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# VERMONT EMERGENCY RENTAL ASSISTANCE PROGRAM (VERAP)

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*PROGRAM AND ADMINISTRATIVE PLAN*  
*Revised: 10.28.22*

JUNE 1, 2021  
VERMONT STATE HOUSING AUTHORITY  
One Prospect Street Montpelier, VT 05602

**Following are the changes that will be implemented to VERAP beginning December 1st, 2022 – These changes supersede prior policies.**

**Appeals:**

- 1) If an applicant is determined to be ineligible for assistance, Team ReFrame will notify the applicant in writing with a detailed reason for the denial, including any facts relied on for the decision, and let the applicant know that if they wish to appeal the decision, the tenant must notify Team ReFrame by scheduling an appeal through the portal or calling the VERAP call center, of their intent to appeal the decision within 10 days from the date of the denial.
- 2) If applicant misses deadline they cannot come back and update their applications and request an appeal.

**Recertification Policy for Lapse in benefit Period:**

- 1) Recertification paperwork resubmitted within three (3) months of the last approved recertification will require no additional documentation.
- 2) Benefit requests through Recertifications will be limited to 3 months of rental arrears. If a participant recertifies more than 90 days from their last approved recertification, they will be required to provide documentation of the household's income at the time they should have originally recertified, as well as their current income, in order to receive benefits.
- 3) For tenants who were paid directly per Section K of this document, documentation of arrears **MUST** accompany a recertification document if any time has lapsed since last day of the month in which VERAP rent assistance was received.

**Following are the changes that will be implemented to VERAP beginning October 1, 2022 – These changes supersede prior policies.**

**Rental Assistance:**

- 1) VERAP will STOP taking new applications for Rent.
- 2) Participants who receive rental subsidy (such as Section 8) **will no longer be eligible for rental assistance.**
- 3) **Existing** VERAP participants (those applying to VERAP prior to 10/1/22) will receive **reduced rental and utility assistance** dependent on income, according to the following schedule.
  - *Participants with incomes **between 31-80%** of Area Median Income:*
    - *October 1, 2022, assistance will be **reduced to 70%***

- *November 2, 2022, assistance will be **reduced to 50%***
- ***Assistance will end November 30, 2022***
- *Participants with incomes at **30% of Area Median Income and below:***
  - *October 1, 2022, assistance will be **reduced to 70%***
  - ***Assistance will be provided until funding is gone.***

#### **Substantive Income Changes:**

If an applicant's reported income changes and the change results in the applicant being categorized in a new area median income (AMI) category, documentation of the reason for change and/or documentation of new income will be required. ***If there is a change within the recertification period of 90 days, a request for application modification will be needed.***

- 4) All **HOTEL** Nights will be capped at a rate of \$130 per night

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

Application for Other Expenses Related to Housing are impacted as follows:

- 1) VERAP will stop taking new applications for Other Expenses Related to Housing Habitability Repairs on 09/23/2022
- 2) All Health and Safety Repairs must be completed, and all documentation uploaded by 11/30/2022
- 3) Stipulation Payments – New applications will not be accepted after 11/30/2022
  - Arrears, Filing Fees, Sherriff Fees, and Plaintiff Legal Fees are eligible at 100% benefit
  - Stipulations will cover 100% of the rental arrears up to a maximum of 18 months up until the time of filing.
  - Stipulations received after 9/23/22 cannot include damages
  - Stipulations are available to all VERAP approved participants, including tenants with a rental subsidy
- 4) Rent into Court Applications will no longer be accepted after 11/18/2022 to ensure payment to court by December 1<sup>st</sup>.
- 5) Money To Move applications will be accepted until 11/30/2022
  - All applicants with a subsidy are eligible for this benefit until 11/30/22.
  - All money to move requests will be paid at 100% and need to be requested within thirty days of move in date.

**Reach-Up Rental Assistance:**

- 1) Reach Up's Rental Assistance is expected to continue until June 2023 — unless the funds run out before then.
- 2) Approved Applicants are only eligible for a maximum of 18 months of rental payments. Some families may receive fewer than 18 months due to the program ending in June 2023.
- 3) The program will keep:
  - Accepting new applications and making payments through June 30, 2023.
  - Paying the tenant's portion of rent even if the tenant lives in subsidized housing.
  - Paying what the tenant owes.
- 4) Utilities for Reach-Up Emergency Rental Assistance (RUERA) approved rental applicants will be paid at 100% until December 31, 2022 (or longer depending on the availability of funding)

**Utilities (VERAP-U and REAP):**

- 1) Applications for utility assistance will be accepted until December 31, 2022.
- 2) As of October 1, 2022, utility assistance will be reduced to 70%.
- 3) Utility assistance will end after the benefit is paid for bills rendered through December 31, 2022.
- 4) Applications submitted after September 30, 2022, will receive utility assistance at 70% for all bills rendered including arrearages through December 31, 2022.

**REVISIONS**

<b>SEC.</b>		<b>DATE</b>	<b>PAGE</b>
<b>CC.</b>	<b>REFUGEE RESETTLEMENT:</b>	<b>12/18/2021</b>	
<b>DD.</b>	<b>BULK PAYMENTS</b>	<b>02/02/2022</b>	

**REVISIONS**

<b>SEC.</b>		<b>DATE</b>	<b>PAGE</b>
<b>D.</b>	<b>HOUSEHOLD ELIGIBILITY:</b>  <i>Revised and added new language regarding transitional housing.</i>  <i>Added: Reach-Up Programs Eligible for assistance</i>	<b>11/12/2021</b>	
<b>H.</b>	<b>OTHER EXPENSES RELATED TO HOUSING:</b>  <i>Added: Applicant process Approved by DHCD/AOA 10/26/2021</i>	<b>11/12/2021</b>	
<b>Q.</b>	<b>QUALITY ASSURANCE POLICY:</b>  <i>Revised and added new language regarding fraud process</i>	<b>11/12/2021</b>	
<b>T.</b>	<b>PROCESS - SUBSEQUENT APPLICATION OF RENTAL APPLICATIONS:</b>  <i>Service Provider may complete and submit this form on behalf of the tenant</i>	<b>11/12/2021</b>	
<b>X.</b>	<b>SUSPECTED FRAUDULENT APPLICATIONS: *NEW*</b>	<b>11/12/2021</b>	
<b>Y.</b>	<b>TERMINATION OF BENEFITS AND INACTIVE STATUS: *NEW*</b>	<b>11/12/2021</b>	
<b>Z.</b>	<b>ALTERNATE ID OF APPLICANTS WITH NO SSN: *NEW*</b>	<b>11/12/2021</b>	
<b>AA.</b>	<b>ISSUANCE OF PAPER CHECK: *NEW*</b>	<b>11/12/2021</b>	
<b>BB.</b>	<b>RECERTIFICATION FOR LAPSE IN BENEFIT PERIOD:</b>	<b>11/12/2021</b>	

**REVISIONS**

<b>SEC.</b>		<b>DATE</b>	<b>PAGE</b>
<b>C.</b>	<b>PRIORITIZATION:</b>  <i>Revised and added a new priority VERAP prioritize the processing of Applications from households subject to a court-ordered eviction.</i>	<b>8/18/2021</b>	
<b>E.</b>	<b>HOUSEHOLD ELIGIBILITY DOCUMENTATION – INCOME:</b>  <i>Added: Geographic Proxy for Income Eligibility.</i>	<b>8/18/2021</b>	
<b>H.</b>	<b>OTHER EXPENSES RELATED TO HOUSING:</b>  <i>Added: Letter of Intent, procedure for landlords/tenants, Payment of Court Costs and Plaintiff’s Attorney’s fees.</i>	<b>8/18/2021</b>	
<b>O.</b>	<b>APPEALS:</b>  <i>Added ability to bypass appeal and requests for third party representation.</i>	<b>8/18/2021</b>	
<b>V.</b>	<b>EQUAL ACCESS: *NEW*</b>	<b>8/18/2021</b>	
<b>W.</b>	<b>PROTECTION OF APPLICANT PRIVACY RIGHTS: *NEW*</b>	<b>8/18/2021</b>	

REVISIONS

<u>SEC.</u>	<u>DATE</u>	<u>PAGE</u>
<b>GENERAL:</b>	<b>06/30/2021</b>	
<i>Administrative Plan Reviewed with Vermont Legal Aid and Department of Housing and Community Development resulting in edits and updates throughout the document.</i>		
<b>T. PROCESS FOR SUBSEQUENT APPLICATION FOR BENEFITS:</b>	<b>07/01/2021</b>	
<i>New Section: Approved by DHCD/AOS 7/1/21 – UPDATED 8/2/21 with Guidehouse Recommendations.</i>		
<b>U. PAPER APPLICATIONS:</b>	<b>07/11/2021</b>	
<i>New Section.</i>		
<b>D. HOUSEHOLD ELIGIBILITY:</b>	<b>07/11/2021</b>	
<i>Added: People temporarily staying in motels and tenants with Rent to Own Agreements.</i>		
<b>G. RISK OF HOMELESSNESS AND HOUSING INSTABILITY:</b>	<b>07/11/2021</b>	
<i>Added: Is currently homeless, pays more than 30% of their income for Rent and Utilities.</i>		
<i>Added new example: Chipping/peeling paint in residences built before 1978 occupied by a child under the age of 6.</i>		
<b>H. OTHER EXPENSES RELATED TO HOUSING/MONEY TO MOVE:</b>	<b>07/11/2021</b>	
<i>Added: payment for remediation work, including water and sewer repairs; Lead Paint Essential Maintenance Practices; Mold Abatement, Replacement of Red-Tagged furnace.</i>		



**REVISIONS**

<b>SEC.</b>	<b>DATE</b>	<b>PAGE</b>
<b>PROGRAM OVERVIEW:</b>	<b>06/01/2021</b>	
<i>Added: Rent arrearages owed to tenants' prior landlord (back to April 1, 2020) are an acceptable use of funds.</i>		
<b>E. HOUSEHOLD ELIGIBILITY DOCUMENTATION:</b>	<b>06/01/2021</b>	
<i>Added: For households with no-income: A signed no-income attestation statement is required for all household members 18 years of age or older who have no income.</i>		
<b>F. FINANCIAL HARDSHIP DOCUMENTATION:</b>	<b>06/01/2021</b>	
<i>Amended: Will rely on Self-Attestation.</i>		
<b>H. MTM &amp; OTHER EXPENSES RELATED TO HOUSING DUE TO COVID</b>	<b>06/01/2021</b>	
<i>New Section: Other Expenses Related to Housing.</i>		
<b>I. RENTAL ASSISTANCE AND DOCUMENTATION:</b>	<b>06/01/2021</b>	
<i>Clarified tenant and landlord may receive rent arrears for a unit no longer occupied, if required.</i>		
<b>J. DOCUMENTATION OF OCCUPANCY &amp; RENTAL AMOUNTS:</b>	<b>06/01/2021</b>	
<i>Clarified tenant and landlord may receive rent arrears for a unit no longer occupied if required.</i>		
<b>L. LANDLORD APPLICATION REQUIREMENTS:</b>	<b>06/01/2021</b>	
<ol style="list-style-type: none"> <li><i>1. Added attestation to provide for Renter Protections. Landlords must agree to not evict the tenant for nonpayment of rent during the period covered by the assistance. (TG 5/7/2021 – FAQ 32)</i></li> <li><i>2. Amended the timeline to make direct payments to tenants when landlord fails to cooperate/respond. (TG 5/7/21-FACT SHEET, Enhancement #2)</i></li> </ol>		
<b>M. PERMISSIBLE RENT INCREASES: *NEW*</b>	<b>06/01/2021</b>	
<b>N. DEMOGRAPHIC AND STATISTIDCAL INFORMATION</b>	<b>06/01/2021</b>	
<i>Added attestation to provide for Renter Protections. Landlords must agree to not evict the tenant for nonpayment of rent during the period covered by the assistance. (TG 5/7/2021 – FAQ 32)</i>		

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|-----------|--|-------------------|
| <b>Q.</b> | <b>QUALITY ASSURANCE ACTIVITIES &amp; MONITORING: *EXPANDED*</b> | <b>06/01/2021</b> |
| <b>R.</b> | <b>DUPLICATION OF BENEFITS: *NEW*</b>                            | <b>06/01/2021</b> |
| <b>S.</b> | <b>DISCREPANCIES IN AMOUNTS OF RENT TO BE PAID: *NEW*</b>        | <b>06/01/2021</b> |

*Allows for payment requests when landlord/tenant disagree on amount. Allows grants to be paid when there is a material difference of \$100 or less without further reconciliation.*

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**A. Introduction and Background:**

The Emergency Rental Assistance Program (“ERA”) is based on the provisions of Section 501(a) of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 166-260 dated December 27, 2020 (the “Act”). This Program is also subject to separate guidance provided by the US Department of the Treasury as posted and updated on <https://home.treasury.gov/policy-issues/cares/emergency-rental-assistance-program>, laws and rules of the State of Vermont and other provisions set forth in the Memorandum of Agreement Between The Vermont Agency of Administration, The Vermont Department of Housing and Community Development and the Vermont State Housing Authority (“VSHA: or “Grantee”) executed on March 18, 2021.

The purpose of the Program is to provide emergency rent and utility assistance to households who meet the eligibility criteria described in this Administrative Plan. The Program is administered by VSHA through its vendor, Team Reframe, in collaboration with respective community partners throughout the state.

The Vermont Emergency Rental Assistance Program and Administrative Plan (the “Plan”) is designed to provide information about Program rules, policies, and guidelines. The Plan is a working document and will be amended from time to time, by VSHA staff and shall be used in conjunction with Section 501(a) of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 166-260 dated December 27, 2020 (the “Act”), guidance provided by the US Department of the Treasury as posted and updated on <https://home.treasury.gov/policy-issues/cares/emergency-rental-assistance-program>, laws and rules of the State of Vermont and other provisions set forth in the Memorandum of Agreement Between The Vermont Agency of Administration, The Vermont Department of Housing and Community Development and the Vermont State Housing Authority (“VSHA: or “Grantee”) executed on March 18, 2021.

**B. Program Overview**

Pursuant to the Act cited above, not less than 90 percent of the funds received by an eligible grantee shall be used to provide financial assistance to eligible households, including the payment of:

- rent (current and prospective)
- rent arrearages owed to tenants’ prior landlord (back to April 1, 2020)
- rental arrears owed to the household’s current landlord (back to April 1, 2020) and
- current costs and arrearages for utilities and home energy costs at the households’ current unit

Such assistance shall be provided for a period not to exceed 12 months except that grantee may aid with an additional three (3) months only, if necessary, to ensure housing stability for a household subject to the availability of funds. Per ERA 2, an additional 3 months of assistance is authorized if eligible and subject to the availability of funds.

The State of Vermont's Emergency Rental Assistance funds will be administered by TWO agencies.

- **Vermont State Housing Authority** shall administer VERAP – aiding with rent and rental arrearage. Toll free 833-4VT-ERAP website: <https://www.vsha.org>
- **Department of Public Service (PSD)** –aiding with utility arrearages and current bills. Website: [Help With Utility Bills For Renters - Department of Public Service \(vtutilityhelp.com\)](https://www.vtutilityhelp.com)

### **C. Prioritization:**

The Consolidated Appropriations Act of 2021 and Treasury Guidance TG #22, requires that VERAP assistance be prioritized to households with incomes less than 50% of AMI and to households with one or more members that have been unemployed for at least 90 days.

VERAP will be administered in accordance with the priorities below:

1. Households with income less than 50% of AMI and households with one or more members that have been unemployed for at least 90 days, or
2. Households subject to court-ordered eviction, documented by a filed Summons & Complaint or a Writ of Possession

***These priorities will weigh equally.***

### **D. Household Eligibility:**

ERA1 - Household Eligibility: Vermont Emergency Rental Assistance (VERAP) funds will provide financial assistance to eligible households. To be eligible:

- a. a household must be obligated to pay rent on a residential dwelling in Vermont; and one or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly, or indirectly, to the COVID-19 outbreak; and
- b. One or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and
- c. the household has a household income at or below 80% of area median income.

*Note: In accordance with guidance provided by the Agency of Administration, if an applicant meets criteria a above, they are presumed to be at risk of homelessness or housing instability.*

ERA2 - Household Eligibility: Vermont Emergency Rental Assistance (VERAP) funds will provide financial assistance to eligible households. To be eligible:

- a. one or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship during or due, directly or indirectly, to the coronavirus pandemic.
- b. one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and
- c. the household is a low-income family (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))).<sup>2</sup>

*Note: In accordance with guidance provided by the Agency of Administration, if an applicant meets criteria a above, they are*

Treasury listing #21.023  
Vermont Emergency Rental Assistance Program (VERAP)  
Policies and Procedures

*presumed to be at risk of homelessness or housing instability.*

An Eligible household means “a household of one or more individuals who are obligated to pay rent on a residential dwelling.” 501(k)(3).

The “household” shall consist of those that have “promised to pay rent” to the landlord, even if there is not a written lease agreement. If there are more adults in the home than adults in the “household” then those adults shall be listed as well: 1. To ensure they do not apply for the same rental unit; and 2. To inquire further about the situation and determine if they need further assistance and/or should be included in the income calculation.

A household will qualify for the Program if they are obligated to pay rent on a residential dwelling, which is their primary residence, and meet each of following criteria:

- The total household income is at or below 80% Area Median Income (AMI) for the area where they live. AMIs are established and published by HUD on an annual basis. Income limits are also adjusted for household size.  
To verify income eligibility, click here [Income Limits - Vermont State Housing Authority \(vsha.org\)](https://vsha.org/income-limits)
- One or more of the members of the household has experienced a financial hardship due to COVID-19; in one of the following ways:
  - qualified for unemployment benefits; or
  - experienced a reduction in income due to COVID-19; or
  - incurred significant costs due to COVID-19 (e.g., medical expenses, Internet, transportation, childcare)
  - pays more than 30% of income for rent and utilities
- One or more members of the household can demonstrate a risk of experiencing homelessness or housing instability, such as:
  - Is currently homeless
  - having past due utility or rent notices or eviction notices; or
  - unsafe or unhealthy living conditions (which may include overcrowding); or
  - pays more than 30% of income for rent and utilities
  - any other evidence of risk as determined by VSHA.

The household applicant will decide who is in the household, for purposes of benefits, at the time of application submission.

Includes the following residential living situations:

- households occupying a federally subsidized residential or mixed-used property if ERA funds are not applied to costs that have been or will be reimbursed under any other federal assistance.
- people exiting homelessness, provided only that the household has a lease or can demonstrate they have a rental obligation.
- households leasing up in new location, provided only that the household has a lease or can demonstrate they have a rental obligation.
- residents who have an obligation to pay mobile home lot rent and mobile home rentals.
- people renting in recovery residences/sober homes as well as renting temporary housing if they relapse and cannot stay in residence, provided only that the household has a lease or can demonstrate an obligation to pay rent.

Policies and Procedures

- tenants residing in motels for more than 30 days.
- people temporarily staying in motels that are not receiving other benefits
- tenants in long-term care facilities, rent portion of monthly fee.
- Tenants with rent-to-own agreements where property title has not yet transferred to tenant.

Transitional housing including but not limited to, recovery residences, Department of Corrections transitional housing.

- The rental period in the recovery residence must be for a minimum of 30 days
- VERAP will pay the first and last month's rent but will not pay a security deposit to the recovery residence.
- Should the tenant (resident) relapse and need to leave the residence temporarily, the tenant's space will be retained by the recovery residence for the tenant's use for a minimum of 30 days, the cost of which will be borne by VERAP rental assistance.
- The tenant's goods will be stored in a safe location until the tenant returns, removes the goods, or has abandoned the goods according to Vermont law. (See 9 V.S.A. §4462.)
- VERAP will pay rent for the temporary unit for up to 30 days.

Current Recipients of these **Reach Up programs are eligible for these kinds of VERAP assistance:**

- Reach Up – Money to Move
- Reach Up – Utility Assistance and Other Expenses Related to Housing
- Reach First - Utility Assistance and Other Expenses Related to Housing
- Reach Ahead - Utility Assistance and Other Expenses Related to Housing
- Reach Post-Secondary Education Program (PSE) - Utility Assistance and Other Expenses Related to Housing
- Child-Only households with at least one parent in receipt of SSI – Rent Arrears, Future Rent, Utility Assistance and Other Expenses Related to Housing

**Homeowners:**

Homeowners are not eligible for rental, utility, or other assistance under the provisions of the Program.

**E. Household Eligibility Documentation -- Income:**

An applicant may choose the 2020 Annual Income Option; the Current Monthly Income Option; Geographic Fact-Based Proxy Eligibility; ZERO Income Attestation; or Categorical Financial Eligibility to demonstrate income eligibility. Submission requirements are as follows:

**ERA1:**

**2020 Annual Income Option:**

- Submission of signed 2020 or 2021 IRS Form 1040 or receipt for E-filed 2020 IRS form 1040 for all household members 18 years of age or older; or
- Submission of wage statements, pay stubs, W-2's, tax filings (e.g. if self-employed IRS form 1099 and Schedule C) interest statements, Form 1099G) or

benefit statements from the Department of Labor if unemployed, or other annual income proof for all household members 18 years of age or older for determination of annual income pursuant to HUD's definition of income as described in 24 CFR 5.609; or

- Statement of annual benefit letter from a government agency for the period January 1, 2020, or later for all members 18 years of age or older (see "Categorical Eligibility" described below)

#### **ERA2:**

##### **Annual Income Option**

- Submission of signed 2020 or 2021 IRS Form 1040 or receipt for E-filed 2020 IRS form 1040 for all household members 18 years of age or older; or
- Submission of wage statements, pay stubs, W-2's, tax filings (e.g. if self-employed IRS form 1099 and Schedule C) interest statements, Form 1099G) or benefit statements from the Department of Labor if unemployed, or other annual income proof for all household members 18 years of age or older for determination of annual income pursuant to HUD's definition of income as described in 24 CFR 5.609; or
- Statement of annual benefit letter from a government agency for the period January 1, 2020, or later for all members 18 years of age or older (see "Categorical Eligibility" described below)

##### **Current Monthly Income Option:**

- Submission of last one month's wage statements, pay stubs, interest statements, unemployment benefit statements, a written attestation from an employer, or other proof of monthly income for all household members 18 years of age or older for determination of income pursuant to HUD's definition.
- When using the Current Monthly Income option, Team Reframe will annualize the income reported to ensure that the household's income is at or below 80% of AMI.

If a household qualifies for the Program using Current Monthly Income Option, rental assistance will be provided for 3 months at a time subject to funding availability. Recertification of eligibility is required every 3 months.

If the household qualifies for the Program using the 2020 Annual Income Option and requires additional rental or utility assistance in the future, the applicant will not need to provide income documentation again. Rental assistance will be provided for 3 months at a time. Household will be required to request rental assistance every 3 months.

##### **When Documentation Can Be Waived?**

- to accommodate disabilities
- extenuating circumstances related to during or due, directly, or indirectly, to the coronavirus pandemic.
- lack of technological access
- if income not verifiable due to the impact of COVID-19, may rely on attestation from applicant.
  - If after five days of applying, if applicant is unable to provide required income documentation, VERAP will accept self-attestation of income



from the applicant.

- must recertify every 3 months

**Geographic Fact Based Proxy for Income Eligibility:**

This method uses the data sources listed in the previous section to compare the median renter income in each county subdivision to the 80% AMI limit for a four-person household. A four-person household is used since HUD uses a four-person family as the average family size to calculate the Income Limits data. Median income is used if median renter income is unavailable. If the median renter income is below the 80% AMI threshold, the proxy returned this fact, therefore we should accept self-attestation for applicants in that county subdivision. This methodology looks at the median income of all renter households within the county subdivision, and not at individual household.

If an applicant's address is identified as eligible using the fact-based geographic proxy they may use self-attestation, without providing further documentation of income. Self-Attestation of rental obligation, financial hardship, and housing instability to establish program eligibility will be needed.

**Categorical Income Eligibility:**

If an applicant's household income has been verified to be at or below 80% of the area median income in connection with another local, state, or federal government assistance program, grantee will rely on a determination letter from the government agency that verified the applicant's household income, provided that the determination for such program was made on or after January 1,2020. Applicant needs to upload document and select income band.

- Based upon this determination, Applicant may be forwarded to the AHS Assistance program if applicable<sup>2</sup>.
- Examples of determination letters include, but are not limited to, REACH-UP, Supplemental Security Income, HUD 50058/50059 Family Report. Documentation from the Department for Children and Families or Vermont Department of Health Access regarding eligibility, including but not limited to 3Squares, fuel assistance, childcare subsidy, general assistance, Medicaid, Dr. Dinosaur, WIC

**Zero Income Eligibility/Self Attestation:**

For Households that have no-income or are unable to find documentation, a signed no-income statement or self-attestation of income is required for all household members 18 years of age or older who have no income or do not have access to the documentation for their income.

**F. Financial Hardship**

- The applicant must attest that one or more of members of the household experienced a financial hardship due to COVID-19 (see examples of financial hardship below).
- Qualified for unemployment benefits any time after March 13,2020; or
- Experienced a reduction in income due to COVID-19; or
- Had significant increased expenses due to COVID-19 (see examples of significant increased expenses below); or
- Pays more than 30% of income for rent and utilities

**Examples of significant increased expenses due to COVID-19** may include, but not be limited to: Healthcare costs, purchases for Personal Protective Equipment, penalties, fees, and legal costs associated with rental or utility arrears, higher food, and delivery costs, moving costs, childcare costs, internet access and computer equipment required to work and attend school remotely, transportation costs.

**Examples of Financial Hardship due to COVID-19** may include, but not be limited to: Evidence household is foregoing or delaying purchase of essential goods to pay rent or utilities, such as food, prescription drugs, childcare expenses, transportation costs or equipment needed for remote work or school, payments for rent or utilities made by credit card to avoid homelessness or housing stability.

<sup>2</sup> The Agency of Human Services is providing Housing Stability Services and targeted rent assistance to the following groups with

'Categorical Eligibility'<sup>2</sup>: Reach-up, Reach First, Reach Ahead, Reach Post-Secondary Education Program, and Child-Only households with at least one parent in receipt of SSI

#### **G. Risk of Homelessness or Housing Instability**

Applicants must attest that one or more individuals within the household is at risk of experiencing homelessness or housing instability, which can be demonstrated by one of the following:

- Currently homeless
- Having past due rent or utility notice
- Unsafe or unhealthy living conditions
- Pays more than 30% of their income for rent and utilities
- Any other evidence of risk as determined by grantee

**Examples of unsafe or unhealthy living conditions** may include but are not limited to:

- Conditions that increase the risk of exposure to COVID-19 because of overcrowding,
- Potential for exposure to intimate partner violence, sexual assault, or stalking.
- Lack of water / sewer or major plumbing issues
- Chipping / peeling paint in residences built before 1978 occupied by a child under the age of six
- Presence of serious mold, as confirmed by the Vermont Department of Health
- Red-tagged fuel tank confirmed by fuel supplier.
- Red-tagged furnace/boiler or other essential heating equipment

**Examples of risk of homelessness or housing instability** may include but are not limited to:

- Housing cost burden (one or more individuals in household paying more than 30% of household income toward rent and utilities)
- informal rental arrangement with little or no legal protection,
- harassment, or verbal threats of eviction by landlord, evidence household is relying on credit cards to pay for rent or utilities.

**H. Other Housing Related Expenses Due to COVID-19:**

For the purposes of ERA1 the program allows for housing related expenses that were incurred directly or indirectly because of COVID-19, to be reimbursed.

**Other Housing Related Expenses ERA2:** For the purposes of ERA2 the program allows for housing related expenses to be reimbursed.

***Benefits paid under this Section DO NOT count against the maximum Program number of benefit months.***

**Letter of Intent:** A letter of intent is issued on behalf of a tenant to certify they have been approved for benefits under this section from the Vermont Emergency Rental Assistance Program

- Letter of Intent allows owners and vendors to have confirmation of program funding
- Money to Move and Other Expenses Related to Housing.
- Letter of Intent is valid for 90 days from the date of issuance.
- A lease, invoice, receipt, or other documentation is required before VERAP funds can be issued for payment or reimbursement.
- Emergency Housing Situations where tenant is in temporary housing for 30 days or less.

**Money to Move:** A benefit for households relocating to a new unit, may include payments from Other Expenses Related to Housing, including first month's rent (if the applicant has signed one-year lease). ***A letter of intent will be mailed to the tenant stating their eligibility once the application has been approved. Households must meet other housing and income requirements described earlier in this Plan to qualify for other expenses. The Money to Move benefit can be accessed retroactively if it is requested within 30 days of moving to the new unit.***

**Money to Move includes:**

- Security deposits (first and last, if required)
- Pet deposits
- Advanced Rent required by the landlord
- Utility connection fees (electricity, propane, water, sewer, internet)
- Application and screening fees
- Reasonable costs associated with moving:
  - Truck Rental to move to new unit
  - Post Office Box Deposit
  - Settling cost for storage unit during dislocation due to COVID and loss of housing
- All reimbursements or payments must be accompanied by supporting documentation such as a bill, invoice, or evidence of payment to a provider for service(s).
- Only households that receive rent or utility assistance are eligible for Internet expenses.
- ReFrame must confirm and document that the household has not and will not receive FCC Emergency Broadband benefit assistance for any month in which the household receives ERA Internet assistance.
- Best efforts will be made to compensate for Internet services and no other related expenses such as telephone service or cable. If the specific Internet costs cannot be determined, VERAP approves a flat fee of \$50 per month for Internet services provided after April 1, 2020.
- Landlord and tenant must agree to a one-year lease term.

- An applicant must provide ReFrame a copy of the executed 1 YEAR lease to show the applicant is a renter.
- Applicant must apply for money to move within 30 days of move to be eligible for reimbursement.

**Health and Safety Repairs:**

This allows for certain repairs that are deemed necessary to maintain safe and healthy living conditions. Households must meet the Program eligibility requirements and be approved for VERAP to qualify for Other Expenses Related to Housing. Tenant does not need to be receiving rental or utility assistance to qualify. If the tenant has reached the maximum benefit months (18), and it is more than 3 months since their last month of assistance, the tenant will need to recertify for continued eligibility. All reimbursements or payments for Other Expenses Related to Housing must be accompanied by Supporting documentation such as an invoice/bill, receipt, or other evidence of payment for services. These repairs are defined as:

- Water/sewer/plumbing repairs
- Lead paint Essential Maintenance Practices
- Mold abatement (including leak repair, ventilation, dehumidifier)
- Replacement of a red-tagged fuel tank
- Replacement of a red-tagged furnace/boiler or other essential heating equipment
- Bed-bug eradication
- Any other exigent repair approved by VSHA and AOA

**Essential Maintenance (EMP) Projects**

For any contractor performing an Essential Maintenance Practice (EMP) project funded by VERAP, the following documentation is required:

- Certification and license expectations: See Vermont Lead Law Information sheet.
- Prior to October 1, 2022, provide a current U.S. EPA RRP Firm certification for the company that will perform the work and identify the RRP certified individual who will supervise the work.
- After October 1, 2022, provide a current Vermont Department of Health (VDH) RRPM Firm license for the company that will perform the work and the VDH RRPM Supervisor license for the individual who will supervise the work.
- Recent EMP report (completed in the past 90 days) performed by an EMP certified individual using the provided form to show the noncompliance OR 2) Notice of Violation from VDH. Photographs of the inspection area are encouraged. See EMP inspection form.
- Identify the WEEK/TIMELINE when the RRP work will be underway for potential Vermont Department of Health inspection of the jobsite for worker compliance.
- Notify VERAP if there is a change in the work week PRIOR to the work starting
- When the project is complete, provide the EMP Statement (or IRC Statement if after October 1, 2022) filing showing the building is now in compliance.
- Please note, a Vermont Department of Health inspector may ask for access to the building to insure the EMP or IRC statement is accurate.

**Manufactured Housing w/ Lot Rental Obligation:**

- In situations where a homeowner is eligible for VERAP due to the obligation to pay rent to a park owner, and there are repairs that if not completed would result in the household being homeless, the household would be eligible for repairs. All other program guidelines and requirements need to be followed.

**Tenant/Landlord Procedure:**

- Tenant or Landlord identifies necessary repair in the unit or building.
- Tenant or Landlord obtains inspection from town health officer or other qualified professional to provide documentation of need.
- Tenant or Landlord obtains a quote for the repair from a contractor (licensed or certified per state law and provides to VSHA as documentation of expense. (Project Quote)
- Submit Need Document and Project Quote to VERAP along with tenant name (prospective or current). Please note tenants **MUST** be approved for VERAP to receive funding.
- For multifamily buildings with building wide repairs such as bed bug remediation; furnace repairs, water sewer, etc. at least one (1) unit/household will need to qualify for VERAP.
- Tenant/Landlord will provide invoice to VERAP showing work was performed and completed.
- VERAP will reimburse funds up for overall building repairs with approved VERAP household in the building. **If costs exceed the \$50,000 for the building, the VSHA Executive Director can, at their discretion, approve work above that amount.**
- In addition, repairs to individual units are also eligible for up to 50,000 in repairs to address Vermont Life Safety Standards. **If costs exceed the \$50,000 per unit, the VSHA Executive Director can at their discretion, approve work above that amount.**
- Any project(s) for a single building or owner that exceeds \$100,000 will be required to demonstrate that the property does not have adequate funds in replacement reserve. This can be demonstrated by a recent audit, detailed budget, or other documentation at the request of VSHA or AOA.

**Work Scheduling/Past Payments:**

- All new work must be completed within 90 days of Preliminary Approval.
- Requests for accommodation will be reviewed on a case by case by VSHA.
- Retroactive repayment of a repair is possible. Work performed on or after 6/1/2021 with proper documentation and within program guidelines will be considered for repayment.
- If required, VSHA will provide direct vendor payment as a deposit on work to be performed. This will be on a case-by-case basis.

All new work **MUST** be approved by VERAP prior to the start date.

**Applicant Process: Approved by AOA/DHCD 10/26/21:**

- For Pre-Approved Items Applicants/Owner submit documentation to VERAP Portal. Applicant/Owner selects “Other Expenses Related to Housing” box in their application or Unit Certification. Clear explanation of habitability issues needs to be stated with the details of the repair
- **Documentation MUST include:**
  - Estimate or quote provided by a contractor or licensed professional
  - Other forms of documentation including verification of payment by landlord; approval of completed work; certificate of occupancy being reinstated; and before and after photographs.
- **Letter of Intent**
  - Applicant/Owner can request a Letter of Intent to use in payment negotiations with contractor(s) performing repairs
- **Contingency and Change Orders:**
  - Contingency can be no more than 10% of the total quote
  - Regardless of the change orders and contingency funds cannot exceed maximum of \$50,000.
- **Completion of Work Payment**
  - **NO FINAL PAYMENTS MADE UNTIL WORK IS COMPLETE AND THERE IS AN ELIGIBLE TENANT APPROVED!**
  - An invoice marked paid and/or receipt of payment is required to release FINAL payment.
  - On a case-by-case basis VERAP may authorize a 50% deposit to initiate work and will release the remaining balance upon verification that work was completed to standards. The proof of deposit must be on final invoice to receive payment of the balance owed.
  - If required, and owner is registered as an “OTHER” VENDOR, VERAP will provide direct vendor payment for work to be performed. This will be on a case-by-case basis. FINAL payment will be made upon verification of completion of work.

**VERAP Internal Process:**

- VERAP staff will collect preliminary information about the repair in the “Notes” and “Image” features of the tenant/landlord file.
- VSHA will receive notification from VERAP via email and documentation will be uploaded - 5.0
- For ‘other exigent repairs’ or where project eligibility is in question, VSHA will receive notification from VERAP via email for review VSHA to quality control and move to payment as needed.
- 
- **First Review:**
  - o VSHA will:
    - Review documents and case notes left by GROUP-O staff.
    - Apply quality control process to applicant/landlord.
    - Approve or deny within 5 business days.

- **Second Review:**
  - o VSHA will:
    - Send applications with preliminary approval of OER2H EX to Department of Housing and Community Development
    - Send FAILED applications back to GROUP-O for corrections with complete notes.

**Other Exigent Repair Details:**

- o Repair must be necessary to maintain or return unit to a safe and healthy standard for rental units in the Town or City where unit is located and/or State of Vermont.
- o Documentation of “exigent” repair is required.
  - Inspection report from Town Health Officer, Department of Public Safety, Local Fire Department, Other official per local laws/ordinance.
  - If the inspection comes from a contractor, then at least two (2) quotes for work will be sought. If there are no other contractors available, please note that.
  - If licensed contractors are required and there is only one available contractor, please note that.
  - If the contractor is also the owner, then there is a cap of \$5000 for LABOR Reimbursement.
  - If the repair is over \$15,000 for a single repair item, we will need at least two (2) quotes from contractors.
  - In the situation where the landlord is the contractor VSHA will require an inspection report or other proof of habitability repairs needed.
- **Documentation of completion for payment MUST include:**
  - a) Verification of payment
  - b) Inspection report from Town Health Officer, Department of Public Safety, Local Fire Department, Other official per local laws/ordinance, or
  - c) Before and after photographs

**Following are procedures for situations where tenant is a defendant in a court case.**

	Process	Description	When used
1.	VERAP issuance of VERAP Benefit Approval Letter	Letter stating approval of \$X amount of rent per month and \$X amount of arrears and payment date and payment method (to X landlord, or direct to tenant or by check to X court)	All approvals, regardless of whether there is case in court, should be in this form; AND Can be attachment to Tenant’s OPP to RIC or Motion to Extend time to meet Rent into Court order according to procedure below

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2.	VERAP issues check and mails it to court for RIC payment <sup>1</sup>	Check from VSHA made out to X Superior Court Civil Division according to template	When requested by tenant to pay RIC according to procedure below
3.	VERAP issuance of Expedited VERAP Benefit Approval Letter	Letter as in 1., needed within a day	As Attachment to Tenant's Motion to Extend time, where RIC payment date is prior to VSHA check run date.
4.	VERAP issues check for all back rent, and OERH filing fee, sheriff's fees and interest pursuant to 12 V.S.A. 4773.	Check from VSHA made out to X Superior Court Civil Division according to template; timing coordinated with tenant's lawyer.	When requested by tenant's lawyer as part of 4773 eviction case dismissal process according to procedure below
5.	VERAP pays Landlord pursuant to VERAP stipulation	Direct pay to landlord for rent and OERH in amounts listed in application and stipulation of the parties	When requested by tenant or landlord with stipulation that both have signed

<sup>1</sup> RIC payment can be pursuant to a stipulation of the parties for RIC, or pursuant to a court order, (signed by the judge) for RIC

<sup>2</sup> It is important to remember that landlords who have filed an eviction case are less likely to cooperate with the VERAP process; if a landlord's RIC papers are uploaded into tenant portal, VERAP applications should not be delayed waiting for landlord to complete information, because the landlord's court filing for RIC provides sufficient verification of occupancy and monthly rental amount.

**PROCEDURES:**

**"TENANT" below refers to any tenant and/or their advocate**

1. VERAP issues VERAP Benefit Approval Letter prior to RIC hearing. Tenant needs Documentation of VERAP benefits **before** Rent-Into-Court hearing so that Court can make an order to conform to payment dates on the approval letter.

- a. Tenant uploads S&C and landlord's motion for rent-into-court; no further verification is needed from landlord.<sup>2</sup>
- b. Tenant must call or email VERAP Support to trigger priority processing of VERAP application.
- c. When approval based on tenant eligibility; **VERAP Benefit Approval Letter** is sent to tenant/available in portal.
  - i. VERAP Benefit Approval Letter and information in portal should state: Amount of arrears approved, amount of current monthly rent approved, names of the current months approved, name of payee, and schedule of payment dates for this account.
  - ii. VERAP Benefit Approval Letter will include: This money is intended for rent to paid to [PAYEE]. If any part of this benefit is not given to [name of PAYEE], it must be returned to



- VERAP at VSHA 1 Prospect Street Montpelier, VT 05602 with an explanation of why it is being returned. Keep a copy of the check and the explanation.
2. VSHA issues payment by check directly to court for RIC
    - a. Tenant completes application and uploads Tenant HH income documentation.
    - b. Tenant uploads S&C, landlord's Motion RIC and/or LL and T stipulation to RIC order, and/or court order *signed by judge* for RIC, and Check Request Template (#6 below).
    - c. Tenant verifies that application matches payment request.
    - d. Tenant must call or email VERAP Support to trigger eviction priority processing of VERAP application.
    - e. When approval based on tenant eligibility is granted; VERAP Benefit Approval Letter sent to tenant/available in portal.
      - i. VERAP Benefit Approval Letter should state: Amount of arrears approved, amount of current monthly rent approved, names of the current months approved, name of payee to be paid and schedule of payment dates for this account and notice re returning money to court if LL/PAYEE is not paid.
    - f. VERAP payment by check should be made to court.
      - i. If VERAP sends check directly to court, tenant need not provide proof of payment.
  3. VERAP issues Expedited VERAP Benefit Approval Letter within a day because court payment date is sooner than VSHA check run date. (This should happen rarely, i.e., when tenant has not previously contacted VLA for assistance.)
    - a. Tenant has completed application and uploaded S&C, LL Motion for RIC as soon as possible.
      - i. In some cases, this will allow tenant to have information regarding VERAP in time for the RIC hearing.
    - b. When available, tenant uploads RIC Order signed by judge, indicating date payment is due. (May be after following steps.)
    - c. Tenant verifies that application matches payment request.
    - d. Tenant emails both Reframe; Group O and VERAP Program Manager of need for Expedited VERAP Benefit Approval Letter. Confirmation of expedited application will be sent to Jean Murray.
    - e. VERAP Benefit Approval Letter should be issued within a day of the request, placed in tenant portal and emailed to tenant and tenant's advocate; VERAP will not send approval letter directly to court.
      - i. VERAP Benefit Approval Letter should state: Amount of arrears approved, amount of current monthly rent approved, names of the current months approved, and schedule of payment dates for this account, and notice regarding returning money to court if LL is not paid.
      - ii. Tenant will attach VERAP Benefit Approval Letter to Motion to Court to extend payment date of rent-into-court order.
  4. **VERAP issues check to court pursuant to 12 VSA 4773.** With the assistance of a lawyer, tenant is ending non-payment eviction without cooperation from landlord. The law requires all rent and

statutory fees to be paid at the time the Request to Discontinue and Dismiss is filed, so timing of check within rental period is essential; otherwise, tenant will have to start over.

- a. Tenant has completed application and uploaded all Tenant HH income documentation.
- b. Tenant uploads S&C and Motion for RIC if there is one and emails VERAP Support which triggers priority processing of VERAP application
  - i. If LL has filed Motion for RIC in case, that could be used for rent amount and occupancy verification.
- c. VLA verifies that application matches payment request.
- d. After VERAP has made three attempts in five business days to contact landlord, VERAP will not delay approval of tenant application.
  - i. Lack of LL certification will not delay issuance of check.
- e. Tenant's attorney uploads of Request to Discontinue and Dismiss and completes check request template and emails VERAP Support and Program Manager.
- f. Tenant's attorney and VERAP Program Manager email or phone regarding date VSHA will mail check, confirming address of court
  - i. The attorney will file the Request to Discontinue and Dismiss and serve the plaintiff along with certificate of service.
- g. Attorney (not VERAP) will communicate with Court clerk to so that the check from VERAP and Request to Discontinue and Dismiss reach the Court on the same day.

**5. VERAP pays Landlord rent and OERH pursuant to Stipulation between Tenant and Landlord.**

Stipulations will not include damages unless they qualify for Other Expenses Related to Housing – Health and Safety and are approved by VERAP and quantified before the Stipulation is submitted.

- a. Tenant has completed application and been determined eligible for VERAP
  - i. Note: Tenant's initial application has option of NOT requesting entire arrearage.
  - ii. A tenant may change the amount of arrearage up until the arrearage payment has been scheduled.
  - iii. The actual amount of arrearage will be part of the negotiation. Once the stipulation has been reached, the tenant will amend the application to reflect the stipulated arrearage amount.
- b. Tenant verifies that application matches payment request.
- c. S&C uploaded; Upload should trigger priority processing of VERAP application
- d. Landlord applies for VERAP
- e. Stipulation signed by landlord and tenant **or** attorneys for landlord and tenant (but not judge) uploaded.
- f. Regardless of the amounts of current rent or arrears in tenant application or landlord application, VERAP pays landlord by direct deposit the amounts listed in VERAP Stipulation.

**6. Check request Template:**

- a. DOCKET#: 21-cv-02466
- b. Payment to: Caledonia Superior Court
- c. Payment address of court: 1126 Main Street Suite 1; St Johnsbury VT 05819
- d. Tenant name: First Last

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- e. Landlord name: Landlord name as it appears on Landlord's Complaint
- f. Dollar Amount: 1250.
- g. Payment recurs monthly. Y/N
- h. If RIC payment, date due in court:
- i. Amount of Rent requested
  - i. Amount of rent per month \$
  - ii. Number of months this check
  - iii. Names of months this check
    - 1. Total rent: \$
- j. Amount of Other Expenses Related to Housing requested:
  - i. Sheriff's fees: \$
  - ii. Court filing fees: \$
  - iii. For 4773: amount of interest: \$
    - 1. Total other expenses: \$
- k. Total amount requested: \$

**I. Rental Assistance and Documentation:**

- Eligible households may receive up to 12 months of assistance, plus an additional (3) months if it is determined the extra months are needed to ensure housing stability and grantee funds are available. (The 12-month limit maybe extended by 3 months (for a total of 15) if the household re-attests to continued need subject to the availability of the funding.
- The tenant gets to designate the number of months of arrears to be paid from VERAP. The number of months of assistance for rental arrears is equal to the rental arrears divided by the monthly rent. If a contemporaneous rent ledger is provided than that is the basis of payment. In the absence of a rent ledger, we will calculate the number of months of assistance by dividing the rental arrears by the amount of the monthly rent. Assistance must be provided to reduce or eliminate an eligible households' rental arrears owed to the current landlord (or previous landlord, if requested by tenant) before the household may receive assistance for current and future rent payments.
  - If a tenant has arrears, a minimum of one month's rent must be paid towards arrears.
  - A household need not have arrears to be eligible for prospective rent.
  - A tenant may apply for arrears without applying for current or prospective rent.
  - Arrears accrued before April 1, 2020, are not eligible for payment.
- The date of the approval will determine whether amounts are arrears, current, or prospective.
- Once a household's rental arrears are reduced, grantee may provide future assistance for up to three (3) months at a time and any remaining rent arrears designated by the applicant. ***All tenants receiving direct payment will require an upload of proof of payment before any future payments will be scheduled.***
- Households may recertify for additional assistance anytime within 30 days of the 90-day anniversary or later and they can apply retroactively, if needed and the overall time limit for assistance is not exceeded.
- If a household that received assistance for their rental home moves out, the household may receive assistance for subsequent months in a new apartment but **may not receive more than 18 months' total rent and may not receive rent twice for the same month.**
- For households in subsidized housing, all arrears, after April 1, 2020, for tenant-owed

portion of the rent may be paid even if rent has not been adjusted for changes in income if the subsidizing owner or agency cannot grant complete retroactive reduction in rent.

***This cannot exceed maximum program eligibility months.***

- The applicant household will decide how much of grant will be designated to arrears. If a discrepancy exists, tenant is notified and required to resolve the discrepancy before payment can be issued.
  - o Tenants with questions should be referred to VT Legal Aid.

**J. Documentation of Occupancy and Rental Amounts:**

A landlord or tenant may receive rental assistance (rent arrears) for a unit no longer occupied by the tenant (unit A), as well as prospective rent for the rental unit they currently reside (unit B). In addition, the tenant may apply for prospective rent in a new unit (unit C); however, the tenants' total months of rent for Apartment A and B and C may not exceed 18 months.

- When paying rent arrearage to a unit where the tenant no longer resides, the landlord and tenant must provide, if available, a signed lease or rental agreement that identifies the unit where the tenant resided and the amount of rent. If a lease with necessary information is unavailable, applicant may provide a rent ledger or other documentation that supports the amount of rent arrearage requested or attests to the rent agreement if no other documentation is available.

There are several ways for an applicant to provide evidence of the rental amount and physical address: If current signed lease is not available, the applicant will need to provide evidence of residence at the rental unit and the amount of rent.

- The Landlord Application and Attestation plus either proof of the landlord's ownership (such as a tax bill, deed or insurance binder) or proof of a landlord agent has agency (such as a management agreement) is sufficient to prove occupancy and rental amount.
  - o Attestation will be provided in the online application attesting that the information is true and accurate with an eSignature at the end of the application process.
  - o Attestation will be provided that the household has not received and does not anticipate receiving the same benefits through the Agency of Human Services, Office of Economic Opportunity.
- Bank statements, check stubs or other reasonable documentation can be used to verify rental amount; and that documentation or a utility bill can establish rental address.
- Attestation of Service Provider including but not limited to: Reach-Up or Coordinated Entry caseworker, Community Partner, or Vermont Legal Aid.
- In the absence of satisfactory documentation of the monthly amount of rent, an attestation from the applicant may be accepted if the tenant has documentation such as a bill establishing the address. In these instances, the amount of rental assistance under this Program will be the attested monthly rental amount up to 100% of the FMR in the area in which the applicant resides.

**K. Direct Payments to Tenants will only be made if the landlord does not agree to accept payment from VERAP.**

Starting with the day when the tenant submits a complete application, Team ReFrame will determine whether the landlord has registered and, if so, will link the tenant and landlord applications.

If the landlord has registered but has not provided all information to support a direct payment to the landlord. All efforts will be made to outreach to the landlord to receive documentation needed. This includes Form W-9, Direct Deposit Authorization and completing the unit certifications in the landlord portal. This will be completed before making a direct payment to the tenant.

If the landlord fails to apply and the two applications cannot be linked, the vendor will approve payment to the tenant within five business days of the earlier of:

- The vendor reaching out to the landlord by phone, text, and email to get the landlord to apply.
  - **Note: the vendor MUST attempt to reach the landlord by phone. If a phone number isn't provided by the tenant, the vendor will reach-out to the tenant to obtain a valid phone number**
- If the VERAP team reaches the landlord by phone they are to either help landlord fulfill the unit questions or set a time to help the landlord complete them within 2 business days.
- Failure of the landlord to respond to 3 attempts over 5 business days or to provide confirmation in writing that they choose not to participate, will initiate direct payment to the tenant.
- If landlord is contacted by phone and is still unable to finalize the unit questions – payment will be moved to tenant direct pay.

Payment to tenant will be direct deposit into the tenant's account or sent to the court when an eviction action has been filed. For tenants without accounts, payments may be made by check to the tenant.

**Applicant will be required to provide proof of payment to the landlord before the next scheduled month of assistance from VERAP.**

- Proof of payment could be a receipt (SIGNED BY LANDLORD), cancelled check, or other fund transfer to landlord (e.g., Venmo; PayPal, etc.) evidence of payment into court.
- Where available, Team ReFrame must obtain a current signed lease or rental agreement that identifies the unit where the tenant resides and the current amount of rental payment.

**Leasing arrangements with multiple household members:**

If multiple roommates live in the same household, but only one roommate needs assistance, that roommate can apply for their portion of the rent as supported by the lease. The applicant does not need to include their roommates' income on the application. If eligible, the portion of the rent will be prorated and paid directly to the landlord.

If the applicant has been paying rent directly to landlord, landlord attestation is sufficient. If the applicant has been paying rent to a roommate, documentation of payment history is required.

**Leasing arrangements with family members for whom there is a legal obligation to support** (e.g., child under 18 or spouse) are eligible only if the tenant lives in a separate fully contained living unit with its own kitchen, bathroom, and private entrance. Preexisting rental agreement and evidence of a history consistent rent payments is required.

**Those living with related parties and paying rent informally are not eligible.** Definition of related parties: the spouse, parent, child, brother, sister, grandparent, grandchild, including steps, and in-laws, and any person cohabitating with an applicant, as well as any immediate family member related by blood, marriage, or adoption, including cousins, aunts, and uncles.

A lease establishing a rental relationship is required for any rent-to-own situations. No household member may be on the deed or on a mortgage of the property.

Rent or utilities charged to a credit card or borrowed can show financial hardship and housing instability but is not eligible as arrears or as other expenses related to housing due to COVID-19.

If the tenant PAYS the landlord but fails to provide the required proof of payment to their landlord, eligibility for future ERAP benefits will cease (including ERAPU).

If the tenant receives VERAP benefits and fails to pay their landlord as required, eligibility for future ERAP benefits will cease (including VERAPU). In addition, the applicant will be sent a letter from VERAP demanding the benefits be repaid to the program.

If benefits are not repaid to the program, a formal referral of "Fraudulent Benefits Received" will be made to the US Attorney's Office and Vermont State Housing Authority will submit the applicants name to the Vermont Tax Setoff Program/Renter's Rebate program to recover the applicant's debt

***Extenuating Circumstances: At the discretion of the Executive Director (ED) of the Vermont State Housing Authority, if a processing error occurs by the vendor on a case-by-case basis payments may be issued to party involved.***

**Arrears:** The program can pay all unpaid rent back to April 1, 2020 **UP TO THE MAXIMUM ALLOWED RELATIVE TO PROGRAM ELIGIBILITY.** Late fees may be included if they are included in the applicant's lease or rental agreement and reflect the actual cost to the landlord of the late payment. A minimum of one month's rent arrearage will be required for forward assistance. A rent ledger may be requested when there is a large discrepancy between tenant and landlord.

**L. Landlord Application and Requirements:**

Starting with the day when the tenant submits the application, Team ReFrame will determine whether the landlord has created an account, and, if so, will link the tenant and landlord applications. If the two cannot be linked, Team ReFrame will contact the landlord 3 times over 5

business days letting them know that their tenant has applied for assistance, and requesting the landlord complete a Landlord Application and Attestation.

If the Landlord agrees to accept the terms of the program and payment on behalf of the applicant, the landlord will register with their completed IRS W-9 and direct deposit form. Once registered, the landlord is notified to complete Unit Certification Questions.

Assistance to Landlords on behalf of Tenants will be made by Direct Deposit.

If the landlord does not respond to attempts to contact within 5 business days, Team ReFrame will pay the tenant in accordance with **K. Direct Payments to Tenant above**.

#### **M. Permissible Rent Increases**

The program does not allow participating landlords to raise the contract rent while they are receiving rent money under this program, but there are a few exceptions:

- The intent of the program restriction was to not have excessive rent increases due to the program payment of rent.
- For all properties, if a landlord issued the tenant a valid notice of a rent increase prior to April 5, 2021 (program start date), the increase can be implemented as noticed. If a valid notice of rent increase is made prior to the tenant's first date of application to VERAP, that rent increase may be implemented.
- If the landlord encounters a large unexpected operating expense (such as increased taxes; insurance or utilities), the landlord may be able to request a rent increase through the program.
- In many cases the increase in contract rent is paid by an increase in federal subsidy, not the household. Some properties are required to follow federal regulations regarding changes to a tenant's rent; this program does not supersede that federal requirement.
  - ⊖ *USDA – Rural Development Properties* – Basic and Note Rate rents at these properties change based on a universal schedule, typically tied to the fiscal year of the property. Basic and Note Rate rents may
  - ⊖ *HUD – Section 8 – Tenant Based Housing Choice Vouchers* - if a landlord issued the tenant a notice of a rent increase prior to April 5, 2021 (program start date), the increase can be implemented as noticed. Landlord will need to supply copy of rent increase notice.
  - ⊖ *Low Income Housing Tax Credit (LIHTC) Properties* – For LIHTC properties where there is no overlaying federal assistance (e.g., USDA or HUD), the program restriction does apply.
  - ⊖ *Mobile Home Parks* –A park owner may not increase lot rent without first providing at least 60 days' written notice to each affected leaseholder and the Commissioner. The notice shall be provided on a form provided by the Department, and shall include: (a) the amount, including any capital improvements surcharge; (b) the effective date; (c) a copy of leaseholders' rights as provided at 10 V.S.A. §§ 6251 – 6253; and (d) the percentage of increase from the current base lot rent.



- **Process for approval of unexpected expense.** Landlord would need to submit proof of the need of the increase. For a property tax increase this would include submitting current (new) tax bills. The same type of documentation would be required for requests related to increase in utility costs, or insurance or any other type of unexpected non-capital operating expense.

Landlord will need to provide an attestation to VERAP that without the rent increase approval, Landlord will not be able to meet its operating expenses.

***All rent increases must be accompanied by appropriate supporting documentation.***

**N. Demographic and Statistical Documentation (Data Collection):**

Demographics will be collected and reported in compliance with the US Treasury User Guide Issued 9/30/21 Section VI pg. 28

501(g)(4) requires personally identifiable information to be kept private. The grantee through its' contract vendor, Team Reframe, has established data privacy and security requirements for certain information regarding applicants that (i) include appropriate measures to ensure that the privacy of the individuals and households is protected; (ii) provide that the information, including any personally identifiable information, is collected and used only for the purpose of submitting reports to Treasury; and (iii) provide confidentiality protections for data collected about any individuals who are survivors of intimate partner violence, sexual assault, or stalking.

The following data elements will be collected with each tenant / landlord application. 501(g), TG#14

1. Number of applications received.
  - a. Number of total applications received.
  - b. Acceptance rate of applicants for assistance
2. Number of HH recipients
  - a. Household applicant
  - b. HH Members SSN
  - c. Gender, Race and Ethnicity of primary applicant
  - d. Email
  - e. Phone
  - f. Cell Phone if different
  - g. # in household
  - h. Address of rental unit: Street number, street name, street suffix, Apt #, City, State, Zip code
  - i. Number of bedrooms
  - j. Amount of rent arrears for each HH
  - k. Amount of unpaid rent arrears for each household after ERAP payment
  - l. Number of months' rent payment and number of months utility or home energy cost payments for which ERAP assistance is provided.
  - m. HH income
  - n. Number of individuals in HH
  - o. County
  - p. Owner/Landlord identifier
  - q. Information relative to a household member with a disability



3. Types of Assistance provided
  - a. Amount and percentage of monthly rent covered.
  - b. Total amount of each type of assistance provided to each household (i.e., rent, rent arrears, and other expenses related to housing incurred)
  
4. Owners/Landlords
  - a. Full Name
  - b. Address, City, State, Zip
  - c. Tax Id Number
  - d. W-9/Direct Deposit Authorization
  - e. Email
  - f. Phone
  - g. Attestation at end of application that:
    - i. The rental unit complies with Vermont's Life Safety Code requirements
    - ii. They will not increase the rent for the period covered by assistance.
    - iii. They will not evict the tenant for non-payment of rent during the period covered by assistance.
    - iv. They will make reasonable efforts to engage in weatherization activities and programs.
      1. Referral to Efficiency Vermont
        - a. <https://www.encyvermont.com>
      2. Referral to SOV Dept. of Children and Families, Weatherization Assistance Program
        - a. <https://www.dcf.vermont.gov/benefits/weatherization>

**O. Appeals:**

If an applicant is determined to be ineligible for assistance, Team ReFrame will notify the applicant in writing with a detailed reason for the denial, including any facts relied on for the decision, and let the applicant know that if they wish to appeal the decision, the tenant must notify Team ReFrame in writing or by phone, of their intent to appeal the decision within 10 days from the date of the denial.

If applicant misses deadline they can come back at any time and update their applications. If an applicant wants to request another appeal, they can be scheduled within the applicant portal at <https://verapapplicantportal.reframeassist.io/#/auth/login> at any time, or by contacting the **VERAP Call Center at 1-833-488-3727**.

A review will be conducted by a person other than the one who made or approved the decision under review or a subordinate of this person. The reviewer will review the file, conduct necessary research, and give the Applicant an opportunity to provide additional information and present written or oral objection to the decision under review.

When rendering a decision Team ReFrame will evaluate the accuracy of the calculations, level of documentation provided by the applicant, and the accuracy of the decision. Team ReFrame will communicate the results of the research/review to the applicant and advise the applicant.

A formal appeal can be **bypassed** by providing the Missing Information if that was the reason for denial **and** calling the VERAP Call Center at 833-488-3727 (833 4VT-ERAP) to let them know the information has been uploaded to the portal. This call can also be made by a representative or housing support service provider.

Conference calling on an appeal hearing is available to applicants. When the call starts, applicants can ask to conference call a 3rd party to the hearing. This can also be requested in the notes or over the phone when scheduling the appeal.

The VERAP Call Center will **call applicants** for the appeal hearing on the phone number provided when scheduling an appeal.

***The following process will be followed for appeals:***

- i. Applicant receives denial letter, which includes reason for denial.
  1. The denial letter will include language to contact Vermont Legal Aid.
- ii. Applicant contacts the Agency (by phone / email / letter sent USPS) and requests a hearing.
- iii. Application is referred to Appeals Manager.
- iv. Appeals Manager reviews application and supporting documentation and within 10 days of request either reverses decision (go to step vi.) or schedules the hearing by selecting an appeal time.
- v. Appeals Manager conducts hearing via video conference or phone call. Applicant may have a representative or support person at the hearing.
- vi. Appeals Manager makes determination and updates Applicant Notes.
- vii. Application is referred to Case worker for follow up, including:
  1. Sending final determination letter to applicant and landlord, and the representative of either who appeared at the hearing, describing the reason(s) for the determination.
  2. Requesting any required information if denial is overturned.
  3. Scheduling payments if denial is overturned.

**P. Program Referrals and Community Partners:**

**Vermont Legal Aid:**

1. Assistance on fund requests (proving financial eligibility, amount of rent arrearage and amount of rental assistance, money to move, and other expenses related to housing), including assistance in applying where necessary.
2. Appeals in response to denied application.
3. Advice on tenants' legal rights
4. Representation in mediation
5. Limited Representation in an eviction to settle and dismiss an eviction case with use of VERAP funds.

WEBSITE FOR INFO ON VERAP: <https://vtlawhelp.org/money-for-past-due-rent>

Or email: [VRAPHelpline@vtlegalaid.org](mailto:VRAPHelpline@vtlegalaid.org)

Referral phone number: 1-800-889-2047 PRESS 2

**Vermont Landlords Association:**

Landlord referrals to Vermont Landlord's Association:

1. Assistance in applying.
2. Landlords applying – unresponsive tenant.
3. Landlords raising complex landlord-tenant situations.

General Landlord Support: Website: [www.vtlandlord.com](http://www.vtlandlord.com)

Mediation Program: [mediation@vtlandlord.com](mailto:mediation@vtlandlord.com)

Referral Phone Numbers: 802-985-2764 or 1-888-569-7368

**Community Partners:** See addendum 1, attached.

**Q. Quality Assurance Policy, Activities and Monitoring:**

**Team ReFrame**

Regular internal quality assurance reviews will be required of Team ReFrame. The intent of the quality assurance review is to monitor the accuracy of the application files throughout the program year, and to ensure staff are correctly interpreting and applying program requirements and policies. Additionally, Team ReFrame will utilize results to identify areas that should be used for internal training purposes.

Team ReFrame will select a file sample (minimum of 5% of all applications), maintain a quality assurance log identifying the files and results, and share with VSHA for review.

**Vermont State Housing Authority (VSHA) Monitoring**

To ensure program integrity and to monitor Team ReFrame and GROUP-O performances, VSHA will perform program and fiscal monitoring to satisfy all program oversight requirements.

In addition to the quality assurance reviews conducted by Team ReFrame, the VSHA VERAP Team will review a sampling of files approved by Team ReFrame in accordance with the schedule below.

***A Quality Control (QC) sample means a sample of files or records drawn in an unbiased manner and reviewed by a VERAP Program Assistant (or by another qualified person other than the person who performed the original work) to determine if the work documented in the files or records conforms to program requirements.***

*A sample shall consist of all applications approved for payment prior to each payment (check run). Payments will be weekly, typically on Wednesday, through the duration of the VERAP Program. Quality Control Activities must be completed on Monday at noon of each week.*

**Quality Control procedure to be completed by VSHA staff:**

**VERAP FILES:** All VERAP Applications will follow the following Quality Control Procedures.

**Timing:**

- VERAP applications will be quality controlled daily.

## Treasury listing #21.023

### Vermont Emergency Rental Assistance Program (VERAP)

#### Policies and Procedures

- By 4:30 Tuesday through Thursday VSHA staff will have 25% of all files in 3.9 bucket QC'D. A QCV-FORM will be completed for all applications reviewed. VERAP team member will mark with the appropriate smart tag. This is a random selection.
- At 5 pm Tuesday through Thursday GROUP-O Staff will go into the 3.9 Bucket and move the files to the appropriate bucket (e.g., move along to payment or to another bucket for follow up)
  - o After that is complete, case management will put all applications that have been approved by GROUP-O into 3.9 (QCV-pre-approval pending), where they will stay without adding or removing more until the following day at 4:30 pm)
- Friday VERAP/GROUP-O 3.9 of QC will be completed by noon to allow for pre-noting
- Monday VERAP/GROUP-O QC 3.9 will be completed by Noon to get ready for Payment Wednesday
- Applications in the 3.76 Status will be reviewed within 5 Business Days. All applications will be controlled and moved to the appropriate bucket (e.g., move along to payment or to another bucket for follow-up)
- Applications will be quality controlled before they are processed for the weekly check run. For payment Wednesday, applicants will be pre-noted on Monday.

#### Location:

- Applications will be quality controlled in ReFrame portal's back office. This can be done from any location.
- The RHSP files contain sensitive material that are not to leave the VSHA office at 1 Prospect Street. Files containing RHSP information **MUST** be quality controlled in the office as to not remove information from the building.

#### Quantity:

- 25% of files in the 3.9 bucket. Formula: Take amount in 3.9 bucket/25 to get a number. QC every 4<sup>th</sup> file until reaching the 25% number for daily QC.

#### Instruction for Quality Control:

- VSHA employees will enter the back office of the ReFrame Application Portal and select applicants.
  - o If staff do not have access to the back office, a work request can be submitted to [housingsupport@wsddigital.com](mailto:housingsupport@wsddigital.com) to restore access.
- Eligible Applications for quality control will be stored for 24 hours in the **3.9 Status**.
- Add "smart tag" titled Quality Control VSHA to **\*25%** of applicants from this screen daily, the rest will be moved to their respective statuses as outlined above.

#### All applicants in categories below will be placed into status of 100% quality control by VSHA:

- Unusually high rent (200% or more of [FMR](#)) For information and updates on FMR please visit [2022 Fair Market Rent in Vermont | RentData.org](#)
- Unusually high payment request (Over \$15,000)
- Payments made directly to tenants, excepting suspicion of fraud.

Treasury listing #21.023  
Vermont Emergency Rental Assistance Program (VERAP)  
Policies and Procedures

- Quality controllers will add a “Smart-tag” on each quality -controlled file to indicate “QCV Pass” or “QCV Fail”, etc.
- Failed quality control applications will be referred to Team ReFrame/GROUP-O with reason for fail and moved to appropriate status with note in file. Notes should be as detailed as possible.
- If application is identified to have suspicious activity status it will be moved to the appropriate denial status. In the case of a hard copy letter is mailed via USPS to the physical address on the application. This option provides opportunity to appeal the denial.
- Passed quality control applications will be moved to 3.95 – Pending Payment Scheduling, status by VSHA Quality Control personnel.
- Reports can be generated by comment and smart tag to analyze which applicants have been quality controlled and the status.
- Quality controller will add a note to each application. The note should indicate the reason failed (if any), name, and date.

The quality control process will follow the steps:

**For each applicant, verify that:**

- The tenant rents a home in Vermont.
- The amount of rent is correct.
- The tenant household’s income is  $\leq$  80% of AMI.
- The tenant has attested to a financial hardship.
- The tenant has attested to at-risk of housing instability or homelessness.

**Specifically:**

- **Verify rental address in Vermont**
  - Look at rental address and confirm it is in Vermont
  - Tenant occupancy must be confirmed through one of the following:
    - Lease (required if available)
    - Utility bills in tenant’s name.
    - Attestation by landlord who can be identified as verified owner or management agent of the unit.
- **Verify amount of monthly rent**
  - Amount of monthly rent must be confirmed through at least one of the following:
    - Lease. (required if available)
    - Bank statements, check stubs, or other documentation that reasonably establishes a pattern of paying rent.
    - Attestation by landlord who can be identified as verified owner or management agent of the unit.
    - Attestation by tenant for monthly rent that does not exceed 100% of FMR.
- **Verify income eligibility**
  - Check chart of 80% of AMI by household size and region of Vermont.
  - Check Geographic Proxy Site for automatic income eligibility (tenants still need do attest to income band).

- Income must be confirmed through one of the following:
  - A letter from a local, state, or federal government assistance program that determined the household's income, provided that the verification was done on or after 1/1/20. (only needs to be confirmed once) (see categorical income eligibility, Section E, above)
  - A letter or statement of annual benefit amount
  - 2020 tax filings or W-2s. (only needs to be confirmed once)
  - Other documents such as paystubs, bank statements, attestation from employer, or attestation from case worker familiar with household. (recertified every 3 months)
- *In some circumstances, including disability, extenuating circumstances related to the pandemic, or lack of technological access, the requirement for documentation of income may be waived in accordance with the VERAP policy, Section E, page 4.*
- **Verify tenant has suffered a financial hardship.**
  - Applicant has attested to financial hardship.
- **Verify tenant is at risk of homelessness or housing instability.**
  - Applicant has attested to risk of homelessness or housing instability.

***RHSP QUALITY CONTROL:***

***RHSP FILES:*** RHSP files contain sensitive material that are not to leave the VSHA office at 1 Prospect Street. Files containing RHSP information **MUST** be quality controlled in the office as to not remove information from the building.

- RHSP discrepancies will be tagged for the finance department to resolve.
- VSHA did not already make a payment on behalf of this tenant through the Rental Housing Stabilization Program to cover the same months.
- The landlord is not on the list of suspected applications from RHSP.
- Applicants who received prior RHSP funding will be 10% quality controlled.
- Check RHSP spreadsheet in conjunction with PHA Web and original RHSP application as necessary to see if program made payments on this tenant's behalf.
  - Check Group 1, Group 2, Money to Move, and Stipulations.
  - VERAP **CANNOT** make payments for the same tenant for the same months already covered under RHSP (unless the RHSP was Group 2, in which case VERAP could pay the half of rent that was not covered).
  - VERAP **CAN** make payments for different months. If RHSP paid for August, September, and October 2020, then VERAP can make payments for November and December.

The Quality Control process will take place and be documented QCV Form by VSHA. This documentation will be stored on the ReFrame back-office platform as well as a secure VSHA form in Excel format.

**R. Duplication of Benefits:**

VERAP will rely on self-attestation from the applicant that they did not receive RHSP (the CRF rental assistance program) benefits, or other federally funded benefits, for the same period that they are requesting VERAP.

VERAP Staff will audit a minimum 10% of randomly selected files to quality control check – for all applicants requesting forward rental assistance.

- This is intended to be an audit process and not part of the initial application and disbursement process because of resource constraints.
- This audit review will be conducted separate from the regular VERAP quality control review described earlier.

**S. Rent discrepancies between landlord and tenant.**

Discrepancies in the total amount owed of \$100 or less will be approved for payment if the lease documentation controls the rental rate amount. Discrepancies of more than \$100 will be investigated, reconciled prior payment approval.

**T. Process for Subsequent Application of Rental Benefits:**

*Approved by AOA/DHCD 7/1/21*

Applicants may return to their accounts to apply for additional rental benefits.

When making a subsequent application, the applicant *may* use the eligibility information in the account, updated as required below.

**Benefits will BE CEASED in the following instances:**

- Applicant is found to be over 80% of AMI
- Applicant fails to recertify
- An applicant fails to provide documentation of payment to their landlord
- An applicant fails to notify us of a change in their household composition or vacates a unit without notice
- Applicant has been identified to have participated in a fraudulent application.

**IF THE APPLICANT CORRECTS ANY OF THESE SITUATIONS, BENEFITS WILL RESUME**

**A service provider may complete and submit the Request for Additional Assistance and Income Recertification document on behalf of a VERAP Participant. If submitting on behalf of a participant, they attest they have verified the applicant's living and financial situation in accordance with the VERAP eligibility criteria and are authorized to sign on behalf of the tenant.**

**If Income eligibility was determined based on Annual Income (2020 income)**

- The applicant needs to re-request rental benefits every 3 months.
- No additional income documentation needed, provided nothing has changed since their original attestation.
  - Applicant will be required to certify that “nothing has changed regarding eligibility for the program since initial attestation”.
  - Applicants will need to re-certify to financial hardship.

Policies and Procedures

- Applicants will need to re-certify to Risk of Homelessness or Housing Instability
- Must certify that the landlord contact information is unchanged if asking for rental assistance.
- Must attest that their lease/rent obligation is unchanged if seeking rental assistance.
- Monthly rent may be changed only in accordance with Section M of the Administrative Plan.
  
- **Applicant will certify, in a singular checkbox in the application, that “nothing has changed”. – PLEASE NOTE INCREASES DUE TO COST-OF-LIVING ALLOWANCES ARE NOT CONSIDERED SUBSTANTIAL INCREASES UNLESS THE HOUSEHOLD EXCEEDS 80%AMI**

***If something HAS changed, the applicant will need to upload documents verifying the changes.***

- Changes that impact eligibility are defined as follows:
  - Change in the makeup of the household (members leave or join).
  - Change to other federal or state benefits received (if any) that might qualify as a duplication

**If Income eligibility was determined based on Monthly income.**

- The applicant needs to re-request rental benefits every 3 months.
- No additional income documentation needed, provided nothing has changed since their original attestation.
  - Applicant will be required to certify that “nothing has changed regarding eligibility for the program since initial attestation”.
  - Applicants will need to re-certify to financial hardship.
  - Applicants will need to re-certify to Risk of Homelessness or Housing Instability
  - Must certify that the landlord contact information is unchanged if asking for rental assistance.
  - Must attest that their lease/rent obligation is unchanged if seeking rental assistance.
    - Monthly rent may be changed only in accordance with Section M of the Administrative Plan.
  - **Applicant will certify, in a singular checkbox in the application, that “nothing has changed” - PLEASE NOTE INCREASES DUE TO COST-OF-LIVING ALLOWANCES AND/OR FEDERAL SUBSIDY CHANGES ARE NOT CONSIDERED INCREASES**

***If something HAS changed, the applicant will need to upload documents verifying the changes.***

- Changes that impact eligibility are defined as follows:
  - Change in the makeup of the household (members leave or join)
  - Change to other federal or state benefits received (if any) that might qualify as a duplication.
  - Change to actual current monthly income.



**If applicant chooses to change their eligibility from current income to 2020 income (annual income) for reasons described below:**

- Applicant's household members have changed since original application.
- Applicant household has filed their 2020 IRS Form 1040 or receipt for E-filed 2020 IRS form 1040 for all household members 18 years of age or older.

**What documentation is required:**

- Submission of signed 2020 IRS Form 1040 or receipt for E-filed 2020 IRS form 1040 for all household members 18 years of age or older; or
- Submission of wage statements, pay stubs, IRS form W-2, IRS form 1099 and Schedule C if self-employed, interest statements, Form 1099G or benefit statements from the Department of Labor if unemployed, or other annual income proof for all household members 18 years of age or older for determination of annual income pursuant to HUD's definition of income as described in 24 CFR 5.609; or
- Statement of annual benefit letter from a government agency for the period January 1, 2020, or later (see "Categorical Eligibility" as described in Section E).

**U. Request for Paper Applications**

Requests for Paper Applications will be made available by calling the VERAP CALL CENTER. Paper applications will be made available for the following reasons:

- to accommodate disabilities
- extenuating circumstances related to the pandemic.
- lack of technological access

**V. Equal Access to VERAP Application that Reflects Program Requirements**

Applicants can apply for VERAP benefits in a variety of ways: on-line, with the assistance of one of the 400 community partners who have agreed to assist tenants, or by requesting a paper application electronically, by phone, or by mail. The call center will also provide co-browsing services to support an applicant trying to apply. We completed ADA Compliance testing on the Portals on April 7, 2021, using the WAVE tool and testing using JAWS and NVDA. Both Portals were compliant at that time. We continue to perform ADA testing on a quarterly basis and are in the middle of that testing now and can provide reports once this is completed. Attached is the sample ADA test report.

The online application utilizes Google Translate making every part of the online portal, including the application and instructions, available for instant translation into over 100 languages. This feature has been presented to numerous non-native English speakers and the interpretive

Services Department at the Association of Africans Living in Vermont who have expressed that the translations are more than adequate. VSHA and ReFrame also use an Interpretive Service provider for interpretation requests. VERAP offers written and spoken correspondence in the 10 most common languages spoken in Vermont other than English.

The Money to Move program can be proactive as well as retro-active payments to landlords for first and last month's rent and security deposit as long as requested within 30 days of move. The

Other Expenses Related to Housing is a reimbursement of actual expenses that, among other things, may be related to moving costs.

The Certification section of the application allows for third party signature with the consent of the tenant applicant. This feature was designed in coordination with community partners, specifically those recipients of Housing Stability Grant funds, to be able to complete the application on behalf of their clients with the proper release. This feature has been pivotal to the success of VERAP.

**W. Protection of Applicant Privacy Rights**

VSHA and ReFrame make every reasonable effort to maintain the privacy and security of personally identifiable information. All data is encrypted in transit using TLS encryption and at rest in the SQL database. SSN and TINs are also encrypted within the application using IVY Salt Keys and LongIDs. This ensures that the only way SSN/TIN can be accessed is by an authenticated user. In addition to the technology solution, Team ReFrame trained the call center and caseworker to protect the applicant's privacy.

**X. Suspected Fraudulent Applications**

• **Tenant Application and/or Documentation**

When applications are submitted with documents that are suspected to be fabricated with false information for any of the required eligibility criteria outlined in Sections D, E, F, and G of this document, we reserve the right to request a valid state or federal photo ID and/or proof of ownership. If the Valid photo ID and/or proof of ownership is not provided within that timeframe the application will be denied.

• **Owner Certification and/or Documentation**

All owner participants wishing to receive payment directly are required to complete and submit a valid IRS W-9 form, the VERAP specific Direct Deposit form, and to complete the Owner/Unit Certification questions through the online Owner Portal.

- o W-9 forms are validated with the IRS
- o Direct Deposit bank routing and Account numbers are pre-noted by sending a test prior to making the VERAP assistance payment. (Pre-note will also be completed for tenant receiving payment directly per **Section K** of this document)

If a W-9 form is returned to VSHA from the IRS as non-matching or non-existent, a W9 Taxpayer Identification Number Mismatch letter is sent to the owner

- o In cases where a W-9 was submitted using a stolen identity, these W-9s and all file information may be shared with any appropriate authority including but not limited the Vermont State Police, the Vermont Attorney General, the US Attorney's Office, or the FBI
- o If a Direct Deposit does not pass the pre-note process the owner is contacted to provide updated information.
- o Certain banking platforms will automatically be flagged for further review

**Y. Termination of benefits and Inactive Status:**

Program assistance will terminate for the following reasons:

- An applicant knowingly submits false or fraudulent eligibility documents or knowingly completes application questions with false information
- Participant has exhausted benefits per Program guidelines (Except for Other Expenses Related to Housing including Money to Move)
- Household is determined to no longer be income eligible

Applicants will be considered inactive for any of the reasons listed below. Inactive status allows a tenant to remain a participant while not actively receiving rental benefits. Participants can return later if additional assistance is needed or to receive other program benefits. Participant who are inactive for more than 90 days will need to recertify before receiving additional assistance.

- An applicant fails to recertify
- Upon recertification it is determined the household is no longer income eligible
- Tenant who receives payment directly fails to provide proof of payment as per **Section K** of this document
- Request for photo ID/Proof of Ownership as outlined in Section X of this document is not provided within the 10-day required.

**Terminations can be appealed through the process outlined in Section O of this document.**

**Z. Alternate ID generation for Applicants without a Social Security Number (SSN):**

- Applicant must contact the program Call Center to receive an Alternate ID
  - o This ID is for the completion of the VERAP application **only** and has no valid use outside of this Program
  - o All family members without an SSN will need an Alternate ID
  - o Valid reasons for issuing an Alternate ID may include:
    - New American/Refugee
    - Any reasonable request for an alternate ID will be honored
    - A newborn

**AA. Issuance of paper Checks:**

- Paper checks will only be issued once per week on Wednesday
- Requests for paper checks will made by 4:30pm on the proceeding Friday
- All documentation needs to be uploaded to tenant portal before check request
- Request for paper checks will be reviewed for accuracy on the Monday/Tuesday following the Friday of the initial request
- If there are any discrepancies or missing information by Tuesday at 12pm the payment will not be made that week
- Proof of Payment to landlord or court is required before any additional assistance from VERAP
- Tenants should make every effort to secure a bank account to allow for direct deposit

**BB. Recertification Policy for Lapse in benefit Period:**

- Recertification paperwork resubmitted within three (3) months of the last full benefit period (last day of the month in which VERAP rent assistance was received) will require no additional documentation.
- Participant will need to provide information on Recertification paperwork stating the number of months in arrears if applicable, and the amount of arrears owed to the landlord.
- For tenants who were paid directly per Section K of this document, documentation of arrears **MUST** accompany a recertification document if any time has lapsed since last day of the month in which VERAP rent assistance was received)

**CC. Refugee Resettlement:**

**Income Eligibility:**

- VERAP will collect income attestations from the families indicating they meet the income requirements.
- If a better solution arises (e.g., we can show they qualify for other federal aid programs), then we can use that as a basis for categorical eligibility.

**Housing Type (Student housing or “similar service”):**

- World Learning/SIT, or the entity that owns the housing, will provide educational and counseling services to the refugees as part of their stay.
- These services are aimed at helping them adjust to life in the U.S. and are free of charge

**Exclusions and Program Discretion**

- 9 V.S.A. Sec. 4452 Exclusions provides that chapter 137 does not apply to: o (1) occupancy at a public or private institution, operated for the purpose of providing medical, geriatric, educational, counseling, religious, or similar service
- Transitional housing for refugees, may rely on an occupancy agreement (vs. a lease). In turn, this would allow World Learning/SIT to claim the above exemption from landlord-tenant law as they will be providing educational services, counseling, and transitional housing support to the refugees.
- World Learning/SIT or other similar owner entity will need to be comfortable enough with the arrangement that they accept the risks associated with transitional housing
- SIT/USCRI/VSHA and others or similar will need to work together to find permanent housing.

The Emergency Rental Assistance Program was established by The Department of the Treasury (Treasury) by section 501 of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) (ERA1) and the Emergency Rental Assistance program established by section 3201 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (March 11, 2021) (ERA2).

These administrative policies apply to both ERA1 and ERA2, except where differences are specifically noted. ERA 2 differences are outlined below.

**DD. ERA Addendum:**

**Household Eligibility:**

- One or more of the members of the household has experienced a financial hardship *during* or due, directly or indirectly, to the coronavirus pandemic; in one of the following ways:
  - qualified for unemployment benefits; or
  - experienced a reduction in income during or due, directly or indirectly, to the coronavirus pandemic; or
  - incurred signification costs during or due, directly or indirectly, to the coronavirus pandemic (e.g., medical expenses, Internet, transportation, childcare)
  - pays more than 30% of income for rent and utilities
- One or more members of the household can demonstrate a risk of experiencing homelessness or housing instability, such as:
  - Is currently homeless
  - having past due utility or rent notices or eviction notices; or
  - unsafe or unhealthy living conditions (which may include overcrowding); or
  - pays more than 30% of income for rent and utilities
  - any other evidence of risk as determined by VSHA.

**II. Rental Assistance and Documentation:**

- Eligible households may receive up to 18 months of assistance if the household re-attests to continued need.
- The tenant gets to designate the number of months of arrears to be paid from VERAP. A household need not have arrears to be eligible for prospective rent.
  - A tenant may apply for arrears without applying for current or prospective rent.
  - Arrears accrued before April 1, 2020, are not eligible for payment.
- The date of the approval will determine whether amounts are arrears, current, or prospective.