

January 8, 2021

The Honorable Joseph R. Biden  
U.S. President-Elect  
Washington, D.C.

Ms. Janet Yellen  
Secretary Designate  
U.S. Department of the Treasury  
Washington, D.C.

Ms. Marcia Fudge  
Secretary Designate  
U.S. Department of Housing and Urban  
Development  
Washington, D.C.

To President-Elect Biden, Secretary Designate Yellen and Secretary Designate Fudge:

On behalf of the National Low Income Housing Coalition and the NLIHC-led Disaster Housing Recovery Coalition (DHRC), I write to urge you to take immediate action to provide state and local governments with the timely and clear guidance required to distribute critically needed emergency rental assistance to millions of households at risk of losing their homes this winter. Nearly one in five renters are behind on their rent; experts estimate that these households already owe between \$34 billion to \$70 billion in back rent, and up to 30 million to 40 million renters could lose their homes. In response to this unprecedented crisis, Congress enacted emergency COVID-19 relief legislation, including \$25 billion in rental assistance to be administered by the Treasury Department through the Coronavirus Relief Fund (CRF) to help ensure America's lowest-income and most marginalized individuals, including people of color, seniors, people with disabilities, families with children, women, LGBTQ individuals, and others, remain stably housed during this global health crisis. To protect renters from losing their homes – and with them, the ability to keep themselves and their families safe from the pandemic – the Treasury Department must act quickly to provide guidance on the Emergency Rental Assistance (ERA) program to help state and local governments efficiently and effectively distribute aid to individuals with the greatest needs.

The DHRC includes more than 850 local, state, and national organizations focused on ensuring the lowest-income and most marginalized survivors have stable, affordable housing while they work to recover after a disaster. During the pandemic, the DHRC quickly mobilized to lead a national effort to prioritize the health and safety of low-income renters and people experiencing homelessness.

The DHRC developed these recommendations for the ERA program – outlined below – with direct input from local stakeholders about challenges and lessons learned in responding to the pandemic. Our recommendations are also based on NLIHC's [recent analysis of more than 500 state and local rental assistance programs](#) created or expanded during the pandemic.

The insights from these stakeholders and research underscore the critical need for the Treasury Department to ensure its guidance addresses the challenges experienced by localities in administering rental assistance programs funded through CRF and other CARES Act resources. These challenges largely stem from the lack of clarity in federal guidance and overly burdensome application processes and documentation requirements, which in some instances, increased application processing times, discouraged eligible households from seeking assistance, and prevented some states and localities from spending down CRF resources in a timely manner, despite the clear and overwhelming need. To the greatest extent possible, Treasury should avoid overly restrictive requirements, make clear that self-certification is the

preferred method for meeting different criteria, and bar or discourage grantees from imposing additional, unnecessary requirements.

The Treasury Department should also ensure that guidance for ERA encourages states and localities to design their rental assistance programs using evidence-based best practices. The Treasury Department should work closely with the U.S. Department of Housing and Urban Development (HUD) to collect and disseminate best practices and lessons learned.

### ***Ensure State and Local Flexibility***

In issuing guidance, the Treasury Department should reassure states and localities of their statutory flexibility in administering rental assistance programs. Under the CARES Act, some administrators feared that the Treasury Department would issue further guidance and that their current implementation of their rental assistance program would be found to be out of compliance and therefore their jurisdiction would owe money back to the federal government. To address this challenge, the Treasury Department should, at the outset, reaffirm the broad statutory discretion given to state and local governments.

### ***Prioritize Households with the Greatest Needs***

#### Income Targets

The statute requires that states and localities serve households with incomes at or below 80% of the area median income (AMI) and prioritize households with incomes at or below 50% AMI. The Treasury Department should further define the prioritization of funds by directing states and localities to set aside at least 40% of total ERA funds for extremely low-income households and 70% of total ERA funds to households with incomes below 50% of AMI. Extremely low-income should be defined as it is under HUD's national Housing Trust Fund program to include households with incomes below the federal poverty limit or 30% of AMI, whichever is higher. In rural areas, AMI should be based on the statewide, non-metropolitan statistical area.

Without strong provisions setting aside funds for renters with the lowest incomes, states and localities tend to shift resources away from households at the greatest risk of housing instability, evictions, and homelessness – often households who are most difficult to reach and serve – and toward households with relatively higher incomes. Setting spending thresholds encourages states and localities to spend resources more effectively by ensuring that households most at risk of housing instability, evictions, and homelessness are prioritized.

Including strict income targeting also ensures greater racial equity; systemic racism leaves households of color as disproportionately extremely low-income, while higher-income renter households are more likely to be white.

#### Additional Prioritization for Assistance

While the statute allows grantees to establish additional prioritization for assistance, the Treasury Department should ensure that such prioritization categories are based on measurable need. Examples include, but are not limited to, households with incomes at or below 30% of AMI, those with severe housing cost-burdens, or those who are doubling or tripling up with other households, who have an accumulation or expectation of back rental or utility payments, and who are experiencing homelessness at the time of application.

The Treasury Department should encourage grantees to target outreach and assistance to census tracts with the highest number of low-income and rent-burdened tenants, using tools such as the [rental assistance prioritization tool](#) developed by the Urban Institute as part of the [Framework for an Equitable COVID-19 Homelessness Response](#) or the [social vulnerability tool](#) created by the Centers for Disease Control and Prevention (CDC). Tenants should also be allowed to self-certify these conditions. Assessments should include pre-pandemic economic conditions.

### Access for Marginalized Populations

Treasury should encourage grantees to subcontract with state and local organizations with a demonstrated history of serving marginalized populations including Black or Indigenous People of Color (BIPOC), immigrants, formerly incarcerated people, LGBTQ individuals, people with disabilities, women-headed households, and others. This would help ensure funds are being distributed in an equitable manner and reach households most impacted and harmed by the pandemic.

### Survivors of Domestic Violence

Ensuring access to safe, decent, and affordable housing for survivors of domestic violence, dating violence, sexual assault, sexual harassment, and stalking (“domestic or sexual violence”) is critical. The COVID-19 pandemic has exacerbated housing insecurity for survivors of domestic violence, and it has increased reports of domestic violence in the midst of shelter-in-place orders.

The Treasury Department should make clear that grantees must structure their programs to meet the unique needs of survivors, including the need for survivors to separate from perpetrators, with either the perpetrator or survivors leaving the rental home. Treasury should instruct grantees that:

- The term “eligible households” does not limit the ability of grantees to issue assistance to a household separating as a result of domestic or sexual violence, including offering rental assistance to remaining household members and offer other assistance, including moving expenses, security deposits, and rent, to the household members who move;
- Income eligibility should be separately assessed for the separate or separating households to reflect a change in income as a result of the separation;
- Survivors should be permitted to apply directly to the program for assistance if they are doing so as a result of domestic or sexual violence, including because they need to move;
- Confidentiality during the application process is critical to the survivor’s safety and the program must only contact survivors in a manner the survivor has stated is safe; and
- Partnerships with local and state domestic violence and sexual assault programs can help the grantees ensure that survivors’ needs are prioritized and considered in a trauma-informed way.

To better serve survivors of domestic violence and other households, including people experiencing homelessness, the statutory requirement for a rental obligation should be determined when payment is made to the landlord or renter, not when eligibility of the household is determined.

## Incorporating Expertise from People with Lived Experience

People with lived experience – including people experiencing homelessness and housing instability – should play a key role in designing state and local rental assistance programs. These individuals offer a unique and valuable perspective, and they can help ensure that programs are user-friendly and accessible. The Treasury Department should require states and localities to work directly with people with lived experience in designing and implementing programs.

## ***Use Self-Certification to Discourage Burdensome Requirements***

The Treasury Department should make clear that self-certification is the preferred method for state and local governments to meet statutory criteria and should bar or actively discourage entities from imposing additional, unnecessary documentation requirements. Self-certification will enable states and localities to quickly disseminate aid to households in need and prevent evictions and, in worse cases, homelessness during the pandemic.

## Financial Hardship

The statute establishes criteria for determining whether a household is eligible for assistance, including whether an individual can attest in writing to having experienced financial hardship “due, directly or indirectly” to COVID-19.

Treasury Department guidance should, to the greatest extent possible, encourage states and localities to minimize unnecessary or overly restrictive documentation requirements. Despite minimal requirements under the CARES Act, many state and local rental assistance programs required burdensome documentation from renters. These standards typically required renters to provide proof of hardship due to COVID-19, involving documentation of income before and after COVID-19. These requirements increased application processing times, discouraged eligible households from seeking assistance, and prevented many states and localities from spending down CRF resources in a timely manner, despite the clear and overwhelming need.

To this end, the statute expressly states that renters “shall attest in writing” to self-certify their financial hardship. Congress included this provision to discourage states and local governments from repeating the challenges experienced in implementing CARES Act-funded rental assistance programs.

Treasury should follow HUD’s lead on this issue. HUD’s Office of Multifamily Housing Programs, for example, has a COVID-19 FAQ that allows households in private HUD-assisted properties who have lost income due to the coronavirus pandemic to self-certify for annual or interim income recertifications. During the coronavirus national emergency, this certification can be provided to the owner by mail or email.

## Risk of Experiencing Homelessness or Housing Instability

Similarly, the statute provides that a household must demonstrate a risk of experiencing homelessness or housing instability. This can be demonstrated through “a past utility or rent notice or eviction notice” or “other evidence, as determined by the grantee.”

Requiring an eviction notice or past rent notice is far too restrictive and will result in many otherwise eligible households experiencing housing instability from being served. Eviction

notices occur too late in the eviction process to ensure that households have the time and ability to receive assistance, and they cause long-term harm to renters' ability to secure adequate housing in the future: they should not be required by grantees.

Instead, Treasury should encourage grantees to accept a broader and less restrictive range of evidence, including self-certification of one or more of the following or other similar indicators of housing instability: income at or below 30% of AMI, severe housing cost-burdens, doubling or tripling up with other households, accumulation or expectation of back rental or utility payments, and currently experiencing homelessness at the time of application.

### Financial Assistance

The statutory definition of “financial assistance” includes “(v) other expenses related to housing incurred due, directly or indirectly, to the novel coronavirus (COVID-19) outbreak as defined by the Secretary.” The Treasury Department should employ as broad a definition as possible that gives discretion to states and localities. Self-certification by the tenant should be the standard for demonstrating whether a household expense is “due, directly or indirectly, to” the pandemic.

### Income Determination

The statute allows grantees to consider: “(ii) sufficient confirmation, as determined by the Secretary of the household’s monthly income at the time of application...” Self-certification by the tenant should be the standard for meeting these criteria. Additionally, the Treasury Department should clarify that the requirement to recertify incomes every three months only occurs when income determinations are not made based on the household’s 2020 annual income. Expanded unemployment benefits and stimulus checks provided by Congress through COVID-19 relief bills should not be considered income for purposes of determining eligibility for the ERA program.

### Other

The Treasury Department should actively discourage or bar states and localities from imposing additional restrictions or documentation standards not required by law. For example, some rental assistance programs funded by CARES Act resources required eligible renters to prove future financial stability as a condition for receiving assistance. Unnecessary restrictions such as this only serve to prevent assistance from reaching households with the greatest needs who are most at risk of evictions and homelessness, undermining the purpose of emergency rental assistance funds provided by Congress.

## ***Ensure Financial Assistance Reaches Households in Need***

### Direct Payments to Renters

The statute expressly allows grantees to provide rental assistance funds directly to renters if their landlord refuses to participate in the program. This important provision stems directly from the challenges some states and localities experienced in distributing CARES Act-funded rental assistance. In some cases, landlords refused to complete a W-9 form or accept payment directly from the program, leaving renters ineligible for assistance. Some localities quickly adjusted their programs to allow funds to be provided directly to the renter – rather than the landlord – for the purposes of making rent payments when landlords were unresponsive. This change helped ensure housing stability and avoid unnecessary evictions during the pandemic.

The statute, however, is unclear on how long a grantee must wait after conducting outreach to the landlord before the grantee can provide assistance directly to the renter. With the primary goal of housing security in mind, the Treasury Department should issue guidance allowing states and localities to provide assistance directly to renters in as short a timeframe as possible after outreach to the landlord. This timeframe should be no longer than 7 calendar days, with “day one” beginning the day the landlord is contacted by the grantee.

The Treasury Department should require that states and localities immediately set up administrative processes (e.g. hotlines, online portals) that allow tenants to directly apply for rental assistance, taking into account language, technological, and disability-related barriers, among other accessibility considerations. Absent explicit Treasury guidance, states and localities may fail to set up timely and appropriate administrative processes for tenants to directly access rental assistance dollars, as required by the statute.

### Renter Protections

The statute establishes several protections for renters when landlords submit rental assistance applications on their behalf. These protections include requiring the landlord to obtain the renter’s signature on the application, to provide documentation of the application to the renter, and to use any payments to satisfy the renter’s rental obligations.

It is important that the Treasury Department strengthen and enforce these provisions. There must be sufficient enforcement in place to ensure that landlords that accept rental assistance payments do not continue to seek collection of back rent or use such rental obligations as the basis to formally or informally evict or otherwise force a tenant to vacate their home. The Treasury Department should deem acceptance of ERA a full satisfaction of a tenants’ rental obligations to an owner, as allowed by the statute.

Treasury should encourage grantees to disallow nonpayment evictions unless a landlord has first attempted to obtain rental assistance. In addition, in any eviction lawsuit for nonpayment of rent, Treasury should require landlords to declare, under penalty of perjury, the amount of federal rental assistance that they have received for the tenant household. The Treasury Department should create a hotline for renters to call to report landlords acting in bad faith.

Renters must be assured that landlords cannot pressure them to sign the application under threat of eviction or harassment. And, given the ongoing threat of COVID-19 and the technology and accessibility challenges faced by many households in need of rental assistance, the Treasury Department should be clear that states and localities may allow renters to sign applications remotely, via email and text, among other methods.

Treasury should require grantees to issue a written certification to tenant households who receive rental assistance, whether the assistance is paid directly to the landlord or the tenant household. The certification should include the amount of assistance and date of issuance.

### Housing Type

The Treasury Department should make clear that rental assistance is available to households living in hotels, motels, manufactured housing, mobile homes, single rooms, and other types of subsidized or unsubsidized rental homes. Rental housing costs should include gross rents associated with mobile home parks, as defined by HUD. Households currently experiencing

homelessness at the time of application should also be eligible for rental assistance to help move them into permanent housing solutions.

### Lease Requirements

Guidance should allow states and localities to assist households with written or oral leases, allowing households to self-certify lease agreements. Treasury should make clear that subtenants and tenants with informal tenancy arrangements are eligible to receive rental assistance. Treasury should direct grantees not to impose additional restrictions that would preclude tenants without a written lease, subtenants, and tenants with informal tenancy arrangements from accessing rental assistance.

### Eviction Moratoriums

Treasury should clarify that rental assistance can be provided even when federal, state, or local eviction moratoriums are in place. Some jurisdictions with CARES Act-funded rental assistance programs have interpreted the statute and regulations as barring eviction prevention assistance while moratoriums are active.

### Utilities

The Treasury Department should expressly allow utility assistance to cover the cost of home broadband internet service. Given the pandemic and the resulting reliance on internet for remote work, learning, and telehealth, it is critical that internet costs also be covered by assistance payments.

While Section (f) of the statute allows a landlord to assist a tenant applying for rental assistance, it is silent on whether a landlord can assist in applying for utility assistance. The Treasury Department should clarify that a landlord can also assist or apply for utility and home energy assistance on behalf of a tenant. Moreover, the agency should clarify that the tenant is able to apply for utility and home energy assistance under this program even if a landlord has already applied for rental assistance on behalf of the tenant under Section (f).

### Maximum Assistance

The statute allows grantees to provide assistance to households for up to 15 months. The Treasury Department should clarify any federally funded rental assistance received prior to February 1, 2021 (or another appropriate date) does not count against the 15-month maximum period of rental assistance set forth in the bill.

### Rental Arrears

The statute allows ERA funds to cover rental arrears under Section (c)(2). The Treasury Department should allow for a broad interpretation of the term “rental arrears,” by defining it to include any “unpaid past rental amount” and affirming that the term is intended to be broadly interpreted. Additionally, the Treasury Department should clarify that households do not need to have rental arrears to be deemed eligible for rental assistance. This will allow states and localities to serve households without putting them at greater risk of housing insecurity.

### Reallocation of Unused Funds

The statute requires that beginning on September 30, 2021, the Treasury Secretary “shall reallocate and repay such amounts to eligible grantees who, at the time of such reallocation, have obligated at least 65% of the amount originally allocated and paid to such grantee.” Reallocation of unused funds should first be within the state. Only if there are not appropriate grantees in the state should the funds be reallocated to other grantees in the region/nation.

### Prospective Rent Payments

The statute states that “to the extent that applicants have rental arrears, grantees may not make commitments for prospective rent payments unless they have provided assistance to reduce an eligible household’s rental arrears.” The Treasury Department should clarify that any reduction in rental arrears, including de minimis reductions, is sufficient to satisfy the limitation on prospective rent payments. Treasury should issue this guidance in order to allow parties the flexibility to enter into repayment agreements that waive past rent in exchange for payment of rent moving forward, which may be appropriate in many circumstances.

### ***Provide Effective Housing Stability Services***

#### Use Existing Definitions

The emergency COVID-19 relief bill states that up to 10% of rental assistance funds can be used to provide “housing stability services,” to be defined by the Treasury Secretary. Housing stability services have long been a key component of eviction prevention by providing households with the resources and services necessary to access and maintain permanent, stable housing. To the greatest extent possible, the Treasury Department should define “housing stability services” to include, at a minimum, those services allowed under HUD’s Emergency Solutions Grant (ESG) program. Under the ESG program, “housing relocation and stabilization services” include financial assistance to cover rental application fees, security deposits, last month’s rent, utility deposits, and moving costs, among other allowable expenses. The HUD definition also covers services, such as housing search and placement, case management, mediation, legal services, credit repair, and housing counseling. Using existing program rules and definitions will help expedite the delivery of resources, streamline processes, and allow states and localities to better layer resources.

Given the prevalence of unlawful evictions and other landlord misconduct, the Treasury Department should expressly allow funds to be used to cover legal services, which are vital to ensuring renters can remain stably housed.

#### Ensure Adequate Funding

The Treasury Department website outlines key information about the ERA program, including information related to housing stability services. Through this document, the Treasury department has misinterpreted the statutory language related to administrative fees; if not corrected, this will undermine the ability for states to provide housing stability services to households in need.

While the website correctly notes that “not less than 90 percent of awarded funds must be used for direct financial assistance,” it incorrectly holds that the remaining 10% of funds are to be used for both (1) housing stability services and (2) administrative fees. Section (c) of the

emergency COVID-19 relief bill outlines how states and localities can use available funds, providing clear, separate allocations of funding for housing stability services and administrative fees.

Subsection (c)(2)(A) states that “not less than 90 percent of the funds received by an eligible grantee from a payment made under this section shall be used to provide financial assistance to eligible households.” Subsection (c)(3) Housing Stabilization Services states that “not more than 10 percent of funds received by an eligible grantee from a payment made under this section may be used to provide eligible households with case management and other services related to the novel coronavirus disease (COVID-19) outbreak, as defined by the Secretary, intended to help keep households stably housed.” A separate subsection of the bill – subsection (c)(5) – addresses administrative costs. This language holds that “not more than 10 percent of the amount paid to an eligible grantee under this section may be used for administrative costs attributable to providing financial assistance and housing stability services under paragraphs (2) and (3)...”

The Treasury department should interpret this provision as allowing a maximum of 10% of a grantees’ overall allocation to be used for administrative fees.

If not corrected, the current interpretation by the Treasury Department would make it nearly impossible for states and localities to provide critically needed housing stability services because administrative fees would quickly consume the available funds set-aside for this purpose.

### Blending Resources

Treasury should facilitate the blending of different federal, state, and local resources to ensure the housing stabilization service needs of households are met.

### ***Ensure Meaningful Data Collection and Reporting***

#### Compliance

The emergency COVID-19 relief package requires that the Department of Treasury, in consultation with HUD, publish reports quarterly on program outcomes. Collecting meaningful data allows for proper oversight and for policymakers and advocates to discern best practices and areas for improvement in programs and program design. The Treasury Department must ensure that states and localities fully comply with reporting requirements by providing specific directions to states and localities on the data needed to comply with reporting requirements.

For example, when reporting “the acceptance rate of applicants for assistance,” Treasury should clarify that grantees should report both the number of applicants deemed eligible and the number of eligible applicants who also accepted assistance. Grantees should also report the number of applicants deemed ineligible and the reasons for denial. When reporting “the outcome...for the eligible household at the end of the assistance period,” Treasury should clarify what date signifies the end of the assistance period for households only receiving back rent and for households who receive future rent payments.

## Disaggregation of Data

The statute requires such data to be publicly disaggregated by the gender, race, and ethnicity of the applicant. Treasury should further require that data be disaggregated by the smallest geography possible, such as block group or census tract, while protecting personally identifiable information. Disaggregating data by geography will allow researchers, academic institutions, and advocates to better understand gaps in program design and opportunities for policy improvements.

## Facilitate Research

The statute also directs the Treasury Department to make full and unredacted data available for statistical research purposes. The Treasury Department should ensure that the process for obtaining such data is open to any research entity capable of maintaining the security of the data and provide clear information about this process in its guidance.

## ***Clarify Key Terminology***

### HUD Definitions

Despite the broad statutory language of the CARES Act, state and local governments reported that the Treasury Department's guidance for CRF resources was too vague, stymieing efforts to distribute funds quickly and, in some cases, actively discouraging grantees from using CRF resources for activities that would have otherwise met the purpose of CRF. For example, initial Treasury guidance on April 22 defined costs "incurred" to be when a grantee has "expended funds to cover a cost." Revised guidance on June 30 sought to "clarify" the meaning of "incurred" only to provide guidance that was confusing and that precluded certain types of projects that would have been consistent with the intent of CRF. For example, some grantees were unable to use CRF to purchase existing vacant or underutilized structures and to convert them to non-congregate shelter facilities because the process would not fit the circumscribed timetable to expend the funds. Treasury's guidance was frequently couched in terms appropriate to the provision of goods or services, and it was not pertinent to most housing activities.

Even today, states and localities are confused about how the Treasury Department is defining key terms under the CRF program, such as "expend" and "incur." As a consequence, it has been challenging for many state and local governments to quickly spend down funding.

To avoid confusion and delay, the Treasury Department should expressly state in its guidance for ERA that the agency will use definitions provided by HUD to the greatest extent possible. For example, the Community Development Block Grant (CDBG) program uses the term "obligate" to mean that a grantee plans to use a certain amount of CDBG funds for a specific eligible activity, generally awarding obligated funds to a recipient entity which in turn "expends" the obligated funds by carrying out the eligible activity. In the HOME Investment Partnerships Program (HOME), HUD uses the term "commitment," meaning a grantee has: a legally binding agreement with contractors, subrecipients, and state recipients for specific activities; a reservation of funds for a nonprofit development corporation; or a written commitment to fund an activity. A "commitment to a specific HOME project" is defined as execution of a written agreement under which construction is reasonably expected to begin within 12 months of the date of the agreement.

The entities administering rental assistance programs are very likely to be familiar with HUD terminology, and they could more easily apply these definitions to the current allocation of rental assistance funds.

## ***Other Issues***

### Tribes and Tribally Designated Housing Entities

As sovereign nations, tribes and tribally designated housing entities (TDHEs) must be provided ERA funds in a manner that recognizes the right of tribal self-governance. Treasury should develop separate or additional guidance for the use of funds by tribes and TDHEs that provide the flexibility and authorities needed. For example, in many tribal nations, the TDHE owns and operates most available housing, and therefore, the TDHE must be eligible to receive rental assistance as a housing provider.

### Access for Federally Assisted Households

The emergency COVID-19 relief package states that “to the extent feasible, an eligible grantee shall ensure that any rental assistance provided to an eligible household...is not duplicative of any other federally funded rental assistance provided to such household.” Treasury should make clear that federally assisted households, such as those participating in the public housing, project-based Section 8, rural development, and Low-Income Housing Tax Credit programs, and renters with tenant-based assistance, are not per se ineligible for emergency rental assistance. Federal housing programs typically serve households with the lowest incomes who are most vulnerable to housing insecurity. While federal law allows federally assisted households to recertify their incomes – and therefore decrease the tenant contribution to rent – due to job loss or loss of income, many tenants accumulated back rent and now face housing instability, eviction, and, in worst cases, homelessness.

### Duplication of Benefits

Federal guidance should align with the statute by making clear that households can receive rental assistance from multiple sources, provided such assistance does not cover the same rent obligation at the same time. Section 501(k)(3)(B) provides greater flexibility for grantees by stated that “to the extent feasible” grantee shall ensure rental assistance is not duplicative.

Grantees should be able to fulfill that requirement by asking the household if they received other federally funded rental assistance (excluding the federal housing programs noted in the subsection above) for the same tenant obligation for rent for which they are seeking aid now. A household’s application for additional assistance that has not been received should not be considered duplicative. The grantee can then report that they took feasible steps to ensure that any rental assistance provided was not duplicative.

### Scams

Treasury should use all available tools to prevent predators from attempting to scam low-income renters under the guise of helping them apply for emergency rental assistance, as has been reported as happening in some communities. The Treasury Department must create a hotline for renters to report scammers and ensure robust enforcement to help protect America’s lowest-income and most marginalized households.

Treasury should establish standards for confirming landlords to discourage possible scams. Such standards could include confirming information with a county auditor, property management representative, or property management agreement.

Evictions risk lives, harm communities, and threaten our country's ability to contain the pandemic. We appreciate your efforts to quickly provide guidance to allow state and local governments to distribute critically needed emergency rental assistance to millions of households at risk of losing their homes this winter.

Sincerely,

A handwritten signature in cursive script that reads "Diane Yentel".

Diane Yentel  
President and CEO  
National Low Income Housing Coalition