

City of Corpus Christi U.S. Treasury Emergency Rental Assistance Program



Program Guide

October 2021



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I. Authorities And References

	Reference	Source	Link
A.	Statutory Authorization - Section 501, Division N, U.S. Treasury of Consolidated Appropriations Act Pub. L. No. 116-260, Enacted December 27, 2020	U.S. Treasury	https://home.treasury.gov/system/files/136/Excerpt_Section-501_PL-115-260.pdf
B.	U.S. Department of the Treasury Emergency Rental Assistance Frequently Asked Questions Revised August 25, 2021	U.S. Treasury	https://home.treasury.gov/system/files/136/ERA-FAQ-8-25-2021.pdf
C.	Grant Conditions	U.S. Treasury	https://home.treasury.gov/system/files/136/Emergency-rental-assistance-terms-FINAL.pdf
D.	U.S. Department of the Treasury Emergency Rental Assistance Program Payments to States and Eligible Units of Government	U.S. Treasury	https://home.treasury.gov/system/files/136/Emergency-Rental-Assistance-Payments-to-States-and-Eligible-Units-of-Local-Government.pdf
E.	General Information and Website	U.S. Treasury	https://home.treasury.gov/policy-issues/cares/emergency-rental-assistance-program

II. Definitions

Applicant: Any tenant, or landlord acting on behalf of a tenant(s), requesting assistance by submitting an application to the City of Corpus Christi's U.S. Treasury Emergency Rental Assistance Program.

Arrears: Any money or debt owed and unpaid by tenants related to the occupation of a residential dwelling, such as rent or utilities from previous months.

Area Median Income: Relative to a given household size, the median income for the HUD Metropolitan Fair Market Rent/Income Limits Area (HMFA) which the household is located as determined by the U.S. Department of Housing and Urban Development at <https://www.huduser.gov/portal/datasets/il/il2021/2021summary.odn> under the Corpus Christi, TX HUD Metro Area.

Household Members: All persons who reside in the same home. Individuals do not need to be related by blood, marriage, or formal institutions in any other legal capacity to be considered household members.

Household Income: Includes all income amounts, monetary or not, which: (1) go to, or on behalf of, the family head or spouse or to any other family member; or (2) are anticipated to be received from a source outside the family within 12 months of applying for assistance. Household income includes all household members over 18 years of age.

Income: Adjusted Gross Income as defined by the Internal Revenue Service.

Landlord: Any property owner(s) or management company(ies) of a residential dwelling (or multiple dwellings) who lease the use of that dwelling to a tenant in return for the regular payment of rent.

Lease (Formal or Informal): A binding legal agreement between a landlord and tenant permitting the tenant to reside in the landlord's dwelling in exchange for the regular payment of rent.

Rent: The agreed-upon amount paid by a tenant on a regular basis in order to reside in a landlord's residential dwelling.

City: For purposes of this document, "City" shall collectively refer to the City of Corpus Christi and its designated representatives and agents.

Tenant: A household of one or more persons obligated to pay rent on a residential dwelling.

Unemployment Benefits: Any state or federal benefits received by an eligible individual that has recently been terminated, laid off, or furloughed from their work or primary method of receiving a regular income.

III. Introduction

The United States Treasury Emergency Rental Assistance Program (“program”) for the City of Corpus Christi (“City”) is providing rental and utility cost assistance to households affected financially by COVID-19. The program is funded through the Emergency Rental Assistance program established by section 501 of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020).

The City of Corpus Christi has \$8,881,341.57 in available funding to provide direct assistance through a locally administered program. This Program Guide details the policies and procedures that shall govern the use of funds under the City administered program.

The program is designed to provide citywide emergency rental and utility cost assistance to individuals and households who are at risk of experiencing homelessness or housing instability due to the COVID-19 pandemic. Eligible applicants may receive assistance for rental arrears, forward rent payments, utility arrears, current utility costs, and other expenses as defined within this Program Guide. The total number of months covered by the program, for arrears, current and forward payments combined, may not exceed 15 months for each form of assistance (i.e., 15 months rental assistance, 15 months utility cost assistance).

Rental payments under the Program are made to landlords, property owners or management companies (hereinafter referred to as “landlord”) but, in certain circumstances, may be made to the tenant consistent with procedures outlined by the Treasury FAQs. Utility cost assistance will be provided in the form of a check paid directly to the tenant or provider.

IV. Program Overview

A. Program Objectives

The main objectives of the program are to:

- Keep people housed by preventing evictions for failure to pay rent.
- Reduce the cost burden on households that have been financially impacted by the COVID-19 pandemic by providing utility cost assistance.
- Serve the maximum number of households as quickly as possible while prioritizing households with the greatest need.
- Compensate landlords for unpaid rent.

B. Assistance Provided

The program provides financial assistance to cover the cost of rent and utility costs for City tenants who are behind on their rent, utility payments, and/or are at risk of eviction due to COVID-19. Eligible uses of funds are defined by guidance from the U.S. Treasury and are limited to:

Rent and Rental Arrears

- Rental arrears dating back as early as April 1, 2020.
- Forward rent paid in increments of up to three months. After each three-month period, applicants may apply to recertify that they continue to meet the program's eligibility requirements for up to an additional three months of forward rent. All past due amounts will be considered arrears at the time of recertification, and will be paid as arrears, not counting towards the three-month limit on forward rent.
- The program will reimburse monthly rental amounts up to a maximum of 120% of U.S. Housing and Urban Development (HUD) FY 2021 fair market rents (FMRs) based on unit size.¹
- The total number of months covered by the program, for both arrears and forward rent combined, may not exceed 15 months.

Utilities and Home Energy Costs

- Utility and home energy costs incurred as early as April 1, 2020, including the following:
 - Electricity
 - Natural gas
 - Propane
 - Water
 - Sewer
 - Trash removal
 - Energy costs (e.g., fuel oil)
- Utility assistance will be provided in the form of direct payment to utility providers or directly to the tenant.
- The total number of months covered by the program, for both arrears and current utility charges combined, may not exceed 15 months.
- To be recertified for assistance, applicants must provide proof that utility cost assistance was used for its designated purpose (i.e., utility payments).

Other Expenses

- "Other expenses" as defined by U.S. Treasury guidance, including:
 - Reasonable accrued late fees up to 15% of the total amount of rent
 - Internet service
 - Relocation expenses (including prospective relocation expenses), such as rental security deposits, and rental fees, which may include application or screening fees
 - Costs associated with obtaining a hearing or appealing an eviction

¹ FY 2021 FMRs are accessible at:

https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2021_code/select_Geography.odn.

- Hotel/Motel if the household is not eligible for other programs to cover the expense and the household has been temporarily or permanently displaced from its primary residence or does not have a permanent residence elsewhere

Per federal statute, program funds **cannot** be used for mortgage assistance.

C. Prioritization

The City is seeking to reach as many eligible applicants as possible, as quickly as possible. Many applicants may be referred to the program based on participation in similar programs. The City has previously supported households financially impacted by the COVID-19 pandemic by distributing Texas Emergency Rental Assistance (TERAP), Emergency Solutions Grant (ESG) funding, Community Development Block Grant Coronavirus (CDBG-CV), and COVID-response-ESG-CV funding. The City will work to transition eligible ESG applicants into the program to address any remaining needs. The City will continually monitor program expenditures and will prioritize completed applications for processing and payment based on the following statutory priorities:

- Applicant households with income below 50% AMI
- Applications from households that have at least one (1) individual who is unemployed and has not been employed for at least 90 days prior to date of application.

Rental arrears will be prioritized over forward rent and utility cost assistance; however, an initial award may address all forms of requested assistance. The U.S. Treasury has specified that if an applicant has rental arrears, a commitment for prospective rent payments cannot be made by the program unless it has also provided assistance to reduce the rental arrears. To address this concern, the program will seek to pay all rental arrears covered within the U.S. Treasury FAQs (i.e., no more than 15-months total, only rent after April 2020).

V. Application Intake and Eligibility

A. Application Process

The program is utilizing an Applicant Portal that can be accessed by both landlords and tenants online. To apply for the program, tenants and landlords are strongly encouraged to apply online for faster processing.

For those unable to apply online, an initial application may be submitted over the phone or in-person by contacting the Program Contact Center – In Person Location. The Contact Center will provide guidance for submitting supporting documentation. If the applicant is unable to submit supporting documentation electronically, they may bring their documentation to the in-person location for technical assistance with the application and documentation.

Ideally, each rental assistance application will have information obtained from both the tenant and landlord. Tenants that apply must provide contact information for their landlord. Likewise, landlords that apply will be required to provide contact information for the tenant(s) for which they are applying.

If the landlord does not participate by completing the application and providing required documents, the City may make the payment directly to the tenant, after following established processes in line with U.S. Treasury guidance. Before making any payment to a tenant, the City will develop an additional standard operating procedure based upon the U.S. Treasury guidance.

B. Application Review Process

Once an applicant is registered in the Applicant Portal, applicants will establish a username and password and will receive a unique application number to create and complete their application. The City is processing applications through an Applicant Management System (AMS). Once their application is submitted, it will be assigned to a Case Manager to review for eligibility in the AMS.

When the applicant meets all the eligibility requirements (recorded in the application's pre-eligibility questions) and has completed the application validation and certification, but the documentation is missing or inadequate, the Case Manager will communicate outstanding requirements and the attestation (in the case it is necessary) to the applicant via an initial Request for Information in AMS. This will send the applicant an alert via email to submit additional information and/or an attestation through the Applicant Portal. The Case Manager may also contact the applicant by phone. An applicant's status based on the unique application number is visible to the applicant at any time that the applicant logs into the Applicant Portal. If there is a status change, the applicant will be sent an alert via email.

When requesting missing documents or required information from a tenant, at least three (3) contact attempts will be made during a period of at least seven (7) calendar days at different times of day. If a tenant fails to respond to a missing document request within thirty (30) calendar days of initial email or phone contact, the application may be marked inactive.

The program will make a reasonable effort to obtain cooperation of landlords and utility providers to accept payments from the program. Case Managers will make at least three (3) attempts at different times of day by phone or email over a minimum of a five (5) calendar-day period to request landlord participation and submission of required documents in the Applicant Portal. Each outreach attempt to the landlord or utility provider must be documented.

If the landlord or utility provider fails to complete the landlord application or confirms in writing that they do not wish to participate, the program may proceed with processing the payment directly to the tenant in an effort to expedite emergency assistance to eligible individuals and households in need.

Once an application is determined to be eligible for funding by the Case Manager, it will be reviewed for quality control by a Team Leader prior to submission to the City for review. Once the City completes the review, the application total dollar amount is approved, and the funding is expended. Processing is completed by Accounts Payable. Applications that are determined ineligible will be similarly reviewed by a Team Leader and sent to the City to formally deny.

C. Eligible Household Criteria

Tenants may be eligible for rental and/or utility cost assistance under the program if all of the following requirements are met:

1. Applicant resides in and is obligated to pay rent on a residential unit within the City of Corpus Christi.
2. Household income is at or below 80% of area median income (AMI) for the City of Corpus Christi, TX Metro Area, as defined by the Department of Housing and Urban Development (HUD).²
3. At least one (1) individual in the applicant household qualified for unemployment benefits or experienced a reduction in household income due directly or indirectly to COVID-19.
4. The household can demonstrate a risk of experiencing homelessness or housing instability through documentation of past due rent, past due utility payment notice, or an eviction notice.
5. Funding for outstanding rent or utility assistance that is being requested through the program is not duplicative of any other assistance through federal, state, or local programs, nor non-profit organizations nor any other entity.

Participating tenants must agree to the terms of assistance and submit required documentation. Tenants are required to e-sign their application and agree to the required acknowledgements and certifications (see **Appendix 1: Tenant Acknowledgements And Certification**) to move forward in the program.

To receive payment, participating landlords will be required to complete and e-sign an application that includes certifications and acknowledgements accepting program requirements (see **Appendix 2: Landlord Acknowledgements And Certifications**). Landlords must also provide a completed IRS Form W-9, proof of property ownership, and a copy of the lease (if available).

Landlords are required to accept the following conditions as part of their signed acknowledgements and certifications to receive payment under the program:

1. Forgive any remaining penalties, interest, and not charge for court costs incurred during the period for which rent arrears assistance is received, or prior to April 2020.

² HUD AMI Data is available at: https://www.huduser.gov/portal/datasets/il.html#2020_data

2. Not evict a tenant for past due rent prior to April 2020.
3. Not evict a tenant for at least 60 days after assistance ends unless eviction is for cause other than non-payment of rent.

(1) Proof of Obligation to Pay Rent on a Residential Dwelling

Tenants should provide evidence of their rent obligation in the form of a lease, rental agreement, or other documentation showing the regular payment of rent from the tenant to the landlord. If no documentation is available, the City may accept attestations to support the confirmation of the household's obligation to pay rent as described in a program standard operating procedure and in accordance with Treasury guidance.

(2) Proof Of Income

Applicants must provide proof of income to demonstrate that the household income does not exceed 80 percent of AMI for the City of Corpus Christi, as reported by HUD for 2021. An applicant may demonstrate that their household meets the AMI requirement based on their 2020 total annual income.

Alternatively, an applicant may demonstrate that their household meets the AMI requirement based on their monthly household income with the two most recent months preceding the date the application is submitted. The program will review the monthly income information provided at the time of application and extrapolate over a 12-month period to determine whether household income falls below the 80 percent of AMI threshold. If no documentation is available, the City may accept attestations in combination with additional information, as described in a program standard operating procedure and in accordance with Treasury guidance.

(3) Proof Of Financial Hardship

Applicants must demonstrate financial hardship directly or indirectly related to the COVID-19 pandemic to be eligible for assistance. If no documentation is available, the City may accept attestations as described in a program standard operating procedure.

(4) Proof Of Housing Instability

Applicants must demonstrate a risk of experiencing homelessness or housing instability either directly or indirectly due to the COVID-19 pandemic. If no documentation is available, the City may accept attestations, as described in a program standard operating procedure.

(5) Eligibility Recertification

Applicants may receive forward rent in three-month increments starting with their initial application. To receive additional payments, applicants must be recertified every three months after their first date of payment for an additional forward rent payment (three months rent), up to the 15-month cap on total assistance.

To be eligible for additional forward rent, the applicant is required to recertify every three months to verify continued eligibility as per the above-described requirements to provide proof of financial hardship and proof of current housing instability. If they have received a check directly from the program, the tenant must also provide proof that assistance was used for its designated purpose (e.g., receipt, check to landlord and/or utility provider, most recent utility bill).

(6) Summary Of Required Documentation

First-Time Tenant Applicants (at least one in each category)

Proof of Rent Obligation

- Lease
- Past due rent notice
- Eviction notice
- Signed Attestation in some circumstances (See below for details)

Income Requirement

(Yearly or Monthly Calculation)

- Two most recent months of pay stubs or wage statements
- Signed wage/payment schedule from employer(s)
- IRS Form Series 1040
- Interest Statements
- W-2 Wage Statements
- Unemployment compensation statements
- Proof of govt. assistance through SNAP, Head Start, LIHEAP/CEAP, SNAP, SSI, TANF, Veterans Affairs Disability Pension, WIC, subsidized housing programs, Section 8 or data from third-party sources such as other state or federal programs

- Signed Attestation in some circumstances (See below for details).

Financial Hardship

- Unemployment compensation statement or other documentation
- Furlough notice, layoff notice, or other documentation of loss of employment;
- Pay stubs or other documentation showing a pattern of reduced income;
- Form 1040 for years 2019 and 2020 showing a reduction in income;
- Other documentation demonstrating a loss or reduction of income
- Signed Attestation

Proof of Homelessness or Housing Instability

- Past due rent notice
- Past due utility notice
- Eviction notice
- Validation of past rent due from the Landlord
- Signed Attestation

Recertifying Tenant Applicants (at least one in each category)

Proof of Financial Hardship

Updated documents listed above for three months since previous award

Proof of Housing Instability

Updated documents listed above for time since previous award

Utility Cost Assistance Applicants (all required)

Utility Provider

Utility provider

Name on account

Account number

Number of months for overdue charges

Bill or notice reflecting overdue charges

Landlord Applicants

Landlord Certification

Complete Form W-9 consistent with lease documentation

Proof of Ownership

Lease (preferred)

Signed Acknowledgements Form

D. Use Of Attestations for Eligibility Purposes

In some cases, applicant households may not be able to provide the necessary documentation to demonstrate eligibility even though they may appear to meet the eligibility criteria. To equitably meet the needs of these households and align with the Treasury's recommendations, the program permits the use of signed applicant attestations to demonstrate eligibility in lieu of the specified documentation.

Given the public health emergency, attestations may be applied to meet the eligibility requirements relating to financial hardship, proof of income, proof of residence/rental obligation and housing instability or risk of homelessness. Specific circumstances where attestations will be accepted are described below.

(1) Financial Hardship Attestation

Applicants must demonstrate financial hardship due to the COVID-19 pandemic to be eligible for assistance, as defined in the Proof of Financial Hardship requirements described above. If the applicant makes a reasonable effort to provide documentation but is unable to produce the required eligibility documentation, statutory language requires the City to obtain a written attestation signed by the applicant that one or more members of the household meet this condition.

(2) Income Attestation

If an applicant is unable to provide the forms of documentation to provide a proof of income, the City may accept income self-attestation under limited circumstances. These include:

- If the applicant is unable to provide a 1040 series form addressing the calendar year 2020, a W-2 form, pay stubs or other wage statements, tax filings, bank statements, or similar monthly pay documentation available to the applicant to support the determination of income, the program may accept an attestation from the applicant's current or former employer.
- The program may use categorical eligibility to accept a determination from third party sources such as a government agency that an applicant's household income has been verified to be at or below 80 percent of the area median income in connection with another local, state, or federal government assistance program, provided that the determination for such program was made on or after January 1, 2020.
- An applicant-provided attestation will only be accepted in cases where these documents are unavailable or if there are extenuating circumstances preventing the applicant from retrieving the documents. Income attestations should specify the monthly or annual income claimed by the household to ensure the household meets the applicable ERA requirements and to enable proper reporting.
- The program may accept 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 program assistance.
- The program has discretion to make exceptions to this documentation requirement to accommodate an applicant's disabilities, extenuating circumstances related to the pandemic, or a lack of technological access. In these cases, the program must make the determination and document the determination.

(3) Rent Obligation Attestation

If the tenant is unable to present adequate documentation of the amount of the rental obligation, the City may accept a written attestation from the applicant's landlord. This requirement may be satisfied through a signed letter from the landlord, or the landlord completing the online landlord application, indicating rent obligations on the application, and agreeing to the terms and conditions of the application.

In such cases of only having a written attestation from the applicant, assistance is only provided for 3 months at a time and will be no greater than 100% of the greater of the Fair Market Rent or the Small Area Fair Market Rent for the City of Corpus Christi, as most recently determined by HUD and made available at <https://www.huduser.gov/portal/datasets/fmr.html>. The applicant must also attest to no duplication of benefits. This approach is intended only to provide households with emergency needs the opportunity to gather additional documentation of the amount of rental obligation or to negotiate with landlords to avoid eviction.

Special housing arrangements were further clarified in the U.S. Treasury guidance (3/16/21) that states that financial assistance may be provided to households that are renting their residence under a "rent-to-own" agreement provided the terms of the Treasury guidance are met and the renter or household member:

- Is not a signer or cosigner of the mortgage;
- Does not hold the deed or title; and
- Has not exercised the option to purchase.

A rental payment for either a manufactured home and/or the parcel of land the manufactured home occupies are eligible for program rent payments.

(4) Housing Instability Attestation

Applicants must demonstrate a risk of experiencing homelessness or housing instability. When the required documentation is not immediately available, the applicant may provide a self-attestation identifying the applicable risk factors.

E. Duplication Of Benefits

Applicants may not receive assistance from the program which is duplicative of other benefits received. A duplication of benefits occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance.

Example #1: An applicant has received rental assistance through TERAP for the months of November 2020 to January 2021. However, the applicant will not receive any further assistance from the city program starting in February 2021. The applicant is eligible to receive the City program assistance beginning with February 2021 housing costs.

Example #2: An applicant is receiving ongoing rental assistance through a local non-profit organization that will cover all expenses until June 2021. They may receive funds for arrear not paid for by the non-profit organization but are not eligible for forward rental assistance through the program until they are no longer receiving assistance from the local non-profit organization. The applicant may be eligible for arrears accrued prior to initiation of the non-profit assistance.

Example #3: An applicant received TERAP assistance that covered rental arrears for the months of June and July 2020, but not the remainder of the eligible period. Rental arrears for those two months would not be eligible again for this assistance, but other arrears may be eligible.

Program payments may not duplicate any other rental assistance provided to an eligible household from federal, county, city, non-profit organizations, or other entities providing rental assistance. Assistance is considered a duplication if it is used to cover the same month's expenses. However, applicants that received rental assistance for previous rental costs may be eligible for the program if it is not used for the same expenses.

The City will conduct a duplication of benefit screening consistent with a defined standard operating procedure. Recipients must report all amounts of assistance received and the source of the assistance.

An eligible household that occupies a federally subsidized residential or mixed-use property may receive the program assistance, if the U.S. Treasury Program funds are not applied to costs that have been or will be reimbursed under any other assistance.

NOTE - If an eligible household receives a monthly federal housing subsidy (e.g., Housing Choice Voucher, Public Housing, or Project-Based Rental Assistance), the tenant may be eligible for assistance through the program as long as funds are not applied to costs that have been or will be reimbursed under any other federal assistance. In the application, the client attests to having no duplication of benefits.

VI. Landlord Requirements

A. Overview Of Landlord Requirements

Landlords wishing to participate in the program must:

- Provide the required documentation and complete the landlord application with required certifications and acknowledgements.
- Acknowledge that the funds provided will go only toward rent payments for the tenant, as well as that any monies provided beyond rental arrears will be used towards future rent payments for the tenant.
- Agree to accept rental payment on behalf of the tenant from the program. Forward rent will only be issued for up to three months at a time. Payments may not be applied to rental arrears accrued prior to April 1, 2020.
- Submit applicable lease (preferred), proof of ownership, and W-9.
- Provide accurate payment information for rental payments via direct deposit or check.
- Certify that there are no outstanding building or health code violations against the property.
- Agree not to pursue eviction for non-payment of rent while receiving rental assistance, and for 60 days after assistance ends.
- Forgive all late fees exceeding the 15% cap, penalties, interest, and court costs incurred during the period for which rent arrears assistance is received or prior to April 2020.
 - Forgive all penalties, interest, and court costs related to rent incurred between April 2020 and date of remittance of program rental assistance.
 - Please note that the program will cover late fees up to 15% of the total rent amount, as allowable within lease terms. Participating landlords will be required to forgive any late fees that exceed the program's allowance.

Participating landlords are prohibited from:

- Requiring, pressuring, coercing, or otherwise causing the tenant to pay any additional amount for rent or fees above what is paid by the program to cover the applicable months; and
- Accepting payments from tenants outside of the program payments for the months agreed upon.

To avoid conflicts of interest, landlords wishing to participate in the program must attest that, to their knowledge, there is no conflict of interest or identity of interest in receiving federal funds by way of a financial or familial relationship to any personnel of the City or its designated agents, Member of Congress, or any other party with an oversight or management interest in program

funds. This acknowledgement is included in the Landlord Acknowledgements and Certifications (see **Appendix 2: Landlord Acknowledgements And Certifications**).

B. Lease Requirements

The City will require that tenants and/or landlords provide a written lease as preferable or can establish evidence of a pattern of paying rent to receive rental assistance. If an applicant is unable to provide documentation of a pattern of paying rent, the program can accept a written attestation by the landlord who can be verified. The program will provide a template for this attestation. The landlord may not evict for non-payment of rent while receiving rental assistance under the program, and for 60 days after assistance ends.

VII. Reporting

The City will provide the following data to the U.S. Treasury as mandated for reporting requirements:

- Address of the rental unit,
- For landlords, the name, address, and social security number, tax identification number or DUNS number,
- Amount and percentage of monthly rent covered by program assistance,
- Total amount of each type of assistance (i.e., rent, rental arrears) provided to each household,
- Amount of outstanding rental arrears for each household,
- Number of months of rental payments for which program assistance is provided,
- Household income and number of individuals in the household, and
- Gender, race, and ethnicity for the primary applicant for assistance.

The City will also collect information as to the number of applications received in order to be able to report to the U.S. Treasury the acceptance rate of applicants for assistance. The U.S. Treasury's Office of Inspector General may require the collection of additional information in order

to fulfill its oversight and monitoring requirements. The City will comply with the requirement in section 501(g)(4) of Division N of the Consolidated Appropriations Act to establish data privacy and security requirements for information the program collects.

VIII. Program Timeline

The program will begin accepting applications through the online Applicant Portal on July 1, 2021. The program may cover up to a maximum of 15 months of rent arrears and forward rent combined for months beginning April 1, 2020 and dependent upon funding availability, may extend until September 30, 2022 per Treasury. Utility cost assistance for arrears and current charges is also limited to 15 months of assistance.

X. Right to Inspect Housing

The City will require landlords to certify that there are no health or building code violations against the property. The City reserves the right to inspect the rental unit and related facilities at least annually during the assistance period, and at such other times as necessary to assure that the unit is occupied by the tenant, that required maintenance, services and utilities are provided, and to investigate concerns related to provision of the program assistance.

XI. Conflict of Interest Provisions

No employee of the City who formulates policy or influences decisions with respect to the Emergency Rental Assistance Program, and no public official or member of a governing body or state or local legislator who exercise his functions or responsibilities with respect to the program shall have any direct or indirect interest during this person's tenure, or for one year thereafter, in the contract or in any proceeds or benefits arising from the Contract or to any benefits which may arise from it.

XII. Preventing Waste, Fraud, and Abuse

The program recognizes that the rapid distribution of assistance to provide urgently needed rental and utilities assistance in the City of Corpus Christi may attract potentially fraudulent behavior to receive funds. In order to mitigate the risk of potential waste, fraud, and abuse of funding, the program has integrated mechanisms throughout the application intake and review processes to identify faulty or potentially fraudulent information. Preventative measures are in place at each stage of the application review process to prevent waste, fraud, and abuse to the program. This includes:

- Review and verification of applicant information during the Case Manager review.
- Secondary review of applicant information during the quality control review; and
- Final review of applicant information and documentation when the application is reviewed and approved for payment.

Any applications requiring further review of tenant or landlord eligibility, potential cases of fraud, and applications that may be eligible but do not align with circumstances clearly delineated in program or Treasury guidance are reported to the Exceptions Panel for review. The Exceptions Panel is responsible for reviewing potential fraud identified at any stage of the review process.

If the program identifies any potential fraud after payment has already been processed to an applicant, it will be immediately reported to the Exceptions Panel to determine an appropriate course of action. This may include cancelling payment (if possible), requesting that the payee voluntarily reimburse the program for funds; formal notification to the payee that the City requires recapture of funds; or referral for potential prosecution.

XIII. Grievances And Appeals Policy

Should applicants, recipients of assistance, or landlords have a grievance or wish to appeal a notice of ineligibility, they should submit it in writing to the City via the Applicant Portal or send an email directly to the program email address. This submission should include their Application ID, applicant name, demographic information, and a detailed explanation of their request.

The City will respond to grievances within fifteen (15) days upon receipt. Review of the submission will be done by a different quality control Team Leader than the individual who conducted the initial review.

XIV. Anti-Discrimination

The program will maintain compliance with the following regulations, laws, and acts, as well as related City law.

A. Title VI (Civil Rights Act Of 1964)

Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, prohibit discrimination on the grounds of race, color, or national origin under programs or activities receiving federal financial assistance, including program.

B. Fair Housing Act

The Fair Housing Act, Title VIII-IX of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), prohibits discrimination in housing on the basis of race, color, national origin, sex, familial status, or disability, and applies to all grantees, subrecipients, and/or developers funded in whole or in part with HUD financial assistance. The City and program participants will certify that no person was excluded from participation in, denied the benefit of, or subjected to discrimination in any housing program or activity because of their age, race, color, creed, religion, familial status, national origin, sexual orientation, military status, sex, disability or marital status.

Among other included actions, it is illegal discrimination to refuse to rent to an individual based on any of these criteria. It is also illegal discrimination to impose different rental charges or limit privileges, services, or facilities of a dwelling. More information on the Fair Housing Act is provided at https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview.

C. Section 504 of the Rehabilitation Act and Americans With Disabilities Act

Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act prohibit discrimination on the basis of handicap in housing and community development programs and activities, particularly those that are assisted with HUD funding. Section 504 imposes requirements to ensure that "qualified individuals with handicaps" have access to programs and activities that receive federal funds. Program implementation, including any prioritization policies, must be consistent with the nondiscrimination provisions of the Federal civil rights laws, including, but not limited to the Fair Housing Act, Section 504 of the Rehabilitation Act, Title VI of the Civil Rights Act, and Title II or III of the Americans with Disabilities Act, as applicable.

D. Age Discrimination

The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance.

E. Americans With Disabilities Act

The Americans with Disabilities Act of 1990, as amended, (42 USC 12101 et seq.) prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereof.

F. Affirmative Outreach And Marketing

The City must make reasonable and documented efforts to market and outreach hard to reach populations and groups that would benefit from program services. Such efforts include:

- Using plain language materials.
- Posting materials on social media and organizational websites.
- Offering materials and information in accessible formats and multiple languages.
- Targeting distribution of information and materials to locations where hard-to-reach audiences may best be contacted.

XV. Privacy And Confidentiality

Personally identifiable information (PII) is information that can be used to distinguish or trace an individual's identity, such as names, Social Security numbers, addresses, driver's license

information, income, and employment. The program anticipates receiving PII from applications and will operate based on a standard operating procedure to ensure proper handling of PII and other sensitive information in client records.

Appendix 1: Tenant Acknowledgements And Certifications

The following Acknowledgements and Certifications are applicable to Tenants receiving funds through the United States Treasury Emergency Rental Assistance Program, as funded by the United States Department of Treasury (Treasury) for the City of Corpus Christi. These Funds are provided pursuant to Section 501 (“Section 501”) of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) authorizing rental and utility cost assistance funds (“Funds”) through the U.S. Department of the Treasury. The provisions of Section 501 and related guidance issued by the Department of the Treasury and City of Corpus Christi shall govern the use of these Funds. Such guidance shall be deemed to be incorporated as part of these Acknowledgements and Certifications.

CERTIFICATIONS

1. I certify that any lease, rental agreement, or utility bill provided is a true and accurate statement and that if approved to receive Funds, this award will be used to make direct rental and utility payments for the months specified in the application.
2. I certify that the rental property for which I am applying for assistance is my primary residence.
3. I certify that I (or a member of my household) am the account holder for the utility service(s) provided at the address of my residence, and any Funds received will be used for accounts associated with this address.
4. I certify that I have not received and am not aware of any duplicative benefit from another funding source, including but not limited to federal, county, or state government, non-profit organizations, or any other entity providing rental or utility assistance, nor shall I receive any duplicative benefits for months of rent or utility costs paid for by the City of Corpus Christi from these or any other organizations. If I receive any funding from the Texas Department of Housing and Community Affairs or any other organization, I will immediately report the assistance to the City of Corpus Christi.
5. I certify that all information relating to my eligibility for this assistance is true and accurate, including my eligibility under the following requirements:
 - a. I have experienced a loss or reduction of income due to the COVID-19 pandemic due to unemployment of myself or a member of my household, a reduction in income, incurring significant costs, or other financial hardship.
 - b. I am at risk of housing instability and/or homelessness.
 - c. I have accurately reported my income.
6. I certify that the gross household income indicated on my application and/or verified through the provided documentation is true and accounts for all sources of income by members of my household.

7. I attest that, to the best of my knowledge, there is no conflict of interest or identity of interest in receiving federal Funds by way of a financial or familial relationship to any personnel of the City or its designated agents, or any other party with an oversight or management interest in Program Funds.
8. If this application is completed by an Authorized Agent on behalf of the Tenant, the Authorized Agent hereby certifies that it is duly authorized to act on behalf of the Tenant as its agent with respect to this application.

ACKNOWLEDGEMENTS

1. I understand that any Funds provided will exclusively be used to pay for rent and/or utilities including arrears payments for the identified rental property. All payments will be applied to the month as defined by the City of Corpus Christi when providing Funds.
2. I understand these Funds may be repaid if the Landlord, Tenant, utility provider or any part of the application is later found to be knowingly inaccurate and ineligible.
3. I understand and acknowledge that the City of Corpus Christi is required to share certain information about me in order to ensure the Agency's compliance with all rules and requirements associated with the Funds from the City, and to secure the release of certain information from third parties, including utility providers and other agencies, in connection with my request for assistance.
4. I understand that my utility provider, or its affiliate, may supply information requested by the City of Corpus Christi in connection with an application for assistance and I consent to such disclosure and agree to hold them harmless against all liability in connection with this request. This information may include, but not be limited to, my account balance and payment history.
5. I acknowledge and agree that by submitting this application, the information provided herein may be used to access other government records or utility records that, along with the information in this application, may be disclosed to other government entities and contractors of the City of Corpus Christi in order to determine eligibility for the program, verify the accuracy of statements made on this application, and for audit and statistical purposes.

Appendix 2: Landlord Acknowledgements And Certifications

The following Acknowledgements and Certifications are applicable to Landlords receiving funds through the City of Corpus Christi's U.S. Treasury Emergency Rental Assistance Program, as funded by the United States Department of Treasury (Treasury) for the City of Corpus Christi. These funds are provided pursuant to Section 501 ("Section 501") of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) authorizing rental assistance funds ("Funds") through the U.S. Department of the Treasury. The provisions of Section 501 and related guidance issued by the Department of the Treasury and the City shall govern the use of these Funds. Such guidance shall be deemed to be incorporated as part of these Acknowledgements and Certifications.

CERTIFICATIONS

1. I certify that any lease or rental agreement provided is a true and accurate statement of tenancy and that the Tenant currently resides at the property for which I am the Landlord and that if approved to receive Funds, I will be obligated to use this award to make rental payments for the months specified in the application.
2. I attest that, to the best of my knowledge, there is no conflict of interest or identity of interest in receiving federal Funds by way of a financial or familial relationship to any personnel of the City or its designated agents, or any other party with an oversight or management interest in Program Funds.
3. I certify that the Unit is habitable and does not endanger the health of the Tenant, and that there are no outstanding building or health code violations against the rental property where the Tenant resides.
4. I agree not to evict Tenant for at least 60 days after assistance ends unless eviction is for cause. Under the City of Corpus Christi's U.S. Treasury Emergency Rental Assistance Program, "for cause" shall not include the following eviction filings: "owner wants possession", "non-renewal of lease", or "non-payment of rent." This clause does not preclude the landlord from seeking eviction for lease violations and/or for tenants who violate the health, safety, and/or peaceable enjoyment of the property.
5. I certify I do not have or have dismissed any pending eviction action against the Tenant. I understand that failure to dismiss any pending eviction action against the Tenant may result in recapture of Funds provided to the Landlord on behalf of the Tenant under the City of Corpus Christi's U.S. Treasury Emergency Rental Assistance Program.
6. I certify that I have not received and am not aware of any duplicative benefit from another funding source, including but not limited to federal, county, or city government, non-profit organizations, or other entity providing rental assistance, nor shall I receive any duplicative benefits for months of rent paid for by the City from these or any other organizations.
7. If awarded assistance through the City of Corpus Christi's U.S. Treasury Emergency

Rental Assistance Program, I forgive all penalties, interest and court costs incurred between April 2020 and the date of payment of the program. I understand that late fees are allowable when within lease terms, but cannot exceed the program allowance of 15% of the total rent amount. I agree to forgive any late fees that may exceed the 15% threshold.

8. If this application is completed by an Authorized Agent on behalf of the Landlord, the Authorized Agent hereby certifies that it is duly authorized to act on behalf of the Landlord as its agent with respect to this application.

ACKNOWLEDGEMENTS

1. I understand that any U.S. Treasury Emergency Rental Assistance Program Funds provided will exclusively be used to pay for rent and arrears payments for the Tenant applying for assistance through this application and that acceptance of such Funds represents full and complete payment of all rent arrears. All payments will be applied to the month as defined by the City when providing Funds. Forward rent will only be issued for up to three months at a time. Payments may not be applied to rental arrears accrued prior to April 1, 2020.
2. I understand the U.S. Treasury Emergency Rental Assistance Program Funds must be repaid by me if the Landlord part of the application are later found to be ineligible.
3. I understand that I am prohibited from requiring, pressuring, coercing, or otherwise causing the Tenant to pay any additional amount for rent or fees above what is paid by the program to cover the applicable months and accepting payments from Tenants outside of the program payments for the months agreed upon.
4. I understand and acknowledge that the City is required to share certain information about me in order to ensure the Agency's compliance with all rules and requirements associated with the Funds from the City.
5. I acknowledge and agree that the information provided herein may be used to access other government records that, along with the information in this application, may be redisclosed to other government entities and contractors of the City of Corpus Christi in order to determine eligibility for the program, verify the accuracy of statements made on this application, and for audit and statistical purposes.

By submitting this application, I (Landlord) certify that all information provided herein, to the best of my knowledge, is true and adheres to the guidelines set by the City of Corpus Christi's United States Treasury Emergency Rental Assistance Program for COVID-19. I understand this is a legally binding document and I may be subject to civil and criminal penalties if I knowingly provide false or misleading information related to this application and that any attempt to defraud the City of Corpus Christi or misuse these Funds will result in prosecution to the fullest extent of the law.