Overview of the State Emergency Rental Assistance Program

Ken Cole, Agency Director
County of San Mateo, Human Services Agency
Emergency Rental Assistance Program Overview

- San Mateo County has combined funding with the State of California –approximately $47m.
- City and County of San Francisco has $28m through the state program and will administer $26m via its local program.
- Federal funding always has tight timelines and audit requirements.
Rent Past Due?
Renters and landlords have enough things to worry about. Past due rent shouldn’t be one of them.

If you’re an income eligible renter who has experienced a financial hardship due to COVID-19 and have past due rent, or you’re a landlord who has experienced a loss in income because of unpaid rent, you may be eligible to get financial assistance now through the CA COVID-19 Rent Relief program.

Who Can Apply?

**Landlords** who have income-eligible renters experiencing a financial hardship due to COVID-19 with past due rent.

**Renters** who have experienced a financial hardship due to COVID-19, have past due rent or utilities, and have a household income that is not more than 80% of the area median income.
How Much Rent Relief Will I Get?

Landlords can get reimbursed for 80% of past due rent accrued between April 1, 2020, and March 31, 2021, if they agree to waive the remaining 20% of unpaid rent.

Eligible renters whose landlords choose not to participate may still apply on their own and receive 25% of unpaid rent accrued between April 1, 2020, and March 31, 2021 through a direct payment to their landlord. If a landlord refuses direct payment, the 25% can be paid to the renter to pay missed rent to their landlord by June 30, 2021. Paying 25% of past due rent by June 30, 2021 can help keep renters in their homes under the extended eviction protections provided in SB91.

Eligible renters can also receive help paying future rent, equal to 25% of their monthly amount to help them stay in their homes, and 100% of up to 12 months of unpaid or future utility bills.

How do I Apply?

To check eligibility requirements, apply or find a Local Partner Network organization who can assist you further, visit HousingIsKey.com or call 833-430-2122. toll free.

HousingIsKey.com

Priority will be given to households at the greatest risk of eviction.
Why the state's 80/20 payment for eligible households makes sense.

> 25%  
If you are a landlord who has been receiving 25% or more of your tenant’s monthly rent, up to 75% is still unpaid.

$ = 80%  
When you and your tenant participate, the state will pay 80% of unpaid rent, and would ask you to forgive the last 20%.

$ = At least 85%  
After reimbursement, you will have received at least 85% of total rents owed from the period.
San Mateo County Covid Response Update
San Mateo County COVID Update

Key Health Data
• Historical totals: 41,445 reported cases, 564 deaths
• Current case rate per 100,000 residents: 2.5
• June 15\textsuperscript{th} state reopening

Vaccinations
• Everyone 16 and over is eligible to be vaccinated
• Of that population, 70.6% have received one dose of the vaccine and 47% are fully vaccinated
Vaccinations

• 53,000 does were provided in the last seven days and we are on track to vaccinate many more as the county’s vaccine supply increased by around 10,000 doses this week to 24,000

• Vaccines are now available through individual healthcare providers, San Mateo Medical Center and Clinic, and over 40 pharmacies.

• In addition, the county is fully utilizing the My Turn platform to make finding appointments easier
<table>
<thead>
<tr>
<th>Program</th>
<th>Total Funds</th>
<th>Amount Distributed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Residential Rental Property Owner Grants</td>
<td>$223,684</td>
<td>$223,684</td>
</tr>
<tr>
<td>Additional Programs/Grants for Tenants and Property Owners</td>
<td>$1,000,000</td>
<td>TBD</td>
</tr>
<tr>
<td>SMCSTRONG &amp; CARES - Rental Assistance - Individuals and Families -</td>
<td>$15,031,980</td>
<td>$12,031,980</td>
</tr>
<tr>
<td>Assisted Living - Institute on Aging</td>
<td>$500,000</td>
<td>$500,000</td>
</tr>
<tr>
<td>CSBG - CARES</td>
<td>$633,962</td>
<td>$0</td>
</tr>
<tr>
<td>Federal Emergency Rental Assistance Program (ERAP)</td>
<td>$45,348,785</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$62,738,411</strong></td>
<td><strong>$12,755,664</strong></td>
</tr>
</tbody>
</table>
A non-profit housing services agency serving many localities in Northern California, including most of the South Bay. Core services include:

• neutral landlord/tenant counseling, education and dispute resolution
• fair housing laws education and counseling and complaint investigation
• HUD-certified housing counseling including 1st time homebuyer, mortgage, foreclosure, pre-foreclosure and financial/credit counseling

**PLEASE NOTE:** We are not able to offer legal advice or legal representation, but we can offer tips, best practices, and an overview of local and State laws. For legal services, please contact an attorney or a lawyer referral service.
RENT RELIEF APPLICATION PROCESS
Eligibility Questions for Tenants

A least 1 person in the tenant household must meet the following 3 criteria:

1. qualified for unemployment benefits, experienced a reduction in income, incurred significant costs, or experienced other financial hardship due to COVID–19;
   - Signed Declaration of COVID-19 Related Financial Distress meets this requirement!

2. At risk of homelessness or housing instability: past-due utility or rent notice or eviction notice, unsafe or unhealthy living conditions, or other evidence of risk
   - Receiving a 3-day/15-Day Notice to Pay or Quit meets this requirement!

3. Have a household income that is not more than 80% of the Area Median Income
Eligibility Questions for Tenants

Who Qualifies and What is Covered?

- Impacted tenant households with incomes \( \leq 80\% \) of AMI
- Back and forward rent, utility payments and other housing expenses.

<table>
<thead>
<tr>
<th>SAN MATEO COUNTY (Household Income limits 2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td># of Pers. in Household</td>
</tr>
<tr>
<td>--------------------------</td>
</tr>
<tr>
<td>Extremely Low (30% AMI)</td>
</tr>
<tr>
<td>Very Low Income (50% AMI)</td>
</tr>
<tr>
<td>Low Income (80% AMI)</td>
</tr>
</tbody>
</table>
Process for Applying

Who Can Apply? How Will the Process Work?

- Landlords and Tenants May Both Apply

Flowchart:

1. Landlord Initiates Application(s)
   - Email to Tenant(s) Inviting them to Participate; Includes Link to Application
   - If submitted by both parties simultaneously system “Matches” Applications to avoid duplication

2. Tenant Initiates Application
   - 5 Digit Case ID Created for Tenant
   - Email to Landlord Inviting them to Participate; Includes Link to Application and 5 Digit Case ID

Case Management Works with Landlord and Tenant to Complete
- Applications Completed & Signed by Both Parties
  - Complete 80% Compensation
  - Non-Participatory Landlord
  - Application Complete & Signed by Tenant
    - Complete 25% Compensation
  - Non-Participatory Tenant
    - Incomplete Application
Where to Apply

Go [housingiskey.com](http://housingiskey.com) or [laviviendaesclave.com](http://laviviendaesclave.com) or [www.housing.ca.gov](http://www.housing.ca.gov)

Click here to begin screening questions and info:
Begin Process by Text - 211211

OR   text “rent” to 211211 for initial screening questions
TIPS ON APPLYING

• Landlord and Tenant will need an email address to create an account and apply

• We encourage Landlords and Tenants to inform each other if initiating an application

• Emails regarding the application will come from “Neighborly Software”

• We also encourage Landlords and Tenants to communicate and work together to complete the application!
Why Should Landlords Apply?

1. Landlord enters in amounts owed by tenant

2. Landlord can apply for multiple affected Tenants through the system, and will not have to provide the same info multiple times

3. Landlord moves the process along, uploads lease, proof of ownership documents, and any other documents to prove rent is owed by Tenants

4. Receive payment directly in preferred method

5. Can check status through their Rent Relief portal account
“But I have to waive 20%”

- Tenants who lost work or incurred expenses likely have other debts accumulating, paying back rent could take a long time
- Landlord guaranteed 80% of qualifying tenants’ back rent
- Collecting debts is difficult, especially if Tenant becomes or is insolvent
- Cannot sell or assign COVID-19 Rent Debt if Tenant \textit{would have} qualified for Rent Relief
- To file a court action, Landlord \textit{must} document cooperation with rent relief efforts by tenant(s) and/or prove attempts to apply on behalf of tenant(s)
Project Sentinel – housing.org/covid-19

Info and links to applications, checklists, resources and more!
CA COVID-19 RENT RELIEF

Visit HousingIsKey.com or call 833-430-2122
COVID-19 EVICTION PROTECTIONS

Presentation for San Mateo County April 29, 2021
The State Legislature sought to keep people housed, avoid massive homelessness, and protect the public from COVID-19

- **August 30, 2020** – The Tenant, Homeowner and Small Landlord Relief Act of 2020 (AB 3088)
- **January 29, 2021** – Protections were extended and expanded by SB 91
Protecciones estatales contra desalojo COVID-19

La Legislatura Estatal buscó mantener a las personas alojadas, evitar la falta de vivienda masiva y proteger al público contra el COVID-19

• **30 de agosto de 2020**: Ley de alivio para inquilinos, propietarios de viviendas y pequeños propietarios de 2020 (AB 3088)

• **29 de enero de 2021** - Las protecciones fueron extendidas y expandidas por SB 91
Statewide COVID-19 Eviction Protections

• Unpaid rent from 3/4/2020 to 6/30/2021 of Tenants experiencing COVID-19 related financial hardship can NEVER be the basis of eviction IF:

- Tenant signs and returns a Declaration of COVID-19 Related Financial Distress to their landlord*
- By June 30, 2021, Tenants must pay at least 25% of the total rent due between September 1, 2020 and June 30, 2021.

*The declaration form must be provided to the tenant by the landlord with any Notice to Pay
Protecciones estatales contra desalojo COVID-19

• El alquiler impago del 3/4/2020 al 6/30/2021 de los inquilinos que experimentan dificultades financieras relacionadas con COVID-19 NUNCA puede ser la base del desalojo SI:

  ➢ El inquilino firma y devuelve una Declaración de dificultades financieras relacionadas con COVID-19 al propietario*

  ➢ Antes del 30 de junio de 2021, los inquilinos deben pagar al menos el 25% del alquiler total adeudado entre el 1 de septiembre de 2020 y el 30 de junio de 2021.

*El formulario de declaración se debe proporcionar al inquilino por el propietario con cualquier aviso de pago
Statewide COVID-19 Eviction Protections

1. Protect all residential tenants, including mobile home tenants, regardless of immigration status or if there is a written lease

2. Unpaid rent of protected Tenants is not forgiven

3. Until June 30, 2021: Just Cause eviction protections are extended to ALL residential tenancies!

   ➢ Under the limited circumstances a tenancy termination is permissible, the **legally-valid reason** must be included in any Notice of Termination
1. Las protecciones se aplican a todos los inquilinos residenciales, incluidos los inquilinos de casas móviles, independientemente de su estatus migratorio o si hay un contrato formal.

2. Hasta el 30 de junio, 2021: ¡Las protecciones de desalojo por causa justa se extienden a TODOS los arrendamientos residenciales!

   ➢ solo se permitirán desalojos en circunstancias muy limitadas y la razón legalmente válida debe incluirse en cualquier aviso escrito de desalojo.
Statewide COVID-19 Eviction Protections

4. Tenants with unpaid rent **must** take certain actions to be protected

5. Landlords **must** serve certain documents to comply with the law and reserve their rights

6. Tenants still **owe unpaid rent**. Collection actions may be filed in Small Claims Court, but only after August 1, 2021.

7. Landlords who refuse rent relief funds or do not make attempts to apply on behalf of qualifying tenants may be barred from demanding the full amount from the Tenant in court or otherwise
Protecciones estatales contra desalojo COVID-19

3. Los inquilinos con renta impaga deben tomar ciertas medidas para estar protegidos

4. Los propietarios deben entregar ciertos documentos para cumplir con la ley y reservar sus derechos.

5. El alquiler impago de los inquilinos protegidos no se perdona. Los propietarios podrían presentar una demanda en el tribunal de reclamos menores, pero no hasta después del 1 de agosto, 2021

6. Los propietarios que rechacen los fondos de ayuda para el alquiler o no intenten presentar una solicitud en nombre de los inquilinos que califiquen pueden tener prohibido exigir el monto total al inquilino en la corte o de otra manera.
Other COVID-19 Rent Debt Provisions

1. No late fees can be charged
2. COVID-19 Rent Debt cannot be used as a negative factor in screening tenant
3. COVID-19 Rent Debt cannot be sold or assigned if Tenant would have qualified for rent relief (for Tenants who would not qualify, not until July 1, 2021)
4. Rent payments must be applied to current month’s rent.
5. Cannot use current tenant’s security deposit to satisfy COVID rent debt.
6. Retaliation against Tenants with COVID-19 Rent Debt is barred; could be subject to penalties.
Otras condiciones de deuda de alquiler COVID-19

1. ¡No se pueden cobrar cargos por demora o intereses!

2. La deuda de alquiler COVID-19 no se puede utilizar como un factor negativo para evaluar al inquilino

3. La deuda de alquiler COVID-19 no se puede vender o asignar si el inquilino hubiera calificado para el alivio del alquiler (para inquilinos que no calificarían, no hasta el 1 de julio de 2021)

4. Los pagos de alquiler deben aplicarse al alquiler del mes actual.

5. No se puede usar el depósito de seguridad actual del inquilino para pagar la deuda de alquiler de COVID.

6. Las represalias contra los inquilinos con deuda de alquiler COVID-19 están prohibidas; podría estar sujeto a sanciones
Landlord Required Noticing – State Forms

• Landlords should serve Tenants with ANY unpaid rent since March 2020

• For any Notice to Pay until 6/30/2021 use this + declaration form

• For unpaid rent from 3/1/20 to 8/31/2020 use this + declaration form

Forms can be found (in multiple languages) here: [housing.ca.gov/landlord/forms.html](http://housing.ca.gov/landlord/forms.html) and here: [housing.ca.gov/tenant/forms.html](http://housing.ca.gov/tenant/forms.html) (for the declaration)
Avisos Requeridos por el Propietario

Si un inquilino tiene cualquier renta impago entre 3/4/2020 y 6/30/2021,...

...el propietario debe que provenir al inquilino este aviso (2 paginas) antes de un aviso de pago:

AVISO DEL ESTADO DE CALIFORNIA

Código de Procedimiento Civil Sección 1179.04(b)

(Deberá ser entregado por los arrendadores a más tardar el 28 de febrero de 2021 a los inquilinos que, al 1 de febrero de 2021, no han realizado uno o más pagos de alquiler que vencieron entre el 1 de marzo de 2020 y el 30 de junio de 2021)

La Legislatura de California ha promulgado la Ley de Ayuda por COVID-19 para Inquilinos de 2020, que protege a los inquilinos que han experimentado dificultades económicas relacionadas con la COVID-19, de ser desalojados por no cumplir con los pagos de alquiler debidos entre el 1 de marzo de 2020 y el 30 de junio de 2021.

“Dificultades económicas derivadas de la COVID-19” engloba cualquiera de los siguientes casos:

1. Pérdida de ingresos causada por la pandemia de COVID-19.
2. Aumento de gastos corrientes directamente relacionados con el desempeño de trabajos esenciales durante la pandemia de COVID-19.
3. Aumento de gastos directamente relacionados con repercusiones sanitarias de la pandemia de COVID-19.
4. Responsabilidades de cuidado de niños o responsabilidades para cuidar a un miembro de la familia anciano, discapacitado o enfermo directamente relacionadas con la pandemia de COVID-19 que limitan su capacidad de generar ingresos.
5. Aumento de los costes para el cuidado de niños o la atención de un miembro de la familia anciano, discapacitado o enfermo directamente relacionado con la pandemia de COVID-19.
6. Otras circunstancias relacionadas con la pandemia de COVID-19 que han reducido sus ingresos o aumentado sus gastos.
Landlord Responsibilities - Notices

Any Notice to Pay or Quit MUST:

1. be a 15-Day Notice;

2. contain specific information; AND

3. be served with a “Declaration of COVID-19-Related Financial Distress”
   - Provide in language contract negotiated in
   - Instruct how tenant should return it (by email, text w/ photo, etc.)

This is ALL the documentation a tenant needs to provide to show financial distress; it is signed under penalty of perjury.