Emergency Rental Assistance: Prioritizing Renters Most in Need

June 15, 2021

Legal Requirements and Guidelines

Emergency Rental Assistance (ERA) grantees are required by law to prioritize assistance to households with incomes less than 50% of Area Median Income (AMI) and households where at least one member has been unemployed for 90 days or more. The law also allows grantees to establish further prioritization beyond these two categories.[1] The PA Department of Human Services also requires the same of grantees receiving Act 1 ERA funds.[2]

U.S. Treasury guidance (last revised May 7) requires grantees to document their prioritization systems and inform all applicants about available preferences.[3] Grantees are required to report their prioritization methods and to publicize them (including on their web sites, if applicable) by July 15, 2021.

Considerations for Prioritization

The impacts of the COVID-19 pandemic have disproportionally affected low-income, Black, and Latino renters in the Commonwealth. To address these disproportionate harms, **we recommend the following considerations and strategies for prioritization** to maximize the rate and impact of assistance going out to the most vulnerable households.

1. Determine priority populations and criteria, centered on equity
   - **Consider using additional criteria** beyond those required by legislation for special prioritization and outreach to those who may be more vulnerable to losing their homes: households with extremely low incomes (i.e. 30% AMI), households with pending or previous evictions, households with children, households fleeing domestic violence, households with recent episodes of homelessness, and people with disabilities.
   - **Neighborhood-level data** can be especially useful when individual data are not available or are burdensome to collect. There are several tools available:
     - Emergency Rental Assistance Priority Index : Produced by the Urban Institute, this tool provides neighborhood-level data that highlights areas especially vulnerable to housing instability, COVID impact, and social inequities.
     - PolicyMap : A mapping and analytics platform, this tool helps to identify and map different variables to quickly view how conditions differ by neighborhood.
     - Social Vulnerability Index : Produced by the U.S. Centers for Disease Control and Prevention (CDC), this tool identifies areas most at risk from major impacts like disasters.

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[1] Consolidated Appropriations Act, section 501(c)(4)
[2] PA DHS ERAP Instructions and Requirements, p.13
[3] U.S. Treasury ERA FAQ, Question 22

2. Prioritize through program design
   - **Prioritization is relevant at every stage.** What happens before an application is even submitted can be as important as determining which applications get prioritized for processing. Find out how the people you are prioritizing get their information and market your programs through those channels. Make sure that your application and program materials are easy to understand and are easily accessible, no matter the applicant's language, access to technology, or disability status.
   - **Allow self-attestation and provide direct-to-tenant assistance** to the maximum extent possible. The U.S. Treasury has repeatedly emphasized the importance of minimizing barriers for applicants. For income verification, use fact-specific proxies such as census tract median income. For rent verification, in the absence of written documentation, use the HUD Fair Market Rent as outlined in the [Treasury FAQ](#).[4]
   - **Rank and process**. During processing, prioritization can take the form of expedited consideration, with applications flagged for prioritization by a single factor or a more comprehensive points-based system. Some jurisdictions in other states have used weighted lotteries to mitigate the disadvantages faced by hard-to-reach tenants in a first come, first served system.

3. Establish strong partnerships
   - **Partnerships can support prioritization efforts** at every stage. Partners can get information to target communities, assist with applications for those who face the most barriers, and alert you to vulnerable people whom your program might be missing.
   - **Potential partners include** organizations on the ground serving particular communities, legal aid, courts, Continuums of Care, homelessness service organizations, public housing authorities, federally subsidized landlords, and landlord organizations.
   - **Outreach to small landlords** is critical because small landlords are more likely to serve people with low-incomes, more likely to be people of color themselves, and are operating with thinner financial margins than their larger, corporate counterparts. Because they are less resourced, small landlords may also be more likely to be unaware of ERA.

4. Evaluate and adapt
   - **Track the data** on who is applying, what neighborhoods they are from, and any other data relevant to your prioritization plan.
   - **Monitor for patterns and trends.** Look for indicators that show if your prioritization strategy is working as expected. For example, examine the time it takes to process applications or the rate of applications being submitted from prioritized groups or areas.
   - **Regularly review your strategies.** Reconcile and evaluate the data you are collecting to ensure you are achieving your prioritization goals.
   - **Adapt as needed**. Be proactive in making changes to your program design, communications approach, or partnerships to improve equity and efficiency.

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[4] U.S. Treasury ERA FAQ, Questions 4 and 5

Examples of Programs Using Prioritization and Reducing Barriers in Pennsylvania

Prioritization	Program	Description
Eviction, utility shutoff, and income prioritization	Chester County Department of Community Development	• Prioritizing people who may have utility shut off notices or have utilities shut off already • Funding an Eviction Court Program and paying arrearages on the spot • Have prioritization policies in place for renters at 50% AMI and below
Income prioritization	Cumberland County Housing and Redevelopment Authorities	• Can issue payment the day a complete application is received for renters with incomes below 50% AMI
Income and eviction prioritization	Erie County Department of Human Services	• The online application prioritizes by income - below 30% is high priority, 30%-50% is medium, and 50% - 80% is low • Case managers further prioritize if they have court ordered eviction notices
Community-based partnerships; reducing language and technology barriers	Lackawanna County Department of Human Services	• Partnering with a local Homeless Assistance Program and several community-based agencies which offer application submission, computer access, translation, and housing stability services
Income, eviction and equity prioritization; community-based partnerships with an equity lens	Montgomery County – Your Way Home Emergency Rent and Utility Coalition	• Prioritizing renters below 50% AMI and unemployed households with an additional lens on particularly vulnerable groups through the use of the Urban Institute's Emergency Rental Assistance Priority Index • Working as a coalition of six community-based non-profits, three of which are led by and serve people of color and one immigrant rights group
Income prioritization and partnership with landlords	Northern Tier Community Action Corporation in Elk and Cameron Counties	• Prioritization of people at or below 50% AMI • Partnered with the Elk County Landlord Association and working closely with landlords across Cameron County to get the information out to landlords and tenants

The Housing Alliance is a statewide coalition working to provide leadership and a common voice for policies, practices, and resources to ensure that all Pennsylvanians, especially those with low incomes, have access to safe, decent, and affordable homes. We promote common-sense solutions to balance PA's housing market and increase the supply of safe, decent homes for low income people.