



Emergency Solutions Grants Program – Homelessness Prevention Duplication of Benefits & State Emergency Rental Assistance Program FAQ

February 11, 2021

Frequently Asked Questions about Duplication of Benefits and the ERAP Program

	QUESTIONS: COLUMN ONE	ANSWERS: COLUMN TWO
1.	If a client is ineligible for the Emergency Rental Assistance Program (ERAP) assistance, can ESG no longer be used to serve them?	The ERAP Program is an inclusive program that will pay rental arrears. It can cover anyone with job loss or is considered low income that has rental arrears who has a formal lease (room rental included). Please reach out to ERAP@hcd.ca.gov for further guidance.
2.	Will this take affect for the 2020 Annual ESG or 2019 Annual ESG?	Yes, any current program providing homelessness prevention rental assistance will be affected, in order to avoid duplication of benefits. This includes any payment of rental arrears between the periods of April 1, 2020 through March 31, 2021 from any of the following funding sources: 2018, 2019, 2020 ESG and ESG-CV Round 1 and Round 2.
3.	Are the Feds taking similar actions?	HCD is receiving assistance from HUD Technical Assistance providers to ensure HCD is doing what is necessary to avoid duplication of benefits. Similar messaging may come from HUD at a later date.
4.	If providing CDBG subsistence payments, will we also need to provide the same beneficiary documentation?	Yes, the same documentation will need to be provided to HCD for the CDBG program. Please reach out to your CDBG Representative for further information.
5.	Since the State's ERAP Program only covers through June, 30, 2021, why wouldn't ESG provide rental assistance starting 7/1/21 when the nonpayment tenant protections will be lifted?	The suspension of the allowance of the use of Homelessness Prevention dollars for rental arrears is to ensure there is not a duplication of benefits with the ERAP Program running concurrently. HCD reserves the right to revisit this suspension if ERAP funds are exhausted. HCD is also paying close attention to what the Federal Administration is planning to do, as there may be additional allocation of ERAP dollars. ERAP funding must be spent by earlier deadlines than ESG-CV and CDBG-CV.



Emergency Solutions Grants Program – Homelessness Prevention Duplication of Benefits & State Emergency Rental Assistance Program FAQ

February 11, 2021

	QUESTIONS: COLUMN ONE	ANSWERS: COLUMN TWO
6.	Are clients in project HomeKey interim sites eligible for Homelessness Prevention funds to move to permanent housing?	Yes, this would continue to be an eligible use of funding. For example, funds may be used to move clients from an interim site to a permanent housing location by providing housing navigation, first and last months' rent and security deposits to get them set up in their new location.
7.	Since households who are living in motels/hotels or doubled up with other families are not eligible for Rapid Re-housing because they qualify as "at risk of homelessness" rather than "homeless", if our Homelessness Prevention programs assist those households with getting into housing, can we still provide ongoing rental assistance to those households under Homelessness Prevention?	Yes, in this example, the clients do not have rental arrears; therefore, they can still be offered assistance through Homelessness Prevention.
8.	Are rental arrears allowable if a household is not eligible for ERAP? For instance, rental arrears on a unit that a household has already vacated and has no chance of retaining, but the arrears owed are impacting their ability to get into a new unit?	Rent arrears are an eligible rental assistance cost under Homelessness Prevention and Rapid Re-housing, if necessary, for a person to retain their current housing OR if the arrears are acting as a barrier to them obtaining new housing.
9.	Will local providers funded for 2018, 2019 ESG Homelessness Prevention and CESH Homelessness Prevention need to create a list of clients served?	Yes, a list of clients served for all current ESG and CESH Homelessness Prevention programs will need to be provided to HCD. Homelessness Prevention rental assistance must be halted by February 19, 2021 and the list of all clients served must be sent to HCD by February 26, 2021.
10.	Is ESG taking any of the ESG-CV Round 1 funds back that have been awarded to the COC's?	In line with HUD's expenditure deadlines included in the CPD-20-08 ESG-CV Notice , HCD is requiring grantees to meet specific expenditure deadlines for ESG-CV. Please refer to the ESG-CV Round 2 NOFA (page 11) for further expectations.



Emergency Solutions Grants Program – Homelessness Prevention Duplication of Benefits & State Emergency Rental Assistance Program FAQ

February 11, 2021

	QUESTIONS: COLUMN ONE	ANSWERS: COLUMN TWO
11.	We have been doing vaccine clinics and hiring nurses and staff, supplies, etc. Given this change to Homelessness Prevention allowed uses, can we retroactively pay for these costs and going forward?	The CARES Act allows for retroactive coverage of past incurred costs, if the costs are ESG-CV eligible. Please reach out to the ESG Team at ESG@hcd.ca.gov for further guidance.
12.	Will budget revision forms be sent out for the FY2019-20 and FY2020-21 ESG programs to complete budget revisions for those programs?	No, but if you need to make a budget change, please use the annual ESG Budget Revision form or the ESG-CV Budget Revision Form .
13.	With the ESG program, do program participants have a cap for receiving assistance?	There is not a cap for receiving assistance under the state and federal regulations, however, there could be a cap put in place by the local CoC.
14.	How do I apply for the ERAP program to receive assistance?	The interface to apply to receive assistance is currently not yet live online, but it should be by early March. To learn more and to receive updates, please visit HousingisKey.com or reach out to ERAP@hcd.ca.com .
15.	Have people been using ESG for Homeless Prevention during the moratorium? I thought HUD said, we couldn't, because technically, households weren't "at risk" of becoming homeless because of the moratorium?	Under the current tenant protections, Homelessness Prevention can continue to be an allowed use under certain circumstances. For instance, if a household is living in a hotel, doubled up with relatives, exiting an institution, or has made multiple moves, they may be eligible. Please visit HUD's Notice on ESG Homelessness Prevention During Eviction Moratoria for more guidance.
16.	If ESG HP funds have already been used for arrears, how far back does that need to be reported?	April 1, 2020 – March 31, 2021.
17.	We have served many clients with Homelessness Prevention. It is all in HMIS. Will ESG access HMIS or accept reports from HMIS for people served?	No. The documentation required will include client address, months of assistance, and dollar amount of assistance. HCD is providing a form and instructions for submitting information about beneficiaries previously assisted.
18.	From my understanding in order to qualify for assistance through the	In order for clients to receive Rapid Re-housing assistance, they must meet HUD's



Emergency Solutions Grants Program – Homelessness Prevention Duplication of Benefits & State Emergency Rental Assistance Program FAQ

February 11, 2021

	QUESTIONS: COLUMN ONE	ANSWERS: COLUMN TWO
	Rapid Re-housing program, participants' must be "street homeless". Are you saying that if participants are doubling up or couch surfing, they can qualify to receive assistance?	definition of "homeless." For more information please visit the provided link: Link to HUD's Definition of Homeless.
19.	Can we provide assistance with applying for ERAP assistance as part of our Homelessness Prevention programs?	Yes, you can provide assistance with applying for the ERAP program as part of case management under Homelessness Prevention.
20.	Do you anticipate future funding allocations for ERAP?	HCD is uncertain if there will be future funding allocations for the ERAP program. Please see the reservation table for current allocation amounts at the link provided: Link to the ERAP Reservation Table.
21.	Through what date does SB 91 provide tenant protections?	Under SB 91, which was passed at the end of January 2021, California extended tenant protections through the end of June 2021.
23.	As a private nonprofit that is administering ESG Homelessness Prevention programs, should we connect with our local CoC and city funders to see how this impacts our Homelessness Prevention programs?	Yes, you should connect with your local CoC and city funders to see how this effects your Homelessness Prevention programs.
24.	Is the information in this workshop on a State and Federal level, not a County level?	Yes, the guidance provided in the webinar is about HCD, the state administered ERAP program and how it interfaces with state ESG Grantees. It is in response to the legislation passed in December 2020 and guidance from the U.S. Treasury on how states and localities can access the ERAP Program. It is very likely local entities will receive similar instruction from their local jurisdictions. Please reach out to your local jurisdiction's ERAP coordinator for further guidance.
25.	Should utility assistance be provided at this point, or will ERAP definitely offer that?	Please continue providing utility assistance under Homelessness Prevention.



Emergency Solutions Grants Program – Homelessness Prevention Duplication of Benefits & State Emergency Rental Assistance Program FAQ

February 11, 2021

	QUESTIONS: COLUMN ONE	ANSWERS: COLUMN TWO
26.	How do we apply for this funding as a private agency?	ESG-CV funds are only available to Administrative Entities and Continuums of Care (CoC). If you are a private non-profit agency or private contractor that provides ESG-CV eligible services, please reach out to your local CoC for further guidance.
27.	Will utilities be at 80%?	Utilities are payable at 100% of arrears incurred during the eligible period (April 1, 2020 through March 31, 2021) and current dues.
28.	How is the ERAP program coordinating with cities and counties that are direct ESG recipients from HUD? Will HCD establish data sharing agreements with such organizations to prevent duplication of benefits from occurring?	Most of the jurisdictions that are direct ESG recipients from HUD are operating their own programs apart from HCD. They will be responsible for tracking their own duplication of benefits. HCD will only be coordinating with jurisdictions that are participating in the state operated program. We'll be reaching out to each jurisdiction independently to collect the necessary information for duplication of benefits tracking.
29.	Rental arrear payments are for clients who owe April 2020 through March 2021. Do they have to be Covid affected or prove loss of income due to Covid for the ERAP Program?	There are two ways a household can qualify – household that is or was at 80% of median income (50% for priority 1 applicants) during the period that arrears were incurred are eligible, there is no COVID nexus required. Or households where a member of the household has had a loss of employment for 90 days of more due to COVID is potentially eligible. However households will only be asked to document unemployment, not the COVID nexus.
30.	When can we reach out to the ERAP Team and will each jurisdiction have their own ERAP program rep?	The ERAP team will be reaching out to participating jurisdictions to collect data and get the program started from the last week of February through the first two weeks of March. There will be ERAP contacts, however, there will not be program reps as the program will not operate like the standard HCD program.
31.	What is the dollar threshold allowed per household through ERAP?	80% of unpaid rental arrears incurred during the eligible period. There is no cap.



Emergency Solutions Grants Program – Homelessness Prevention Duplication of Benefits & State Emergency Rental Assistance Program FAQ

February 11, 2021

	QUESTIONS: COLUMN ONE	ANSWERS: COLUMN TWO
32.	If a tenant moves out but owes rent since April 1, 2020 through March 31, 2021, can landlords still apply to receive 80% of the rent owed?	Not at this time. The intent of the program is to keep households housed and to ensure applicable eviction protections are in place. If a household has already vacated the unit, there is no eviction to protect. Benefits of this program accrue to the household, and a household will need to be in the unit to receive the benefits. ESG funds may be used to help address arrears from prior rental contracts as part of a rapid rehousing or similar activity.
33.	Are month to month renters covered too?	Yes. A lease is not required to document rental status.
34.	Is the 80% to the landlord a part of the state requirement, and does that have to be carried out at the local level?	The 80% requirement is part of the state legislature’s SB 91. It was not part of the federal bill. That said, jurisdictions that were eligible for a direct allocation from the U.S. Treasury only received about 45% of the funds identified to cover their population. The remaining 55% is available through a state block grant. A jurisdiction must conform all of their funds to the state law to be eligible for the state funds to prevent inequalities in fund distribution. Jurisdictions who do not conform their federal allocation are not eligible to administer the state funding.
35.	What role will local providers have with ERAP? Will they be compensated?	Local providers are being recruited by the Local Initiatives Support Corporation (LISC) and will have paid contracts to support their engagement in the ERAP.
36.	If a person is sub-leasing a unit from a tenant, can they be assisted? Or is it just the tenant that can be assisted?	Subleases are not currently allowed. Payments must be made to the landlord whenever possible, and a sublessor is not the landlord of the property.