

## VT State Housing Authority Rental Housing Stabilization Program

**Updated 9/3/2020**

### Frequently Asked Questions (FAQ)

These FAQs and answers may be subject to change and will be amended updated as necessary

The Vermont State Housing Authority (VSHA) Rental Housing Stabilization Program (RHSP) is for funding landlords on behalf of tenants in need of rental arrearage assistance due to COVID-19 to avert tenant eviction. This program will provide the VSHA Payment Standard or the actual amount due for the month(s) being claimed, whichever is less, per household at a single unit who meet eligibility criteria. The goal of this program is to prevent homelessness and to provide housing stability. The program design and requirements are subject to change based on

#### 1. Who is eligible?

Applications will be processed on a first come first serve basis. Homeless families will be referred to 211 and the VT Agency of Human Services. For an application to be complete it must have the following documents:

- Tenant Application
- Landlord Certification
- Landlord W-9
- Landlord Direct Deposit Authorization
- Voided Check for landlord account receiving Direct Deposit

Landlords are eligible to receive grants on behalf of tenants if the tenant has rent arrears and the unit does not have serious life safety code violations.

Landlord can apply if tenant has not paid rent nor applied for an RHSP grant. The tenant will be notified of the landlord's application and given an opportunity to apply for a grant to preserve the tenancy. If tenant applies, landlord has option of receiving all months due, but must certify and be bound by all program requirements. If tenant fails to apply for a grant within ten working days, landlord will be entitled to receive partial payment of arrears (½ of past due rent) and will retain the right to evict or proceed with an eviction. **This is the Group 2 option and requires further documentation from the landlord:**

- Proof of occupancy for tenant listed on Landlord Certification
- Tenant contact information (phone number, email, mailing address) if known
- Proof of arrearage (ledger)
- Date tenant vacated, or date you became aware of vacancy

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- A statement describing how you learned the tenant had vacated the unit, reason for vacancy if other than rent, if the unit has been re-rented and when (date), and if the unit is in rentable condition.

You must also indicate why you applied under Group 2 rather than Group 1:

- a. I am unable to get in touch with my tenant to apply for full back rent.
- b. I am in the process of selling my building/personal house and need the building to be empty.
- c. I need to get back into my home.
- d. The tenant is damaging the property
- e. Other reason: \_\_\_\_\_

**Vacancy Loss:** Landlords that initially applied for grant funds for rent arrearage under Group 1, but the tenant failed to submit an application, or applied seeking partial payment under Group 2 (but was denied grant funds because the tenant had vacated the unit before the grant claim was processed and paid), or the tenant vacated the rental units after March 1, 2020 owing unpaid rent. VSHA will pay half the amount owed for arrears incurred after March 1, 2020. Arrearages incurred before March 1, 2020 will not be reimbursed.

**Money to Move Program:** Tenants who are in unsustainable tenancies are eligible for rent arrears per program guidelines. These tenants will be encouraged to move to a sustainable unit and will be eligible for first and last months' rent and security deposit and where necessary rent payments through December 30, 2020, or beyond if program extended. Unsustainable may be defined as unaffordable, tenant is a victim of violent crime or abuse, or any reason the unit cannot be maintained by the tenant where finding a new unit would change this pattern. A new application will need to be submitted by the tenant and new landlord for consideration.

### 2. How much will the program pay?

This program will provide payments up to the VSHA Payment Standard or the actual amount of rent arrears due for the month(s) being claimed, whichever is less, for a household at a single unit who meet eligibility criteria. However there are some limitations as to length of time.

### 3. How do I apply?

Apply on-line at the VSHA web site, [www.vsha.org](http://www.vsha.org) by clicking on the COVID 19 Information tab. Fill out the Rental Housing Stabilization Program application for either Tenant or Landlord and submit it as directed. Both the tenant AND the landlord must complete

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application and certification forms as applicable. As a best practice, these forms should be submitted at the same time through a singular email and include the landlord W-9 and Direct Deposit payment information.

#### 4. **Is there a maximum amount of back rent the program can cover?**

There is not a maximum amount of back rent that can be requested but there are thresholds that will require more documentation for an application to be considered eligible for review. Those thresholds are:

- **Group 1 –**
  - Applications received before 1/1/2019
    - Tenant ledger (required)
    - Statement describing tenancy and reason for extended delinquency (required)
    - Letters (if available/applicable)
    - Copies of legal action (if available/applicable)
  - Applications with arrears greater than \$10,000
    - Tenant ledger (required)
    - any documentation of effort to collect, including court filing
- **Group 2 –**
  - All Group 2 Landlord Certifications
    - Proof of occupancy for tenant listed on Landlord Certification
    - Tenant contact information (phone number, email, mailing address) if known
    - Proof of arrearage (ledger)
    - Date tenant vacated, or date you became aware of vacancy
    - A statement describing how you learned the tenant had vacated the unit, reason for vacancy if other than rent, if the unit has been re-rented and when (date), and if the unit is in rentable condition
- **Group 2.B – (Vacancy loss)**
  - Copy of Rent Ledger
  - Date vacated, or date that the landlord became aware of the vacancy
  - Has the unit been re-rented, if so date ( ), if not rented is the unit in rentable condition Y or N.
  - Provide Tenant Contact information of new address if known.

#### 5. **Can I get help filling this out online? Can I get a paper copy?**

Yes. The applications are printable. If you are unable to fill out the form, please contact the appropriate agency below:

- Tenants call VT Legal Aid – 1-800-889-2047 **or fill out [Legal Help Request Form](#). (All tenants eligible)**
- Landlords call VT Landlords Association - 802-985-2764 or 888-569-7368 (no membership required)
- Rental Housing Stabilization Program – 802-828-2040, 802-828-1650, 802-828-5596

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### 6. How often can I apply?

Households can apply as often as needed if there is back rent due and payable through December 2020 and as long as there is money available in the fund.

### 7. If a landlord accepts the grant can the tenant still be evicted?

No. The conditions of the grant state that if a landlord accepts the grant payment they must:

- Drop any pending termination of tenancy or pending court case for eviction.
- Qualify the grant as payment in full for all back rent, even if the amount is less than the monthly contract rent.
- Waive all late fees.
- Not evict for nonpayment of rent for the same number of months in the future as the payment covers in the past, or six (6) months, whichever is greater.
- Not to raise the rent before January 1, 2021 or the end of the lease term, whichever is later.
- Make repairs in 30 days so that my unit is not in violation of housing codes.

### 8. Should I tell my landlord or tenant that I am applying?

Yes. Communication between tenants and landlords is important. Most landlords do not want to lose good tenants and good communication can only help. Also, the landlord will need to certify the amount of the claim by completing a Landlord Certification form.

### 9. How will the application be processed? How will the landlord get paid?

When both the Tenant Application and Landlord Certification forms are received by VSHA, they will be reviewed by VSHA staff. If approved, VSHA will transfer payment to the landlord by direct deposit. No paper checks will be mailed. If denied, the landlord and tenant will be notified by email. If either the landlord or tenant does not have email, then notification will be by First Class mail. Email is strongly encouraged and preferred for both public safety and programmatic efficiency.

### 10. How long will the program run?

The program will run until the funds are exhausted, the program ends, or December 30, 2020, whichever comes first, or the program is extended.

### 11. Will I have to pay back the money?

No. This is not a loan; it is a grant and will not have to be paid back. Both the landlord and the tenant are certifying the accuracy of the information each provides.

### 12. Is Lot Rent Eligible?

Yes, if you own a mobile home and rent space in a mobile home park.

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### 13. Are Homeowner Association (HOA) Fees Eligible?

Only if the HOA fees are included in the rent amount or if the HOA fee is a separate payment under the terms of a written lease.

### 14. How long until I find out if my application has been approved?

All decisions will be made within 10 working days of submission of a **complete** Landlord Certification and Tenant Application. Applicants will be provided 10 working days to appeal administrator's decision. Request for appeals must be in writing via email stating the reason for the appeal. Administrator will respond to appeal within 10 working days via email. For an application to be complete it must have the following documents:

- Tenant Application
- Landlord Certification
- Landlord W-9
- Landlord Direct Deposit Authorization
- Voided Check or other bank documentation with landlord account and routing number for Direct Deposit

### 15. Are there special provisions for victims of violence or stalking?

To ensure the safety of tenants, tenants who are victims of domestic violence, dating violence, sexual assault, or stalking may request additional funding to move to another rental unit even if they received rental assistance in the past or another member of their household received rental assistance. The ability to make such a request is available regardless of sex, gender identity, or sexual orientation.

### 16. Am I protected from discrimination?

VSHA and community partners, as well as landlords, are prohibited from discriminating on the basis of race, color, national origin or ethnicity, religion, disability, minor children, sex, gender identity, sexual orientation, abuse, sexual assault or stalking, age, receipt of public assistance, or marital status.

### 17. If a landlord accepts the grant, can they change the rent?

The program does not allow landlords to raise the contract rent before January 1, 2021, but there are a few exceptions:

- The intent of the program restriction was not to increase the amount of rent being paid by the tenant.
- For all properties. if a landlord issued the tenant a notice of a rent increase prior to July 13, 2020 (program start date), the increase can be implemented as noticed, even if that date falls between July 13, 2020 and December 31, 2020.
- In many cases the increase in contract rent is paid by an increase in federal subsidy, not the household. Some properties are required to follow federal regulations

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regarding changes to a tenant's rent; this program does not supersede that federal requirement.

- *USDA – Rural Development Properties* – Basic and Note Rate rents at these properties change based on a universal schedule, typically tied to the fiscal year of the property. Basic and Note Rate rents may change, with federal government approval, before January 1, 2021. Changes to tenant rent are based on federal requirements and are not impacted by this program.
- *HUD – Sections 8 (TRACS) Properties* – Contract rents are changed on a set contract anniversary date, utilizing a federal government issued OCAF percentage and a universal schedule for all units. Contract rents may change, with federal government approval, before January 1, 2021. Changes to tenant rent are based on federal requirements and are not impacted by this program.
- *HUD – Section 8 – Project-Based Housing Choice Voucher Properties* - Contract rents are changed on a set contract anniversary date, utilizing local Housing Authority Payment Standards and a universal schedule for all units. Contract rents may change, with Housing Authority approval, before January 1, 2021. Changes to tenant rent are based on federal requirements and are not impacted by this program.
- *HUD – Section 8 – Tenant Based Housing Choice Vouchers* - if a landlord issued the tenant a notice of a rent increase prior to July 13, 2020 (program start date), the increase can be implemented as noticed, even if that date falls between July 13, 2020 and December 31, 2020.
- *Low Income Housing Tax Credit (LIHTC) Properties* – For LIHTC properties where there is no overlaying federal assistance (i.e. USDA or HUD), the program restriction does apply.
- *Mobile Home Parks* – For mobile home park lot rents, the program restriction does apply.

### 18. I own/manage government assisted housing (RD, HUD) what do I list as the contract rent?

The full contract rent including the tenant portion and the subsidized portion of the rent.