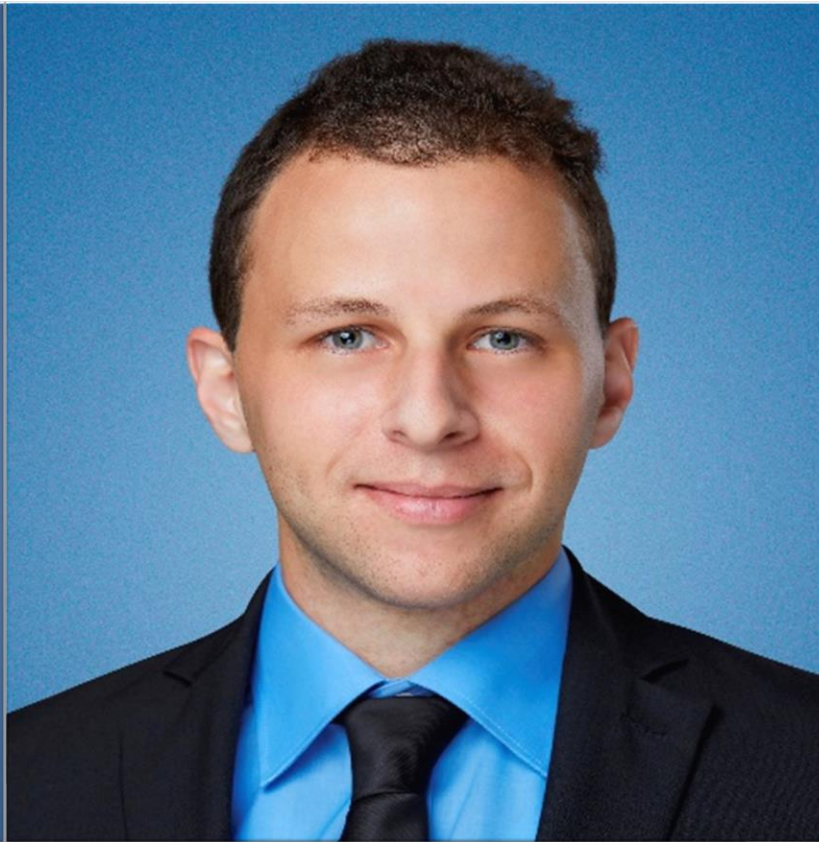


# FHC CARES Office Hours

September 17, 2020

Housing is Healthcare





## Presenters

- Susan Pourciau [Pourciau@flhousing.org](mailto:Pourciau@flhousing.org)
- Kody Glazer [Glazer@flhousing.org](mailto:Glazer@flhousing.org)
- Michael Chaney [Chaney@flhousing.org](mailto:Chaney@flhousing.org)

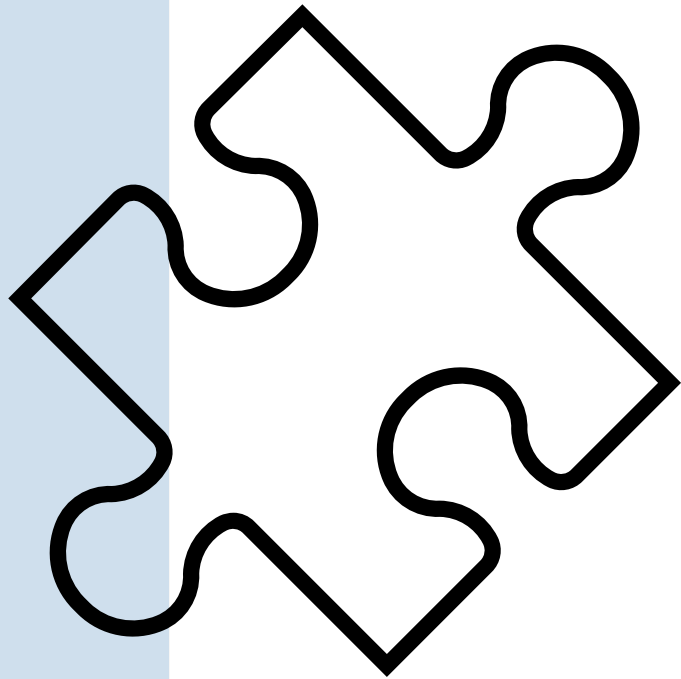
# Agenda

- CDC Eviction Moratorium
- ESG Notice
- FHFC-CRF Highlights
- Q&A

# Handouts

- This PPT presentation
- CDC Eviction Moratorium Declaration Form
- ESG Homelessness Prevention Eligibility During Eviction Moratoria
- ESG Notice (HUD)
- CRF Manual (9.14.2020 Version)





# Poll

What is *your* role?

# CDC Eviction Moratorium



# The Basics of the CDC Moratorium

- CDC Authority – Public Health Service Act: grants HHS Secretary broad authority to enact measures to prevent the spread of disease.
- Prevents non-payment of rent evictions until 12/31/20 **for tenants who have exercised their rights under the CDC order.**
- Eviction protections are not automatic – tenant must deliver a CDC Declaration to their landlord.
- Covers all standard rental housing, including mobile homes or land in a mobile home park
- Does not cover individuals rent hotels, motels, or other guest homes rented temporarily.
- Does not waive late fees or past due rent.
- Unclear if the CDC or current Florida moratorium applies for month of September.



# Tenant Requirements to Secure Eviction Protection

- Each adult listed on the lease must complete a “Declaration” and provide a copy to their landlord.
- This Declaration attests that the tenant:
  - Has used “best efforts” to obtain all available governmental assistance for rent
  - Expects to earn no more than \$99,000 in annual income for 2020 (or \$198k if joint filing); was not required to report any income in 2019 to the IRS; or received a stimulus check through the CARES Act
  - Unable to pay full rent due to substantial loss of household income, loss of compensable hours of work or wages, lay-offs, or extraordinary out-of-pocket medical expenses
  - Using “best efforts” to make timely partial payments as circumstances permit
  - Would likely become homeless, need to move into a homeless shelter, or double-up





# Implications for Housing Departments

- Education, education, education
- To qualify, tenants must attest they "have used best efforts to obtain all available government assistance for rent or housing."
- The moratorium should not slow down efforts to provide assistance.

# Implications for Homelessness Prevention with HUD Funds

We will cover the topic of homelessness prevention and eviction moratoria on our next FHC CARES Office Hours

[Register here](#) for Office Hours on 10/1/2020 at 1:30 ET

Also see attached handout on ESG-funded prevention



# ESG Notice



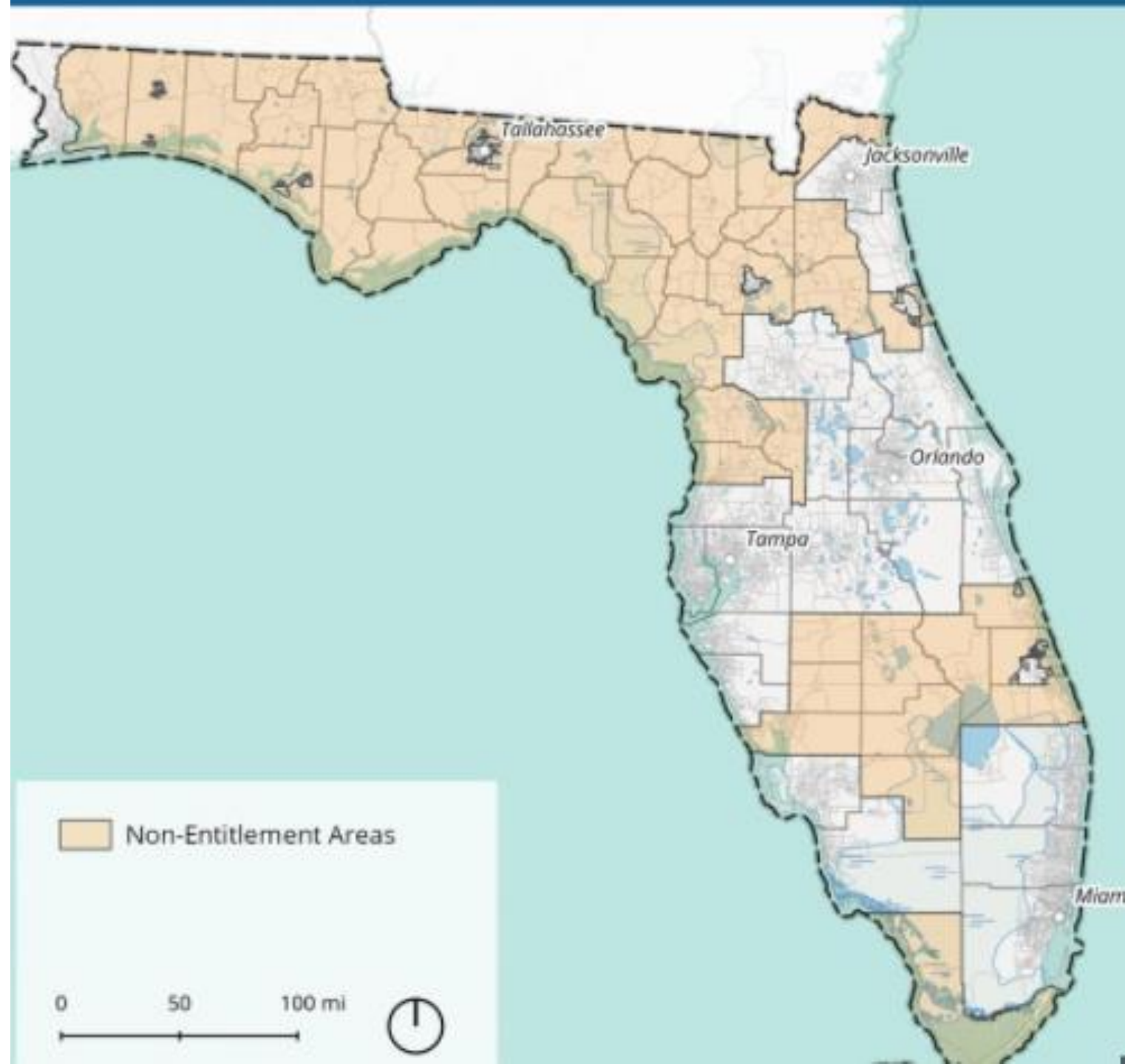
# HUD ESG Notice

- [ESG Notice \(9/1/2020\)](#)
- [HUD Webinar on ESG Notice](#)



# Flow of ESG Funds in FL

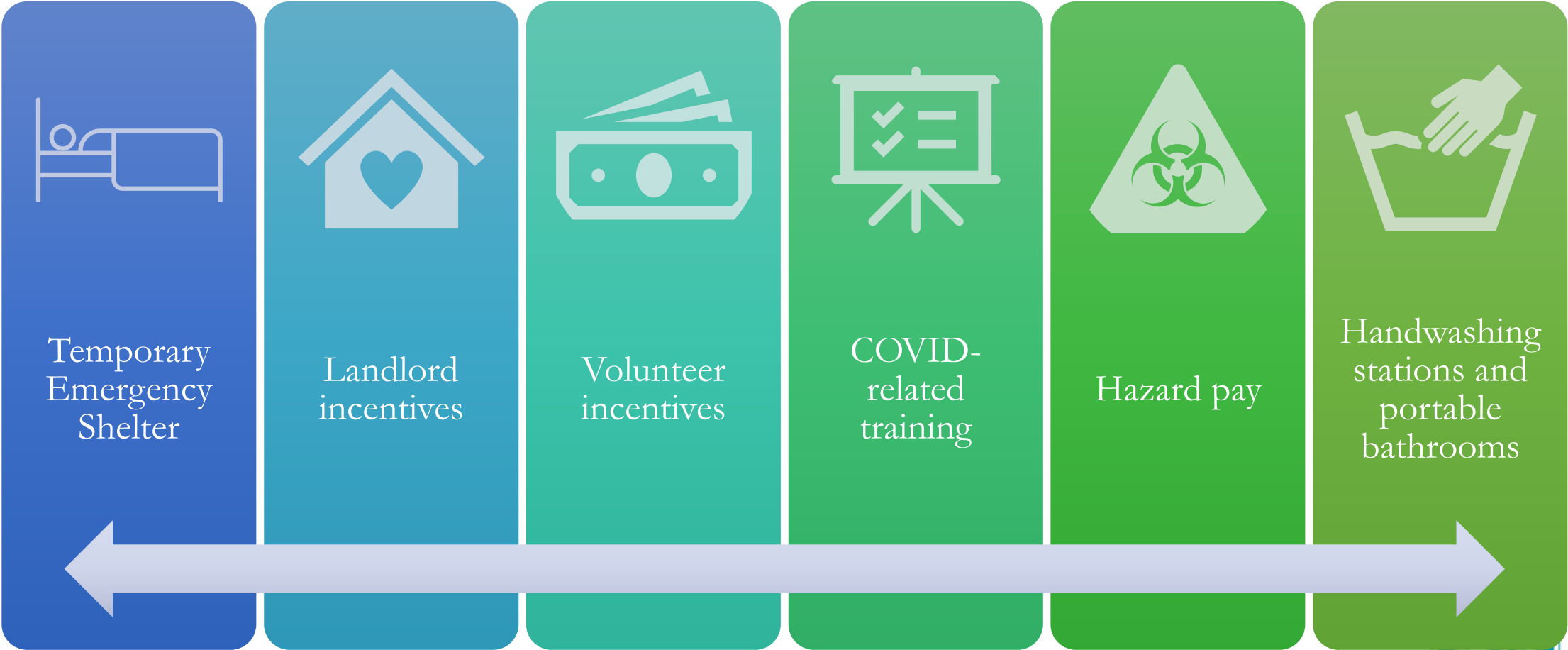
- HUD sends ESG \$ directly to:
  - Entitlement Areas (Local governments)
  - State of FL (Dep't of Children & Families)
- Dep't of Children & Families sends ESG \$ to:
  - Homeless Continuum of Care (CoC) lead agencies



# Prevent, Prepare For, Respond To

- Gives examples of what it means to “prevent, prepare for, and respond to coronavirus”
- Activity can be any of the three or a combination of purposes
- Test is at the activity level, not the household level
- **Makes it explicit that every homeless household can be rehoused with ESG-CV and ESG as a way of preventing the spread, regardless of whether that household is specifically impacted by COVID**

# Additional Eligible Activities



# Landlord Incentives

Total of incentives paid to landlord related to a particular unit are limited to 3 times the monthly rent and may include:

Signing bonuses up to 2 times monthly rent

Security deposits up to 3 times monthly rent

Paying cost to repair damages not covered by security deposit or incurred while tenant still in unit

Paying cost of extra cleaning or maintenance of the unit or appliances



# Flexibilities & Waivers: Examples

- Emergency shelter and street outreach cap waived
- Admin up to 10%
- Match requirement waived
- FMR limit waived (but rent reasonableness still required)
- Monthly case management requirement waived
- 24-month limit in RRH and HP extended for 6 months – but only for households that reach max between 1/21/2020 and 2/28/2021

# Alternative Requirements

- Rent Assistance limited to **12 months** (rather than 24)
- Temporary Emergency Shelter activities must cease by **1/31/2022**

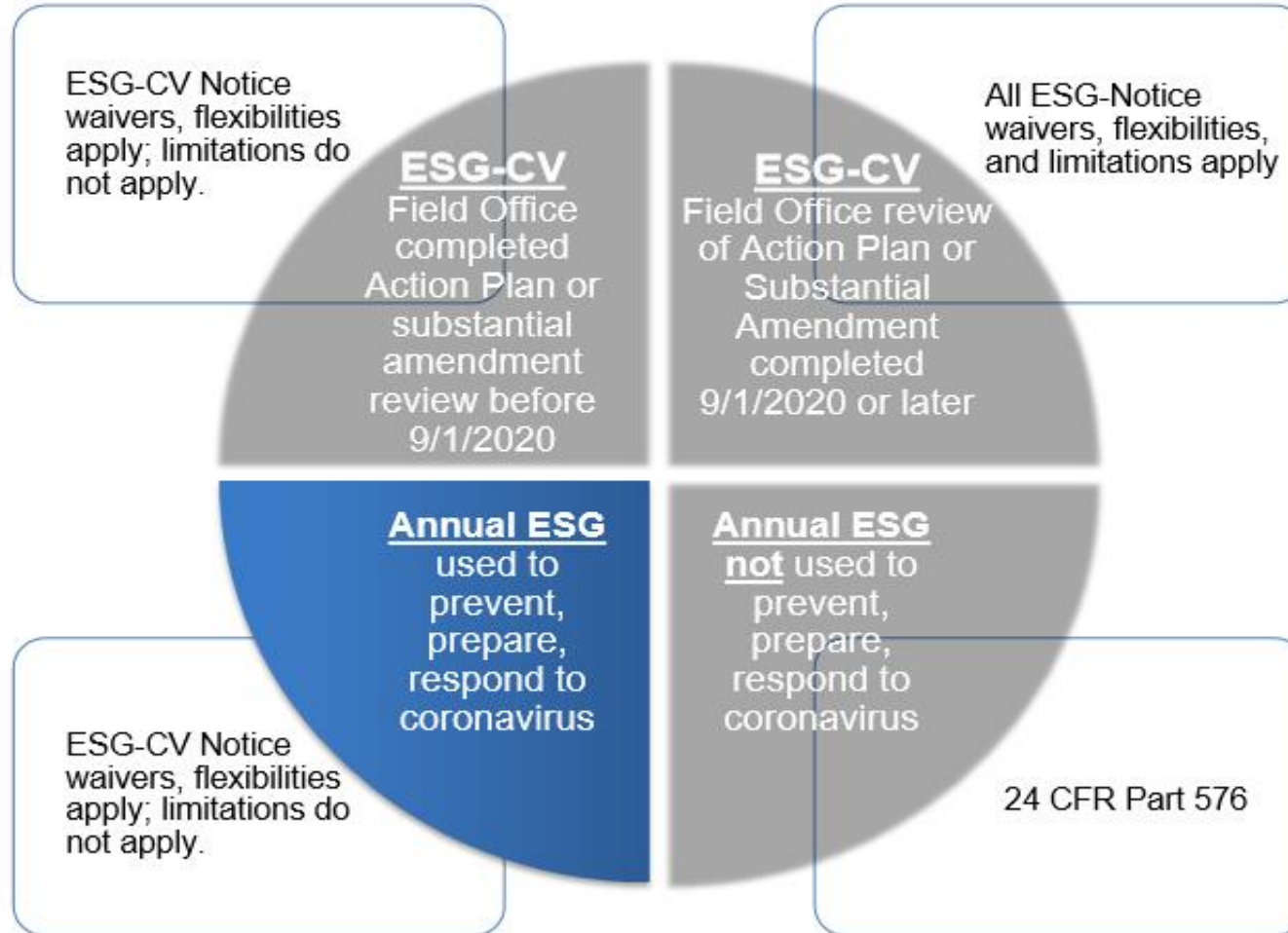


# Additional Requirement

**Cannot require** treatment or any other prerequisite activities as a condition for receiving ESG assistance (includes case management, income, sobriety, treatment, classes, employment search, etc.)



# Applicability of Waivers & Alternative Requirements



# Important Dates

Date of Cost Eligibility (Pre-Award Costs)	Obligation (States)	Obligation (Metro Cities, Urban Counties, and Territories)	Expenditure Deadlines
<ul style="list-style-type: none"> <li>• May use ESG-CV funds to reimburse costs incurred as of the date the State or unit of local government began preparing for coronavirus</li> <li>• Recipients must document when they began preparing for coronavirus (notes on formal planning meetings or calls; screenshot of calendar invite)</li> <li>• Date must be on or after January 21, 2020</li> </ul>	<ul style="list-style-type: none"> <li>• <b>180 days</b> to obligate funds will carry out directly.</li> <li>• <b>Up to 240 days</b> to obligate ESG-CV funds to subrecipients when more time is needed because it plans to identify and select new subrecipients</li> <li>• Program records must describe changes recipient plans to identify and select new subrecipients and why extension is necessary.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>180 days</b> from the date HUD signs the grant agreement</li> <li>• Up to an <b>additional 60 days</b> to obligate ESG-CV funds to subrecipients when more time is needed to identify and select new subrecipients  (Program records must describe changes recipient plans to identify and select new subrecipients and why extension is necessary)</li> </ul>	<ul style="list-style-type: none"> <li>• All ESG-CV funds must be expended on eligible costs by <b>September 30, 2022</b></li> <li>• Recipients should expend at least <b>20 percent</b> of their total award by <b>September 30, 2021</b> (or HUD may recapture up to 20%)</li> <li>• Recipients should expend at least <b>80 percent</b> of their total award by <b>March 31, 2022</b> (or HUD may recapture up to 80%)</li> </ul>

# FHFC-CRF Updates



# Guidance on Hardship Determination

- Confirm that each CRF Recipient has a COVID Hardship
- Common Hardships: Unemployed or Underemployed since March
- Email [chaney@flhousing.org](mailto:chaney@flhousing.org) with Hardship Scenarios in question

# Eligible for Rent Assistance?:

An applicant was laid off a month ago due to COVID. He lives with his parents, renting a room in their house. They have a lease agreement. The parents state that he is past due on rent.

- Answer: Such an applicant is eligible for rental assistance.
- Rent assistance can be provided to an applicant who rents one room in a house so long as the local government can determine that a valid tenancy exists.
- There is a signed lease and the landlord states that rent is past due.



# CRF Manual

- Document posted on our website:  
<https://www.flhousing.org/fhfc-coronavirus-relief-fund-program/>
- Local governments should use the document as a template for the implementation of their program

## FHFC CORONAVIRUS RELIEF FUND PROGRAM

Get the training and technical assistance you need to administer the FHFC Coronavirus Relief Fund Program. This page is updated frequently.

Training Webinars



CRF Manual



Other Documents and Guidance



COVID-19 MAIN PAGE

COVID-19 WEBINARS & DIGESTS

COVID-19 RESOURCES

# Highlights from the Manual

- Chapter 4: Eligible uses of CRF funds
- Chapter 6: Documentation of Eligibility
- Chapter 8: Renter programs
- Chapter 9: Foreclosure Prevention
- 12 Exhibits



# Utility Payment – 30 days Past Due

- Applicant must be at least 30 days past due on utility bill
- Also, CRF cannot assist unless lack of payment results in discontinuation of service
  - Some utility companies are shutting off services in even less than 30 days delinquency. If you are able to fully and clearly document a case to show that services will be discontinued before 30 days late, then you can spend CRF. This helps preventing loss of housing-related services.

# CRF August Survey

75 Responses— About half of CRF Communities responding



# Types of CRF Assistance

	# of Communities				Average, Maximum, Minimum, and Median			
	0%-25%	26%-50%	51%-75%	76%-100%	Average	Max	Min	Median
Rent assistance	7	30	14	10	43%	90%	0%	45%
Mortgage	31	26	3	1	27%	90%	0%	25%
Emergency repair	56	2	1	2	6%	90%	0%	0%
Housing reentry	60	1	0	0	5%	50%	0%	0%
Housing counseling	61	0	0	0	0%	10%	0%	0%
Admin	61	0	0	0	8%	10%	0%	10%

- Rental Assistance= Highest funded type of CRF Assistance
- 40% of respondents devoted 50% or more to Rental Assistance
- 2nd and 3<sup>rd</sup> most funded assistance: Mortgage Payments, Emergency Repair

# Households Experiencing Homelessness

Are you using FHFC CRF funding to assist homeless individuals or families?

- 42% Yes
- 58% No

CRF Training 7 addresses Housing Reentry

Monday, September 21 from 2:30-4:00 pm

<https://attendee.gotowebinar.com/register/1679018436827730445>



# Date when the CRF Application Opened or Will Open

- 36% offered SHIP COVID assistance before August
- 28% opened before August 15
- 26% opened between August 16-31
- 1% September openings
- 9% No response

# Expended or Encumbered by September 25, 2020

	# of Communities				Average, Maximum, Minimum, and Median			
	0%- 25%	26%- 50%	51%- 75%	76%- 100%	Average	Max	Min	Median
% Expended by 9/25/2020	35	20	5	5	25%	100%	0%	25%
% Encumbered by 9/25/2020	26	18	12	7	33%	100%	0%	35%

- 17% of respondents plan to expend 50% or more
- 33% plan to expend 26% - 50% of funds
- Also 32% plan to encumber 50% or more



# Poll

What percentage of CRF will be Expended plus Encumbered by September 25, 2020?

- Up to 25%
- Up to 50%
- Up to 75%
- More than 75%

# Poll

Would it help to have a document distinguishing between CRF, CDBG, ESG and more?

- Yes
- No





# TA Help

- Contact us with specific questions about any housing and homelessness funding or programs.



# More Questions?

- Visit Florida Housing Coalition's [COVID-19 page](#)

## FHFC-CRF

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# Upcoming Events

## FHFC CRF



- CRF Webinar 7: Reporting and Housing Reentry
- Sept 21<sup>st</sup>
- [Register](#)

## Office Hours



- FHC CARES Office Hours
- Oct 1<sup>st</sup>
- [Register](#)