

Short Term Emergency Assistance Full Program Guidelines

Short Term Emergency Assistance Description

In January/February 2023, the United to House LA coalition will be submitting proposed Program Guidelines for each of the 10 program areas. The short-term emergency assistance would provide about \$40 million annually in funding. Below is a definition from the Measure ULA initiative that defines short-term emergency assistance:

“Short-Term Emergency Assistance. Five percent of the House LA Fund-Programs shall be annually allocated to provide short-term emergency funding to tenant households at risk of becoming homeless. Funds will stabilize low-income tenants at risk of losing their housing due to one-time economic shocks, and may cover the entirety of rent payments for a short-term period of up to 6 months. Priority eligibility shall be established for lower income households.”

Tenant Eligibility Guidelines and Rules

A. The following are proposed LA City Short Term Emergency Assistance Program guidelines for eligible tenants to apply for rental assistance:

1. Renter of residential rental property living within Los Angeles city limits
2. Household income must be below 80% AMI¹
3. Description of one-time economic hardship
4. Employees of agency providers and their direct family members are ineligible for rental assistance.

B. In addition to the initial tenant eligibility criteria, the following would be proposed for the Short-Term Emergency Assistance Program:

1. Signed W-9 form by the participating landlord that will receive the rental assistance payment. However, if the landlord is not participating, tenants will be allowed to receive rental assistance directly for rental arrears only and under limited circumstances which will not require any further follow-up by administrative agencies regarding the rental assistance payment. ² If the landlord fails to participate and files an unlawful detainer against the tenant, LAHD will recommend an affirmative defense to protect tenants from eviction.
2. Only provide rental assistance once a year, if the rental assistance request provided the total maximum amount allowed per term.

¹ Receipt of any needs-based public benefits automatically qualifies a tenant to services.

² Possible disruption of recipients' government monthly benefits and medical coverage can be implicated through direct payments. Tax implications for tenants would need to be researched.

3. Aside from prioritizing low-income households with income below 30% AMI, the program will provide priority for tenant households living in long term rent-stabilized rental units. Long term would be defined as residing at a rental unit for six continuous years in a rent-stabilized qualified building. Further, additional priorities shall be made for disabled and senior tenants, tenants living in affordable housing units, households with minor children.

C. Additional proposed guidelines for Short-Term Emergency Assistance Program:

1. Total of six (6) months of emergency rental assistance which can be applied to either rental arrears or prospective rent.
2. Ensure tenant protections are in place while tenants apply for short-term rental assistance which include protections from eviction filings by the landlord while tenants' applications are pending or approved and pending payment.
3. Set a maximum monetary cap amount for total rental assistance that can be provided.
4. Administering agency will make decisions on case-by-case situation including the totality of circumstances and shall prioritize cases that include but are not limited to: (1) households that are at high risk of becoming homeless (2) tenants that live in long-term rent stabilized units; (3) units that are affordable based on the tenant's income; or (4) vulnerable tenants living in proposed high priority zip codes.
5. Targeted use of short-term rental assistance to tenants in imminent risk of an unlawful detainer filing. The short-term assistance program will prioritize tenant households that face eviction and have received a 3-day notice to pay rent or quit. The Los Angeles Housing Department can inform landlords that have submitted 3-day notices to the Department of available rent assistance by providing automatic electronic or mailed responses to those landlords.
6. Rental assistance shall include any debt or cost incurred by a tenant related to maintaining their rental housing. These costs can include but are not limited to rent, utility payments, security deposits that are associated with complying with orders or agreements and maintaining their rental units.
7. Ensure that landlords are participating with the short-term rental assistance program by agreeing to accept payment upon approval of a rental assistance application. In order to ensure greater landlord participation and complying with the program requirements, City entities such as Los Angeles City Attorney's Office or Los Angeles Housing need to inform non-participating landlords that they are in violation of City ordinances and state fair housing due to discrimination based on source of income. Enforcement for source of income based on landlord's non-participation for tenant's rental assistance applications.
8. The landlord's failure to participate or not properly providing the required documentation to the short-term rental assistance program will result in monetary penalties. Separate monetary penalties will be assessed for every rental unit the landlord refuses to participate in or fails to provide timely documentation. The program

will make the determination whether the landlord has failed to provide timely documentation.

9. We recommend the continued practice to pay landlords directly. However, we recommend that the City also explore the policy to provide tenants direct payments in situations where their landlords refuse to participate in the short-term rental assistance program and the City not require overly burdensome oversight for these rental payments. Providing oversight for these payments would create a heavy administrative burden and significantly increase administrative costs.

Required Documents and Forms for Requests

The following forms and documents listed below are required for rental assistance requests through the LA City RAP. We propose that similar required documents and forms be used for the proposed Short-Term Emergency Assistance Program.

Rental Assistance Application

An application will need to be submitted by the participating agency on behalf of the tenant applicant. Administrative agencies processing the rental assistance applicants will develop and create the application.

Proof of Ownership and Signed W-9 Form

1. Property Profile
2. Grant Deed
3. If a management company is Plaintiff, an Agent Authorization Agreement
4. Court Order
5. Trustor/Trustee documents

W-9 Form:

Landlord must fill-out and sign this form to be eligible for rental assistance. If a property management company fills out the form or is the Plaintiff in a UD case, they need to provide an Agent Authorization Form or an authorization letter demonstrating the landlord provide authority to a third party. Otherwise, can pay the landlord directly.

Tenant Photo Identification

Government identification is preferred but not required. However, we will need some type of photo identification to verify the tenant applicant. Here are some examples that we have used:

1. Consulate Card
2. Native Country's ID
3. Passport
4. School Identification Card

We recommend that no photo identification is required for landlords since many properties are owned by a corporation, partnership, limited liability corporation, or a trust. This requirement would slow or stop the eligibility and approval process.

Settlement Agreement / Invoice Payment / Notice

Eviction cases usually have a stipulated agreement or the applicant is applying prior to an eviction case (pre-court filing), we require the landlord to enter into an agreement to end the rent dispute. For any requests that are in the pre-eviction stage, we require a notice or rent ledger to verify the rent owed. If the assistance is for non-rent, we require an invoice to verify debt and payment for services provided.

Proof of Landlord / Tenant Relationship

The following are documents we will use to verify and collaborate a landlord-tenant relationship exists. Only one of these is required:

1. Copy of an executed rental agreement
2. A promissory note or payment plan
3. Canceled checks
4. Rental receipts
5. 3-Day Notice to Pay Rent or Quit or Unlawful Detainer
6. Signed self-certification form (last resort and only for pre-eviction cases)

Proof of Economic Hardship/Shock

The following can be used to collaborate the tenant's economic hardship:

1. Documents of demonstrating an event that caused the economic hardship
2. Letter from tenant's employer of loss of job or hours
3. Medical documents showing costs and hospitalization
4. Court documents demonstrating economic hardship
5. Self declaration form filled out by the tenant attest to their economic hardship

The economic hardship/shock is to be determined not on the validity of the claim or explanation but whether the economic hardship would reasonably lead to the tenant falling behind in their rent for any extended period of time.

Proof of Income or Self Certification of Income Form

The following are different forms of income verifications used:

1. Pay stubs

2. Paycheck statements
3. Canceled checks
4. Govt. benefits statement
5. Third party verification form of employment
6. Self-Certification Form

Accessibility

Language Accessibility

Tenants regardless if they are non-English speaking individuals shall have access to apply for short-term rental assistance. Language assistance shall be provided in the tenants' native language needs to be during the application process and during the follow-up communications with monolingual speaking tenants.

Digital Accessibility

Tenants with limited or no digital accessibility shall be provided alternatives to apply for short-term rental assistance aside from an online portal. Tenants should be able to apply by phone and communicate with an individual to assist with the rental assistance application or have physical locations where the tenant can visit to be provided help with completing the rental assistance application. Further, these physical locations shall provide additional technical assistance after tenants have submitted their initial rental assistance application to complete and finalize their application.

- Physical locations should be not limited to city offices or resource centers but expanded to Community Based Organizations (CBOs). Aside from the technical and language accessibility CBOs can provide, the CBOs can provide ease of mind to tenants especially in immigrant communities since they are not directly affiliated with a government entity and many CBOs have already created relationships within these communities through their organizing efforts.

Collection of Documents & Reporting

After payment has been processed and delivered, RAA will prepare a complete copy of all the required documents and forms for approved applications. This approved application packet will be scanned and saved as a final submission application packet and will be included in every City monthly invoice. We will maintain and store an electronic file for each submission.

Administrative agency will maintain these submissions and records for at least five years following the expiration of the rental assistance services provided. In addition, the administrative agency will provide the City with such records when requested. Administrative agency shall provide the City with access to any such records during regular business hours (Monday-Friday, 8:00 a.m. to 5:00 p.m.) upon receipt of a written request by the City to review or duplicate them.