

INTRODUCTION

Manual Organization

This manual consists of four main sections:

1. Introduction: this section gives an overview of the program and guidance that is available.
2. ERAP Policies: this section provides the program rules and regulations. These policies are intended for the general public.
3. ERAP Procedures: this section provides the internal steps involved in implementing the rules and regulations. These procedures are intended for Your Way Home and its subrecipients.
4. Attachments: this section provides a series of documents that are used to implement the program.

The ERAP Procedures mirrors the ERAP Policies numerically, i.e. for each policy there is a respective procedure.

General Information

This document is designed to assist with implementing a program administered by the U.S. Treasury’s Emergency Rental Assistance Program (ERAP) in response to COVID-19, to provide emergency financial assistance and housing stabilization to vulnerable families and individuals in Montgomery County. This document contains required program and administrative policies and procedures for ERAP and should be used as a reference for all staff and partners (such as contractors and consultants) of ERAP. It is the responsibility of all staff and partners to understand and comply with policies and procedures in this document and any updates that may be provided by Montgomery County.

These policies and procedures apply to two allocations of funds from the U.S. Treasury: **ERA1**, as funded through the Consolidated Appropriations Act (signed into law on December 27, 2020) and **ERA2**, as funded through the American Rescue Plan (signed into law on March 11, 2021). Although similar, there are some differences between the requirements for ERA1 and ERA2, which will be identified when necessary. All ERA1 funds may be spent by the County by September 30, 2022, and all ERA2 funds may be spent by the County by September 30, 2025.

	ERAP1 Consolidated Appropriations Act, 2021	ERAP2 American Rescue Plan Act, 2021
Objectives	The U.S. Department of Treasury’s Emergency Rental Assistance program makes funding available to assist households that are unable to pay rent or utilities due directly or indirectly to the COVID-19 pandemic.	The U.S. Department of Treasury’s Emergency Rental Assistance program makes funding available to assist households that are unable to pay rent or utilities during or due directly or indirectly to the COVID-19 pandemic.
Date Passed	12/27/2020	3/11/2021
Total Treasury Funding	\$25 billion	\$21.55 billion
Deadline to Expend Funds	September 30, 2022	September 30, 2025

Beginning June 1, 2022, these policies and procedures apply to both US Treasury and Commonwealth funds.

A summary of the four funding sources is below:

	ERA1 Federal	ERA1 Commonwealth	ERA2 Federal	ERA2 Commonwealth
Grantee	Montgomery County	Montgomery County	Montgomery County	Montgomery County
Funding Allocation	Consolidated Appropriations Act	Consolidated Appropriations Act	American Rescue Plan Act	American Rescue Plan Act
Funds Administered/Report to	US Dept. of Treasury	PA Dept. of Human Services	US Dept. of Treasury	PA Dept. of Human Services
Funding Period	3/3/21-09/30/2022	5/7/21-9/20/22	3/3/21-9/30/2025	3/3/21-9/30/2025
Internal Spend Deadline	9/9/2022	9/9/2022	3/31/2023	3/31/2023
Applicable Guidance	US Treasury Guidance & FAQs	DHS Instructions & Regulations	US Treasury Guidance & FAQs	DHS Instructions & Regulations

Guidance

ERA1 and ERA2 federal-funded programs in Montgomery County are guided by this manual and any guidance provided by the US Treasury, whose guidance is available on their [ERAP webpage](#).

ERA1 and ERA2 Commonwealth-funded programs in Montgomery County are guided by this manual and any guidance provided by the Pennsylvania Department of Human Services, including their [Instructions and Requirements manual](#) and [Procedural Memos](#).

Program Overview & Eligibility Requirements

The Montgomery County ERAP program is designed to provide housing stability to thousands of low-and moderate-income Montgomery County residents at risk of eviction and/or homelessness because of COVID-19. ERAP provides emergency rental and utility assistance funding to income- eligible individuals and families who reside in Montgomery County and have been economically impacted directly or indirectly by the COVID-19 outbreak; and or during the Coronavirus Pandemic. This program is an expansion of programs and services offered through Your Way Home (YWH), a public-private partnership that since 2014 has helped end and prevent homelessness for thousands of Montgomery County residents.

For a household to be eligible for the ERAP program, it must meet the below requirements under **ERA1**:

1. Household must reside in Montgomery County at the time of application, AND
2. 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
3. one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; AND
4. the household has a household income at or below 80% of area median income (AMI).
 - a. Income eligibility will be based on average gross income over the 30 days preceding the time of the application and or pre-screen.
 - Income includes earned income, child support, welfare benefits, SSI, SSDI, unemployment income, workman’s comp, pension/investments/401K.
 - 80% Area Median Income is as follows:
 1. 1 person: \$59,050



- 2. 2 persons: \$67,450
- 3. 3 persons: \$75,900
- 4. 4 persons: \$84,300
- 5. 5 persons: \$91,050
- 6. 6 persons: \$97,800
- 7. 7 persons: \$104,550
- 8. 8 persons: \$111,300 ⁴

b. Payments from ERAP should not be included in eligible income calculations.

For a household to be eligible for the ERAP program, it must meet the below requirements under **ERA2**:

- 1. Household must reside in Montgomery County at the time of application, AND
- 2. 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; AND

- 3. one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; AND
- 4. 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)), currently defined as 80% AMI ⁵
 - a. Income eligibility will be based on average gross income over the 30 days preceding the time of the application and or pre-screen.
 - i. Income includes earned income, child support, welfare benefits, SSI, SSDI, unemployment income, workman’s comp, pension/investments/401K.
 - ii. 80% Area Median Income is as follows:
 - 1 person: \$59,050
 - 2 persons: \$67,450
 - 3 persons: \$75,900
 - 4 persons: \$84,300
 - 5 persons: \$91,050
 - 6 persons: \$97,800
 - 7 persons: \$104,550
 - 8 persons: \$111,300 ⁶

b. Payments from ERAP should not be included in eligible income calculations.

Social Security Numbers and proof of U.S. citizenship are not required for participation in ERAP. However, household participants may supply Social Security Numbers on their ERAP Application.

⁴ 2022 HUD income limits from <https://www.huduser.gov/portal/datasets/il.html>



YOUR WAY HOME
MONTGOMERY COUNTY

⁵ As of this date, the definition of “low-income families” in 42 U.S.C. 1437a(b) is “those families whose incomes do not exceed 80 per centum of the median income for the area, as determined by the Secretary [of Housing and Urban Development] with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of the Secretary’s findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes.”

⁶ 2022 HUD income limits from <https://www.huduser.gov/portal/datasets/il.html>. [Income limits for 2020 & 2021 are available in the Pre-Screen Document in the attachments.](#)

ERAP POLICIES

Policy 1: Eligible Program Activities

- **Applications.** Households requesting rental and utility assistance must be screened for the ERAP program. Once the household has passed the pre-screen process, they must complete an application for program, and provide the necessary documentation. Households can contact 2-1-1, text their zip code to 898-211, or contact one of the six non-profit providers to apply for the program.
 - Applications are available from any Montgomery County authorized subrecipient individualized website. A copy of the application is attached to this document.
 - Applications are available in both English and Spanish.
 - Applications can be turned into any Montgomery County sub-recipient via mail-in, drop-off, email, and or fax methods.

ATTACHMENT: [Pre-Screen Document](#)

ATTACHMENT: [ERUC Application](#)

- **Accommodations.** There may be circumstances in which reasonable accommodations may be granted if an applicant is unable to apply directly on their own. During the pre-screen and application phases, these accommodations may be granted by a subrecipient to allow people who are disabled, temporarily disabled, sick, and/or unable to respond on their own behalf to apply to the program. In cases of reasonable accommodations, written documentation is mandatory to explain the need for reasonable accommodations. All reasonable accommodations requests are granted by a subrecipient on a case-by-case basis. Applications may also be submitted on behalf of the tenant by a landlord so long as the tenant completes.
- **Financial assistance.** Each household may receive up to 12 months of assistance for rental payments and/or utility payments dating back to March 13, 2020. Assistance can be for rent and/or utility arrears or future rent payments. There is no financial limit on the amount of assistance a household can receive. If deemed necessary to ensure housing stability, an additional 3 months of rental and/or utility assistance can be authorized by ERAP.
 - For ERA1, no household can receive more than 15 months of assistance in total (inclusive of any assistance provided by ERA2 funds). Under ERA1, to the extent that applicants have rental arrears, ERAP providers may not make commitments for prospective rent payments unless they have provided assistance to reduce an eligible household's rental arrears.
 - For ERA2, no household can receive more than 18 months of assistance in total (inclusive of any assistance provided by ERA1 funds). Under **ERA2**, no household can receive more than 18 months of assistance (inclusive of any assistance provided by ERA1 funds).

Payments may be for prospective rent without covering arrears.

- **Arrearages (for both ERA1 and ERA2).** A household may receive assistance for rent or utility or a combination of both for any particular month; however, utilities must only be paid for arrearages (i.e. only rent payments can be made for future months). For households looking to receive prospective (future) rental payments, provider must recertify applicants eligibility every three months.
- **Other Costs Related to Housing**
 - **For ERA1:** first month's rent, last month's rent, and security deposit for a household that has been temporarily or permanently displaced due to COVID-19. The provider must have backup documentation showing that the household was displaced due to COVID-19 outbreak. In these instances, first/last/security will each count separately in future rent payments and count toward the maximum of 15 months total of rental assistance. For example, if the first month's rent, last month's rent, and security deposit are paid through ERAP, that counts as 3 months toward the maximum number of months of assistance. The amount of a security deposit should not exceed one month's rent. **Double security deposits while also paying last month rent at move-in are not allowable.**
 - **For ERA2:** first month's rent, last month's rent, and security deposit for a household that has been temporarily or permanently displaced due to, or during, the coronavirus pandemic. The provider must have backup documentation showing that the household was displaced during the coronavirus pandemic. In these instances, first/last/security will each count separately in future rent payments and count toward the maximum of 18 months total of rental assistance. For example, if the first month's rent, last month's rent, and security deposit are paid through ERAP, that counts as 3 months toward the maximum number of months of assistance. The amount of a security deposit should not exceed one month's rent. **Double security deposits while also paying last month rent at move-in are not allowable.**
 - County District Court fees associated with eviction proceedings. Rent or rental bonds, where a tenant posts a bond with a court as a condition to obtaining a hearing, reopening an eviction action, appealing an order of eviction, reinstating a lease, or otherwise avoiding an eviction order, may also be considered an eligible expense. All payments for these expenses must be supported by documentary evidence such as a bill, invoice, or evidence of payment to the provider of the service.
- **Relocation**
 - ERA funds may be used to provide assistance to eligible households to cover prospective relocation assistance, rent, and utility or home energy costs, including after a financial eviction.
 - For both ERA1 and ERA2, other expenses related to housing include relocation expenses (including prospective relocation expenses), such as rental security deposits, and rental fees, which may include application or screening fees.



- Before moving into a new residence, a tenant may not yet have a rental obligation, as required by the statutes establishing ERA1 and ERA2. In those cases, the program must provide a commitment letter for approved applicants specifying the amount of financial assistance under ERA programs that the subrecipient will pay a landlord on behalf of the household (such as for a security deposit or rent). The commitment letter expires 90 days from the issuance date.
- This applies to relocation both within and outside of Montgomery County.
- **Commitment Letter for prospective renters**
 - In some situations, such as when a household is temporarily staying in a hotel, applicants may not have a current lease or rental arrears. They may only be seeking assistance for future rent at a new residence. Often, in order to obtain a rental agreement, the applicant will need proof that they will be able to pay a security deposit and future rent.
 - Similar to how a bank may provide a pre-approval letter for a loan, a nonprofit may provide documentation to applicants which states that the applicant is preliminarily qualified or approved for rental assistance based on their application for assistance and specifies the amount of financial assistance the nonprofit will pay a landlord on behalf of the household if the landlord and household enter into a qualifying lease. This documentation may be used as a commitment letter to induce a landlord to enter into a new rental agreement with an eligible household and can help applicants in a variety of situations. Please see Commitment Letter.
 - Having proof of preliminarily qualified or approval for rental assistance can help several populations who have a high need for rental assistance. Examples of those who may be served by this practice include:
 - Eligible households who are currently unhoused due to financial eviction
 - Eligible households with an expiring lease
 - Eligible households with “month-to-month” agreementsBy implementing this practice, the program can reach those who are in need and not in a traditional lease situation. This practice can also create a more equitable program by serving populations who are more likely to be without a current lease and are at risk of experiencing homelessness or housing instability.
- **Hotels**
 - An ERUC provider may provide rental arrears. It may also provide hotel or motel as long as the household has been temporarily or permanently displaced from its primary residence or does not have a permanent residence elsewhere due to the Covid-19 outbreak (ERA1), or during the Coronavirus pandemic (ERA2).
 - The household must be eligible for the ERUC program and have been displaced due to Montgomery County formal court eviction proceeding.
 - In addition, in some instances, a household in any of the above situations in relation to hotel/motel stay may be accommodated. Your Way Home

reserves the right to accommodate households for the ERUC program on a case-by-case basis. Final determinations related to the ERUC program are made by the Your Way Home Homeless Prevention Program Manager.

Additionally:

- The hotel or household must provide documentation – such as a payment printout from the hotel, bank account statements, or credit card charges indicating that the household is residing at the hotel and the current dollar rate that the household is paying (e.g., \$100 per night).
 - The program will only pay for the room and any applicable taxes for a limited period of three months.
 - The eligible applicant is responsible for all other incidental costs (meals, laundry, transportation, etc.).
 - If paying future rent, ERUC providers shall only pay in bi-weekly increments and record the appropriate dates in their Service Records in Clarity.
 - The bi-weekly expense for the room shall be equal to or less than the most recent daily rate the household paid multiplied by seven. Eligible costs do not include incidental charges to the room. Household must provide documentation of attempts to look for permanent housing solutions on a bi-weekly schedule (for future rent only) that is placed in the household internal file.
 - The ERUC provider shall make a reasonable attempt to provide case management services to relocate the household to permanent housing.
 - Hotel assistance cannot exceed 3 months.
- **Housing stability case management.** Documentation will be assembled; process payments to landlords and utility companies; create a housing stabilization plan, goal setting, and/or household budgeting, as appropriate; and provide referrals and connections to other resources and supportive services in the community, as appropriate. The level of case management needed per household will vary based on household needs. Staff are expected to deliver strengths-based case management services that follow trauma-informed care and progressive engagement best practices.

Restrictions on Duplication of Benefits:

- Rental or Utility assistance cannot be provided to a household receiving such assistance from another source that covers the same cost for the same time period. This would be considered a duplication of benefits and is not allowable. For example, if a household owes \$1,000 in rental arrearages and receives \$300 of assistance through another source for these arrearages, the ERAP program would only be eligible to pay for the \$700 difference that is not already covered. All households must complete a duplication of benefits calculation on the Application.

Policy 2: Program Guidance on Prioritization

Your Way Home in Montgomery County is prioritizing an equitable approach in its provision of financial assistance and housing stabilization to households who have been directly impacted by COVID-19. By targeting assistance toward households with 30% AMI or lower, households who have been unemployed for 90 or more days, and households within particular census tracts, ERAP aims to have the greatest impact on reducing housing instability and homelessness for the most vulnerable households. Staff and partners should consult the [Emergency Rental Assistance Priority Index](#), which incorporates instability risk factors before the pandemic as well as the pandemic's economic impacts and accounts for risk factors that are higher for certain groups, particularly Black, Indigenous, and Latinx renters. This tool should inform the provision of assistance by locating the census tracts within Montgomery County that have high-priority indexes.

Households seeking assistance will be prioritized in the following order:

1. **30% AMI or below, or unemployed for the 90 days preceding the application or pre-screen to the program; in addition, there is a formal eviction notice or a shutoff notice. In addition, the Household must reside in a zip code of 19401, 19405, 19406, 19464, 19446, or 19027.**
2. 30% AMI or below, or unemployed for the 90 days preceding the application or pre-screen to the program; in addition, there is a presence of rent or utility arrearages. **In addition, the Household must reside in a zip code of 19401, 19405, 19406, 19464, 19446, or 19027.**
3. 30% AMI or below, or unemployed for the 90 days preceding the application or pre-screen to the program; in addition, there is a formal eviction notice or a shutoff notice.
4. 30% AMI or below, or unemployed for the 90 days preceding the application or pre-screen to the program; in addition, there is a presence of rent or utility arrearages.
5. 50% AMI or below, or unemployed for the 90 days preceding the application or pre-screen to the program; in addition, there is a formal eviction notice or a shutoff notice.
6. 50% AMI or below, or unemployed for the 90 days preceding the application or pre-screen to the program; in addition, there is a presence of rent or utility arrearages.
7. 80% AMI or below, or unemployed for the 90 days preceding the application or pre-screen to the program; in addition, there is a formal eviction notice or a shutoff notice.
8. 80% AMI or below, or unemployed for the 90 days preceding the application or pre-screen to the program; in addition, there is a presence of rent or utility arrearages.
9. All other households that meet program eligibility requirements.

*In addition, in some instances, a household in any of the above situations may be prioritized for ERUC services over someone who has a higher acuity as indicated by the priority listing above. Your Way Home reserves the right to prioritize households for ERUC on a case-by-case basis. Final determinations related to ERUC prioritization are made by the Your Way Home Homeless Prevention Program Manager.



Policy 3: Documentation Required for Each Household File

1. **Application for ERUC Assistance**
 - a. Either a wet or digital signature are preferred. If these two options are not possible, the nonprofit provider will record verbal certification and the case manager will sign to confirm the household's authorization.
2. **Proof of income** for the last 30 days from application for every adult over the age of 18 within the household, which can include:
 - a. Employment pay stubs for all adult household members for the last 30 days
 - b. Welfare cash assistance award letter
 - c. SSI or SSDI award letter
 - d. Unemployment award letter or check stubs, stating amount received for the last 30 days
 - e. Workman's compensation award letter, stating amount received
 - f. Pension or retirement documentation
 - g. If the household has no earned income or if the household has income for which they cannot provide documentation, the ERUC Self Declaration of Income will suffice
 - h. Income used to determine eligibility follows HUD income inclusions and exclusions requirements at 24 CFR 5.609(b) and (c).

ATTACHMENT: [HUD Income Inclusions and Exclusions](#)

NOTE: Fact-specific proxy: A grantee may rely on a written attestation from the applicant as to household income if the grantee also uses any reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household's geographic area.

Written Attestation Without Further Documentation: To the extent that a household's income, or a portion thereof, is not verifiable due to the impact of COVID- 19 (for example, because a place of employment has closed) or has been received in cash, or if the household has no qualifying income, ERAP may accept a written attestation from the applicant regarding household income. If a written attestation without further documentation of income (or a fact- specific proxy as described above) is relied on, you must reassess household income for such household every three months. In appropriate cases, ERAP may rely on an attestation from a caseworker or other professional with knowledge of a household's circumstances to certify that an applicant's household income qualifies for assistance.

3. **Photo identification for Head of Household:** PA Driver's License, photo ID, Passport, and for every adult over the age of 18 years old
 - a. If the ID does not match the lease, the non-profit agency must provide at least two documents that verify residency on the lease.
 - b. Approved documents include but are not limited to: recent utility bills, PA Public State benefits, medical insurance, WIC, official court documents, bank statement, check stubs, and/or sufficient documentation showing proof of occupancy.
4. **Copy of the current executed lease or rental agreement, including any addenda**
 - a. If a household does not have a signed lease, documentation of residence may include:
 - i. evidence of paying utilities for the residential unit,
 - ii. a written attestation by a landlord who can be identified as the verified owner

- or managing agent of the unit, or,
 - iii. a written attestation by a sub-lessor who can provide identification
5. **Evidence of rental arrearages, if applicable**
- a. Ledgers for rental arrearages can be received from tenants or landlords that show arrearages that are within the guidelines of the program.
 - i. **Proof of financial hardship** due to the COVID-19 outbreak under ERA1, or during the coronavirus pandemic under ERA2, such as evidence of a household member's current qualification for unemployment benefits or written attestation of financial hardship due to (ERA1) or during (ERA2) the coronavirus pandemic written on the ERUC Application.
 - ii. **Proof of risk of homelessness or housing instability**, such as a past due utility or rent notice or eviction notice, evidence of unsafe or unhealthy living conditions, or written attestation of housing hardship due to (ERA1) or during (ERA2) the coronavirus pandemic on ERUC Application.
 - iii. **Clients in hotels or motels.** Must provide Housing Search Log showing that they are working towards obtaining a unit such as a house, apartment, or room with a lease.
6. **Evidence of utility arrearages, if applicable**
- a. Ledgers for utility bills can be received from tenants or landlords that show arrearages that are within the guidelines of the program.
7. **Written Attestation Without Further Documentation:** To the extent that a household's income, or a portion thereof, is not verifiable due to the impact of COVID- 19 (for example, because a place of employment has closed) or has been received in cash, or if the household has no qualifying income, ERAP may accept a written attestation from the applicant regarding household income. If a written attestation without further documentation of income (or a fact-specific proxy as described above) is relied on, you must reassess household income for such household every three months. Inappropriate cases, ERAP may rely on an attestation from a caseworker or other professional with knowledge of a household's circumstances to certify that an applicant's household income qualifies for assistance.
8. **Proof of financial hardship** due directly or indirectly to the Covid-19 outbreak (for ERA1), or during the Coronavirus pandemic (for ERA2), such as:
- a. proof of rental arrearages
 - b. proof of utility arrearages
 - c. an eviction notice
 - d. written attestation evidence of a household member's current qualification for unemployment benefits
 - e. written attestation of financial hardship on ERAP Application.
9. **Proof of risk of homelessness or housing instability**, such as a past due utility or rent notice or eviction notice, evidence of unsafe or unhealthy living conditions, or written attestation of housing hardship due to the COVID-19 outbreak on ERAP Application.
- a. Unsafe or unhealthy living conditions include broken appliances such as a furnace or stove, non-functional utilities, insect and/or vermin infestations, or structural damage that the household believes to threaten their well-being.
 - b. Photo documentation must be provided by the household to the ERAP provider.
10. Housing stabilization plan, goals worksheet, and/or household budget, as appropriate



11. YWH ERAP Landlord Letter executed by the landlord (for rental assistance payments)
12. A completed W9 form executed by the landlord (for rental assistance payments)
13. Evidence of rental arrearages, if applicable
14. Utility bill(s) showing amount of utility arrearages, if applicable. Utility bills can include water, electricity, gas, and internet.
15. Copy of check/credit card authorization request for each payment
16. Proof of rental/utility assistance payment(s) to vendor, after payment is made, such as a copy of the check, ACH transfer number and date, etc.

Policy 4: Documentation Required for Households that have Received Assistance and Recertify

If a client has received ERUC funding and needs additional months of rental and utilities assistance, they must be re-certified. Here is what is required to be recertified:

1. Case manager must verify an executed lease is on file and household still resides at that same address. If household has moved, a new eligibility determination must be made.
2. Income Eligibility Worksheet
3. Proof of Income for the last 30 days, which can include:
 - a. Employment pay stubs for all adult household members for the last 30 days
 - b. Welfare cash assistance award letter
 - c. SSI or SSDI award letter
 - d. Unemployment award letter or check stubs, stating amount received for the last 30 days
 - e. Workman's compensation award letter, stating amount received
 - f. Pension or retirement documentation
4. Written attestation of current financial hardship
 - a. Under ERA2: risk of homelessness or housing instability due directly or indirectly to the COVID-19 outbreak
 - b. Under ERA2: risk of homelessness or housing instability during the Coronavirus pandemic
5. YWH ERAP Landlord Letter executed by the landlord (for rental assistance payments)
6. Copy of check/credit card authorization request for each payment
7. Proof of rental/utility assistance payment(s) to vendor, after payment is made, such as a copy of the check, ACH transfer number and date, etc.

Policy 5: Program Requirements for Landlords

1. Landlords cannot receive financial assistance through this program without the participation of their tenant.
2. For landlords that receive funds under the ERAP program for prospective rent or for rental arrearages, they are prohibited from evicting the participating tenant for nonpayment of rent with respect to the period covered by the assistance. In addition, they are prohibited from evicting tenants for nonpayment of rent for 60 days longer than the period covered by the rental assistance.⁷
3. In order to remove barriers a household may face in accessing new housing, ERAP may, at the tenant's request, provide assistance for rental or utility arrears after an otherwise eligible tenant has vacated a unit.⁸
4. It may be required for the landlord to provide proof of ownership, proof of authorization for property management, and/or proof that landlord resides separately from the tenant.

⁷ This is allowable per Treasury FAQ #32, [FAQs | U.S. Department of the Treasury](#).

⁸ This is allowable per Treasury FAQ #40, [FAQs | U.S. Department of the Treasury](#). However, Montgomery County is



choosing not to “requir[e] the landlord or utility provider to notify the tenant that payment has been received and that there will be no further collection efforts.”

Policy 6: Clarity HMIS

1. 2-1-1 is required to enter all pre-screen data into the Clarity HMIS system within 2 business days, but preferably sooner, of the initial call-in. Households who pass the pre-screen will be referred to a subrecipient.
2. For households that were referred, household information will be entered into Clarity HMIS by the subrecipient that received the referral. For walk-ins who pass the pre-screen, household information will be entered into Clarity HMIS by the subrecipient.
3. All County staff and subgrantees working on this project need to abide by the [HMIS Policy and Procedure Manual](#).

Policy 7: Allowable Administration

For direct Administration costs under **ERA1 Federal**, the County is allowed up to 10% of the total allocated funds. The County is distributing this between subrecipients (approximately 5.4%) and the County. Administrative costs for subrecipients will be calculated in relation to the disbursed assistance administered, calculated on a regular interval, excluding the County's own administrative costs.

For direct Administration costs under **ERA1 Commonwealth**, the County is allowed up to 9.09% of the total allocated funds. The County is distributing this between subrecipients (approximately 5.4%) and the County. Administrative costs for subrecipients will be calculated in relation to the disbursed assistance administered, calculated on a regular interval, excluding the County's own administrative costs.

For both **ERA1 Federal** and **ERA1 Commonwealth**, subrecipients may only charge administrative costs to the ERA1 award after September 30, 2022, for award closeout activities, such as preparation of final financial and performance reports. Subrecipients must submit all their final financial, performance, and other reports to the ERA grantees no later than 90 calendar days (or an earlier date as agreed upon by the ERA grantee and subrecipients) after the end date of the period of performance (see 2 CFR 200.344(a)).

For direct Administration costs under **ERA2 Federal**, the County is allowed up to 15% of the total allocated funds. The County is distributing this between subrecipients (approximately 5.4%) and the County. Administrative costs for subrecipients using ERA2 funds will be calculated in relation to the disbursed assistance administered, calculated on a regular interval, excluding the County's own administrative costs.

For direct Administration costs under **ERA2 Commonwealth**, the County is allowed up to 13% of the total allocated funds. The County is distributing this between subrecipients (approximately 5.4%) and the County. Administrative costs for subrecipients using ERA2 funds will be calculated in relation to the disbursed assistance administered, calculated on a regular interval, excluding the County's own administrative costs.

For both **ERA1** and **ERA2**, an indirect cost rate of 10% (of actual administrative costs) will be applied at the end of the nonprofit's period of performance. The County will also apply a 10% indirect cost rate for its administrative costs.

Only direct incurred costs are eligible for Administration, such as staffing and equipment specifically for the ERAP program. Indirect administrative costs will be covered by the indirect cost rate.

Administrative payments will only be processed if the following is achieved:

- An executed Subrecipient Payment Request form between the County and provider
- ERAP Administration spreadsheet is available upon request, outlining the direct costs associated with the project
- Copy of payroll register for all staff on the spreadsheet is available upon request, as backup documentation
- Any other applicable backup documentation for any other eligible costs charged

Policy 8: Complaints

All program complaints should be reported to the Homeless Prevention Program Manager who will follow up as necessary. The Program Manager will respond to complaints within 10 business days.

April McNeal

Phone: 610-278-3506

Email: amcneal@montcopa.org

Households whose application has been denied can re-apply to the program 30 days from the date of denial.

Discrimination:

To make a complaint of discrimination on the grounds of race, color, religion, national origin, sex, disability, familial status, and/or limited English proficiency covered by Title VI of the Civil Rights Act of 1964, members of the public should contact the to the [Housing Equality Center of PA](#). They can be reached by phone at 866-540-FAIR, by email info@equalhousing.org, or using an online form at <https://www.equalhousing.org/report-discrimination/>

Policy 9: Fraud, Waste, & Abuse

When a nonprofit agency has reason to believe that a client, landlord, or employee may have abused the program, immediate action is required to gather more information regarding the validity of the concern or claim and, if valid, the nature and extent of the abuse. The nonprofit should collect as much information as possible about the case so that a fair and informed decision can be made. The agency may confront the client, landlord, or employee with any information it has and discuss the facts.

Fraud is defined as the wrongful or criminal deception intended to result in financial or personal gain. Fraud includes false representation of fact, making false statements, or by concealment of information.

Waste is defined as the thoughtless or careless expenditure, mismanagement, or abuse of resources to the detriment (or potential detriment) of the U.S. government. Waste also includes incurring unnecessary costs resulting from inefficient or ineffective practices, systems, or controls.

Abuse is defined as excessive or improper use of a thing, or to use something in a manner contrary to the natural or legal rules for its use. Abuse can occur in financial or non-financial settings.

For members of the public who believe they are aware of fraud, waste, or abuse, including noncompliance with program guidelines, they should reach out to the Homeless Prevention Program Manager and notify her right away so the issue can be investigated:

April McNeal

Phone: 610-278-3506

Email: amcneal@montcopa.org

- As the administrator responsible for the management of the ERA Program funds, Montgomery County will take reasonable efforts to identify waste, fraud, and abuse.
- Fraud will be reported to the State or Local law enforcement agency, as applicable.
- Fraud in excess of \$100,000 will also be reported to Treasury Office of the Inspector General (Treasury OIG).
- Individual fraud associated with a single IP address, or other linking factor, that collectively exceeds \$100,000 will be reported to Treasury OIG.
- Fraud or schemes involving public officials or employees of the ERA Grantee and/or sub grantee agency will be reported to Treasury OIG regardless of the amount of the fraud.
- To file a complaint, citizens may visit <https://oig.treasury.gov/report-fraud-waste-and-abuse>

Policy 10: Conflict of Interest

The ERAP programs follows the County’s Code of Conduct and Conflict of Interest Policy for all employees, officers, volunteers, agents, grantees, and vendors. All employees working under the ERAP program, including Montgomery County and subrecipient staff, shall conduct themselves at all times in the best interest of the ERAP program.



Policy 11: Reports & Monitoring

By submitting a Payment Request Form for a household assisted, the Subrecipient Case Manager is confirming that they have all required documents outlined in this manual and will retain all applicable records for this project consistent with [24 CFR 578.103](#), including Participant Files. Montgomery County will conduct internal monitoring of the program. Additionally, subrecipient staff will be expected to participate in weekly programmatic check-in calls, led by the Montgomery County Office of Housing and Community Development’s Your Way Home Operations Team. Subrecipient Staff may also be expected to participate in compliance review(s), end of program close-out evaluation, and final report(s).
