



EXHIBIT E: JEFFERSON COUNTY EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP)

ERAP GUIDELINES

Jefferson County Commission,
Jefferson County, Alabama

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Emergency Rental Assistance Program Guidelines Revisions History

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Overview

The Emergency Rental Assistance Program was established by section 501 of Division N of the Consolidated Appropriations Act, 2021 (Act). The Act allocated \$25 billion to the U. S. Department of the Treasury (Treasury) to provide funds directly to states, territories, local governments, and Indian tribes for households that are unable to pay their rent and utilities due to the financial impacts of the COVID-19 pandemic. Jefferson County, Alabama received \$13,502,418 for the Emergency Rental Assistance Program under the Consolidated Appropriations Act, 2021.

Emergency Rental Assistance Program funding may only be used to provide financial assistance for rent, utility and home energy, and other expense related to housing. All household applicants, landlords, utilities, and home energy service providers must provide an attestation that all information included in the application for assistance is true, correct, and complete.

These Guidelines outline the Jefferson County, Alabama Emergency Rental Assistance Program requirements for eligible applicants through guidelines, and the administration requirements through policies and procedures. Guideline users may include potential applicant households, property owners, management agents, utility companies, Community Partner staff, as well as staff or agents of the U.S. Department of the Treasury, including the Office of Inspector General.

Authorization and Source of Funds

The Consolidated Appropriations Act, 2021, Division N, Title V, Section 501, Public Law 116-260 (Dec. 27, 2020) established the Emergency Rental Assistance Program. Treasury provided funds directly to states, local governments with populations of 200,000 or greater, and Indian Tribes to aid eligible households that are unable to pay rent and utilities due to the COVID-19 pandemic.

The Code of Federal Domestic Assistance number for the Emergency Rental Assistance funding is 21.023.

Program Requirements

Program Description

The Emergency Rental Assistance Program (ERAP) provides emergency rental and utility assistance grants to eligible individuals and households that have been economically impacted during the COVID-19 pandemic through job loss, furlough or reduction in hours or pay, or increased expenses, residing in eligible areas of the County of Jefferson, Alabama (see the Property Requirements section).

Emergency grants for rental and/or utility payments are made on behalf of an eligible applicant household, without a prescribed limit per month for a period of up to twelve (12) months, to maintain stable housing and/or to reduce rental or utility payment delinquencies as a result of the economic downturn during the COVID-19 pandemic. Households may request, if needed for housing stability, an additional three (3) months assistance if funding is available. Household assistance may not exceed fifteen (15) months for rent, rental arrears, and prospective rent (see the Type and Use of Assistance Available section).

All expenses funded through the Jefferson County ERAP must adhere to the provisions of the Consolidate Appropriations Act, 2021, the U.S. Treasury and Treasury OIG guidance, and the Jefferson County ERAP Guidelines.

Eligible Household

To be eligible, a household, which is one or more individuals that reside in a rental housing unit, must meet each of the three requirements listed in the Requirements Summary Table below. For additional information, see the respective subsections of this document that address in detail each of the eligibility requirements and respective documentation standards.

Eligibility Requirements Summary Table

Eligibility Requirement	Criteria Documentation
1. Be obligated to pay rent on a residential dwelling in the eligible area	a. Have a valid, signed lease or rental agreement; or b. Provide documentation showing obligation and history of payment prior to COVID-19 outbreak.
2. Have a total household income at or below 80 percent of the Area Median Income (AMI)	a. Household income will be verified to establish eligibility. b. Income limits are set by the U.S. Department of Housing and Urban Development (HUD) and adjusted for household size. c. Household income cannot exceed 80 percent of the AMI for their area.

<p>3. Demonstrate COVID-19 impacts:</p> <p>a) qualified for unemployment benefits, or</p> <p>b) experienced a reduction in household income, incurred significant costs, or financial hardships due to COVID-19,</p> <p>AND</p> <p>c) risk of experiencing homelessness or housing instability.</p>	For a) documentation of qualification for unemployment benefits, may include documentation of receipt of benefits.
	For b) i) documentation of a reduction in household income, incurred significant costs, or other financial hardship, and ii) a signed attestation.
	For c) documentation of an eviction notice, past due notice for rent or utility, or other allowed reasonable evidence of risk.

For details regarding which individuals to include in a household, please see the “Definition of a Household and Determining Household Size” section below.

Type and Use of Assistance Available

The Act requires a minimum of 90 percent of the total funds provided to Jefferson County must be used toward rent, utility and home energy costs, and other expenses related to housing incurred because of COVID-19, including internet. This includes delinquent and prospective payments which were due no earlier than March 13, 2020 and cannot to exceed a total of twelve (12) months (with an additional three [3] months, if necessary, to ensure housing stability). Delinquent rent must be cleared prior to prospective payments, and forward payments for prospective rents are limited to 3 months; additional assistance within the twelve (12) month cap requires a new request for assistance that includes a recertification of household income and eligibility.

Funds may only be used for the following costs for households obligated to pay rent on a residential dwelling for:

- Current month and future rent* not to exceed 90 days.
- Past due rents, including utilities and home energy costs that are covered by the landlord.
- Current month and future utility or home energy costs*^ not to exceed 90 days.
- Past due utility or home energy costs; and/or

- Other expenses related to housing, incurred directly or indirectly due to COVID-19, may include:
 - if a household has been temporarily or permanently displaced due to the COVID-19 outbreak: relocation expenses, which may include rental security deposits, and rental fees, which may include application or screening fees,
 - these expenses may also include reasonable accrued late fees (if not included in rental or utility arrears and if incurred due to COVID-19); and

Internet service that is provided to the rental unit (not to a cell phone or other mobile object). Internet service provided to a residence is related to housing and is in many cases a vital service that allows renters to engage in distance learning, telework, and telemedicine and obtain government services.

*Any past due amounts must be covered prior to assistance for current or future costs being approved.

^Utility or home energy costs include separately billed or itemized electricity, gas, water and sewer, trash removal and energy costs, such as propane and fuel oil, provided to the unit. Telephone, cable, and cell phone costs are not considered utility or home energy costs and are not eligible. Reasonable internet costs provided to the rental unit are allowable.

Ineligible Expenses

The Emergency Rental Assistance Program is designed to help renters stay in their homes and to ensure housing stability. Utility and home energy costs **do not** include telephone, cellular phone, cable, security or other non-heating or sanitation costs.

Mortgage costs are ineligible.

Period of Assistance

Funds may only be used for rent, utility and other eligible housing costs incurred due to COVID-19 beginning no earlier than March 13, 2020. Jefferson County, Alabama must spend all funds awarded by the Treasury by September 30, 2022. The U.S. Treasury has set a benchmark for expenditure of funds by September 30, 2021. Recipients who have obligated at least 65% of their funds may be eligible to receive additional funds reallocated by the U.S. Treasury.

Program Marketing and Outreach

Program marketing and outreach will be critical to program success and will be conducted by Jefferson County and its Community Partners. It may include:

- Public Service Announcement advertisements in media of general circulation
- Public Service Announcements through social media

- Public Service Announcements on local radio stations, including those targeted to specific audiences such as neighborhoods with concentrations of households that are non-English speaking audiences.
- Email blasts to advocacy groups representing the populations that do not exceed 80% Area Median Income
- Include program information inserts in water and/or utility bills.
- Hang fliers in ethnic markets and distribute informational pamphlets.
- Establish public facing webinars and other social platform “meetings” to provide information to targeted groups.
- Offer aide in filing for assistance options for Limited English Proficient individuals or residents with disabilities.
- Landlords of large low-income units
- WIC (Women, Infants, & Children) offices
- Include program information links on websites of agencies that provide assistance, such as SNAP or unemployment.
- Domestic violence services providers
- Homelessness services

Program Participation

Eligible applicants are those households, which are made up of one or more individuals, with incomes that do not exceed 80% Area Median Income, living in a rental residential property, and have been financially impacted due to the COVID-19 pandemic.

Property owners/landlords/property management firms must accept the terms of the program in order to participate and to receive the funds for the rental assistance. In order for a landlord/owner/property manager to receive the rent subsidy the landlord/owner/property manager will be required to comply with federal, state, and local governing law including:

- Verify the address of the rental unit.
- Verify the amount and percentage of monthly rent covered by the assistance.
- Verify the amount and percentage of any separately stated utility and home energy costs covered by the assistance.
- Verify the amount of rent and/or separately stated utility and home energy costs due to be paid is for rent, utility and home energy costs. Costs may include reasonable accrued late fees, penalties, and interest for rents owed.
- Provide the name and address of the landlord.
- Provide a Social Security number, tax identification number or DUNS number.
- Complete an IRS W-9 form; and
- Provide information for payment.

Applicant Eligibility Requirements and Documentation

To qualify for rental assistance, applications must reflect each program requirement which must be supported with verifiable documentation. Submission of an application does not guarantee financial assistance.

Eligible households are those households with 1 or more individuals who are obligated to pay rent on a residential dwelling located in the program area (within the boundaries of Jefferson County, Alabama but outside of the Birmingham city limits) and meet the following:

- One or more individuals in the household has qualified for unemployment benefits; or
- One or more individuals in the households has experienced a reduction in income, incurred significant costs, or experienced other financial hardship due to COVID-19; and
- One or more individuals in the household can show a risk of becoming homeless or having housing instability based on:
 - A past due notice for rent or utilities, or an eviction notice, or
 - Other evidence of risk; and
- The household's income is no more than 80 percent of the area median income for the Jefferson County as determined by the U.S. Department of Housing and Urban Development (HUD).

All applicants must provide photo identification, which may include a Driver's License, Passport, government issued ID card or school issued ID card.

Property Requirements and Obligation to Pay Rent

The property must be a residential dwelling and must be located in the program area, defined as within the boundaries of Jefferson County, Alabama but located outside of the Birmingham city limits. Residents of the City of Birmingham are encouraged to seek assistance through the City's Emergency Rental Assistance program.

Documentation Required to Demonstrate Obligation to Pay Rent

A copy of the lease or rental agreement will be required to show the applicant household is obligated to pay rent for the property. If an applicant does not have a copy of a signed lease or rental agreement, documentation of residence may include evidence of paying utilities for the residential unit, a written attestation from the verified owner or management agent of the unit, or other reasonable documentation such as proof of payment of rents prior to the requested assistance.

Documentation Required to Demonstrate Rental Amount Due

Applicants are to provide a copy of the residential lease, signed by the tenants and landlord. The majority of applications should include this documentation. If a lease or rental agreement is not available, the following documentation may be supplied to show the household has been living in and paying rents for the unit and evidence of the amount of a rental payment due:

- Copies of utility bills for the rental unit in the household's name,
- Evidence of rent payments made to the landlord (prior to the period of requested assistance) through copies of checks or receipts of rent paid,
- Bank statements,
- An eviction notice issued to the household,
- Notice of Demand for Payment for rents owed,
- Written attestation by a landlord who can be verified as the legitimate owner or management agent of the unit,
- Landlord ledger establishing past-due amount including dates of service for which there is an outstanding balance,
- Other documentation that reasonably established a pattern of paying rent, or
- Other reasonable documentation as established in the ERAP Guidelines, Jefferson County ERAP FAQ, or approve by Jefferson County in writing.

Documentation must show the amount due for each month for which assistance is requested. For outstanding payments due, documentation must show the months that are outstanding and the amount due for each month for which there is an outstanding balance.

Written Attestation: If an applicant is able to provide satisfactory evidence of residence but is unable to present adequate documentation of the amount of the rental obligation, applicants may provide a written attestation to support the payment of assistance up to a monthly maximum of 100% of the greater of the Fair Market Rent or the Small Area Fair Market Rent for the area in which the applicant resides consistent with the guidance in the "Fair Market Rent/Small Area Fair Market Rent" section below.

Subsidized Units

An eligible household that occupies a federally subsidized residential or mixed-use property may receive ERA assistance, provided that ERA funds are not applied to costs that have been or will be reimbursed under any other federal assistance. If an eligible household receives a monthly federal subsidy (e.g., a Housing Choice Voucher, Public Housing, or Project-Based Rental Assistance) and the tenant rent is adjusted according to changes in income, the renter household may receive ERA assistance for the tenant-owed portion of rent or utilities that is not subsidized.

Length of Residency

ERA funding is provided to assist households with housing costs they are unable to meet because of COVID-19 impacts. There is no minimum period of tenancy required in the housing unit.

Income Eligibility Determination

Applicants will be required to provide (1) a written attestation for all household income, and (2) to provide supporting documentation, such as paystubs, W-2s or other wage statements, tax filings, bank statements demonstrating regular income, or a written attestation from an employer. If the household's income was verified after January 1, 2020 by the administrator of a local, state, or federal assistance program, a certification from that program administrator stating the total household income (determined after January 1, 2020) is at or below 80 percent of the area median income may be accepted.

Applicants have the option to report **annual** household income (from all sources for all household members) for **calendar year 2020**, or total **monthly** income (from all sources for all household members) **at the time of application**.

Income will be the maximum gross household income is based on 80% Area Median Income (AMI) as defined by the U.S. Department of Housing and Urban Development (HUD). The maximum income limits based on household size are listed in the AMI table below.

Income Definitions

Applicants may report their income as total household **annual** income from all included sources (see below) for 2020, or as total household **monthly** income extrapolated to a 12 month period (for example, if two months of income is provided, the total income for the two month period should be multiplied by 6). If a household qualifies based on monthly income, the Community Partner may make a determination on the full assistance request in the application, if additional assistance is to be provided or is requested, the Community Partner must redetermine the household income eligibility every three months for the duration of assistance.

Annual Income

Annual income means all amounts (whether they are cash payments or not) which:

- Go to or on behalf of any member of the household, or
- Are anticipated to be received (including other assistance); and
- Are not excluded below.

Sources to be Included in Annual Income

ANNUAL INCOME INCLUDES ANY OF THE FOLLOWING:
Full gross amount (the amount before any deductions) of wages, salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services for household members 18 years or older.
The net amount of a business, including a profession . While an allowance for depreciation of assets used in a business may be deducted, based on straight-line depreciation, any withdrawals of cash or assets from the operation of a business must be included in income (unless the withdrawal is reimbursement of cash or assets invested in the operation by the household).
Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital <u>indebtedness shall not be used as deductions in determining net income</u> . An allowance for depreciation is permitted, based on a straight-line depreciation. Any withdrawals of cash or assets from an investment will be included in income (unless the withdrawal is reimbursement of cash or assets invested in the asset, real or personal property by the household).
The full amount of Social Security, Department of Veterans Affairs, annuities, insurance policies, retirement funds, pensions, disability or death benefits , and other similar types of payments, including a lump-sum or prospective monthly amounts for the delayed start of a regular payment amount (except any deferred payments).
Unemployment and disability compensation, worker's compensation and severance pay (except lump-sum payouts)
Temporary Assistance for Needy Families (TANF) program amounts are included in annual income only to the extent such payments (except when the welfare assistance is specifically designed for shelter and utilities).
Alimony and child support payments, regular gifts or contributions from organizations or people not living in the rental unit.
All regular and/or special pay, and allowances for members of the Armed Forces (except special pay to a household member serving in the Armed Forces who is exposed to hostile fire).
Any financial assistance under section 8 programs, private sources, or institutions of higher education in excess of the amounts received for tuition and any other required fees and charges, but not educational loan proceeds.

Sources to be Excluded from Annual Income

EXCLUDED FROM HOUSEHOLD INCOME:
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- Income from children (including foster children) under the age of 18 years
- Earnings above \$480 for each full-time student 18 years old or older (excluding the head of household and spouse)
- Payments for the care of foster children
- Payments for the care of foster adults (usually persons with disabilities, unrelated to the household members who are unable to live alone)
- Lump sums payments for inheritances, insurance payments, capital gains and settlements for personal or property losses
- Adoption assistance payments above \$480 per adopted child
- Amounts received specifically to reimburse or pay the costs of medical expenses of any household member
- Income of a live-in aide
- The full amount of student financial assistance, either paid directly to the student or to the educational institution (except as stated above)
- Amounts received for participating in HUD training programs
- Amounts received by a person with a disability that are set aside for a Plan to Attain Self-Sufficiency (PASS) and not included in the calculations for Supplemental Social Income eligibility
- Deferred supplemental security income and Social Security benefits payments that are received in a lump sum, or in prospective monthly amounts, or any amounts that are deferred and received in a lump sum or in prospective monthly payments
- Funds for a participant in other publicly assisted programs specifically to cover out-of-pocket expenses incurred, such as special equipment, clothing, transportation, childcare, etc., and made solely to allow participation in a specific program
- Resident service stipends, not to exceed \$200 per month, for performing a service (such as fire patrol, lawn maintenance, resident initiative coordination, or serving on the PHA's governing board) for a PHA or owner on a part time basis, to enhance the quality of life in the development (cannot receive more than one stipend during the same period)
- Payments and benefits from participation in state or local employment training programs, and training of a household member as resident management staff (must be received under an employment training program with clearly defined goals and objectives for the period of training)
- Temporary, non-recurring or sporadic payments, including gifts
- State-agency paid amounts to offset the cost of services and equipment needed to allow a developmentally disabled family member to live at home
- Foreign government-paid reparation payments

Internal Revenue Service (IRS) Adjusted Gross Income

Since households may be made up of individuals that do not file federal income taxes on a single tax return, AGI of all household members must be combined to determine a household's total Adjusted Gross Income.

According to the IRS, Adjusted Gross Income (AGI) is defined as the *gross income* amount minus *adjustments* to income. *Gross income* includes wages, dividends, capital gains, business income, retirement distributions as well as other income. *Adjustments* to income include such items as educator expenses, student loan interest, alimony payments or contributions to a retirement account. Where adjustments are made, the AGI on a tax return may be lower than the gross income; it will never be higher.

Income Determination Documentation Requirements

All income for all household members over 18 must be documented. There are two options for reporting total household income at the time of application:

- The total **annual** household income from all included sources for all members for **calendar 2020** year; or
- The total **monthly** household income from all included sources for all members **at the time of application**, extrapolated to an annual income.

In both options, documentation must be provided to support the total household income. That includes:

Annual Income for 2020	Monthly Income at the Time of Application
W-2 and 1099 Earnings Statements for all jobs (full- or part-time, gig, etc.) for all household members aged 18 and older, for all jobs held in 2020*	Paystubs and any pay notifications for all income earned, including full- or part-time, gig economy, or other jobs for all earners in the household 18 and older, all jobs, covering a minimum 60 consecutive days and within 14 days of the application date.
Supplemental Income, including Rental Income, for 2020 (may use Schedule C of 1040) for all household members.	Rental, royalties, partnerships, or other Supplemental Income – quarterly balance sheet and Financial Report within 14 days of application
1099 Statements for Interest, dividends, and other net income from real or personal property. 1099 statements for any interest, dividends or other income earned during 2020 for all household members and all accounts*	Two most recent monthly (or most recent quarterly) asset statements showing interest earned, rental income, etc.; all household members and all accounts and properties within 14 days of application.
Unemployment compensation statements, including Federal Pandemic Unemployment Compensation, for all household members that received unemployment in 2020*	Notice of determination from Alabama Department of Labor for unemployment compensation and evidence of unemployment

	compensation payments for 60 consecutive days and within 14 days of application.
Retirement, Social Security, Veterans benefits, annuity, pension, disability, or insurance payment statements for any payments that are regular and periodic.	Retirement, Social Security, Veterans benefits, annuity, pension, disability, or insurance payments that are regular and periodic – most recent two monthly (or most recent quarterly) statements dated within 14 days of application.
Business income (net) or professional income (net) supported by annual balance sheet and financial statement for 2020.	Business income (net) or professional income (net) supported by balance sheet and financial statements covering a minimum of 60 consecutive days and within 14 days of application.
Child support and/or alimony supported by divorce decree and printout from District Attorney, Court, or other agencies.	Child support and/or alimony payments covering 60 days, supported by divorce decree and evidence of payment (bank statement), dated within 14 days of application.
Award Letters for public assistance, such as SNAP	Award Letters for public assistance, such as SNAP and evidence of payments for 60 consecutive days within 14 days of application
*All earners 18 or older may sign an IRS-4506-T at application in lieu of providing documents: a copy of the filed 2020 1040 Federal Income Tax Return will be obtained from IRS.	
NOTE: Income must be recertified each 90 days for any additional assistance requests	

Categorical Income Eligibility

If an applicant's household income has been verified at being at or below 80 percent of the Area Median Income in connection to a local, state, or federal assistance program (such as SNAP, Section 8, or HOME Tenant Based Rental Assistance), the household may provide a copy of the program income determination made after January 1, 2020 to be used for documentation of the household's income eligibility.

Area Median Income (AMI)

The AMI determination must be made based on the income determination and household size corresponding to the AMI table below.

Household income eligibility determinations will be made based the AMI table in effect at the time of application unless the household qualifies under a more recently published AMI table, in which case the more recently published table may be used.

Determining Household Size

A household includes one or more individuals obligated to pay rent on a residential property. All members living in the residence, regardless of a familial relationship, are to be included in

the household size. Children who are subject to a shared-custody agreement and lives with the residence at least 50 percent of the time are to be counted in the household.

Some persons that live in the residence are not to be counted as household members when determining household size or in calculating household income. This includes any members that are foster adults or children, live-in aides, and any children of live-in aides.

Area Median Income (AMI) Limits Table

FY 2021 Income Limit Area	Median Family Income Explanation	FY 2021 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Birmingham-Hoover, AL HUD Metro FMR Area	\$78,000	Very Low (50%) Income Limits (\$) Explanation	26,850	30,700	34,550	38,350	41,450	44,500	47,600	50,650
		Extremely Low Income Limits (\$)* Explanation	16,100	18,400	21,960	26,500	31,040	35,580	40,120	44,660
		Low (80%) Income Limits (\$) Explanation	42,950	49,100	55,250	61,350	66,300	71,200	76,100	81,000

Fiscal Year 2021 Income Limit calculation found under the heading of "Access Individual Median Family Income Areas" of <https://www.huduser.gov/portal/datasets/il.html>

COVID-19 Impacts

The household must provide evidence of a COVID-19 related economic impact such as loss of job, reduced hours, reduced tips, loss of opportunities such as grants or scholarships due to the higher education institution closing, costs of distance learning or work from home hard- or software, increased child-care, or medical expenses.

The household must provide a certification regarding the impacts and documentation that would be available to support the COVID-19 impact costs.

Documentation Required to Demonstrate COVID-19 Financial Hardship

One or more members of the household must have either:

- Qualified for unemployment benefits, or
- Experienced a reduction in income, incurred significant costs, or experienced other financial hardship due, directly, or indirectly, to the COVID-19 outbreak.

Documentation is required to demonstrate that one or more members of the household has qualified for unemployment benefits or experienced a reduction in income, incurred significant costs, or experienced other financial hardships due, directly, or indirectly, to the COVID-19 outbreak.

For applicants who are eligible based on qualifying for unemployment, documentation should demonstrate at least one member of the household qualified for unemployment benefits. This may be documented by a notice of approval for unemployment benefits, evidence of unemployment payment, or other relevant documentation. If such documentation is not available, a signed attestation by the application regarding the household member's qualification for unemployment benefits may be used only after all other alternative documentation options have been exhausted.

For applicants who are eligible based on having experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to COVID-19, the applicant must provide a signed attestation that one or more members of the household meets this condition. Applicants should also, whenever possible, provide supporting documentation such as notice from an employer of reduced hours, notice from an employer of termination, an attestation from an employer regarding a reduction in hours, pay or termination, paystubs demonstrating a reduction in pay, bank statements demonstrating regular income, or other similar supporting documents.

Documentation Required to Demonstrate Housing Instability or Risk of Homelessness

Eligible households must be at risk of experiencing homelessness or housing instability. A written attestation will be required to document a risk of experiencing homelessness or housing instability. The attestation should be accompanied by documentation that may include:

- A past due utility or rent notice or eviction notice, or
- Other evidence of risk as allowed in the ERAP Guidelines or the ERAP FAQs

An applicant will be considered to be at risk of experiencing homelessness if they meet the HUD definition of At Risk of Homelessness as defined in 24 CFR Part 576.2(1)(ii) and (iii), 576.2(2) and 576.2(3). Documentation that demonstrates that an applicant meets the listed HUD definition for risk of experiencing homelessness may include but is not limited to documentation of annual income below 30 percent of the median family income for the area, can provide evidence of living in a hotel or motel not paid by a charitable or government program, or is exiting a publicly funded institution. A signed attestation the documents the existence of any of the HUD defined risk factors may be used to meet this requirement.

If the documentation options provided for above cannot be met, a narrative explanation of the risk of experiencing housing instability must be provided and included with the signed attestation.

Landlord Application on Behalf of Household

A landlord/owner/property manager of a rental property may apply for rental assistance on behalf of the tenant. In order to do so, the landlord/owner/property manager must:

- Obtain the tenant's signature on the application, which may be documented electronically.
- Provide documentation of the application to the tenant; and
- Use any payments from the application to satisfy the tenant's rental obligations.

Applications for assistance will not be processed unless they are complete, including all necessary documentation to verify eligibility based on income and impact.

Landlord/Owner Participation

Landlords, owners, or property management firms must certify the following:

- Confirmation that the owner/landlord does not discriminate against any person because of race, color, religion, sex, national origin, age, familial status, or disability in connection with this ERAP Grant Agreement.
- Confirmation that the owner/landlord/property manager makes determination of renting to households without regard to actual or perceived sexual orientation, gender identity, or marital status.
- The owner/landlord/property manager certifies they comply with the Violence Against Women Act, as amended.
- Confirmation that Section 504 prohibits discrimination on the basis of handicap under any program or activity receiving or benefitting from federal assistance apply.
- Certification that the owner/landlord/property manager complies with the Age Discrimination Act of 1975 prohibiting discrimination on the basis of age in programs or activities covered with federal assistance.
- Certification that the owner/landlord/property manager complies with the Americans with Disabilities Act of 1990 prohibiting discrimination on the basis of disability under programs, or activities, and services provided or made available by state and local governments or agencies.

Additionally, owners/landlords must confirm the following information:

- Household information.
- Property information.
- Terms of the lease, including period of tenancy, rental amounts, whether utilities are included or are billed separately or are the household's responsibility.
- Amount of rent past due and the associated period.
- Amount of rent due and the associated period not to exceed 90 days.
- Amount of utilities past due, if due separately, and the associated period;
- Amount of utilities due, if due separately and the associated period not to exceed 90 days;
- Acknowledgement that if the rents and/or separately billed utilities are for current and future rents, that all past due and arrears rent and/or utility costs have been cleared (or will be with the assistance being provided).
- Acknowledgement that any payments received shall satisfy the tenant's rental obligations for the associated periods covered by the assistance.
- Signed attestation that confirms no other funds have covered the rents and/or utilities for the associated periods.
- W-9 statement; and
- Payment information.

The landlord will be required to meet all requirements necessary to set up a payment.

Utilities, Home Energy Costs and Required Documentation

Utilities and home energy costs are those costs for electricity, gas, water, sewer, trash removal, recycling, and energy costs such as fuel oil are eligible utility and home energy costs that are:

- Separately charged,
- The responsibility of the tenant household, and
- Related to the rental property.

All payments for utilities and home energy costs must be supported by a bill or invoice for the utility or home energy services at the rental unit. For utility arrears, documentation must demonstrate the total amount due including the amounts for each month of service. Utilities and home energy costs that are paid by the landlord are considered rent.

Telephone, cable, and cell phone costs are not considered utility or home energy costs and are not eligible for Emergency Rental Assistance.

Other Expenses Related to Housing and Required Documentation

The Act allows “other expenses related to housing incurred due, directly or indirectly, to the COVID-19 outbreak.” Jefferson County, Alabama has defined these costs as:

- Reasonable late fees that have accrued,
- Internet service provided to the rental unit,
- Relocation expenses if a household has been temporarily or permanently displaced due to COVID-19 such as rental fees, application or screening fees, reasonably accrued fees and any other expense allowed by the U.S. Treasury,
- Reasonable security deposit fees if a household has been temporarily or permanently displaced due to COVID-19, not to exceed 2 months of rent and inclusive of reasonable associated costs such as animal deposits, and
- Reasonable reconnection fees if a utility service has been discontinued.

All payments for housing-related expenses must be supported by documentary evidence such as a bill, invoice, or evidence of payment to the provider of the service. Documentation must show amounts by month of service or due date.

Duplication of Benefits

A duplication of benefits occurs when a household receives assistance from more than one source for the same purpose, or when the total assistance is greater than the need. Costs for rent, utility and/or housing expenses may only be covered with one source. Applicants' must disclose any other assistance from any other sources to cover the rent, utility and/or housing expenses submitted in the application for Emergency Rental Assistance Program will have their award adjusted if any other assistance for the rent, utility or housing costs have been provided. All duplications of benefits are subject to repayment to the County.

All implementing entities must check for duplicate assistance in the Homeless Management Information System (HMIS) prior to issuing payment and must input award information into HMIS prior to disbursement of funds.

Program Implementation

Jefferson County has elected to engage select Community Partners to undertake the implementation of Jefferson County's Emergency Rental Assistance Program. These Community Partners are non-profit organizations selected for their experience and knowledge implementing federal rental assistance programs and capacity for quickly and efficiently implementing this emergency program. All participating Community Partners are responsible for the implementation of Jefferson County's Emergency Rental Assistance Program consistent with their Subrecipient Agreements, all federal requirements, and the Program Guidelines.

The Community Partners will:

- Conduct outreach and communications to notify the public of the program,
- Conduct application intake and case management,
- Conduct duplication of benefits check via HMIS,
- Make award determinations based on program requirements,
- Issue payments to landlords and utility companies based on the award determinations,
- Issues 1099s to payees at the end of the year,
- Provide monthly reporting to Jefferson County consistent with the program reporting requirements, and
- Participate in regular monitoring and compliance activities.

Application Intake and Submission

When a household contacts a Community Partner, a case manager will assess household eligibility and provide information for applying for assistance. Applications will be accepted and processed in person/over the phone/by mail/via a drop box.

The Community Partners will conduct application intake including:

- Accept applications, release of information for HMIS, and signed attestations,
- Collect required documentation,
- Validate applications to identify duplicates (which will require investigation).
- Provide secure communications between applicants and the Case Managers.
- Integrate landlord applications into tenant applications.

Collect required information and documentation from landlords and utility companies, including payment details.

Community Partners must verify that the rental property addresses is within the program area, defined as within the boundaries of Jefferson County, Alabama but located outside of the Birmingham city limits. Addresses verification should be conducted using one of the two the publicly available property look-ups tools:

1. For single family homes, use the Jefferson County property tax website at:
<https://eringcapture.jccal.org/caportal/>

- a. Follow the link to “Search your Real Property,” select “Address” and enter the property address and check the resulting report for the “MUNICIPALITY”. Properties listed as BIRMINGHAM are ineligible for the program. Renters in all other municipalities and “COUNTY” (unincorporated Jefferson County) are eligible. Addresses outside the County boundary do not return search results.
2. For apartments and large multi-family units, use the Jefferson County Municipality Look-up website at: <https://jeffco-al.maps.arcgis.com/apps/View/index.html?appid=8f31c69f27e740659c3a3824ee13ec62>
 - a. Enter the property address in the search bar, then click on the resulting dot to select the parcel. Confirm the address in the “Property Information” window in the upper right-hand corner, click the arrow right. The second page will specify the corresponding city name or “Unincorporated” for areas of unincorporated Jefferson County. Property Information for properties outside the County will list the county name.

Jefferson County will provide technical support as needed to validate address for which the eligibility is difficult to determine. For technical assistance, contact Nathan Salter at 205-325-5761 ext. 1908 or by email at Saltern@jccal.org.

Process for Accepting Applications and Processing Prioritization

Priority of Assistance

All interested applicants are encouraged to apply; the priority of assistance is not intended to discourage or prevent households from applying for the Emergency Rental Assistance.

Applications will be reviewed, and assistance will be prioritized based on the following:

Primary Priority - Under 50% AMI/Unemployed Priority

- I) Households with income that does not exceed 50 percent of the area median income for the household size as determined by the U.S. Department of Housing and Urban Development (HUD); or
- II) Households where 1 or more individuals of the household is/are unemployed at the time of application and has/have not been employed for 90 days prior to the application date.

Secondary Priority - 50% - 80% AMI COVID-19 Impacted Priority

- I) Households that meet the program eligibility requirements not included in the Primary Priority. This including households with income that does not exceed 80 percent of the area median income for the household size as determined by HUD; and 1 or members of the household has/have:
 - i) Qualified for unemployment benefits within the past year, or
 - ii) Experienced a reduction in income within the past year, or

- iii) Incurred significant costs or experienced other financial hardship due to COVID-19; or
- iv) Can demonstrate a risk of experiencing homelessness or housing instability which include:
 - a) a past due notice for rent or utilities, or an eviction notice.
 - c) other allowable evidence of such risk.

Applications will be batched into monthly cycles. For each cycle, reviews will prioritize all applications for households meeting the **Under 50% AMI/Unemployed Priority ("Primary Priority")**. All Primary Priority applications will be prioritized for review ahead of all **"Secondary Priority" (50%-80% AMI COVID-19 Impacted Priority)** applicants regardless of the point in the cycle that they arrive. The Secondary Priority applications for the cycle will be reviewed next. All applications received during the cycle will be reviewed prior to review of the next batch of applications, which will follow the same prioritization procedure.

Application Processing and Termination for Inaction

Due to the volume of applications, only completed applications will be reviewed. Completed applications will be reviewed on a first come/first served basis. Funds will only be awarded to complete applications; funds will not be held or set aside for incomplete applications.

Requests to applicants for clarification, documentation, or other needed information must be returned within 10 business days; failure to provide the needed information or documentation within the 10 business days will result in the application being terminated due to non-action and the application being incomplete.

Fair Market Rent / Small Area Fair Market Rent

The U.S. Department of Housing and Urban Development (HUD) annually estimates Fair Market Rents (FMR) for Office of Management and Budget (OMB) defined metropolitan areas, some HUD defined subdivisions of OMB metropolitan areas and each nonmetropolitan county. The FMRs are used to determine payment standard amounts for rental units subsidized by HUD programs.

Small Area Fair Market Rents (SAFMRs) are FMRs calculated for ZIP Codes within Metropolitan Areas and are required to be used to set Section 8 Housing Choice Voucher payment standards in areas designated by HUD.

The FMR or SAFMRs will be used to determine the maximum monthly amount of rental assistance to be provided if a family is not able to provide a copy of a signed lease/rental agreement or satisfactory documentation to show the amount of rent paid for the unit.

Such assistance may only be provided for three months at a time. A grantee must obtain evidence of rent owed consistent with the above after three months in order to provide further assistance to such a household; Treasury expects that in most cases the household would be able to provide documentation of the amount of the rental obligation in any applications for further assistance.

FMRs can be found at: <https://www.huduser.gov/portal/datasets/fmr.html>

SAFMRs can be found at: <https://www.huduser.gov/portal/datasets/fmr/smallarea/index.html>

Duplication of Benefits

Community Partners will be responsible for ensuring there is no duplication of benefits of funds. Upon identification of a duplication of benefit, the Community Partner shall immediately refund to the County all duplicated amounts paid by the County. Community Partners must obtain a certification from applicants that they have not and will not receive funding from other sources to pay for the expenses covered by the Program (this applies to the specific bill(s) paid not the class of expense – e.g. if an applicant receive Program assistance for July and August rent they cannot receive funds from other sources for those July and August rent expenses but they could receive assistance though another source for the months before or after July and August).

Community Partners are required to certify that they have not received funding from other sources for the same purpose. Records must be kept and made available upon request that outline the Community Partners' sources and uses of funds and documentation of expenses for five years beyond the contract close date. Community Partners must verify that any balance is actually outstanding with the utility provider, landlord, or provider of other eligible costs prior to payment.

A Duplication of Benefits check must be conducted by the Community Partners for each application via the Homeless Management Information System (HMIS) and the eligible award amount must be reduced based on any payments already made to cover the requested expenses. The Community Partners must enter award amounts into HMIS to ensure applicants do not later receive funds that would constitute a duplication of benefits.

Community Partners must also cross-reference the beneficiary list from the Alabama Housing Finance Authority (AHFA) to verify applicants did not receive funds from the State Emergency Rental Assistance Program.

Jefferson County and the City of Birmingham, in an effort to preclude any duplication of benefits and consistent with the geographies used by the U.S. Treasury to award ERAP funds, have agreed to limit eligibility for their respective programs based on the location of the rental property. Residents whose rental units are within the Birmingham city limits will only be

eligible for the City's program. Residents whose rental units are within Jefferson County but outside of the Birmingham city limits are only eligible for the Jefferson County program. Residents whose rental units are in any of the other (non-Birmingham) municipalities in Jefferson County are only eligible for the Jefferson County program.

Determination of Assistance Award Amount

Once all required information and documentation has been received from the applicant, landlord and other sources, and the review processes have been completed, the application request will be assessed for compliance to the program criteria and a determination for award will be completed. Results of the determination include fully approved, approved with modifications, or denial.

Upon completion of all eligibility criteria review processes, the amount of assistance will be calculated. The total amount requested will be adjusted, if necessary, based on the verified total rents, utilities, and/or housing costs outstanding. This total amount will be reduced by any other program or assistance for the same costs. The final award amount will be recorded as the maximum grant to be provided to the household.

Applicants will be notified of the determination results. Approved applications, both those requests that are fully awarded and awarded with modifications (typically a reduction in assistance) will move to the Grant Agreement process.

Applicants that receive a denial decision will be notified in writing and mailed to the applicant at the address on file and provided electronically via email (if provided in the application) to ensure timely communication.

Applicants that receive either a modified award or a denial may appeal their decision, if documentation supporting the eligibility of the request is available (see below). All applicants must be notified of the option to appeal.

Payment of Awarded Funds

Once an award determination has been made, the applicant will be notified of the determination, including the award amount. Applicants must sign a Grant Agreement prior to the disbursement of funds to the entity to which funds are due (e.g. landlord or utility company, but not to the applicant). The Grant Agreement must include:

- Description of the assistance provided including the months covered, assistance types (e.g. rent, electricity), and assistance amounts by type and month,

- Certification that all information is true, correct and fully disclosed in the application,
- Certification that all household members and all income has been disclosed,
- Acknowledgement that false statements or false claims or fraudulent claims may result in legal action,
- Agreement that Jefferson County, the County's Auditor (or their designee), and the Treasury's Office of Inspector General shall be entitled to access, review and audit any records necessary to prevent fraud and/or ensure compliance with federal requirements.
- Agree to make any records relevant to the application available upon request; and
- Certify that no one in the household has received and will not receive any payments or other assistance from a federal agency or any other public or private source for rental or utility and home energy costs for the periods covered by this ERAP Grant Agreement other than those disclosed in the application for assistance.

Payment must be made to the entity to which payment is due. Rent and approved rental fees may only be paid directly to the landlord/owner/property manager. Utility assistance may only be paid directly to the utility provider. Payments for internet service to the residential unit will only be paid to the internet service provider. Payments will only be made for costs that meet the documentation requirements set forth in this document.

Payments may not be made to the applicant.

Status and Termination

During the process, applicants will have the ability to check the status of their applications by calling or emailing the Community Partner to which the application was submitted.

Applicants may withdraw their application at any time prior to payment being made to a landlord or utility or home energy provider.

Appeals Process

Program participants will be notified of their award and will be required to sign a Grant Agreement. If an applicant is denied assistance, a written denial letter will be sent to the applicant listing the reason(s) for denial.

Applicants and program participants have the opportunity to appeal an Emergency Rental Assistance Program decision regarding eligibility, the amount of assistance that has been awarded, the eligibility of costs, or any decision or action made. The first appeal must be

submitted to the Community Partner in writing and reviewed by a supervisor. A written response to the first appeal should be sent by the Community Partner within 5 business days. An applicant may file a final appeal with the Jefferson County Community Service & Workforce Development (CS&WD) Director in writing and a written response to the appeal should be provided within 10 business days. Final Appeals determinations will be made by the CS&WD Director. All appeals determinations made by the County are final.

All appeals must be made within 14 days of the date of the award or denial letter.

Community Partners should provide for appeals submissions consistent with their application intake options, accounting for the fact that appeals must be submitted in writing.

The final appeal must be submitted in writing via email to JeffcoERAPAppeal@jccal.org or mailed and must include supporting documentation. The County will accept written appeals with supporting documentation by mail sent to:

Jefferson County
ATTN: Nathan Salter
716 Richard Arrington Jr. Blvd. North
Suite A-430
Birmingham, AL 35203

It is important to understand that the criteria for eligibility, the amount of assistance, or the eligibility of costs will not be waived or modified; appeals must support how the applicant household meets these criteria and program requirements.

If an applicant is successful in their appeal, their ability to receive assistance will depend on whether ERA funds are available on the date of the appeal decision. A successful appeal does not guarantee receipt of assistance.

Fair Housing

Jefferson County, Alabama is committed to ensuring all individuals of similar income levels equal access to Jefferson County, Alabama's programs, regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, familial status, gender identity or sexual orientation.

Jefferson County, Alabama's fair housing policy incorporates the requirements of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988 (Fair Housing Act), as well as the Alabama Fair Housing Laws. Housing

providers should endure that admissions, occupancy, marketing, and operating procedures comply with non-discrimination requirements.

In part, the Fair Housing Act makes it unlawful, because of protected class status, to:

- Discriminate in the selection/acceptance of applicants in the rental of housing units.
- Discriminate in terms, conditions, or privileges of the rental of a dwelling unit or services or facilities.
- Engage in any conduct relating to the provision of housing that otherwise makes unavailable or denies the rental of a dwelling unit.
- Make, print, or publish (or cause to make, print or publish) notices, statement or advertisements that indicate preferences or limitations based on protected class status.
- Represent a dwelling is not available when in fact it is available.
- Deny access to, or membership or participation in, associations or other service organizations or facilities relating to the business of renting a dwelling or discriminate in the terms or conditions of membership or participation; or
- Engage in harassment or quid pro quo negotiations related to the rental of a dwelling unit.

Jefferson County, Alabama has a commitment to fair housing for individuals with disabilities by promoting the accessibility requirement set out in the Fair Housing Act, which establish design and construction mandates for covered multifamily dwellings and requires housing providers to make reasonable accommodations and to allow persons with disabilities to make reasonable modifications.

As a condition of the ERA program funding through Jefferson County, Alabama, housing providers are not permitted to refuse to lease a unit to, or discriminate against, a prospective resident solely because the prospective resident has a Housing Choice Voucher or other form of tenant-based rental assistance.

Language Access

All application, marketing electronic interface, and printed materials will be translated into English and Spanish. Application intake services are also available in these languages. Applicants needing an alternative language may request assistance by contacting Nathan Salter, Jefferson County Grants Administrator, at 205-325-5761 ext. 1908 or by email at Saltern@jccal.org.

Confidentiality

All implementing entities, including all Community Partners, Jefferson County, and any other entities engaged to implement ERAP, must comply with all confidentiality requirements, including those in section 501(g)(4) of Division N of the Consolidated Appropriations Act regarding data privacy and security.

All implementing entities must establish policies and procedures to protect the privacy of individuals and households, including measure to ensure that any personally identifiable information of individuals is collected and used only for the purpose of validating identities and eligibility and for the purpose of submitting reports as required in the Consolidated Act, 2021.

All implementing entities must have confidentiality protections in place to securely hold all data and information gathered from and about individuals and applicant household members who are survivors of intimate partner violence, sexual assault, or stalking.

The Confidentiality procedures include and are applicable to printed documents, written materials, text messages, chat platforms, and oral communication via telephone, electronic meetings such as Zoom, WebEx, GoToMeetings, Teams, etc., or in person.

- In order to protect confidentiality, electronic files must be password protected and all paper copy documentation, including correspondence, applications, grant agreements or other information regarding the ERAP participants must be kept in a locked file cabinet.

Each implementing entity is required to (1) establish data privacy and security requirements with appropriate measures to ensure the protection of the privacy of the individuals and households, (2) provide that the information collected, including any personally identifiable information, is collected and used only for submitting reports to the federal government, and (3) provide confidentiality protections for data collected about any individuals who are survivors of intimate partner violence, sexual assault or stalking.

Information regarding ERAP applicants, participants, or former participants, including the fact that they are/were or are not/were not connected to the program may not be given to any individual or public or private organization except:

- Participating ERAP agencies or organizations with an executed Subrecipient Agreement, Contract or Memorandum of Understanding with the Jefferson County, Alabama ERAP and in accordance with the Release of Information signed by each ERAP applicant as part of their application.

- Other individuals or agencies when the ERAP applicant/participant/former applicant has signed a specific, time-limited authorization for information to be released.

Monthly Reporting

Community Partners will track, retain, and report all information as required by the U.S. Treasury and Treasury OIG to Jefferson County on a monthly basis. All monthly reports shall be submitted by the 15th day of the month following the month being reported. Failure to submit these reports may result in the loss of funds.

Monthly reports must be emailed to (all):

Justin Smith: SmithJD@jccal.org

Walter Jackson: JacksonW@jccal.org

Frederick Hamilton: Hamiltonf@jccal.org

Octavia Henry: HenryO@jccal.org

Nathan Salter: SalternN@jccal.org

Reporting must include the total number of applicants received, the number of eligible households approved for assistance, the number of households for whom assistance was paid; the rate of approval for assistance; the number of applicants whose income is calculated based on a self-certification of income; the type of assistance provided to each household; the average amount of funding provided per eligible household receiving assistance; the income levels broken out at levels of 1) up to 30% AMI, 2) between 30% and 50% AMI, and 3) between 50% and 80% AMI; and the average number of payments (for rent or utilities) covered by the assistance a household receives.

Disaggregated information relating to households assisted will also be required to be reported, which includes gender, race, and the ethnicity of the individual household member applying for assistance.

It is important to note that the U.S. Department of the Treasury's Secretary may require full and unredacted information, including personally identifiable information, for statistical research purposes and may collect and make available information collected at the census tract level.

Reported information must include but is not limited to the items listed here. Additional reporting requirements may be added as required for successful program implementation and as defined by the U.S. Treasury and Treasury OIG.

- Address of the rental unit;

- For landlords and utility providers, the name, address, and Social Security number, tax identification number or DUNS number;
- Amount and percentage of monthly rent covered by ERA assistance;
- Amount and percentage of separately stated utility and home energy costs covered by ERA assistance;
- Total amount of each type of assistance provided to each household (*i.e.*, rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other expenses related to housing incurred due directly or indirectly to the COVID-19 outbreak);
- Amount of outstanding rental arrears for each household;
- Number of months of rental payments and number of months of utility or home energy cost payments for which ERA assistance is provided;
- Household income and number of individuals in the household; and
- Gender, race, and ethnicity of the primary applicant for assistance.
- Grantees should also collect information as to the number of applications received in order to be able to report to Treasury the acceptance rate of applicants for assistance.

Recordkeeping and Data Collection

Implementing entities must keep records of all applications, decisions made, and assistance provided to participants using their recordkeeping system.

Information must be kept regarding applicants, their status, decisions regarding assistance, amounts of assistance including the type (rent, utilities, etc.), the periods of assistance, and total awards amounts, as well as information regarding those applicants that were not assisted due to withdrawal, termination for non-action, denial, or any other reason.

ERAP records may include but are not limited to the following:

- General ledger and subsidiary ledgers used to account for
 - (a) the receipt of Consolidated Act, 2021 payments and
 - (b) the disbursements from such payments to meet eligible expenses related to the Emergency Rental Assistance Program and the public health emergency due to COVID-19.
- Budget records for 2020, 2021 and, if ERAP payments occurred past December 31, 2021, the records for 2022.
- Payroll, time records, human resource records to support costs incurred for payroll expenses related to administering the ERAP.
- Receipts of all costs related to marketing, administering, implementing, and closing out the ERAP.

- Contracts and subcontracts entered into using Consolidated Act, 2021 payments and all documents related to such contracts.
- Grant agreements and grant subaward agreements entered into using Consolidated Act, 2021 payments and all documents related to such awards.
- All documentation of reports, audits, and other monitoring of contractors, including subcontractors, and grant recipient and subrecipients.
- All documentation supporting the performance outcomes of contracts, subcontracts, grant awards, and grant recipient subawards.
- All internal and external email/electronic communications related to use of Consolidated Act, 2021 payments.
- All investigative files and inquiry reports involving Consolidated Act, 2021 payments; and
- All correspondence related to applications, program design and implementation, reporting, or any other program related items.

All records associated with the ERAP shall be maintained for a period of seven (7) years after final payment is made using Consolidated Act, 2021 funds. These record retention requirements are applicable to all U. S. Treasury recipients, their grantees and subgrant recipients, contractors, and other levels of government that received Consolidated Act, 2021 payments from U. S. Treasury recipients.

Treasury's Office of Inspector General may require the collection of additional information in order to fulfill its oversight and monitoring requirements. Treasury will provide additional information regarding reporting to Treasury at a future date.

Monitoring

All Emergency Rental Assistance Program funds are subject to monitoring by Jefferson County and its designees in accordance with Jefferson County Emergency Rental Assistance Program Monitoring Plan and Schedule. The monitoring plan provides a framework to review the progress of prime recipients, subrecipients, direct grantees, contracted vendors, etc., and determine where follow up or outreach is needed.

Monitoring objectives include:

- Fraud prevention and mismanagement of funds.
- Confirmation and validation of proper programmatic record retention relative to spending.
- Ensuring funds are used in accordance with the federal guidance, ERAP eligibility requirements, and Jefferson County specific requirements.
- Confirmation program or project objectives were achieved.

Monitoring activities will include the following:

1. Assessment of high-risk program or project activity
2. Regular monitoring calls between Jefferson County and the Community Partners
3. Compliance check including review of ledger, invoices, sample files and expenditure summary reports, due to County monthly
4. Documentation of monitoring findings
5. Determination and communication of corrective actions
6. Final expenditure report (within 30 days of final payment utilizing grant funds)
7. Grant closeout report (within 60 days of final payment utilizing grant funds)

Community Partners must provide, that all activities are conducted in a positive and nurturing environment.

Conflicts of Interest

A conflict of interest occurs when a person is in a position to receive personal benefit from actions they take or decisions they make in their official capacity. A conflict of interest may be either an actual conflict or may be a perceived conflict of interest. It is possible for a potential or perceived conflict of interest exist even if no unethical, improper, or illegal act results from the conflict.

An individual may have a conflict of interest in any situation where one's judgment, actions, or non-action could be interpreted to be influenced by something that would benefit them directly or through indirect gain to a friend, relative, acquaintance or business or organization with which they are involved.

The rule is that no persons described below who exercise decision making, have exercised responsibilities with respect with the ERA program, or who are in a position to participate in decision-making may obtain a financial interest or benefit, or have a financial interest in any contract, subcontract, or agreement with respect with the ERA program, either for themselves or with those with whom they have business or immediate family ties during their tenure.

Conflict of interest requirements apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of Jefferson County, Alabama or any designated public agency, or subrecipients that are receive funds under the ERA program.

Any potential or actual conflicts of interest may be reported immediately to the County Manager's Office, Jefferson County, Alabama.

Fraud

Fraud is an illegal act of intentional deception or misrepresentation used to benefit oneself or others. Fraud includes but is not limited to false representations of material fact, false or

misleading statements, or the concealment of something that should have been disclosed, which deceives and is intended to deceive.

Fraud and abuse of the ERAP funds may be result of:

- Unauthorized access to sensitive information.
- Filing false applications or claims.
- Providing false statements to obtain assistance funds.
- Diversion of benefit proceeds.
- Forgery.
- Promised services not delivered, and/or
- Misuse and mismanagement of the funds.

Data must be analyzed to reveal trends, relationships, and correlations between the data that can identify ongoing fraud and abuse of funds.

Any person or entity (including its employees and affiliates) that enters into an agreement with Jefferson County, Alabama that witnesses, discovers evidence of, receives a report from another source, or has other reasonable basis to suspect that fraud, misuse of funds or embezzlement has occurred must immediately make a report through the following channels:

- Nathan Salter, Jefferson County Grants Administrator, by email at Saltern@jccal.org, or by phone at 205-325-5761 ext. 1908
- Frederick L. Hamilton, Jefferson County CECD/EDFP Director, by email at hamiltonf@jccal.org, or by phone at 205-325-5785
- Justin Smith, Assistant to the Jefferson County Manager, by email at smithjd@jccal.org, or by phone at 205-731-2880
- The Treasury Office of Inspector General hotline at 800-359-3898

Individual filing a complaint may request the complaint to be handled confidentially if they believe disclosing their identity may create a hardship or place them in danger. If confidentiality is elected, it is suggested but not required to provide as much contact information as they are comfortable if additional details are needed. Filing an anonymous complaint may limit the ability of conducting a complete investigation.

Disbursement Schedule and Reconciliation of Funds

Disbursement 1 (Advance): Issued by Jefferson County to Community Partners following Jefferson County's receipt of the signed contract, Community Partners submission of completed Risk assessment Form Part A, and completion of Risk Assessment Form Part B by Jefferson County.

Funds must be maintained in a dedicated bank account with the account statement submitted monthly. Subsequent disbursements for direct service reimbursements, excluding administrative reimbursements, must be deposited into this account. Advance funds are to be used as working capital to fund the assistance provided to beneficiaries. These funds are not to be used to float the upfront administrative costs of the program.

Subsequent Disbursements: (Reimbursement): issued by Jefferson County to the Community Partners on a reimbursement basis. The Community Partners may submit requests for reimbursement at any time for review and approval by the County for eligible expenses incurred within the agreement period. All requests for reimbursement shall be submitted with supporting documentation such as invoices, receipts, bills, method of calculating charges and other documentation needed to support the reimbursement request. Supportive documentation shall be submitted together with reimbursement forms in the format as required by the County. Each request for reimbursement form must have an original signature. Reimbursement shall be payable upon receipt pending the review and approval by the Jefferson County Office of Community Services and Workforce Development. Administrative costs will be paid at a rate not to exceed 8.5% of the total disbursed program funds.

Any changes in the above listed budget items must be approved in writing by the County in advance of expenditure of funds by the Community Partner. No work performed pursuant to this Agreement shall be contracted to any other person, organization, consultant, or corporation without prior written approval by the County.

Operation expenditures such as equipment purchases shall be limited to purchases that are less than \$1,000 unless approved by the County.

All funds must be expended before September 30, 2021. Disbursement will be based on Jefferson County's determination of satisfactory compliance with program requirements and consistent with documentation requirements. When and how funds will be released will be at the County's discretion based on the outcome of monitoring and compliance efforts.

Community Partners will request, on a minimum of a monthly basis, reimbursement for funds expended by the 1st business day of each month. Reimbursement requests should not be submitted more than once weekly. Community Partners should submit their first request on or before the 1st business day of the month following the first full month the contract is in effect. Reimbursement requests and supporting documentation should be submitted electronically with a hard copy submitted to the following:

Email copies to:

Frederick Hamilton: Hamiltonf@jccal.org

Octavia Henry: HenryO@jccal.org

Nathan Salter: SalternN@jccal.org

And mail a hard copy to:

Department of Community Services and Workforce Development
Grants Administrator
716 Richard Arrington Jr. Blvd. North, Suite A430
Birmingham, AL 35203

Community Partners will be required to report a reconciliation of all funds and any cash on hand at the end of the program performance period, as established in the contract, and are required to return funds not used for allowable costs to Jefferson County no later than 30 days after identification by the Community Partner or Jefferson County.

Allowable Administration and Project Delivery Costs

Total Allowable Administration and Project Delivery cost are capped as noted in the contract and will be available for reimbursement at 8.5% of the value of Disbursed Direct Assistance. Disbursed Direct Assistance is the total value of assistance disbursed by the Community Partner to pay the outstanding balance due on behalf of beneficiaries.

Administration and project delivery costs include direct administrative expenses such as payroll costs for employee time spent on program implementation and administration, as well as supplies and materials dedicated to the Program. Administrative and Project Delivery costs will be reimbursed based on actual eligible costs incurred and documented.