



# ST. JOHN'S COUNTY EMERGENCY RENTAL ASSISTANCE GRANT PROGRAM GUIDELINES

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## Emergency Rental Assistance Program Guidelines 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 and utilities due to the financial impacts of the COVID-19 pandemic. St. Johns County received \$7,991,953.00 for the Emergency Rental Assistance Program.

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

These Guidelines outline the St. Johns County Emergency Rental Assistance Program requirements for eligible applicants through guidelines, and the administration requirements through policies and procedures. Guideline users may include potential applicant households, property owners, management agents, utility companies, St. Johns County 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.

## Program Guidelines

### Program Description

The Emergency Rental Assistance Program (ERAP) provides emergency rental and utility assistance grants to eligible individuals and households that have been economically impacted during the COVID-19 pandemic through job loss, furlough or reduction in hours or pay, residing in eligible areas of St. Johns County.

Emergency grants for rental and/or utility payments are made on behalf of an eligible applicant household, for a period of up to twelve (12) months, to a maximum of \$5,000.00 maintain stable housing and/or to reduce rental or utility payment delinquencies as a result of the economic downturn during the COVID-19 pandemic. Households may request, if needed for housing stability, an additional three (3) months rental assistance if funding is available. Household rental assistance may not exceed fifteen (15) months.

### Eligible Household

To be eligible, a household, which is one or more individuals that reside in a rental housing unit, must meet all of the following requirements:

Requirement	Criteria
1. Be obligated to pay rent on a residential dwelling	a. Have a valid, signed lease or rental agreement; or b. Provide documentation showing obligation and history of payment prior to COVID-19 outbreak.
2. Have a total household income at or below 80 percent of the Area Median Income (AMI)	a. Household income will be verified to establish eligibility. b. Income limits are set by the U.S. Department of Housing and Urban Development (HUD) and adjusted for household size. c. Household income cannot exceed 80 percent of the AMI for their area.
3. Demonstrate COVID-19 impacts: a) reduced household income, b) financial hardships, or  c) risk of experiencing homelessness or housing instability.	Will complete questionnaire in application.
	Will make a COVID-19 impact statement.
	May demonstrate through eviction notice, past due notice for rent or utility, or other reasonable circumstances described by the household.

For details regarding which individuals to include in a household, please see the “Definition of a Household and Determining Household Size” section below.

### **Type and Use of Assistance Available**

The Act requires a minimum of 90 percent of the total funds provided to St. Johns County must be used to rent, utility and home energy costs, and other expenses related to housing incurred because of COVID-19. This includes delinquent payments which were due no earlier than March 13, 2020 and cannot to exceed a total of twelve (12) months (with an additional three months, if necessary, to ensure housing stability). In no event will payments exceed a maximum of \$5,000.00 per applicant household.

Funds may only be used for the following costs for households obligated to pay rent on a residential dwelling for:

- Past due rents.
- Past due utility or home energy costs; and/or
- Other expenses related to housing incurred due to COVID-19, such as relocation expenses if a household has been temporarily or permanently displaced due to the COVID-19 outbreak, or internet service provided to the rental unit.

Utility or home energy costs include separately billed or itemized electricity, gas, water and sewer, trash removal and energy costs, such as fuel oil. Telephone, cable, internet, and cell phone costs are not considered utility or home energy costs and are not eligible. No prospective utilities will be paid.

### **Ineligible Expenses**

The Emergency Rental Assistance Program is designed to help renters stay in their homes and to ensure housing stability. The allowed costs are those that are cover the necessities of rent, as well as utilities and home heating costs that are billed or itemized separately from rent. Utilities and home heating costs include services for gas, electricity, water, sewer, and trash removal provided to the rental unit.

Utility and home energy costs **do not** include telephone, cellular phone, cable, security or other non-heating or sanitation costs; those costs are not eligible.

### **Period of Assistance**

Funds may only be used for rent, utility and other eligible housing costs incurred due to COVID-19 beginning no earlier than March 13, 2020. St. Johns County must spend all funds awarded by the Treasury by December 31, 2021, or such extended date as provided by the U.S. Treasury.

## **Program Marketing and Outreach**

Program marketing and outreach will be critical to program success. Identifying the initiated and conducted by the St Johns County ERAP and may include any of the following:

- Public Service Announcement advertisements in media of general circulation
- Public Service Announcements through social media
- Public Service Announcements on local radio stations, including those targeted to specific audiences such as neighborhoods with concentrations of households that are non-English speaking audiences.
- Email blasts to advocacy groups representing the populations that do not exceed 80% Area Median Income
- Include program information inserts in water and/or utility bills.
- Hang fliers in ethnic markets and distribute informational pamphlets.
- Establish public facing webinars and other social platform “meetings” to provide information to targeted groups.
- Offer aide in filing for assistance options for Limited English Proficient individuals or residents with disabilities.
- Landlords of large low-income units
- WIC (Women, Infants, & Children) offices
- Include program information links on websites of agencies that provide assistance, such as SNAP or unemployment.
- Domestic violence services providers
- Homelessness services

## **Priority of Assistance**

Applications will be reviewed, and assistance will be prioritized based on the following:

- **50% AMI/Unemployed Priority**
  - Households with income that does not exceed 50 percent of the area median income for the household size as determined by the U.S. Department of Housing and Urban Development (HUD); or
  - Households where 1 or more individuals of the household is/are unemployed at the time of application and has/have not been employed for the 90-day period prior to the application date.
  - Households with seniors, veterans, a disabled family member and families with minor children.
- **80% AMI and COVID-19 Impacted Priority**
  - Households with income that does not exceed 80 percent of the area median income for the household size as determined by HUD; and 1 or members of the household has/have:



- Qualified for unemployment benefits within the past year, or
- Experienced a reduction in income within the past year, or
- Incurred significant costs or experienced other financial hardship due to COVID-19; or
- Can demonstrate a risk of experiencing homelessness or housing instability which include:
  - a. a past due notice for rent or utilities, or an eviction notice.
  - b. unsafe or unhealthy living conditions; or
  - c. any other evidence of such risk.

### **3. Past Due Rent and Utility Costs**

- Households that owe back rent as evidenced by a late notice, past due notice, eviction notices and other demands for payment.
- Households that owe past due utilities as evidenced by a late notice, shut off notice, or other demands for payment.

All interested applicants are encouraged to apply; the priority of assistance is not intended to discourage or prevent households from applying for the Emergency Rental Assistance.

### **Program Participation**

Eligible applicants are those households, which is made up of one or more individuals, with incomes that do not exceed 80% Area Median Income, living in a rental residential property, and have been financially impacted due to the COVID-19 pandemic.

Property owners/landlords/property management firms must accept the terms of the program to participate and to receive the funds for the rental assistance. For a landlord/owner/property manager to receive the rent subsidy the landlord/owner/property manager will be required to comply with federal, state, and local governing law including:

- Verify the address of the rental unit.
- Verify the amount and percentage of monthly rent covered by the assistance.
- Verify the amount and percentage of any separately stated utility and home energy costs covered by the assistance.
- Provide a Social Security number, tax identification number or DUNS number.
- Complete an IRS W-9 form; and
- Provide information for payment.

### **Applicant Eligibility Requirements**

To qualify for rental assistance, applications must reflect each program requirement which must be supported with verifiable documentation. Submission of an application does not guarantee financial assistance.

Eligible households are those households with 1 or more individuals who are obligated to pay rent on a residential dwelling located within the boundaries of [fill in] and meet the following:

- One or more individuals in the household has qualified for unemployment benefits; or
- One or more individuals in the households has experienced a reduction in income, incurred significant costs, or experienced other financial hardship due to COVID-19; or
- One or more individuals in the household can show a risk of becoming homeless or having housing instability based on:
  - a. A past due notice for rent or utilities, or an eviction notice.
  - b. Unsafe or unhealthy living conditions; or
  - c. Any other evidence of homelessness risk; and
  - d. The household's income is no more than 80 percent of the area median income for St. Johns County, as determined by the U.S. Department of Housing and Urban Development (HUD).

A copy of the lease or rental agreement will be required to show the applicant household is obligated to pay rent for the property.

Applicants will be required to provide a written attestation for all household income, and to provide supporting documentation, such as paystubs, W-2s or other wage statements, tax filings, bank statements demonstrating regular income, or a written attestation from an employer. If the household's income was verified after January 1, 2020, by the administrator of a local, state, or federal assistance program, a certification from that program administrator stating the total household income (determined after January 1, 2020) is at or below 80 percent of the area median income may be accepted.

### **Documentation Required to Support COVID-19 Financial Hardship**

One or more members of the household must have either:

- Qualified for unemployment benefits or
- Experienced a reduction in income, incurred significant costs, or experienced other financial hardship due, directly, or indirectly, to the COVID-19 outbreak.

Supporting documentation such as notification of approval for unemployment, evidence of unemployment payment, notice from an employer of reduced hours, or other supporting documents will be required to demonstrate that one or more members of the household has qualified for unemployment benefits or experienced a reduction in income, incurred significant costs, or experienced other financial hardships due, directly, or indirectly, to the COVID-19 outbreak.

If a household is at risk of experiencing homelessness or housing instability, documentation will be required demonstrating a risk of experiencing homelessness or housing instability which may include:

- A past due utility bill, rent notice, or eviction notice, or
- Any other evidence of risk.

### **Definition of a Household and Determining Household Size**

A household includes one or more individuals obligated to pay rent on a residential property. All members living in the residence, regardless of a familial relationship, are to be included in the household size. Children who are subject to a shared-custody agreement and lives with the residence at least 50 percent of the time are to be counted in the household.

Some persons that live in the residence are not to be counted as household members when determining household size or in calculating household income. This includes any members that are foster adults or children.

### **Income Definitions**

Applicants may report their income as total household **annual** income from all sources for 2020, or as total household **monthly** income based on a minimum of the 2 months prior to the date of the application.

### **Annual Income**

Annual income means all amounts (whether they are cash payments or not) which:

- Go to or on behalf of any member of the household, or
- Are anticipated to be received during 2020; and
- Are not excluded below.

### **Sources to be Included in Annual Income**

<b>ANNUAL INCOME INCLUDES ANY OF THE FOLLOWING:</b>
Full gross amount (the amount before any deductions) of <b>wages, salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services</b> for household members 18 years or older.
The <b>net amount of a business, including a profession</b> . While an allowance for depreciation of assets used in a business may be deducted, based on straight-line depreciation, any withdrawals of cash or assets from the operation of a business must be included in income

(unless the withdrawal is reimbursement of cash or assets invested in the operation by the household).
<b>Interest, dividends, and other net income of any kind from real or personal property.</b> Expenditures for amortization of capital <u>indebtedness shall not be used as deductions in determining net income.</u> An allowance for depreciation is permitted, based on a straight-line depreciation. Any withdrawals of cash or assets from an investment will be included in income (unless the withdrawal is reimbursement of cash or assets invested in the asset, real or personal property by the household).
The full amount of <b>Social Security, Department of Veterans Affairs, annuities, insurance policies, retirement funds, pensions, disability or death benefits,</b> and other similar types of payments, including a lump-sum or prospective monthly amounts for the delayed start of a regular payment amount (except any deferred payments).
<b>Unemployment and disability compensation, worker's compensation and severance pay</b> (except lump-sum payouts)
<b>Temporary Assistance for Needy Families (TANF)</b> program amounts are included in annual income only to the extent such payments (except when the welfare assistance is specifically designed for shelter and utilities).
<b>Alimony and child support payments, regular gifts or contributions from organizations or people</b> not living in the rental unit.
<b>All regular and/or special pay, and allowances for members of the Armed Forces</b> (except special pay to a household member serving in the Armed Forces who is exposed to hostile fire).
Any <b>financial assistance under section 8 programs, private sources, or institutions of higher education</b> in excess of the amounts received for tuition and any other required fees and charges, but not educational loan proceeds.

**Sources to be Excluded from Annual Income**

<b>EXCLUDED FROM HOUSEHOLD INCOME:</b>
Income from children (including foster children) under the age of 18 years
Earnings above \$480 for each full-time student 18 years old or older (excluding the head of household and spouse)
Payments for the care of foster children
Payments for the care of foster adults (usually persons with disabilities, unrelated to the household members who are unable to live alone)
Lump sums payments for inheritances, insurance payments, capital gains and settlements for personal or property losses
Adoption assistance payments above \$480 per adopted child
Amounts received specifically to reimburse or pay the costs of medical expenses of any household member

Income of a live-in aide
The full amount of student financial assistance, either paid directly to the student or to the educational institution (except as stated above)
Amounts received for participating in HUD training programs
Amounts received by a person with a disability that are set aside for a Plan to Attain Self-Sufficiency (PASS) and not included in the calculations for Supplemental Social Income eligibility
Deferred supplemental security income and Social Security benefits payments that are received in a lump sum, or in prospective monthly amounts, or any amounts that are deferred and received in a lump sum or in prospective monthly payments
Funds for a participant in other publicly assisted programs specifically to cover out-of-pocket expenses incurred, such as special equipment, clothing, transportation, childcare, etc., and made solely to allow participation in a specific program
Resident service stipends, not to exceed \$200 per month, for performing a service (such as fire patrol, lawn maintenance, resident initiative coordination, or serving on the PHA's governing board) for a PHA or owner on a part time basis, to enhance the quality of life in the development (cannot receive more than one stipend during the same period)
Payments and benefits from participation in state or local employment training programs, and training of a household member as resident management staff (must be received under an employment training program with clearly defined goals and objectives for the period of training)
Temporary, non-recurring or sporadic payments, including gifts
State-agency paid amounts to offset the cost of services and equipment needed to allow a developmentally disabled family member to live at home
Foreign government-paid reparation payments

### **Internal Revenue Service (IRS) Adjusted Gross Income**

Since households may be made up of individuals who do not file federal income taxes on a single tax return, AGI of all household members must be combined to determine a household's total Adjusted Gross Income.

According to the IRS, Adjusted Gross Income (AGI) is defined as the *gross income* amount minus *adjustments* to income. *Gross income* includes wages, dividends, capital gains, business income, retirement distributions as well as other income. *Adjustments* to income include such items as educator expenses, student loan interest, alimony payments or contributions to a retirement account. Where adjustments are made, the AGI on a tax return may be lower than the gross income; it will never be higher.

### **Income Eligibility and Determination**

One factor of qualification is the household's income, based on the number of members. Applicants have the option to report **annual** household income (from all sources for all household

members) for **calendar year 2020**, or total **monthly** income (from all sources for all household members) **at the time of application**.

Income will be the maximum gross household income is based on 80% Area Median Income (AMI) as defined by the U.S. Department of Housing and Urban Development (HUD). The maximum income limits based on household size are listed below.

**Income Limits for Number of Persons in Family**

Income Limit Category	Number of Household Members							
	1	2	3	4	5	6	7	8
<b>Very Low Income 50% AMI</b>	\$26,200	\$29,950	\$33,700	\$37,400	\$40,400	\$43,400	\$46,400	\$49,400
<b>Low Income 80% AMI</b>	\$41,900	\$47,900	\$53,900	\$59,850	\$64,650	\$69,450	\$74,250	\$79,060

Fiscal Year 2021 Income Limits found under the heading of “Access Individual Median Family Income Areas” of <https://www.huduser.gov/portal/datasets/il.html>

**Income Documentation Requirements**

All income for all household members must be documented. There are two options for reporting total household income at the time of application:

The total **annual** household income from all sources for all members for **calendar 2020** year; or  
The total **monthly** household income from all sources for all members **at the time of application**.

In both options, documentation must be provided to support the total household income. That includes:

<b>Annual Income for 2020</b>	<b>Monthly Income at the Time of Application</b>
W-2 and 1099 Earnings Statements for all jobs (full- or part-time, gig, etc.) for all household members aged 16 and older, for all jobs held in 2020*	Paystubs and any pay notifications for all income earned, including full- or part-time, gig economy, or other jobs for all earners in the household 16 and older, all jobs, covering a minimum 60 consecutive days and within 14 days of the application date.
Supplemental Income, including Rental Income, for 2020 (may use Schedule C of 1040) for all household members.	Rental, royalties, partnerships, or other Supplemental Income – quarterly balance sheet and Financial Report within 14 days of application

1099 Statements for Interest, dividends, and other net income from real or personal property. 1099 statements for any interest, dividends or other income earned during 2020 for all household members and all accounts*	Two most recent monthly (or most recent quarterly) asset statements showing interest earned, rental income, etc.; all household members and all accounts and properties within 14 days of application.
Unemployment compensation statements, including Federal Pandemic Unemployment Compensation, for all household members that received unemployment in 2020*	Notice of determination for unemployment compensation and evidence of unemployment compensation payments for 60 consecutive days and within 14 days of application.
Retirement, Social Security, Veterans benefits, annuity, pension, disability, or insurance payment statements for any payments that are regular and periodic.	Retirement, Social Security, Veterans benefits, annuity, pension, disability, or insurance payments that are regular and periodic – most recent two monthly (or most recent quarterly) statements dated within 14 days of application.
Business income (net) or professional income (net) supported by annual balance sheet and financial statement for 2020.	Business income (net) or professional income (net) supported by balance sheet and financial statements covering a minimum of 60 consecutive days and within 14 days of application.
Child support and/or alimony supported by divorce decree and printout from District Attorney, Court, or other agencies.	Child support and/or alimony payments covering 60 days, supported by divorce decree and evidence of payment (bank statement), dated within 14 days of application.
Award Letters for public assistance, such as SNAP	Award Letters for public assistance, such as SNAP and evidence of payments for 60 consecutive days within 14 days of application
<b>*All earners 16 or older may sign an IRS-4506-T at application in lieu of providing documents: a copy of the filed 2020 1040 Federal Income Tax Return will be obtained from IRS.</b>	
<b>NOTE: Income must be recertified each 90 days for any additional assistance requests</b>	

### **Categorical Eligibility**

If an applicant's household income has been verified at being at or below 80 percent of the Area Median Income in connection to a local, state, or federal assistance program (such as SNAP, Section 8, or HOME Tenant Based Rental Assistance), the household may provide a copy of the program income determination made after January 1, 2020, to be used for documentation of the household's income eligibility.

### **COVID-19 Impacts**

The household must provide evidence of a COVID-19 related economic impact such as loss of job, reduced hours, reduced tips, loss of opportunities such as grants or scholarships due to the higher

education institution closing, costs of distance learning or work from home hard- or software, increased child-care, or medical expenses.

The household must provide a certification regarding the impacts and documentation that would be available to support the COVID-19 impact costs.

### **Landlord Application on Behalf of Household**

A landlord/owner/property manager of a rental property may apply for rental assistance on behalf of the tenant. In order to do so, the landlord/owner/property manager must:

- Obtain the tenant's signature on the application, which may be documented electronically.
- Provide documentation of the application to the tenant.
- Use any payments from the application to satisfy the tenant's rental obligations; and
- Execute an agreement with St. Johns County that the tenant will not be evicted for non-payment during the time that rental assistance is being received.

### **Property Requirements**

The property must be a residential dwelling located within the boundaries of St. Johns County.

Applicants are to provide a copy of the lease, signed by the tenants and landlord. Applicants must provide at least one document that shows proof of residence in the unit and at least one document that demonstrates the amount of rent paid for the unit.

- Copies of utility bills for the rental unit in the household's name,
- Evidence of rent payments made to the landlord (prior to the period of requested assistance) through copies of checks or receipts of rent paid,
- Bank statements,
- An eviction notice issued to the household,
- Notice of Demand for Payment for rents owed, or
- Other documentation that reasonably establishes a pattern of paying rent.

### **Length of Residency**

ERA funding is provided to assist households with housing costs they are unable to meet because of COVID-19 impacts. There is no minimum period of tenancy required in the housing unit.

### **Landlord/Owner Participation**

Landlords, owners, or property management firms must certify the following:

- Confirmation that the owner/landlord does not discriminate against any person because of race, color, religion, sex, national origin, age, familial status, or disability in connection with this ERAP Grant Agreement.



- Confirmation that the owner/landlord/property manager makes determination of renting to households without regard to actual or perceived sexual orientation, gender identify, or marital status.
- The owner/landlord/property manager certifies they comply with the Violence Against Women Act, as amended.
- Confirmation that Section 504 prohibits discrimination on the basis of handicap under any program or activity receiving or benefitting from federal assistance apply.
- Certification that the owner/landlord/property manager complies with the Age Discrimination Act of 1975 prohibiting discrimination on the basis of age in programs or activities covered with federal assistance.
- Certification that the owner/landlord/property manager complies with the Americans with Disabilities Act of 1990 prohibiting discrimination on the basis of disability under programs, or activities, and services provided or made available by state and local governments or agencies.

Additionally, owners/confirm the following information:

- Household information.
- Property information.
- Terms of the lease, including period of tenancy, rental amounts, whether utilities are included or are billed separately or are the household's responsibility.
- Amount of rent past due and the associated period.
- Amount of rent due and the associated period not to exceed 90 days.
- Amount of utilities past due, if due separately, and the associated period.
- Amount of utilities due, if due separately and the associated period not to exceed.
- Acknowledgement that if the rents and/or separately billed utilities are for current and future rents, that all past due and arrears rent and/or utility costs have been cleared (or will be with the assistance being provided).
- Acknowledgement that any payments received shall satisfy the tenant's rental obligations for the associated periods covered by the assistance.
- Confirm that no other funds have covered the rents and/or utilities for the associated periods.
- W-9 statement; and
- Payment information.

### **Utilities and Home Energy Costs**

Utilities and home energy costs are those costs for electricity, gas, water, sewer, trash removal, recycling, and energy costs such as fuel oil are eligible utility and home energy costs that are:

- Separately charged,
- The responsibility of the tenant household, and

- Related to the rental property.

All payments for utilities and home energy costs must be supported by a bill or invoice for the utility or home energy services at the rental unit. Utilities and home energy costs that are paid by the landlord are considered rent and are not eligible for rental assistance to the tenant household.

Telephone, cable, internet, and cell phone costs are not considered utility or home energy costs and are not eligible for Emergency Rental Assistance.

### **Other Expenses Related to Housing**

The Act allows “other expenses related to housing incurred due, directly or indirectly, to the COVID-19 outbreak.” St. Johns County has defined these costs as:

- Reasonable late fees that have accrued
- Relocation expenses if a household has been temporarily or permanently displaced due to COVID-19.
- Reasonable reconnection fees if a utility service has been discontinued.
- Reasonable security deposit fees if a household has been temporarily or permanently displaced due to COVID-19.
- Payment of Funds

The rent will be paid directly to the landlord/owner/property manager. If the landlord/owner/property manager refuses to participate in the program or does not respond in a timely manner, the portion of the application that applies to rent will be denied.

Utility assistance will be paid directly to the utility provider, unless the utility provider refuses to participate or does not respond in a timely manner, at which time the portion of the application pertaining to utilities will be denied.

### **Payment of Funds**

The rent will be paid directly to the landlord/owner/property manager. If the landlord/owner/property manager refuses to participate in the program or does not respond in a timely manner, the portion of the application that applies to rent will be denied.

Utility assistance will be paid directly to the utility provider, unless the utility provider refuses to participate or does not respond in a timely manner, at which time the portion of the application pertaining to utilities will be denied.

### **Duplication of Benefits**

A duplication of benefits occurs when a household receives assistance from more than one source for the same purpose, or when the total assistance is greater than the need. Costs for rent, utility and/or housing expenses may only be covered with one source. Applicants' must disclose any other assistance from any other sources to cover the rent, utility and/or housing expenses submitted in the application for Emergency Rental Assistance Program will have their award adjusted if any other assistance for the rent, utility or housing costs have been provided.

### **Application Intake and Submission**

When a household contacts the call center, a Customer Service Representative will assess household eligibility and provide information for applying for assistance. Applications will be accepted and processed online through. Households and landlords may access the online portals with a smart phone, tablet, or computer. Applicants may begin an application and save it for submission at a later date.

If a household does not have access to the online application portal, or needs assistance in completing the application online, they may receive assistance through the Customer Service Representative.

If a Customer Service Representative enters a household's application data into the UnQork system, they will act as a proxy for the applicant.

Status of an application will be accessible through the UnQork portal at <https://stjohns-crr.ungork.io/>. If a household (or their proxy) has questions, they may communicate through the UnQork portal or through email.

The St. Johns County ERAP portal will:

- Allow applicants to create an account, complete the application, upload required documentation, e-sign documentation, and check the status of their application.
- Validate applications to identify duplicates (which will require investigation).
- Provide secure communications between applicants and the Case Managers.
- Allow landlords to simultaneously create applications by uploading spreadsheet data in a landlord-designated portal.
- Applications created by landlords will generate a notification to the tenant household to inform them an application has been created on their behalf for rental assistance, along with a link to access the St. Johns County ERASP Portal
- Integrate landlord applications into tenant applications.
- Allow landlords to complete and upload required information and documentation, including payment details.

If an applicant is unable to access the website, or are not successful in completing the online application, they can receive assistance by contacting the call center at 904-344-3188 or 800-557-7441.

All applications will require the following documentation:

Identification. Provide one acceptable form of identification which include:

- United States Employment Authorization Card
- United States Certificate of Naturalization
- Learner's Driving Permit with Photo
- Non-Drivers Identification Card
- Current Driver's License
- State-issued REAL ID Card
- Passport
- United States Permanent Resident Card

Other government-issued form of identification

Income verification. Provide all that are applicable of the following:

- Letter from employer reflecting a decrease in income
- Unemployment award letter
- Paystubs for the past 60 days for all jobs
- Form 1040/1040A (pages 1 + 2 only)
- W-2's from all jobs
- Bank Statements reflecting a reduction in salary (need past showing higher wages and current showing reduction)
- Self-employment income profit and loss and balance statements
- Payment notifications from any gig economy jobs (UBER, Lyft, Mary Kay, etc.)
- Social Security award letter
- Retirement payment notification
- Other regular income statements

Rental Assistance information.

- Copy of fully executed lease, all pages and signed by tenant and landlord
- Notice of past due rent
- Eviction notice
- Contact information for your landlord (name, address, email, and phone)
- Amount of rents due (past due, current, and forward for up to 3 months)

Utility Assistance Information

- Notice of past due utility
- Utility disconnection notice

- Contact information for your utility (name, address, email, and phone)
- Amount of past due utilities due

### **Process for Accepting Applications/Priority of Application Processing**

From the date the program is launched applications for households meeting the **50%/Unemployed Priority** will be given priority processing for a period of time not to exceed thirty (30) days. Within that group, families with seniors, veterans, disabled or minor children will be given first priority. If funds remain, applications for the **80% COVID-19 Impacted Priority** applications will be processed.

Due to the volume of applications, only completed applications will be reviewed. Completed applications will be reviewed on a first come/first served basis. Funds will only be awarded to complete applications in accordance with the priority requirements set forth above; funds will not be held or set aside for incomplete applications.

Requests to applicants for clarification, documentation, or other needed information must be returned within 5 business days; failure to provide the needed information or documentation within the 5 business days will result in the application being terminated due to non-action and the application being incomplete.

### **Verification of Application Information and Documentation**

Information submitted in the application will be validated using several methods, including utilizing data analytics and fraud detection solutions, as well as reviewing and analyzing the documentation submitted.

### **Determination of Assistance Award Amount**

Once all required information and documentation has been received from the applicant, landlord and other sources, and the review processes have been completed, the application request will be assessed for compliance to the program criteria and a determination for award will be completed. Results of the determination include fully approved, approved with modifications, or denial.

Upon completion of all eligibility criteria review processes, the amount of assistance will be calculated. The total amount requested will be adjusted, if necessary, based on the verified total rents, utilities, and/or housing costs outstanding. This total amount will be reduced by the amount of funds received from any other program or assistance for the same costs. The final award amount will be recorded as the maximum grant to be provided to the household. The amount of grant funds awarded to a single household shall not exceed five thousand dollars (\$5,000.00).

Applicants will be notified of the determination results. Approved applications, both those requests that are fully awarded and awarded with modifications (typically a reduction in assistance) will move to the Grant Agreement process.

Applicants that receive a denial decision will be notified via email.

Applicants that receive either a modified award or a denial may appeal their decision, if documentation supporting the eligibility of the request is available.

### **Status and Termination**

During the process, applicants will have the ability to check the status of their applications by logging into the UnQork system, or by calling a Customer Service Representative at 904-344-3188 or 1-800-557-7441.

Applicants may withdraw their application at any time prior to payment being made to a landlord or utility or home energy provider.

### **Appeals Process**

Program participants will be notified of their award and will be required to sign a Grant Agreement. If an applicant is denied assistance, a written denial letter will be sent to the applicant listing the reason(s) for denial.

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 are to be reviewed and resolved by the Program Lead 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 Program Lead 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 Program Lead will be final.

It is important to understand that the criteria for eligibility, the amount of assistance, or the eligibility of costs will not be waived or modified; appeals must support how the applicant household meets these criteria and program requirements.

All appeals will follow the process outlined in the Procedures section to ensure fairness and equitable considerations and decisions. Appeals will be reviewed and resolved by the Program Lead with assistance from the Case Management Supervisor. ERAP applicants or participants may request an appeal of a decision within 14 days of a notice from the ERAP Case Manager.

If an applicant is successful in their appeal, their ability to receive assistance will depend on whether ERAP funds are available on the date of the appeal decision. A successful appeal does not guarantee receipt of assistance.

### **Fair Housing**

St. Johns County is committed to ensuring all individuals of similar income levels equal access to St. Johns County programs, regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, familial status, gender identity or sexual orientation.

St. Johns County's fair housing policy incorporates the requirements of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988 (Fair Housing Act), as well as the State of Florida. Housing providers should ensure that admissions, occupancy, marketing, and operating procedures comply with non-discrimination requirements.

In part, the Fair Housing Act makes it unlawful, because of protected class status, to:

- Discriminate in the selection/acceptance of applicants in the rental of housing units.
- Discriminate in terms, conditions, or privileges of the rental of a dwelling unit or services or facilities.
- Engage in any conduct relating to the provision of housing that otherwise makes unavailable or denies the rental of a dwelling unit.
- Make, print, or publish (or cause to make, print or publish) notices, statement or advertisements that indicate preferences or limitations based on protected class status.
- Represent a dwelling is not available when in fact it is available.
- Deny access to, or membership or participation in, associations or other service organizations or facilities relating to the business of renting a dwelling or discriminate in the terms or conditions of membership or participation; or
- Engage in harassment or quid pro quo negotiations related to the rental of a dwelling unit.

St. Johns County has a commitment to fair housing for individuals with disabilities by promoting the accessibility requirement set out in the Fair Housing Act, which establish design and

construction mandates for covered multifamily dwellings and requires housing providers to make reasonable accommodations and to allow persons with disabilities to make reasonable modifications.

As a condition of the ERA program, funding through St. Johns County housing providers are not permitted to refuse to lease a unit to, or discriminate against, a prospective resident solely because the prospective resident has a Housing Choice Voucher or other form of tenant-based rental assistance.

### **Language Access**

All application, marketing electronic interface, and printed materials will be translated into English and Spanish. Application intake services are also available in these languages.

### **Confidentiality**

Subject to the requirements of Florida's public records law, St. Johns County has established policies and procedures to protect the privacy of individuals and households, including measure to ensure that any personally identifiable information of individuals is collected and used only as permitted under applicable law.

St. Johns County has protections in place to hold all data and information that is required to be kept confidential under applicable law. This may include information gathered from and about individuals and applicant household members who are victims of intimate partner violence, sexual assault, or stalking.

Information that may be disclosed includes the number of eligible households that receive assistance; the rate of acceptance for assistance; type of assistance provided to each household; the average amount of funding provided per eligible household receiving assistance; the income levels broken out at levels of 1) up to 30% AMI, 2) between 30% and 50% AMI, and 3) between 50% and 80% AMI; and the average number of payments (for rent or utilities) covered by the assistance a household receives.

Disaggregated information relating to households assisted will also be required to be reported, which includes gender, race, and the ethnicity of the individual household member applying for assistance.

It is important to note that the U.S. Department of the Treasury's Secretary may require full and unredacted information, including personally identifiable information, for statistical research purposes and may collect and make available information collected at the census tract level.

The Confidentiality procedures include and are applicable to printed documents, written materials, information provided through the St. Johns County ERAP portal, text messages, chat



platforms, and oral communication via telephone, electronic meetings such as Zoom, WebEx, GoToMeetings, Teams, etc., or in person.

In order to protect confidentiality, electronic files are password protected and St. Johns County keeps all paper copy documentation, including correspondence, applications, grant agreements or other information regarding the ERAP participants in a locked file cabinet.

Each grantee is required to (1) establish data privacy and security requirements with appropriate measures to ensure the protection of the privacy of the individuals and households, (2) provide that the information collected, including any personally identifiable information, is collected and used only for submitting reports to the federal government, and (3) provide confidentiality protections for data collected about any individuals who are survivors of intimate partner violence, sexual assault or stalking.

### **Recordkeeping and Data Collection**

St. Johns County shall keep records of applications, decisions made, and assistance provided to participants.

Information regarding applicants, their status, decisions regarding assistance, amounts of assistance including the type (rent, utilities, etc.), the periods of assistance, and total awards amounts, as well as information regarding those applicants that were not assisted due to withdrawal, termination for non-action, or denial.

ERAP records may include but are not limited to the following:

- General ledger and subsidiary ledgers used to account for the receipt of Consolidated Act, 2021 payments and
- the disbursements from such payments to meet eligible expenses related to the Emergency Rental Assistance Program and the public health emergency due to COVID-19.
- Budget records for 2020, 2021 and 2022 if ERAP payments occurred past December 31, 2021.
- Payroll, time records, human resource records to support costs incurred for payroll expenses related to administering the ERAP.
- Receipts of all costs related to marketing, administering, implementing, and closing out the ERAP.
- Contracts and subcontracts entered into using Consolidated Act, 2021 payments and all documents related to such contracts.
- Grant agreements and grant subaward agreements entered into using Consolidated Act, 2021 payments and all documents related to such awards.
- All documentation of reports, audits, and other monitoring of contractors, including subcontractors, and grant recipient and subrecipients.

- All documentation supporting the performance outcomes of contracts, subcontracts, grant awards, and grant recipient subawards.
- All internal and external email/electronic communications related to use of Consolidated Act, 2021 payments.
- All investigative files and inquiry reports involving Consolidated Act, 2021 payments; and
- All correspondence related to applications, program design and implementation, reporting, or any other program related items.

All records associated with the ERAP shall be maintained for a period of five (5) years after final payment is made using Consolidated Act, 2021 funds. These record retention requirements are applicable to all U. S. Treasury recipients, their grantees and subgrant recipients, contractors, and other levels of government that received Consolidated Act, 2021 payments from U. S. Treasury recipients.

### **Conflicts of Interest**

A conflict of interest occurs when a person is in a position to receive personal benefit from actions they take or decisions they make in their official capacity. A conflict of interest may be either an actual conflict or may be a perceived conflict of interest. It is possible for a potential or perceived conflict of interest exist even if no unethical, improper, or illegal act results from the conflict.

An individual may have a conflict of interest in any situation where one's judgment, actions, or non-action could be interpreted to be influenced by something that would benefit them directly or through indirect gain to a friend, relative, acquaintance or business or organization with which they are involved.

The rule is that no persons described below who exercise decision making, have exercised responsibilities with respect with the ERA program, or who are in a position to participate in decision-making may obtain a financial interest or benefit, or have a financial interest in any contract, subcontract, or agreement with respect with the ERA program, either for themselves or with those with whom they have business or immediate family ties during their tenure. For the purposes of this section, "immediate family ties" shall have the same definition provided for a "relative" in Section 112.312(21), Florida Statutes.

Conflict of interest requirements apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of ST. Johns County or any designated public agency, or subrecipients that are receive funds under the ERA program.

Any potential or actual conflicts of interest must be reported immediately to Shawna Novak, Director of Health and Human Services at [snovak@sjcfl.us](mailto:snovak@sjcfl.us).

## **Fraud**

Fraud is an illegal act of intentional deception or misrepresentation used to benefit oneself or others. Fraud includes but is not limited to false representations of material fact, false or misleading statements, or the concealment of something that should have been disclosed, which deceives and is intended to deceive.

Fraud and abuse of the ERAP funds may be result of:

- Unauthorized access to sensitive information.
- Filing false applications or claims.
- Providing false statements to obtain assistance funds.
- Diversion of benefit proceeds.
- Forgery.
- Promised services not delivered, and/or
- Misuse and mismanagement of the funds.

Data must be analyzed to reveal trends, relationships, and correlations between the data that can identify ongoing fraud and abuse of funds.

Any person or entity (including its employees and affiliates) that enters into an agreement with the St. Johns County ERAP that witnesses, discovers evidence of, receives a report from another source, or has other reasonable basis to suspect that fraud, misuse of funds or embezzlement has occurred must immediately make a report through the following channels:

- The Clerk of Circuit Court and County Comptroller's Office of Inspector General Hotline at 866-272-4351
- Any member of the management team at St. Johns County Department of Health and Human Services, or Shawna Novak at [snovak@sjcfl.us](mailto:snovak@sjcfl.us), or The Treasury Office of Inspector General hotline at 800-359-3898.

Individuals filing a complaint may request the complaint to be handled confidentially if they believe disclosing their identity may create a hardship or place them in danger. If confidentiality is elected, it is suggested but not required to provide as much contact information as they are comfortable if additional details are needed. Filing an anonymous complaint may limit the ability of conducting a complete investigation.