINED?

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. The Tribe will determine an eligible household's income using the figure most beneficial in determining the household's eligibility.

The applicant (whether the landlord/utility provider or an eligible household) must provide source documents evidencing annual income (e.g., wage statement, interest statement, unemployment compensation statement), or a copy of Form 1040 as filed with the IRS for the household.

To determine monthly income, the applicant must provide the Tribe with income source documentation (wage statement, such as pay stubs, interest statement, unemployment compensation statement, etc.) for at least the two months prior to the submission of the application for assistance. If an applicant qualifies based on monthly income, the Tribe must redetermine the household income eligibility every three months for the duration of assistance. That recertification is not required for eligible households that qualify based on their annual income in 2020.

HOW DO I APPLY FOR ASSISTANCE?

An application for rental assistance may be submitted by either an eligible household or by a landlord, including the Tribe, or a utility provider, on behalf of that eligible household. An application form is attached to this Policy as Attachment 1.

In general, funds will be paid directly to landlords and utility service providers. If a landlord does not wish to participate, after the Tribe has made outreach efforts to the landlord or utility provider, funds may be paid directly to the eligible household.

The Tribe will make reasonable efforts to obtain the cooperation of landlords and utility providers to accept payments from the ERA program. Outreach will be considered complete if a request for participation is sent in writing, by certified mail, to the landlord or utility provider, and the addressee does not respond to the request within 21 calendar days after mailing; or, if the grantee has made at least three attempts by phone or email over a 21 calendar-day period to request the landlord or utility provider's participation. The Tribe will document these efforts. The cost of the mailing is an eligible administrative cost.

Such assistance shall be provided for a period not to exceed 12 months except that, subject to the availability of funds, the Tribe may provide assistance for an additional 3 months only, if necessary, to ensure housing stability for a household (e.g., to prevent eviction).

WHO RECEIVES RENTAL AND UTILITY PAYMENTS AWARDED TO AN ELIGIBLE HOUSEHOLD?

The Tribe is required to make rental payments directly to your landlord and utility payments directly to the company providing the utility service. If a landlord or utility company does not agree to accept these payments directly from the Tribe, the Tribe will make the payment directly to the eligible household which must use the payment to pay the landlord or utility provider.

If payment is made to the eligible household, that household must provide the Tribe with a receipt or other document from the landlord or utility provider showing that the rent or utility bill was paid before another payment of the assistance will be made to the household.

For any payments made by the Tribe directly to a landlord or utility provider on behalf of an eligible household, the Tribe will provide documentation of such payments to the household.

HOW WILL THE TRIBE DECIDE WHICH ELIGIBLE HOUSEHOLDS RECEIVE ASSISTANCE?

The Tribe shall approve applications for assistance on a first-come, first-served basis, except that the following households listed in subsection A, below, will have priority over other households in the order listed in subsection B:

A.1. The applicant household is a tenant or homebuyer in housing administered by the Tribe or its Tribally Designated Housing Entity (TDHE).

2. The applicant household is eligible for housing administered by the Tribe or its TDHE.

3. The applicant household contains one or more members of the tribal parties to the Tribe's Joint Powers Agreement.

- B. 1. Back rent must be paid to avoid a threatened or pending eviction and/or an outstanding balance on a utility account must be paid to avoid a termination of service.
2. The income of the household does not exceed 50 percent of the area median income for the county where the housing is located.
3. One or more individuals within the household are unemployed as of the date of the application for assistance and have not been employed for the 90-day period preceding such date.
4. One or more individuals within the household were unable to reach their place of employment or their place of employment was closed because of a public health order imposed as a direct result of the COVID-19 public health emergency.

WHAT OTHER USES CAN THE TRIBE MAKE OF THE ERA FUNDING?

- A. Administrative Costs—Not more than 10 percent may be used for administrative costs attributable to providing the financial assistance and housing stability services described in this Policy, including to comply with data collection and reporting requirements required by the ERA Rental Assistance Program.
- B. Housing Stability Services—Not more than 10 percent may be used to provide eligible households with case management and other services related to the novel coronavirus disease (COVID-19) outbreak to help keep households stably housed.