To: U.S. Department of Treasury
From: National Association of Counties (NACo)
Re: U.S. Treasury's Emergency Rental Assistance (ERA) Program
Date: January 13, 2020

Dear U.S. Department of Treasury,

The National Association of Counties (NACo) appreciates the opportunity to participate in this listening session on the U.S. Treasury's new Emergency Rental Assistance (ERA) program. We commend the Department on its outreach since the onset of the coronavirus pandemic, and encourage the Department to fully involve state and local governmental partners throughout the decision-making process of the ERA program.

Counties share the U.S. Treasury's goals of mitigating the spread of COVID-19, rebuild the economy and strengthen our communities. In every way, counties are on the front lines of the nation's pandemic response. We provide many essential services, especially for our most vulnerable residents, and support small businesses that are the lifeblood of our communities and our economy.

When it comes to housing, this is an essential and a natural investment for counties — prior to the pandemic, on an annual basis, **counties were investing $11 billion in housing and community development**. This includes investment in community planning, housing affordability initiatives and housing support services.

Also, prior to the pandemic, across the nation, nearly half (47 percent) of renters were burdened by housing costs — and now, with nearly 11 million unemployed, many residents within communities are struggling to meet housing payments.

Counties recognize this **acute need for housing and rental assistance** during the pandemic and have utilized funds from the CRF to mitigate evictions, provide emergency shelters, develop short-term housing and provide case management at housing sites to support COVID-19 health needs.

NACo appreciates the opportunity to provide input on the ERA program and hopes to work with the U.S. Treasury to examine the existing programs and processes, and to improve the effectiveness of this program at the local level. America's counties agree upon the following recommendations:

Flexible and Timely Administrative Guidance

While NACo was appreciative of the guidance the U.S. Treasury provided days following the enactment of the ERA program, many counties that were eligible to receive direct funds were unaware of both the new program and their eligibility. This made it difficult for many counties to understand and apply for the program ahead of the January 12 deadline.

As the U.S. Treasury begins to distribute new ERA dollars, counties urge the Department to release administrative guidance and information as quickly as possible to ensure states and localities understand the requirements associated with these funds. For example, delays in formulating guidance around the CARES Act made it difficult for CRF recipients to spend these critical dollars in the most efficient and effective ways possible to support our nation's residents and communities. Providing swift guidance will ensure there is no delay in states or localities spending these dollars or sub-allocating funds to sub-grantees.

Additionally, since the new ERA program only provides direct aid to 318 of the nation's 3,069 county governments, NACo urges the U.S. Treasury to include explicit language in the ERA guidance instructing states to suballocate a portion of their rental assistance funding with counties with populations below 200,000 people. At a minimum, states should prioritize rental assistance funds to residents in counties with populations below 200,000 that did not receive direct funding.

While counties have a keen understanding of our residents' housing needs, we recommend that the U.S. Treasury's ERA guidance provides specific examples of allowable activities directly/indirectly related to the coronavirus outbreak as described in the final legislative language.

As counties work to quickly allocate dollars, ERA guidance should allow for streamlining of the eligibility process and allow self-certification of income by renters applying for funding to avoid burdensome documentation requirements for renters, reduce administrative burden on state and local governments to review documentation, and to ensure funding is allocated in an expeditious manner.

Finally, counties recommend that the U.S. Treasury ERA guidance outline that there is no requirement to show proof of citizenship to receive the rental assistance funding.

Legislative Fix to Provide Increased Flexibility and Ease Administrative Burdens

While the ERA program takes positive steps towards helping our shared constituents secure suitable and sustainable housing, we are concerned the implementation of the recertification process may have unintended consequences.

Under current law, the recertification period for an individual to receive assistance is three months. Due to the relatively short time frame to expend funding before potential recoupment, counties recommend the U.S. Treasury extend the recertification period to receive assistance from three months to four months and allow for self-certification of income by renters applying for funding, to minimize the administrative burden.

Increase Coordination with Federal Partners and Provide Technical Assistance to State and Local Governments

Counties encourage the U.S. Treasury, working in partnership with U.S. Department of Housing and Urban Development (HUD), support grantees with written materials, including; FAQs, webinars and/or one-on-one direct support and assistance on the use of funding allocations and adhering to reporting requirements. We also encourage you to support capacity building for grantees who may not have had rental assistance programs previously.

Thank you for your continued hard work and leadership during these challenging times. We would welcome the opportunity to discuss the ERA program further to ensure these resources are distributed quickly to meet the needs of families struggling with housing instability.

Sincerely,

Matthew Chase
CEO/Executive Director
National Association of Counties