

PA Emergency Rental Assistance Program Frequently Asked Questions Updated October 26, 2022

This document is a tool to support county's in their administration of the Pennsylvania Emergency Rental Assistance Program (ERAP). In addition to using this Frequently Asked Questions (FAQ) as a resource, refer to Pennsylvania Department of Human Services (PA DHS) Instructions & Requirements (I&R) document and procedural memos found on the [PA DHS ERAP website](#) and [U.S. Treasury guidance and FAQs](#).

1. What is ERAP?

The Emergency Rental Assistance Program or ERAP was created to help renters dealing with financial challenges related to the COVID-19 pandemic. For eligible households, the program offers rental and utility assistance to help Pennsylvanians avoid eviction or loss of utility service, including assistance with other housing expenses and the provision of housing stability services.

ERAP was established by the Consolidated Appropriations Act 2021, commonly referred to as ERAP1. Governor Wolf signed Act 1 of 2021 into law on February 5, 2021, allowing the Department of Human Services (PA DHS) to implement and administer ERAP in accordance with federal law. ERAP was expanded through the American Rescue Plan Act, Pub L. No. 117-2 (March 11, 2021). Governor Wolf signed Act 24 of 2021 into law on June 30, 2021, allowing PA DHS to implement and administer the expanded program, commonly referred to as ERAP2, in accordance with federal law.

ERAP2 began with the passage of the American Rescue Plan of 2021 and implemented with PA Act 24 signed on June 30, 2021, by Governor Wolf. ERAP2 continues to provide assistance to households during the COVID-19 public health emergency (PHE). The ERAP2 funding will provide families and individuals financial assistance for: rent, rental arrears, utilities and home energy costs, utility and home energy costs arrears, and other expenses related to housing incurred during, directly or indirectly, to COVID-19, and housing stability services to eligible households. ERAP2 payments including arrearages and future payments, for any individual household may not exceed 18 months including any assistance provided using ERAP1. ERAP2 monies are for use in State Fiscal Years 2021-2025.

ERAP2 includes an additional allocation to meet the needs of the most vulnerable citizens for high needs households. ERAP2 high needs funds are used for the state's population of very low-income, under 50 percent of area median income (AMI), renter households paying more than 50 percent of income on rent or living in substandard or overcrowded conditions.

3. Who is eligible?

Pennsylvanians can apply for themselves as tenants, or a landlord can apply on behalf of current tenant(s).

A household must be responsible to pay rent on a residential property, and:

- One or more people within the household have qualified for unemployment benefits, had a decrease in income, had increased household costs, or experienced other financial hardship due to, directly or indirectly, the COVID-19 pandemic;
- One or more individuals in the household can show a risk of experiencing homelessness or housing instability; AND
- The household has an income at or below 80 percent of Area Median Income (AMI) as established by the U.S. Department of Housing and Urban Development.

ERAP requires a prioritization of assistance for households with:

- Incomes less than 50% AMI -OR-
- One or more individuals that have not been employed for the 90-day period preceding the date of application.

County ERAP offices should establish a preference system for priority populations.

4. What are the income/resource limits?

Income limits vary by county. The household's annual income must be equal to or less than 80 percent of the AMI for their county. You can find the income limits for your county by visiting the PA DHS ERAP website under [Income Requirements](#).

HUD recently released the 2022 AMI limits and PA DHS issued [Procedural Memo #008-22](#) providing guidance on when to use the different year's AMI limits.

Resources (like bank accounts and cars) are not evaluated for ERAP.

5. What information is needed to apply?

- Personal identification information for the head of household
- Income information for all household members over the age of 18
- Rental expenses
- Landlord's name and contact information
- Utility expenses like electric, water, oil, natural gas, etc.
- Utility provider information

6. What documents are needed?

- Documentation to establish identity such as a driver's license, state-issued ID card, passport, etc.
- Documentation of unemployment qualification or a reduction in household income due to and/or during the COVID-19 pandemic
- Paystubs, W-2s, other wage statements, tax filings, direct deposit records, or attestation from an employer
- Documentation of unearned income such as unemployment benefits, social security benefits, retirement benefits, child/spousal support, etc.
- Document(s) showing rent and/or rental arrears due
- Document(s) showing utility and/or utility arrears due
- Document(s) showing other housing-related expenses experienced due to and/or during the COVID-19 pandemic

These documents may be submitted as:

- Photocopies
- Digital photographs of documents
- Emails or attestations from employers, landlords, or others with knowledge of your household's circumstances

Alternatively, written attestation without further documentation of household income from the applicant is allowable under three approaches: Self Attestation Alone, Categorical Eligibility, or Fact Specific Proxy.

County ERAP offices also have discretion to provide waivers or exceptions to this documentation requirement to accommodate disabilities, extenuating circumstances related to the pandemic, or a lack of technological access. In these cases, county ERAP offices are still responsible for making the required determination regarding applicants' household incomes and documenting those determinations.

7. When did the program begin?

Counties participating in ERAP began offering assistance in mid-March 2021.

8. When does the program end?

There are two sources of funding for the ERAP program, referred to respectively as ERAP1 and ERAP2 with some differences in allowable uses. The funds from ERAP1 must have been obligated by September 30, 2022, and the funds from ERAP2 can be used until September 30, 2025, or until exhausted, whichever comes first.

9. How can tenants and landlords apply?

Applications for most counties can be submitted online at www.COMPASS.state.pa.us. However, not all counties are using the COMPASS system and are using their own application intake system.

Tenants and landlords can locate county ERAP offices and methods for applying in that county on the [PA DHS ERAP website](#). Online COMPASS applications are available in English or Spanish. Applicants can download and print applications in seven languages from the [PA DHS ERAP website](#). Applicants can get applications from their county's ERAP office.

County ERAP offices should be flexible in the different application formats they accept and accommodating to the technical capabilities of their communities.

10. How can applicants provide documents?

For counties using COMPASS, documentation may be uploaded with COMPASS online applications, provided by mail, fax, email (if available), or in person at the county ERAP office of tenant's residence. Some counties are using a different application process and may have additional ways to submit documents.

11. How is the ERAP payment issued?

ERAP assistance is paid directly to the landlord or utility provider. If a landlord or utility provider does not want to participate in ERAP, a direct payment may be made to the tenant. A payment received by a tenant must be forwarded to the landlord or utility provider to reduce the tenant's obligation. In ERAP2, counties are required to make payments directly to tenants when landlords choose not to participate.

12. Do homeowners qualify for ERAP assistance?

No. ERAP is only available to households who pay rent or utilities on a residential dwelling. Homeowners may visit the [Pennsylvania Homeowner Assistance Fund](#) website for more information on how to receive assistance.

13. Do tenants who receive Section 8 or subsidized housing assistance qualify?

Yes. A tenant that lives in a federally subsidized residential or mixed-use property (e.g., a Housing Choice Voucher, Public Housing, or Project-Based Rental Assistance) may be eligible to receive ERAP assistance as long as ERAP funds are not applied to costs that have been or will be reimbursed under any other federal assistance. This would include Section 8 housing and recipients of the State Opioid Response (SOR) grant funds for rental assistance.

The ERAP assistance may only be applied to the tenant-owed portion of rent or utilities.

14. How much assistance can be provided?

Assistance can be provided for a tenant with payment of rent, rental arrears, utility or home energy costs, utility or home energy cost arrears, or other expenses related to housing. ERAP2 payments for any individual household may not exceed 18 months (inclusive of any months of assistance provided using ERAP1).

Counties are not obligated to pay the full 18 months. County programs may establish policies and procedures that limit the maximum allowable number of months of assistance due to the availability of funding.

15. Can ERAP funds be used to assist tenants to pay arrears owed in a previous apartment, after they have moved to a new apartment, so that the tenant is no longer liable for that debt?

Yes. ERAP funds can be used to pay for arrearages in a previous apartment. To remove barriers a household may face in accessing new housing, county ERAP offices may, at the tenant's request, provide assistance for rental or utility arrears after an otherwise eligible tenant has vacated a unit. County ERAP offices must follow their policies and procedures to substantiate covering rent arrears in cases where the tenant is no longer in the unit.

16. Can ERAP funds be used to pay arrears owed in situations where the applicant has passed away?

A landlord cannot apply on behalf of a tenant that has passed away since the tenant is not able to complete their portion of the application and is not at risk of experiencing homelessness. However, an ERAP applicant that passes away after applying and meeting eligibility requirements for assistance for arrears, will be determined on a case-by-case basis and based on available funding.

17. Can a property owner seek ERAP funding to cover rent owed by a tenant from before the property was sold?

This depends on if the risk and obligation of collecting the past due rent was transferred to the new owner per the purchasing agreement which the county ERAP office needs to verify. If the prior owner retained the obligation of the past due rent, the prior owner could take the tenant to court for past due monies. If taken to court, the financial setback could create housing instability, making the tenant potentially eligible for ERAP, however, the tenant would have to apply, not the landlord.

18. What are the documentation requirements when a landlord and tenant are family members?

Demonstrated proof of rental payment history such as bank statements and checks or a lease if available.

19. If two unrelated adults (roommates) each have a rental obligation for the same rental unit, can they apply as separate households or must they apply together as one household?

If the roommates are on one lease, they are considered one household and must apply together. Roommates with separate leases can be considered separate households and apply individually. Counties should clarify in their policies and procedures the application requirements for households with roommates.

H.R. 133-888 Sec. 501. Emergency Rental Assistance defines eligible household as ‘one or more individuals who are obligated to pay rent on a residential dwelling’. If only one roommate is at risk of housing instability, they can apply on their own and demonstrate proof of their portion of rental and utility obligations and payment history. The income of the other roommate(s) should not be considered for eligibility. Counties may want to specify in their policies and procedures the need for attestation from roommate(s) in these situations.

20. Once a tenant has been approved for ERAP funding, will the eviction process stop?

The grantee must prohibit the landlord from evicting the tenant for nonpayment of rent with respect to the period covered by the assistance. PA Act 1 of 2021 Section 102-D (E) Reduction of Obligation stipulates that landlords shall use ERAP assistance to reduce the tenant’s obligation to the landlord but the landlord is not required to waive any outstanding obligations for rent as a condition to participate in the program.

21. If a tenant is denied for ERAP, should they appeal or reapply for the program?

If a tenant believes they were denied in error, they can appeal the determination. If the tenant’s circumstances changes since the denial, they can and should reapply.

The procedure for appeals begins at the county level. ERAP providers must establish appeals policies and procedures as laid out in [Procedural Memorandum #002-21](#). The county must develop procedures in accordance with 2 Pa C.S. Chapter 5 that allows clients to appeal denied assistance or terminated services and afford them the opportunity to have their cases heard by the county agency. Counties must inform clients, in writing, of their right to appeal and of the availability of an appeal process at the local county level.

If a client wishes to further appeal a decision resulting from a local agency appeal outcome, it must be made to the local court system that has appropriate jurisdiction (2 Pa. C.S. § 752). The PA DHS Secretary has no authority to reconsider decisions issued at the local level. Appellants would instead file ERAP appeals with the Court of Common Pleas for the county in which the decision was issued.

22. Are ERAP payments included in the household’s gross income?

No. ERAP payments made to eligible households are not considered income and should not be included when calculating gross income for determining income eligibility for other federal or state programs.

23. In what situations might a college student be eligible for ERAP?

College students do not qualify for ERAP if a college is shut down due to remote learning and

- the student returns home,
- is claimed as a dependent by a parent/guardian, and
- is securely housed.

If a college student is facing housing instability, they must qualify as eligible under ERAP same as any other applicant.