



## **Kansas Emergency Rental Assistance (KERA) Program Guidelines/Policies**

### **Financial Assistance Allowed:**

KERA shall provide financial assistance to eligible households, including the payment of:

- Residential rent and rental arrears from April 1, 2020 to current. Up to 18 months, if necessary to ensure the household's housing stability
- Up to three months of prospective rent at a time, even if the household does not have rental arrears.
- Past-due and current residential utility and home energy (electric, gas, water, sewer, and trash service) and internet costs incurred since April 1, 2020.
- Current or past-due fees may be covered, including: rental security deposits, reasonable late fees, application or screening fees, pet fees, utility fees, parking fees, garage fees and/or legal fees from April 1, 2020 to current.

### **Limitations on Prospective (Future) Rent Payments:**

Eligible households may request prospective rental assistance; however, tenants cannot apply for more than three future months in any one application. Rental payments for future months are:

- Subject to availability of remaining funds;
- Contingent upon the household not exceeding the total months of assistance allowed under the program; and
- Approved only after all of the household's rental arrears have been paid, if applicable.  
If future assistance is needed, applicant must reapply.

### **Eligible Households:**

Tenant households must meet all five of the following criteria to qualify:

1. **Financial Hardship.** Attest that one or more members of the household has either:
  - a. Qualified for unemployment on or after Jan. 20, 2020, or
  - b. Experienced a reduction in household income during the

- pandemic, between April 2020 and the present.
  - c. Incurred significant costs during the pandemic, (April 2020 to the present+, or
  - d. Experienced other financial hardship between April 2020 and the present.
- 2. **Risk of homelessness or housing instability.** Attest that the household is currently homeless, or one or more members of the household can demonstrate a risk of experiencing homelessness or housing instability, having received at least one of the following documents anytime since April 1, 2020:
  - a. A past due utility bill, or
  - b. A past due rent notice, or
  - c. An eviction notice.
- 3. **Income Eligibility.** The household income may not exceed 80 percent of the Area Median Income (AMI) for the area in which the household is located as determined by the U.S. Department of Housing and Urban Development (HUD). Income eligibility will be determined using one of the following methods:
  - a. Applicant attests that the household's income, for which documentation is not immediately available, is at or below the AMI limit for their eligible household size when compared to either of the following:
    - i. Household's current monthly gross income annualized by 12 months.
    - ii. Household's total adjusted gross household income for 2020.
  - b. 2020 Federal Income Tax Return. Adjusted gross income as reported on the household's IRS Form 1040 individual income tax return.
  - c. 2020 Annual Income. If the household hasn't submitted a 2020 federal income tax return, the household may provide documentation to determine the household's 2020 adjusted gross income. The following source documents will be required to determine total adjusted gross income, as applicable:
    - i. W-2 wage statement;
    - ii. IRS Form 1099 interest statement, unemployment compensation statement, and/or documentation of Social Security, annuities, insurance, retirement, pension, disability, or death benefits;
    - iii. Documentation of the net income from the operation of a business or profession, including direct payments for services for self-employed individuals;
    - iv. Documentation of public assistance cash benefits (TANF);
    - v. Documentation of child support and/or alimony payments.
  - d. Documentation of at least two consecutive months of income, including, as applicable:
    - i. Wages: If employed, paystubs for the prior four to six weeks, or two months, if paid monthly. Pay stubs should be the most recent and just prior to the date for which the household is

seeking assistance. If a household has inconsistent income, additional paystubs may be required. If the applicant is unable to provide pay stubs, employer verification will be required. Verification form or letter should be on the employer's letterhead and should state the wage, number of hours worked, pay frequency, overtime, commissions, tips, bonuses, and any additional pay;

- ii. Periodic payments: Award letters or documentation (such as bank statements) of Social Security, annuities, insurance, retirement, pension, disability, death, or other benefits;
- iii. Form 1099 interest statement, unemployment compensation statement, Social Security, annuities, insurance policies, retirement funds, pensions, annuities, capital gain, disability or death benefits and other similar types of periodic receipts;
- iv. Documentation of the net income from the operation of a business or profession, including direct payments for services for self-employed individuals;
- v. Bank statements covering at least two consecutive months prior to the submission of the application;
- vi. Letter from employer indicating reduced pay;
- vii. Documentation of public assistance cash benefits (TANF);
- viii. Documentation of child support or alimony payments;
- ix. Zero Income: If household is without income, a self-certification of zero income will be required;
- x. If paid in cash or place of employment is now closed, a self-certification of income will be required.

4. **Household is renting, or is currently homeless. For renters, the household** must be renting the residence for which they are requesting assistance and must have a written lease agreement or signed attestation from the landlord (Exhibit A-1). The residence must be the household's primary residence and must be in Kansas. The tenant must not have ownership in the property for which they are requesting rental assistance. If a landlord and tenant are living in the same home or property and have the same address which is not distinguished to be a different unit number or address, we are unable to grant that applicant ERA funds. Current lease or Self-Certification of Landlord/Tenant Relationship (Exhibit A-1) must include:
- a. Signature of applicant and landlord or sublessor,
  - b. Unit where the applicant resides, and
  - c. Rental payment amount.

5. **Proof of identification.** Applicant must provide one of the following:
- a. Current driver's license or state-issued photo ID,
  - b. Utility or cell phone bill,
  - c. Court filing notice, or
  - d. Mail from a federal, state, county, or city agency.

## **Duplication/Coordination of Benefits:**

To the extent feasible, KHRC shall ensure that any rental assistance provided to an eligible household pursuant to funds made available under this section is not duplicative of any other federally funded rental assistance provided to such household.

Only one application per household is allowed. A household is defined as everyone living in a unit excluding live-in aides and guests.

KHRC must review the household's income and sources of assistance to confirm that KERA assistance does not duplicate any other assistance, including federal, state, and local assistance provided for the same costs.

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 must request an interim recertification to recalculate their tenant rent if there has been a change in income before they are eligible for KERA assistance.

If a household receives rental assistance other than KERA, the KERA assistance may only be used to pay for costs, such as the tenant-paid portion of rent, utility costs, and internet, that are not covered by other rental assistance sources.

## **Payments:**

- Payments will be made to the lessor or utility provider on behalf of the eligible household.
- The household will be provided with documentation of any payments made on their behalf.
- Utility payments and internet service will be for past amounts or current amounts due.
- Rental assistance payment will include cumulative arrears and three prospective months of assistance in one lump sum. Should applicants need future assistance, they must reapply in three-month increments. Applicants may reapply as long as assistance is needed up to the 15-month limit, or 18 months if necessary to ensure housing stability.

## **Prioritization of Assistance:**

Applications will be processed based on a prioritization scoring model. The model gives points for:

- Level of income (lower the income tier, higher the priority)
- Income to amount requested ratio
- Days unemployed
- Number of household members unemployed

- Number of months delinquent
- Eviction status
- Disconnect of utilities status
- Date application was submitted

### **Application for Assistance:**

#### Application Process

- Landlord and tenant jointly complete separate online certification.
- Landlord and tenant are notified when application is processed.
- If approved, landlord and/or utility provider(s) receive funds directly from KHRC.
- Landlord and/or utility provider(s) applies assistance to tenant account.

### **Delivery Model:**

KHRC has an existing database of landlords and tenants who applied during the previous Kansas Eviction Prevention Program (KEPP). Email notifications of program opening will be sent to this list and at the same time KHRC will begin a media outreach campaign.

We anticipate the program will launch March 15, 2021 and run through 2025, as long as funding remains. The deadline will allow our staff to process as many applications as possible in anticipation of obligating at least 65 percent of the allocated program funds by September 30, 2021.

Notwithstanding the prioritization scoring model, applications will be processed on a first-completed, first-served basis.