



COUNTY OF ONONDAGA

Department of Social Services-Economic Security

Child Support ♦ Day Care ♦ Fair Hearings ♦ Fraud ♦ HEAP ♦ Medicaid ♦ SNAP ♦ Systems ♦ Temporary Assistance

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Onondaga County Emergency Rental Relief Program – Frequently Asked Questions – 4.29.21

What is this? The Coronavirus Response and Relief Supplemental Appropriations Act of 2021, together with the American Rescue Plan Act of 2020, included needed emergency rental assistance for households economically impacted by COVID-19. The package of \$24.5 million in funding will be used for administering and delivering emergency rental assistance to be distributed to Onondaga County, which funds are overseen by the U.S. Department of the Treasury. Funds were sent to the County to operate emergency rental assistance programs for local landlords and tenants.

Who is eligible?

An “eligible household” is defined as a **renter** household in which at least one or more individuals meets the following criteria:

- i. one or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly, or indirectly, to the COVID-19 outbreak; and*
- ii. one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and*
- iii. the household has a household income at or below 80% of area median income.*

Are undocumented persons eligible? Yes.

Who is not eligible?

- Tenants living outside Onondaga County
- Full-time college student or a household consisting exclusively of college students who are otherwise not employed nor receiving unemployment benefits
- Landlords and tenants who have been found to have committed fraud in this program
- Sub-tenants
- Commercial tenants

Who can we serve?

Only residents that live in Onondaga County. A similar NYS program will be launched in May where residents outside of Onondaga County can apply for assistance. Someone asked about residents applying outside of Onondaga County.

What is the at or below 80% of area median income?

The upper-income level to qualify for some assistance is a total household income at or below 80% of the area median income.

FY 2021 Income Limits Summary Syracuse, NY MSA								
	Persons in Family							
	1	2	3	4	5	6	7	8
Low-Income (80%) Limits	\$44,550	\$50,900	\$57,250	\$63,600	\$68,700	\$73,800	\$78,900	\$84,000

What rent can be covered?

- Only rent arrears occurring from March 13, 2020 on
- Only up to 12 months of rental arrears can be paid
- Three months of prospective rental payments will be paid if the rental unit is not affordable

When will the money be available?

- The application site opened on April 19, 2021.
- Go to www.ongovrenthelp.com, click “Apply Now”.

Who can apply?

- Either the tenant or the landlord can apply but the **tenant must be eligible** for the landlord to be paid
- The application is available at www.OnGovRentHelp.com. Click on “Apply Now”
- You can use a smart phone or tablet to apply

Is there a paper application?

No, only web-based. Please go to www.ongovrenthelp.com Click “Apply Now”

Can Tenants and landlords can apply separately?

Yes, the application was designed for each party independently apply. However, we encouraged the tenant/landlord to inform the other party that they have applied. DSS-ES will match independently submitted applications on the back end of the database.

Who can help me apply?

- If you need assistance filling out the application call 211.
- Or call 315-435-2700 (wait for Prompt 3) or email Rental.Assistance@dfa.state.ny.us.
- If you (tenant and landlords) need personal assistance, please call, or stop by the following community based organizations. Agency information is on www.OnGovRentHelp.com.

Boys & Girls Clubs of Syracuse	Liberty Resources, Inc.
Catholic Charities	Ministries of Victory Temple
Center for Community Alternatives	North Side Learning Center
Center on Court Innovation	Northeast Hawley Development Association, Inc. (NEHDA)
Contact Community Services	PEACE, Inc.
Greater Evangelical Church of God in Christ	Second Olivet Missionary
Helio Health	Spanish Action League
Hiscock Legal Aid Society	St. Lucy's Food Pantry
Hopeprint, Inc.	Syracuse Community Health Center
Huntington Family Centers	Dunbar Center
Inter Faith Works	Syracuse Northeast Community Center, Inc.
Jewish Community Center	Tucker Baptist Church
Jubilee Homes	Volunteer Lawyers Project of Onondaga County
Legal Aid Society of Mid-New York, Inc.	Westcott Community Center
Legal Services of Central New York	YWCA

What information does a tenant need to apply?

Some of the documents you may need depending on what the tenant or renter is eligible for. If not an active Temporary Assistance or SNAP DSS-ES client, you'll need to upload:

- Unemployment award letter (if currently unemployed, no other documents will be needed).
- Lease (if you have one)
- Demand letter, eviction notice from the Landlord, or court document evidencing pending eviction
- If employed and earn salary/wages, upload most recent paystubs (2 consecutives if paid bi-weekly, 4 consecutives if paid weekly).
- If the claimed COVID hardship was a reduction of work hours, upload also the prior-to-reduction paystubs (2 consecutives if paid bi-weekly, 4 consecutives if paid weekly).
- If self-employed, upload the 2019 tax return (state or federal) and the three (3) most current months of business records which show income, expenses, losses (including but not limited to bank statements from all accounts)
- Unemployment award letter.
- Social Security award letter.

Other documents needed may include:

- If applying for assistance with utility bills owed, utility bill showing arrearages
- If you're a landlord and not currently a vendor registered with Onondaga County, must submit a W-9 to the County. A blank W-9 form can be found here www.OnGovRentHelp.com.
- If you're completing this form on behalf of the tenant, you will need to upload a third-party release of information form which can be found here www.OnGovRentHelp.com.

Please note: If the applying Tenant already has an open and active Temporary Assistance and/or SNAP case with DSS-ES, no additional documentation will be needed, but you need to complete the following application.

My apartment is unfit, but I owe rent.

Please apply. If you are eligible, we will withhold a payment to the landlord until the unfit condition is fixed.

I am not getting along with my landlord.

Please apply. DSS staff will contact your landlord on your behalf.

If the tenant does not know the landlord, should they enter the property manager and/or LLC?

Yes, DSS-ES staff will have to locate the landlord in order to proceed with the application.

What do landlords need to know?

- Your tenant must be deemed eligible for you to receive funds
- If you rent to tenants living in the City of Syracuse, those properties must have a current Rental Registry per City Ordinance if required by law and must not have a health and safety violation
 - If the violations existed for the months of arrears for which assistance is sought, and the violations are still outstanding at the time of application, rental assistance payments for those unfit months will not be released until the violations are removed, and will be subject to a 50% reduction if the violations remained uncleared for four or more months.
- If the original tenant is gone, the landlord may be eligible for rental arrears if the former tenant is deemed eligible.
- While an application is pending review and until a final determination is rendered, the landlord waives its rights to pursue an eviction or non-possessory money judgment for non-payment of rent.
- If landlord accepts fund, the landlord agrees to waive all interest, penalties, late charges, attorneys' and/or court fees and costs as a result of the non-payment of rent for the months covered
- If landlord accepts prospective rent, the landlord agrees will not pursue eviction for the months granted
- If grant funds for rental assistance (whether for arrears or prospective rents) are received by the Landlord as result of this application, Landlord agrees that the Landlord will not pursue any eviction proceedings for **twelve (12) months** from the date payment is received for the sole reason that the tenant is a holdover* tenant or has a month-to-month tenancy. (*A holdover tenant is a renter who remains in a property after the expiration of the lease. If the landlord continues to accept rent payments, the holdover tenant can continue to legally occupy the property, for one month at a time (month-to-month tenancy).
- Landlords that have 350 or more eligible units for which they are submitting completed and otherwise eligible ERA applications will only be eligible for a payment that represents 80% of the arrears sought.
- Eligible applicants where Landlords will not accept the funds, will be prioritized last.
- Landlords that refuse to accept direct payment for ONE or MORE tenant-applicants in the ERA, but is accepting direct payment for another tenant, that may be a violation of federal Fair Housing law and source of income law, and the case will be referred to CNY Fair Housing for response.
- Landlords can expect payment within 10 business days once the application is complete and the tenants has been deemed eligible and after the applications have been prioritized.

As a Landlord, if I apply and/or accept payment through the ERA Program, what concessions or waivers must I make?

- (1) On application, I agree not to evict for non-payment OR holdover (holdover = the tenant has no lease or an expired lease) tenancy while the application is pending (which means adjourning already-filed cases, not filing new cases on rental units pending application);
- (2) On notification of eligibility for assistance, as a condition of payment delivery, I agree to the following:
 - a) Waive my rights to pursue eviction and/or possessory money judgment from the tenant for any non-payment of rent from March 13, 2020 to the date of a final determination on the Application, including waiving all interest, penalties, late charges, attorneys' and/or court fees and costs as a result of the non-payment of rent for the months listed in the Notice of ERA Eligibility Determination; and
 - b) I agree that I will not pursue any eviction proceedings for the three (3) additional months that prospective rent was granted, for any reason, other than a condition that represents a tenant-caused, ongoing health or safety risk to the property's inhabitants, or the tenant has caused significant property damage to the subject premises during that three month period; and
 - c) I agree that I will not pursue any eviction proceedings for twelve (12) months from the date payment is received if the eviction is **based solely on the reason that the tenant is a holdover tenant (holdover = the tenant has no lease or an expired lease) or has a month-to-month tenancy**. Other reasons for eviction are still valid, including for non-payment (after the last month for which assistance was granted), or based on any other than a condition that represents a tenant-caused, ongoing health or safety risk to the property's inhabitants, or the tenant has caused significant property damage to the subject premises.
- (3) If I have 350 or more eligible units for which I plan to submit applications for assistance, I accept that the maximum assistance that may be granted is 80% of the arrears sought.

Can a landlord evict a tenant if agreeing to take these funds?

Please see the above question. Landlords CAN evict for non-payment. Landlords can't evict solely on the basis that it is a holdover tenancy.

This program was designed by US Treasury to promote housing stability during the pandemic fallout. If the Landlord applies, by hitting submit on an ERA application, the Landlord is agreeing to pause any current, and abstain from filing any new, eviction proceedings. Acceptance of the funds through the ERA program will also constitute an agreement not to evict a tenant for twelve (12) months following the last month for which assistance was granted, on the sole basis of a holdover tenancy (**holdover = the tenant has no lease or an expired lease**) or expired lease. Other reasons for eviction (nonpayment, etc.) would still be available causes for a legal proceeding for possession of the unit.

I am a property manager. What if I can't immediately get a hold of the property owner (Landlord) to get a power of attorney?

- A. The property manager can agree to the forbearance on eviction actions while the application is pending. BUT ultimately, to receive the assistance, the owner must agree to the waivers and terms before DSS-ES can issue payment, in one of the following ways:
 1. A valid Power of Attorney that authorizes the agent to enter into real estate transactions and settle civil lawsuits;

2. The property owner's authorized signature on the back of the Notice of Determination; or
3. An official letter signed by the property owner (name, address, phone and email provided), authorizing the property manager to agree to the following terms on every unit for which the property manager is seeking DSS-ES assistance at [LOCATION ADDRESSES], notarized. The following terms MUST be listed above the property owner's signature. **(Copy of Form is on www.ongovrenthelp.com)**
 - a. Waiver of all Late Fees, Interest, Charges, Attorneys' Fees, Court Costs: Upon notification of an award of assistance, and as a condition of payment through this Program, the applying Landlord agrees that they will not pursue recovery of any late fees, charges, penalties or attorneys' fees for any period for which arrears assistance has been granted.
 - b. Stay of Eviction for Non-Payment or due to Holdover/Expired Lease while Application is Pending and/or Under Review: By applying for assistance through this Program, the applying Landlord agrees that it will not pursue eviction based on non-payment of rents while the ERA application is pending and through any appeal or review process, even if the rental unit is a holdover or the lease has expired.
 - c. Acceptance of Funds is a Waiver of any further legal right of eviction or money judgment regarding months covered: Upon notification of an award of assistance through this Program, the Landlord will agree that it will not pursue eviction based on non-payment of, nor seek a monetary judgment for, any amounts due and owing that accrued for the period of arrears listed on the Notice of ERA Eligibility Determination.
 - d. Holdover or Expired Lease as Cause for Eviction Stayed for 1 Year: Upon indicating its acceptance of payment of rent owed through this Program, the Landlord agrees not to evict based on the sole reason of expired lease or holdover tenancy any household on behalf of whom rental assistance is received for 12 months after the first rental assistance payment is received, unless the dwelling unit that is the subject of the lease or rental agreement is located in a building that contains 4 or fewer units, in which case the landlord may decline to extend the lease or tenancy if the landlord intends to immediately occupy the unit for the landlord's personal use as a primary residence or the use of an immediate family member as a primary residence.

Can we pay water bills?

Yes, US Treasury states that "Utilities and home energy costs are separately charges related to occupancy of rental property. Accordingly, utilities and home energy costs include separately stated electricity, gas, water and sewer, trash removal, and energy costs, such as fuel oil."

My tenant is not communicating with me or has left the apartment?

Please apply. DSS staff will contact your tenant on your behalf. We will do our best effort to find a way to determine the tenant's eligibility.

Why does my tenant have to apply?

The US Treasury made these fund available to tenants that owe arrears to stabilize their housing situation. If the tenant is eligible, the landlord will be paid directly for the rental arrears owed.

What should I do if I submitted incorrect information?

Please email correct information to: Rental.Assistance@dfa.state.ny.us

What if I need to submit documents and more documents?

Please email to: Rental.Assistance@dfa.state.ny.us or mail to Onondaga County Department of Social Services, Attention: Emergency Rental Assistance, 421 Montgomery Street, 2nd Floor, Syracuse, NY 13202

Are there geographic areas this program will target outreach? Yes

The tenants primarily live in 45 City of Syracuse and County census tracts.

- There are 7 census tracts where the AMI is less 30%. All are in Syracuse (14.00, 6.00, 44.00, 54.00, 24.00, 20.00 and 38.00).
- There are 14 census tracts where the AMI is between 30% - 50%. All are in Syracuse (61.02, 34.00, 61.01, 35.00, 16.00, 53.00, 58.00, 14.00, 6.00, 44.00, 54.00, 24.00, 20.00 and 38.00)
- There are 21 census tracts with the AMI is between 50% - 80%. There are 17 census tracts in Syracuse (55.00, 5.01, 36.01, 21.01, 10.00, 7.00, 59.00, 32.00, 51.00, 52.00, 2.00, 15.00, 36.02, 8.00, 57.00, 18.00 and 27), 1 in Geddes (129.00), 1 in Dewitt (143.00) and 2 in Clay (111.02 and 108.00)
- Applications will be coded per the zip codes which correspond to these census tracts, which are : 13208, 13210, 13203, 13204, 13205, 13224, 13206, 13202, 13207, 13209 (Geddes), 13057 (Dewitt), 13090 (Clay) and 13212 (Clay).

Will anyone be prioritized?

- Per US Treasury, tenants with incomes at or below 50% area median income (AMI) must be prioritized
 - 75% of funds will cover eligible tenants at or below 50% AMI, 25% of funds will cover eligible tenants at or below 80% AMI
- Every 30 days, the applicants deemed eligible will be prioritized by:
 - By 45 City of Syracuse and County census tracts where the majority of renters reside and incomes average 80% of the AMI or less
 - Landlord resides in Onondaga County
 - Landlord that has less than 20 rental units in Onondaga County
 - Tenants seeking a payment to cover utility arrears only (vs. rent only or rent and utilities together)

Who will be reviewing the applications?

Onondaga County Department of Social Services – Economic Security staff will be reviewing all applications, making eligibility determinations (per US Treasury guidelines) and issuing payments to landlords. If you have questions for this staff, email your questions to Rental.Assistance@dfa.state.ny.us or call 315.435.2700 (wait for Prompt 3).

Both the tenant and landlord will receive documentation regarding the tenant’s eligibility status and grant information if awarded.

Is my information protected?

Yes. Landlord’s and tenant’s private information will not be shared with either party. US Treasury requires us to collect some private information, but only DSS-ES staff will use it in determining eligibility and making payments, if warranted. Information submitted to DSS-ES will be disaggregated so no private information will be shared with the US Treasury.

How long will it take to get paid?

Please note that time is needed to review a completed application and to make an eligibility determination. If a tenant is eligible, please expect that a payment will take up to 40 days from the application submission date.

How long will this program run?

The program will run as long as funds are available or the end dates of the two grants, September 30, 2022, or September 30, 2025.

What if I disagree with the decision that was made?

People seeking an appeal of the determination may contact the main number (315.435.2700 [wait for the prompt, then press 3]) to request a review, which will be forwarded to the Commissioner’s designated impartial hearing officer. The ERA Unit will record that hearing has been requested and email the Commissioner’s designated hearing officer as immediately as possible to schedule the hearing directly with the appellant.

Are the full program policies and procedures available?

Emergency Rental Assistance (ERA) Program Policy and Procedures are available at www.OnGovRentHelp.com.

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