

The Thomas Jefferson Planning District's Emergency Rent and Mortgage Relief Program

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress with overwhelming, bipartisan support and signed into law on March 27th, 2020. This over \$2 trillion economic relief package was put into place to protect people from the public health and economic impacts of COVID-19. The CARES Act provides *fast and direct* economic assistance for workers, families, and small businesses, and preserves jobs for industries.

OVERVIEW

The Thomas Jefferson Planning District Commission (TJPDC) is a regional governmental body that provides support services to member localities in Region 10. As a part of the TJPDC's housing program, a Central Virginia Regional Housing Partnership (CVRHP) exists to serve as an official advisory board, in partnership with the public, private, nonprofit, and citizen stakeholders. Composed of an overarching consortium of housing interests, the Partnership will enhance regional coordination and effectiveness to address the needs of the Thomas Jefferson Planning District's region, with a focus on housing production, diversity, cost, location, design, and increasing stability for the region's residents. The CVRHP exists to facilitate regional coordination to ensure access to housing for all.

As a regional body coordinating activities to provide housing stability in Region 10, the TJPDC will administer the Virginia Department of Housing and Community Development's (DHCD) Rent and Mortgage Relief Program (RMRP). This program is designed to support and ensure housing stability across the Commonwealth during the Coronavirus pandemic. In addition to stabilizing housing, efforts to help individuals and families maintain their housing is in the interest of public health. Through the RMRP, financial assistance will be provided on behalf of households who are experiencing housing instability due to the pandemic.

For a more detailed description of the Rent and Mortgage Relief Program see the DHCD's Virginia Rent and Mortgage Relief Program Funding Guidelines.

FUNDING

DHCD is currently authorized under the CARES Act to spend \$50 million to support RMRP activities beginning April 1, 2020 until December 30, 2020. The Thomas Jefferson Planning District Commission (TJPDC) was granted \$450,000 in initial funds to distribute to Sub-Grantees within the TJPDC region to aid those within their jurisdictions who have demonstrated an inability to pay their rent or mortgage. Additional Tranches of funding may be made available with total program outlays being up to \$2.2 million. The Thomas Jefferson Planning District's Emergency Rent and Relief Program will allocate financial assistance as a one-time payment with opportunity for renewal based on availability of funding and the household's need for additional assistance and continued eligibility. Funds will be allocated to Sub-grantees in the six localities in the TJPDC region—the counties of Albemarle, Fluvanna, Greene, Louisa, Nelson, and the City of Charlottesville—using a per capita formula as indicated below, and may be modified upon notice by and at the full discretion of the TJPDC.

Should additional funding be made available through this program, it will be allocated to the six localities using the per capita formula, subject to the RMRP Advisory Committee’s recommendation.

Funding Allocation

<i>Locality</i>	<i>Population</i>	<i>% of Region’s Population</i>	<i>Total Allocation</i>	<i>Program Admin – 5%</i>	<i>Program Staff – 10%</i>	<i>Rental & Mortgage Assistance – 85%</i>
			\$450,000.00	\$22,500.00	\$45,000.00	\$382,500.00
<i>Albemarle</i>	108,639	42.53%	\$191,385.00	\$9,569.25	\$19,138.50	\$162,677.25
<i>Charlottesville</i>	49,281	19.29%	\$86,805.00	\$4,340.25	\$8,680.50	\$73,784.25
<i>Fluvanna</i>	26,692	10.45%	\$47,025.00	\$2,351.25	\$4,702.50	\$39,971.25
<i>Greene</i>	19,959	7.81%	\$35,145.00	\$1,757.25	\$3,514.50	\$29,873.25
<i>Louisa</i>	36,021	14.10%	\$63,450.00	\$3,172.50	\$6,345.00	\$53,932.50
<i>Nelson</i>	14,836	5.81%	\$26,145.00	\$1,307.25	\$2,614.50	\$22,223.25
TOTAL	255,428	100.00%	\$449,955.00	\$22,497.75	\$44,995.50	\$382,461.75

PROGRAM ADMINISTRATION

As the Grantee, the Thomas Jefferson Planning District Commission will serve as the Administrator of the Thomas Jefferson Planning District’s Emergency Rent and Mortgage Relief Program. The TJPDC may request up to 5 percent of their overall funding award for Administrative Costs. Administrative costs may include accounting for the use of grant funds, preparing reports for submission to DHCD, obtaining program audits, similar costs related to administering the grant after the award, and associated salaries.

PROGRAM STAFF SUPPORT

The following organizations will serve as Sub-Grantees for their respective localities:

<i>Locality</i>	<i>Organization</i>
<i>Albemarle</i>	United Way/City of Charlottesville
<i>Charlottesville</i>	United Way/City of Charlottesville
<i>Fluvanna</i>	MACAA
<i>Greene</i>	MACAA
<i>Louisa</i>	MACAA
<i>Nelson</i>	NCCDF

Sub-Grantees may utilize up to 10 percent of their overall funding award to support staffing costs necessary to operate the RMRP. Eligible activities under Program Staff Support include staff time necessary to complete intake, eligibility determinations, meet documentation requirements, provide diversion, connect households with mainstream resources and provide referrals, and to provide housing search and location services to assist a household in finding a more affordable housing option. Sub-Grantees will utilize the Homeless Management Information System (HMIS) to manage intake assessments and funding requests.

SUB-GRANTEE REQUIREMENTS

Sub-Grantees must comply with applicable state and federal policies and procedures. An overview of several of the requirements are below. To view a more complete list of Sub-Grantee requirements refer to DHCD's Virginia Rent and Mortgage Relief Program Funding Guidelines.

Confidentiality Policy

All grantees shall ensure the confidentiality of the name of any household assisted and any other information regarding individuals receiving assistance. The Sub-Grantee's confidentiality policy should, at a minimum, address:

- How staff will gather, record, and store confidential information;
- The consent process for the release of confidential information;
- Protocols for responding to breaches of confidentiality;
- Standards contained in relevant state and federal laws, including HIPAA compliance (if applicable) and HIV confidentiality statutes; and
- Privacy standards related to data collection and use of household information for program reporting.

Grievance and Termination Policy

Any individual receiving assistance must receive written notification of the grantee's and Sub-Grantees Grievance Policy. Any grievance at the point of service will be addressed through the Sub-Grantee's Grievance Policy. Any grievance against the Grantee will be addressed by the Grantee's Grievance Policy. Grievance policies must be approved by the respective grantee or Sub-Grantee's governance body and provide specific procedures to be followed for any disputed decision affecting this assistance. Households contacting DHCD directly will be referred to the grantee's Grievance Policy. The grantee must be prepared to provide documentation of the grievance record for all household grievances. The TJPDC has set up an RMRP Advisory Committee that will review grievance appeals.

Grantees may terminate assistance to a household who is no longer eligible for assistance as well as resume assistance to a household whose assistance was previously terminated. Termination or denial must include a formal process that recognizes the rights of individuals receiving assistance to the due process of law. This process, at a minimum, must consist of: (1) Written notice to the household containing a clear statement of the reasons for termination (with the Virginia Poverty Law Center hotline (866-534-5243) indicated on the notice); (2) A review of the decision, in which the household is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; (3) Prompt written notice of the final decision to the household; and (4) Written policy for handling surviving family members, in the event of a death of a head of household that establishes a reasonable grace period of continued assistance to surviving family members, not to exceed one year, measured from the date of death of the participant.

Monitoring

Sub-Grantees must make available organizational and project related records to TJPDC with notice. Sub-Grantees are responsible for all programmatic and contractual terms. The Sub-Grantee is responsible for ensuring that these terms and requirements are met regardless of partnership arrangements or Agreements or Memorandum of Understanding with other organizations. As the administrator of the program, the TJPDC will conduct monthly onsite monitoring visits with Sub-Grantee organizations. Onsite monitoring visits will consist of a review of applicable policies, procedures, and required record keeping. Results and guidance from the monitoring of Sub-Grantees will be shared with the Sub-Grantee following the on-site monitoring visits.

No Duplication of Assistance

RMRP rental assistance payments cannot be made for households for the same period of time they are receiving rental assistance from any other federal, state, or local source. Households will be required to verify that they are not receiving duplication of services.

Reporting

Sub-Grantees must be able to track and report program activities, household data, and spending separately from other activities. Sub-Grantees will report on outputs, such as the number of persons served and the demographic characteristics of persons served, and program funds expended by activity type.

Coordination of Program Activities

Sub-Grantees must coordinate with existing rent and/or mortgage assistance programs in the community (if applicable) to include homeless prevention programs, eviction prevention, and mortgage relief programs. Coordination efforts are to prevent duplication of efforts and to ensure households are connected with all other programs and resources for which they may be eligible.

Outreach and Coordination Efforts

In order to ensure households most in need of rent and mortgage relief are connected with necessary rent and mortgage relief assistance, Sub-Grantees must provide outreach to and coordination with local court systems, local landlords, local offices of legal aid, organizations serving communities of color, and other applicable entities or organizations to increase awareness of the Rent and Mortgage Relief Program, availability of funding, and how to refer households in need of assistance. The TJPDC will provide regional outreach to include direct contact information for each Sub-Grantee by jurisdiction.

Racial Equity

The Coronavirus pandemic has had a disproportionate health and financial impact on persons of color, particularly persons identifying as Hispanic or Latino and non-Hispanic Black or African American. It is critical that the RMRP operate with a racial equity lens to ensure this funding is being used to assist households most in need. To that end, Sub-Grantees must target outreach to existing organizations serving communities of color and collect data on the demographics of households served.

Identification of Alternate Resources

The RMRP utilizes a “progressive engagement” approach, which provides payment of the least amount needed to stabilize the household and prevent loss of housing. The goal of diversion is to assist the household with identifying other resources that may be available to them to prevent or divert them from eviction or foreclosure without using program funding. This should include a discussion of alternative resources available to the household including savings, linkages to mainstream and natural supports, and light-touch assistance. Documentation of the problem-solving conversation must be provided in the household’s file which could be a part of their intake or assessment.

Sub-Grantees must be familiar with protections provided under Virginia House Bill 340. Refer to stayhomevirginia.com for a current list of state and federal protections.

Prioritization of Financial Assistance

From June 29, 2020 through July 20, 2020, Sub-Grantees should prioritize households with current gross income at or below 50 percent Area Median Income (AMI). All households who do not meet this prioritization but are otherwise eligible (i.e. have a current gross income at or below 80 percent AMI) must be placed on a waiting list and shall be served at the end of this prioritization period.

From June 29, 2020, Sub-Grantees also should prioritize RMRP assistance for households with a pay or quit notice from their landlord, and summons for unlawful detainer dated before June 8, 2020. Sub-Grantees should prioritize RMRP assistance for households that have a judgment for possession or writ of eviction filed in court and households that have no state or federal eviction or foreclosure deferral protections. Sub-Grantees must be clear that eligibility for the program is not contingent on legal action against a tenant. Sub-Grantees may then assist renters and homeowners that do not meet this prioritization but are otherwise eligible for assistance. Sub-Grantees must demonstrate they have made a concerted effort to meet this prioritization through documentation of outreach efforts.

ELIGIBILITY

The RMRP will provide financial assistance on behalf of renters and mortgage holders who meet the criteria set forth in the Virginia Rent and Mortgage Relief Guidelines:

- Have a valid lease or mortgage statement in their name or other documentation confirming the landlord-tenant relationship; and
- Have experienced a loss of income due to the Coronavirus pandemic including but not limited to:
 - Those who have been laid off;
 - Those whose place of employment has closed;
 - Those who have experienced a reduction in hours of work;
 - Those who must stay home to care for children due to closure of day care and/or school;
 - Those who have lost child or spousal support;
 - Those who have not been able to work or missed hours due to contracting COVID-19 or
 - Those who have been unable to find work due to COVID-10; or
 - Those whose are unwilling or unable to participate in their previous employment due to their *high risk* of severe illness from COVID-19; and
- Have a rent or mortgage amount that is at or below 150 percent Fair Market Rent (FMR).

150% Fair Market Rent by Unit Size and Locality

<i>Locality</i>	<i>0 Bedroom (studio/efficiencies)</i>	<i>1 Bedroom</i>	<i>2 Bedroom</i>	<i>3 Bedroom</i>	<i>4 Bedroom</i>
<i>Albemarle</i>	\$1,281.00	\$1,623.00	\$1,893.00	\$2,359.50	\$2,913.00
<i>Charlottesville</i>	\$1,281.00	\$1,623.00	\$1,893.00	\$2,359.50	\$2,913.00
<i>Fluvanna</i>	\$1,281.00	\$1,623.00	\$1,893.00	\$2,359.50	\$2,913.00
<i>Greene</i>	\$1,281.00	\$1,623.00	\$1,893.00	\$2,359.50	\$2,913.00
<i>Nelson</i>	\$1,281.00	\$1,623.00	\$1,893.00	\$2,359.50	\$2,913.00
<i>Louisa</i>	\$978.00	\$1,275.00	\$1,450.50	\$1,972.50	\$2,547.00

- Have a gross household income at or below 80 percent Area Medium Income (AMI) (based on current month's income). From June 29, 2020 through July 10, 2020, Sub-Grantees must prioritize households with a current gross household income at or below 50 percent AMI. The determination of income includes any unemployment insurance received by a member of the household but does not include one-time payments such as a stimulus check.

Area Median Income by Percentage and Household Size

Area Median Income = \$89,600 - Counties of Albemarle, Fluvanna, Greene, Nelson and the City of Charlottesville

Percentage	One	Two	Three	Four	Five	Six	Seven	Eight
30%	\$19,750.00	\$22,550.00	\$25,350.00	\$28,150.00	\$30,680.00	\$35,160.00	\$39,640.00	\$44,120.00
50%	\$32,900.00	\$37,600.00	\$42,300.00	\$46,950.00	\$50,750.00	\$54,500.00	\$58,250.00	\$62,000.00
80%	\$52,600.00	\$60,100.00	\$67,600.00	\$75,100.00	\$81,150.00	\$87,150.00	\$93,150.00	\$99,150.00

Area Median Income = \$71,300 – Louisa County

Percentage	One	Two	Three	Four	Five	Six	Seven	Eight
30%	\$15,650.00	\$17,850.00	\$21,720.00	\$26,200.00	\$30,680.00	\$35,160.00	\$39,640.00	\$44,120.00
50%	\$26,050.00	\$29,750.00	\$33,450.00	\$37,150.00	\$40,150.00	\$43,100.00	\$46,100.00	\$49,050.00
80%	\$41,650.00	\$47,600.00	\$53,550.00	\$59,450.00	\$64,250.00	\$69,000.00	\$73,750.00	\$78,500.00

Overall Required Documentation

- Proof of discussion to identify alternate resources
- Proof of income (pay stubs, bank statements, letter from employer, social security documents, pension)
- Completed Virginia RMRP Household Eligibility Certification
- Additional documents are required per type of assistance provided per DHCD’s RMRP Funding Guidelines

Eligible Activities

- Rent and Mortgage Relief
- Program Staff Support (up to 10 percent)
- Administrative Costs (up to 5 percent)

RENT AND MORTGAGE RELIEF

Households may apply for financial assistance for rent or mortgage payments.

Tenants and homeowners may receive financial assistance for rent and mortgage payments past due beginning April 1, 2020 to present. Financial assistance is provided in one lump sum with the opportunity to apply for additional financial assistance based on availability of funding and the household’s continued eligibility. If the household returns for additional assistance, current income must be re-verified and the RMRP Landlord and Renter Household Agreement updated.

Many applicants will have the upcoming rent or mortgage payment due as well as past due payments from previous eligible months. RMRP financial assistance will pay for 100% of the current* month’s mortgage or rent (plus associated fees) and 100% of past due mortgage or rent (plus associated fees) from April 1, 2020 to present.

To receive this financial assistance, landlord must agree not to evict the renter for non-payment of rent associated with any of the months for which the rent relief payment is made.

If a tenant owes past due rent prior to April 1, 2020, the landlord must work with the tenant to develop an appropriate payment plan. If a tenant cannot adhere to the conditions within the payment plan, the tenant or landlord may return to the Rent and Mortgage Relief Program to apply for further assistance, provided the tenant remains eligible and funds are still available. And if the tenant or landlord returns to the Rent and Mortgage Relief Program for assistance with payment plan payment, they can also apply for the current month’s payment.

***Current month's rent is determined based on the date in which the application and all documentation has been verified by the grantee. If verified after the 15th day of the month, RMRP funds may also be used for the upcoming month's rent.**

Requirements

Sub-Grantees must **not** make payments directly to households, but only to landlords, property management companies, or mortgage lending institutions. Payments may be made by check, money order, online or electronically.

Should ongoing rent and mortgage relief payments be necessary to ensure housing stability, the Sub-Grantee must work to connect the household with mainstream resources including but not limited to approved housing counseling providers, public benefit specialists, employment and workforce development, and educational supports.

Required Documentation

In addition to overall RMRP required documentation provided above, the following documents are required for payment of Rent and Mortgage Relief:

Rent Relief:

- Valid lease in the Tenant's name with a landlord that is in compliance with tenant/landlord laws.
- Landlord affidavit (includes a W-9 IRS form) stating the tenant is past due in rent and detailing the total rent amount owed including any late fees in compliance with CARES Act and Virginia House Bill 1420.
- RMRP Landlord and Renter Household Agreement (see Attachment C)

Mortgage Relief:

- Mortgage Statement in the Homeowner's name.
- Documentation that the household has been deemed ineligible or been denied forbearance from their lending institution.
- W-9 IRS form from lending institution.

COMMITTEES

Advisory Committee

The TJPDC is guided by an RMRP Advisory Committee comprised of representatives from each locality within its jurisdiction: the counties of Albemarle, Fluvanna, Greene, Louisa, Nelson and the city of Charlottesville. This committee's primary goal involves guidance on alleviating the impact that the Coronavirus pandemic has had on renters and homeowners in Region 10 through emergency CARES Act funding opportunities, funding recommendations, and inclusionary RMRP procedures. The Advisory Committee will also be responsible for reviewing formal grievances that require appeal. Sub-Grantees that serve on the Advisory Committee will be excluded from any involvement in grievance procedures.

CONTACT INFORMATION

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