



NEW YORK STATE SENATOR
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Emergency Rental Assistance Program Starts June 1

LIZ KRUEGER June 1, 2021

| ISSUE: **EMERGENCY RENTAL ASSISTANCE PROGRAM, HOUSING, TENANTS**



NY State's Office of Temporary and Disability Assistance (OTDA) will start accepting applications for the COVID Emergency Rental Assistance Program (ERAP) starting on Tuesday, June 1, 2021 at <https://otda.ny.gov/programs/emergency-rental-assistance/>. Enacted through this year's state budget, ERAP is expected to provide up to \$2.7 billion in emergency assistance to low and moderate-income tenants impacted by the pandemic.

Below, you will find an overview of ERAP, how to apply, organizations that can provide application assistance, and who to contact with more questions. Please note that while the information is current as of this writing, some details may change over the coming weeks and months. Since most of the funding for ERAP has come from the federal government, it is

possible that certain aspects of the program may need to be altered in response to new federal guidance. OTDA will also be operating a designated ERAP call center to answer questions and provide assistance that can be reached at 844-NY1-RENT (844-691-7468).

As a reminder, state eviction protections were extended through August 31, 2021 for tenants who lost income or had increased costs during the pandemic, or for whom moving would pose a significant health risk. In order to be protected, tenants must fill out a hardship declaration form and submit it to their landlord and/or the court. The hardship declaration form and more details are available online at <http://housingcourtanswers.org/hardship-declaration/>. Tenants with pending eviction cases are strongly urged to reach out to Housing Court Answers at 212-962-4795 for guidance and to be referred to free legal assistance.

Who is eligible for ERAP?

New York State tenants may be eligible for ERAP they meet all the following criteria:

- Household income before taxes is at or below 80 percent of the Area Median Income (AMI). AMI levels for NYC by household size are available online at: <https://www1.nyc.gov/site/hra/help/new-york-emergency-rental-assistance-program-erap.page>.
- A member of the household received unemployment benefits or experienced a reduction in household income, incurred significant costs or experienced other financial hardship, directly or indirectly, due to the pandemic.
- The applicant owes past due rent at their primary residence that was accumulated on or after March 13, 2020.
- The applicant is at risk of housing instability or homelessness (this can be demonstrated by having rental arrears owed on or after March 13, 2020).

There are no immigration status requirements to qualify for the program.

What benefits will ERAP provide?

Households approved for ERAP may receive:

- Up to 12 months of rental arrears payments for rents accrued on or after March 13, 2020.
- Up to 3 months of additional rental assistance if the household is expected to spend 30 percent or more of their gross monthly income to pay for rent.
- Up to 12 months of electric or gas utility arrears payments for arrears that have accrued on or after March 13, 2020.

Funds will be sent directly to building owners and utility companies; tenants will be notified by OTDA of payments made on their behalf. If an owner is difficult to locate or does not otherwise provide information needed to complete the application, funds will be held for up to 180 days to allow sufficient time to locate the landlord and collect required information.

How can tenants apply for ERAP?

Tenants will be able to apply online via OTDA's website starting on June 1 at otda.ny.gov/erap. While OTDA has not yet posted the application as of this writing, detailed information is currently available about eligibility criteria, the application process, and the documents that will be required to be submitted along with the application.

Is assistance available to help with applications?

New York City has contracted with community based organizations in all five boroughs to help tenants with the application process. A list of these organizations and their contact information is available online at <https://www1.nyc.gov/site/hra/help/new-york-emergency-rental-assistance-program-erap.page> (see ERAP Enroller Organizations). These organizations are the two organizations that have been contracted to help Manhattan residents apply:

Catholic Charities Community Services (serving residents in all of Manhattan except zip codes 10002, 10003, 10009, 10013)

<https://cccsny.org/>

888-744-7900

University Settlement (primary catchment area is zip codes 10002, 10003, 10009, 10013)

<https://www.universitysettlement.org/>

212-505-1995

How will applications be prioritized?

During the first 30 days after June 1, ERAP will prioritize applicants with incomes at or below 50% of AMI and who have been unemployed for at least 90 days, have eviction cases pending against them, are veterans or domestic violence survivors, live in buildings with 20 or fewer units and/or live in a community that was disproportionately impacted by the pandemic. After the first 30 days, applications will be processed on a first-come, first-served basis, as long as funds remain available. Funds are limited so all eligible households should apply as soon as possible regardless of whether they are in a priority group. More information on priority categories is available at <https://otda.ny.gov/programs/emergency-rental-assistance/#eligibility>.

Will tenants found eligible for ERAP receive any other protections?

In order to receive ERAP payments, landlords must agree to waive any late fees due on past-due rent and not increase tenants' monthly rent or evict them for one year, except in limited circumstances. See <https://otda.ny.gov/programs/emergency-rental-assistance/faq.asp> for more details.

Can landlords apply on behalf of their tenants?

Building owners can start an ERAP application, but both the landlord and tenant must complete certain parts of the application. When a landlord starts the application, the tenant will receive an email or text from OTDA asking him or her to complete the required tenant information. See <https://otda.ny.gov/programs/emergency-rental-assistance/faq.asp> for more details.

What if I have more questions?

OTDA has posted answers to many frequently asked questions about ERAP on its website at <https://otda.ny.gov/programs/emergency-rental-assistance/faq.asp>. The agency will also be operating a designated ERAP call center to answer questions and provide assistance that can be reached at 844-NY1-RENT (844-691-7468). Please note that the call center may not open until June 1.