



Committee: Directly to Council
Committee Review: N/A
Staff: Linda McMillan, Senior Legislative Analyst
Purpose: Receive briefing and have discussion – no vote expected
Keywords: COVID; Rent Assistance; ERAP

AGENDA ITEM #3
February 8, 2022
Discussion

SUBJECT

COVID Rent Assistance and Evictions

EXPECTED ATTENDEES

Amanda Harris, Chief, Services to End and Prevent Homelessness, Department of Health and Human Services (DHHS)
Ilana Branda, Deputy Chief, Services to End and Prevent Homelessness, DHHS
Aseem Nigam, Director, Department of Housing and Community Affairs (DHCA)
Frank Demarais, Deputy Director, DHCA
Lorraine Driscoll, Program Manager, DHCA
Chief Deputy Maxwell Uy, Montgomery County Sheriff's Office
Frank Vitale, Supervising Attorney, Maryland Legal Aid Bureau, Inc.
Alex Vazquez, Montgomery County Lead Organizer, CASA

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- None. Update and Discussion.

DESCRIPTION/ISSUE

The COVID-19 pandemic has caused severe income loss and economic distress for many households in Montgomery County. Many households are unable to pay all or part of their rent and monthly utilities. Low-income households have been disproportionately impacted. Households that cannot pay rent are at risk of eviction. The Federal Government has provided funding directly to Montgomery County to provide rent assistance to households which have been financially impacted by COVID. The State of Maryland has been provided Federal funds, some of which have been distributed to Montgomery County, to provide COVID rent assistance. In addition, Montgomery County has appropriated County and CARES funds for rent assistance. The Council will receive an update on the distribution of COVID rent assistance to date, the plans for opening an application portal for the next phase of rent assistance, continued efforts to support tenants through partnerships with non-profits and legal aid, trends in evictions, and observations on the challenges facing tenants who have been notified by landlords that there is an intent to file for eviction or who are in court proceedings.

SUMMARY OF KEY DISCUSSION POINTS

- The February 2, 2022 Pulse Report which includes data for the week of January 24-30, reports that the County has made \$66.2 million in COVID rent assistance payments. This is from local, CARES, and Emergency Rental Assistant Program (ERAP) 1 funding sources. Payments have been made to 9,281 households. (©2)

- The County has used 100% of the ERAP 1 funds provided by the State of Maryland (\$28.1 million) and 93% of the funds awarded directly to the County (\$31.4 million). (©4)
- The County has received 11,161 unduplicated applications. 71% of applicant households report an income of 30% or less of area median income and the median household income for all applicants is \$20,926. 53% of households reported at the time of application that they had been unemployed for the last 90 days. (©1)
- A majority of households are two persons or less; 76% of households are 3 persons or less. (©1)
- 84% of households identified as Black (53%) or Hispanic (31%). (©3)
- On December 7, 2021 the Council appropriated \$34.4 million in ERAP 2 funds that were awarded directly to the County. The award to the County included \$24.8 million in regular funding and an additional \$9.6 million as a high need allocation for jurisdictions where very low-income households are paying 50% or more on rent, households are living in overcrowded conditions, or there are high rental market costs. ERAP 2 funds must be spent by September 30, 2025. DHHS is currently developing the parameters for application for ERAP 2 rental assistance. The State of Maryland received over \$204 million in ERAP 2 funds.
- DHCA has continued to contract and partner with non-profit and legal assistance organizations to provide outreach, educations, application assistance, and court-based legal assistance. Partners include CASA, Housing Initiative Partnership (HIP), Latino Economic Development Corporation (LEDC), Renters Alliance, Legal Aid Bureau, and Homeless Persons Representation Project (HPRP). In partnership with the Sheriff's Office, organizations are able to provide specific outreach to tenants who have received eviction notices. CASA, Legal Aid, and HPRP can provide phone consultation and in-person assistance. Tenants may also access the District Court Help Center. DHCA convenes weekly meetings for the partners to share concerns and observations about what tenants are experiencing.
- On January 14, 2022, because of the Omicron variant, the Maryland Judiciary extended Phase III operations until March 6, 2022. Under Phase III, new Failure to Pay Rent cases are not heard which has helped slow down or pause evictions for Failure to Pay Rent. However, under Phase III the Court is hearing Tenant Holding Over, Breach of Lease, Wrongful Detainer Actions and Associated Warrants of Restitution, and is continuing the Processing of Warrants of Restitution for Failure to Pay Rent. Organizations assisting tenants in Montgomery County are observing an increase in Tenant Holdover cases which are able to move forward under Phase III.

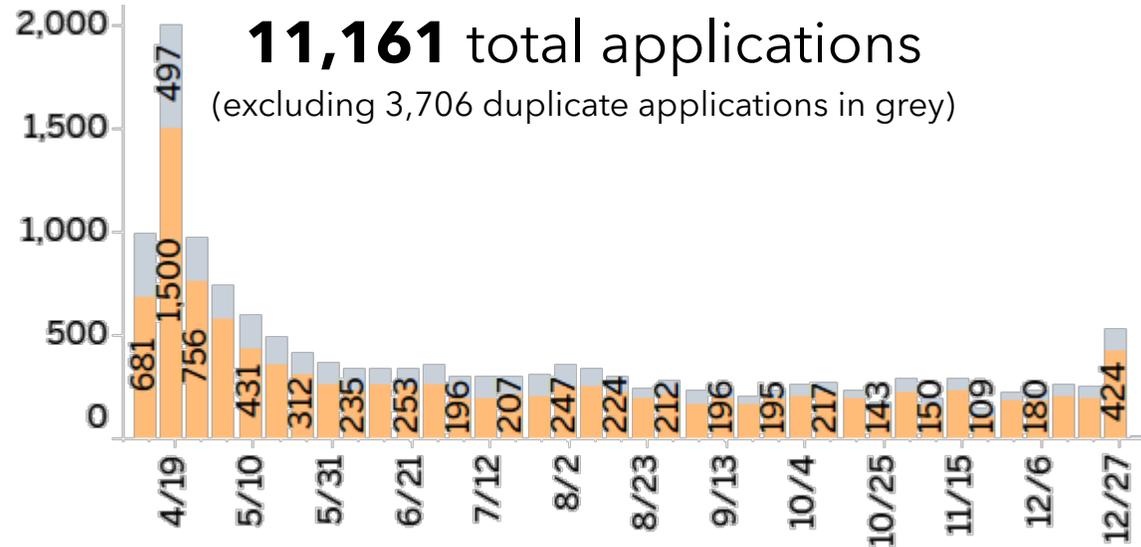
Attached:

| | |
|--|------|
| Rent/Eviction Excerpt from February 2, 2022 Pulse Report | 1-5 |
| Memo from DHCA Director Nigam | 6-7 |
| DHCA presentation: Support for Renters and Landlords | 8-17 |

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COVID-19 RENTAL RELIEF UPDATE: WEEK OF JAN 24-30

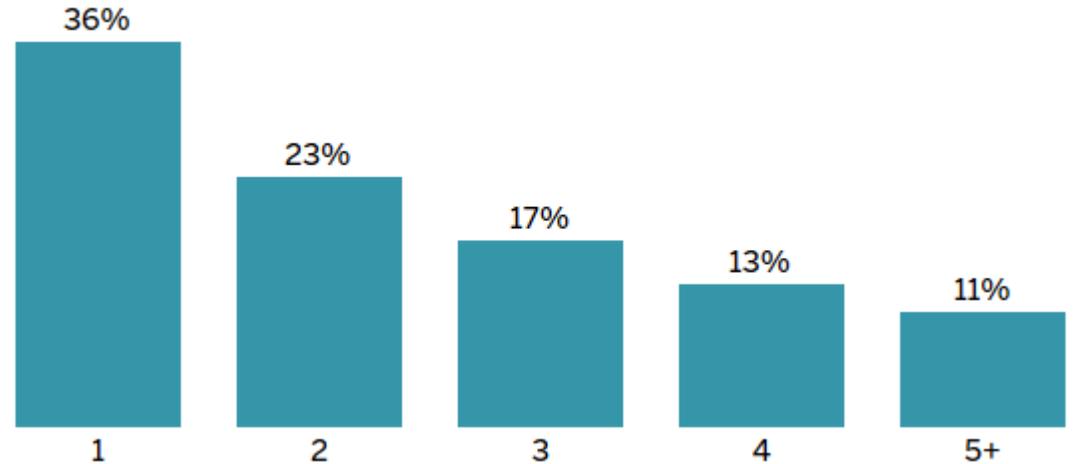
APPLICATIONS BY WEEK (ENDED 12/31)



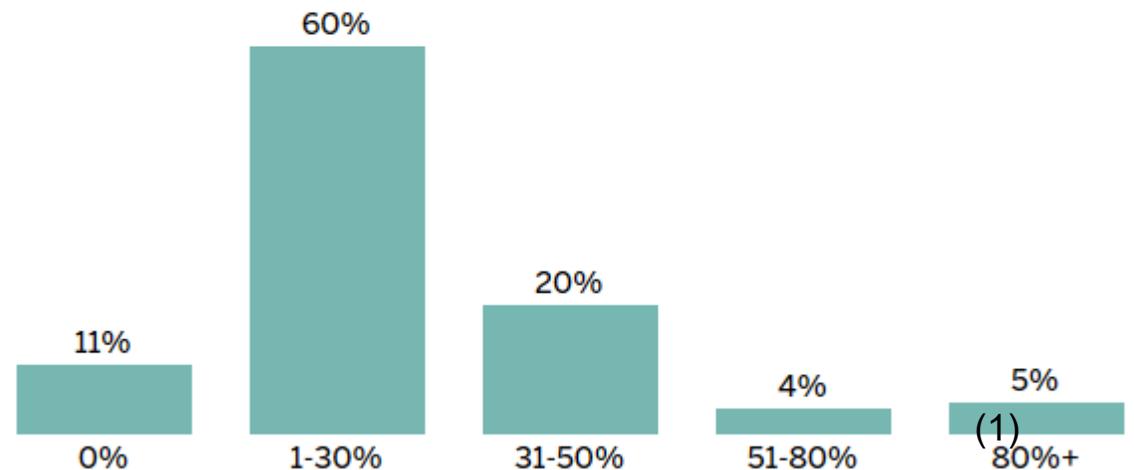
Application portal closed on 12/31/21.

APPLICANT HOUSEHOLD CHARACTERISTICS

Household size



Percent of Area Median Income

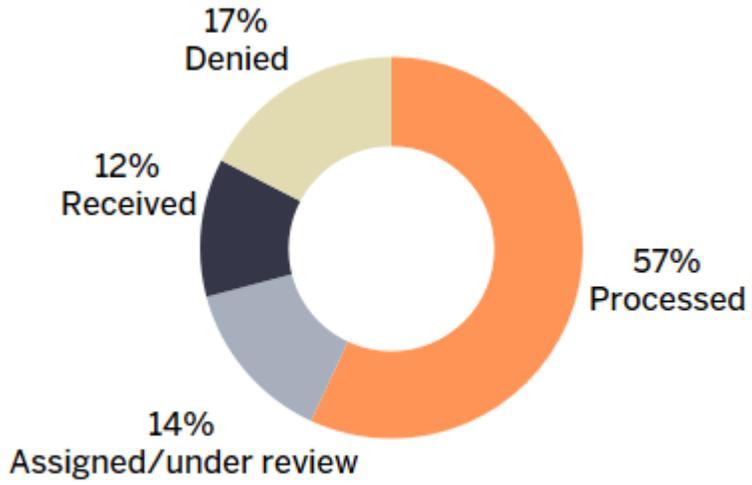


APPLICANT CHARACTERISTICS

- **51%** matched with landlord application
- **53%** unemployed past 90 days
- **29%** needed to care for self/others
- **23%** self-reported receiving an eviction notice
- Median household income: **\$20,926**

COVID-19 RENTAL RELIEF UPDATE: WEEK OF JAN 24-30

APPLICATION PROCESSING



May not add to 100% due to rounding.

Denials are primarily due to applicants not having arrears/mortgage assistance requests, exceeding income requirements, not demonstrating county residency, and include non-responsive and fraudulent requests.

ALL-TIME TOTALS

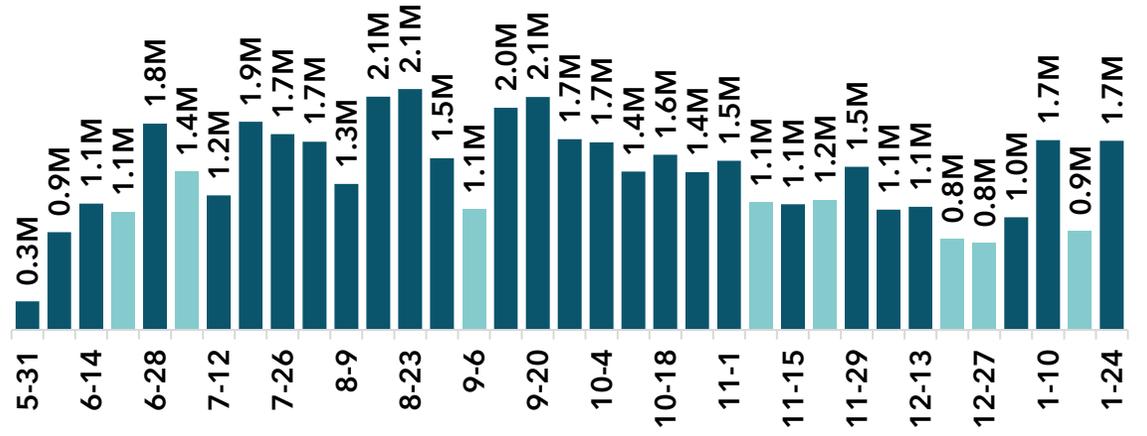
The current round of funding adds to two previous rounds of COVID-19 assistance. In total, the Emergency Rental Assistance Program has approved:

- **\$66.2M** in payments
- **9,281** households

APPROVALS

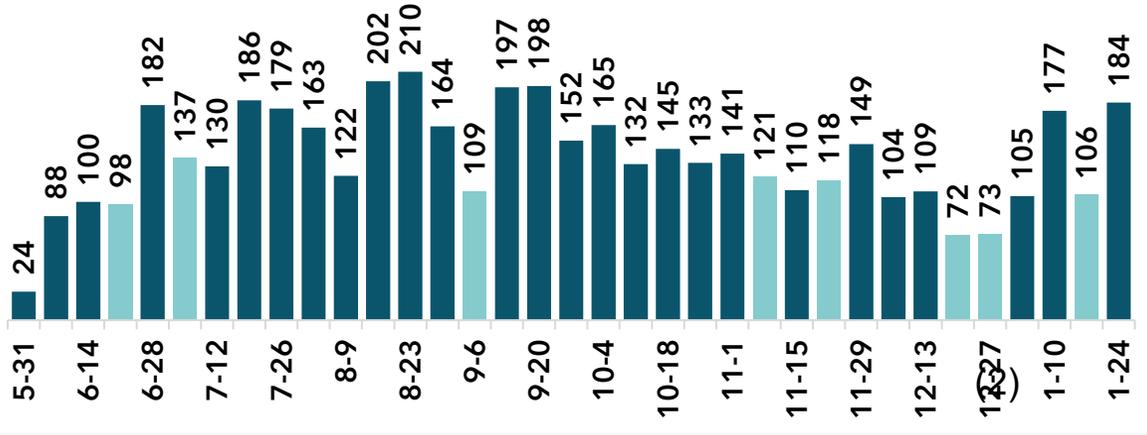
Total Approved Payments: \$48.3M

(4-day workweek in light blue)



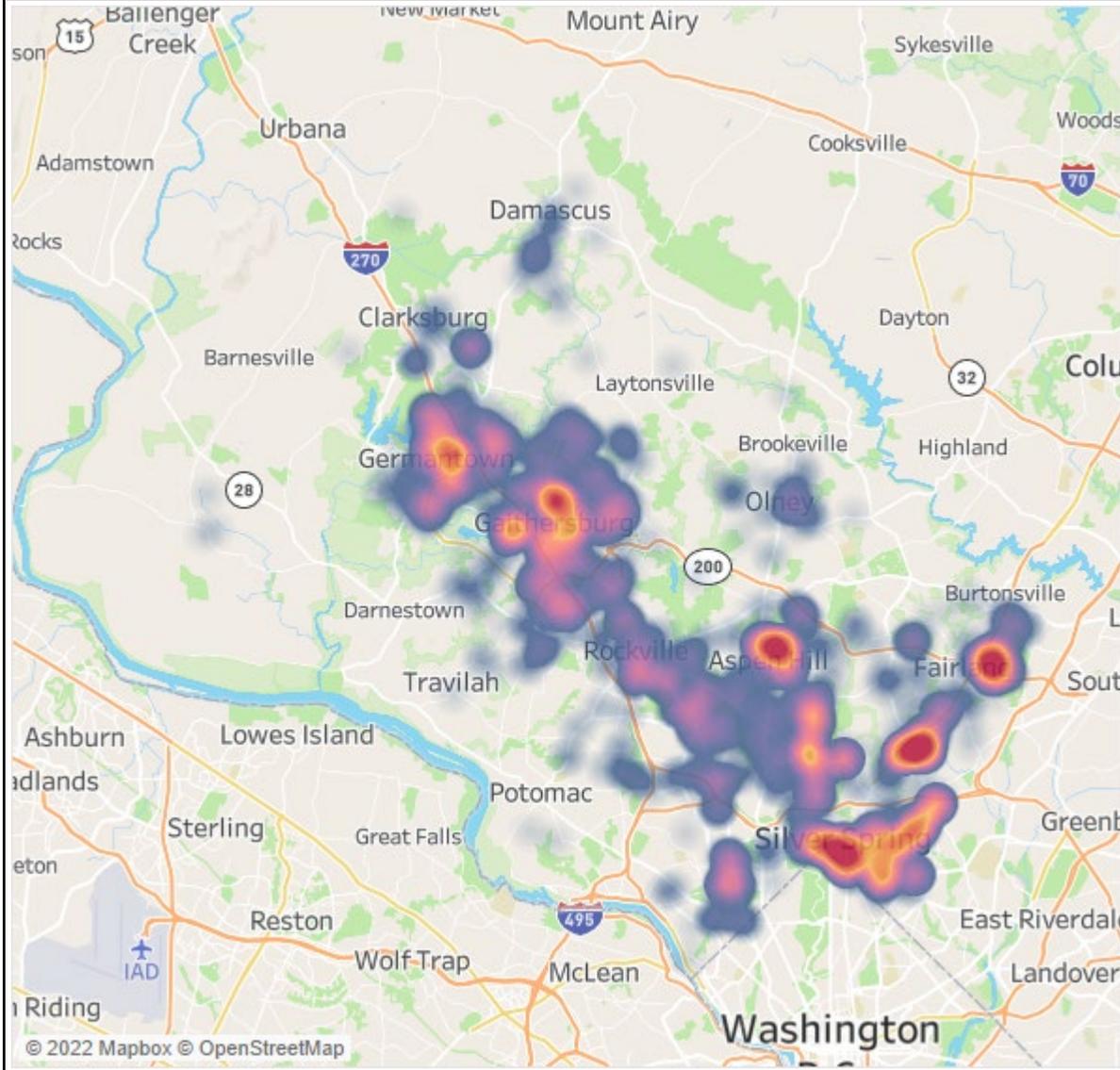
Total Approved Households: 4,785

(4-day workweek in light blue)

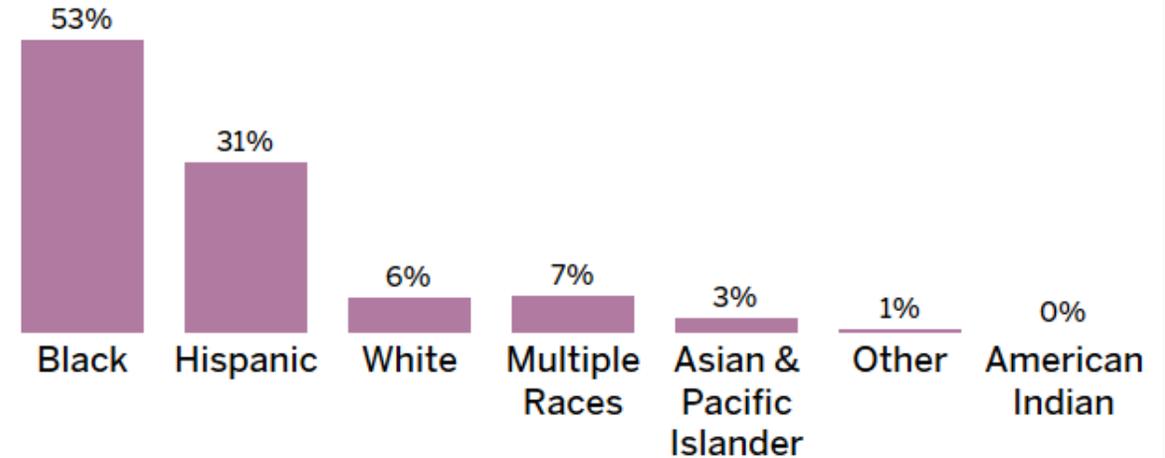


COVID-19 RENTAL RELIEF UPDATE: WEEK OF JAN 24-30

HEATMAP OF RECIPIENT HOUSEHOLDS



RECIPIENT RACE/ETHNICITY



ADDITIONAL RECIPIENT CHARACTERISTICS

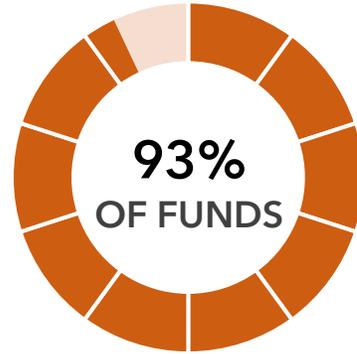
- Average client payment: **\$10.1K**
- **64%** of payments arrears; **36%** prospective
- **47%** of awarded households are in high-need areas as defined by the Homeless Prevention Index

COVID-19 RENTAL RELIEF UPDATE: WEEK OF JAN 24-30

DIRECT ERAP EXPENDITURES

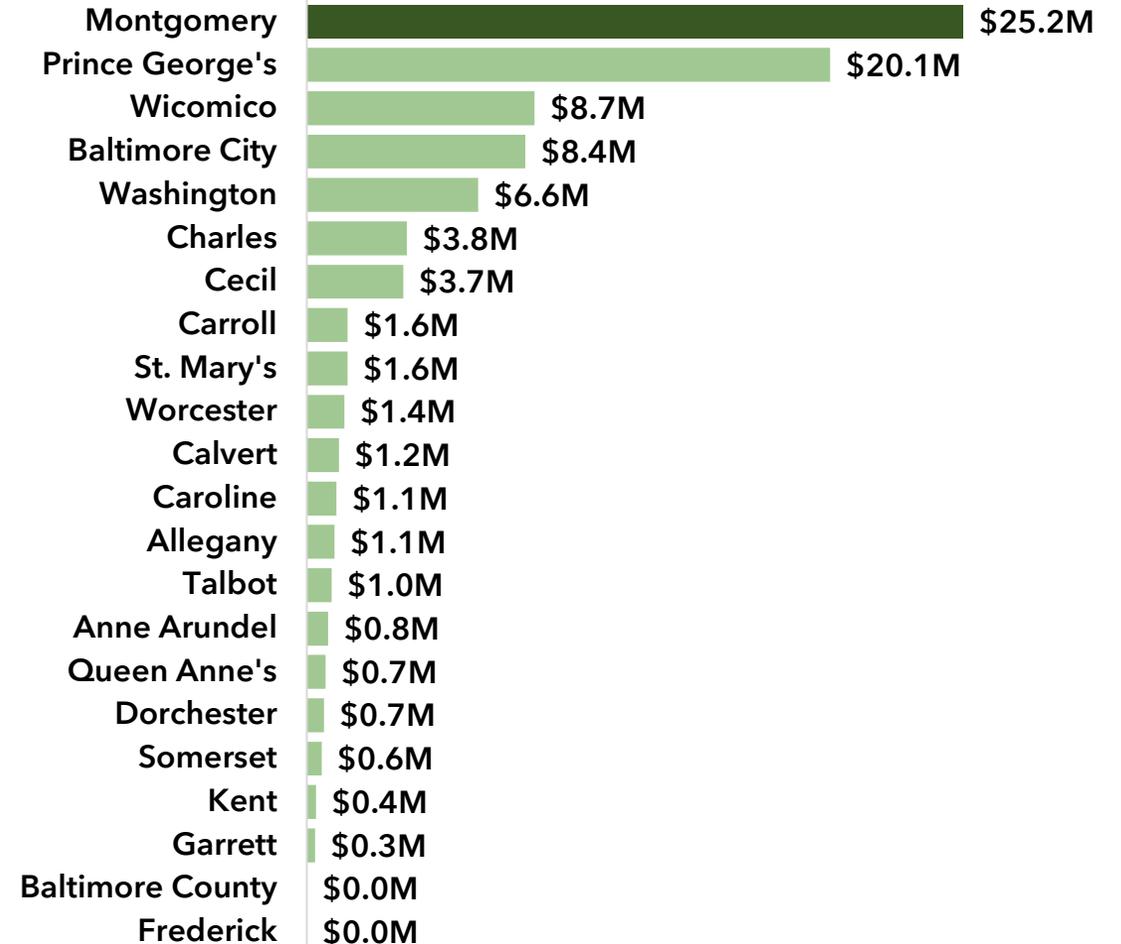
Award
\$31.4M

Current spending and encumbered
\$29.3M



STATE EXPENDITURES BY COUNTY

As of 11.30.2021



STATE ERAP EXPENDITURES

Award
\$28.1M

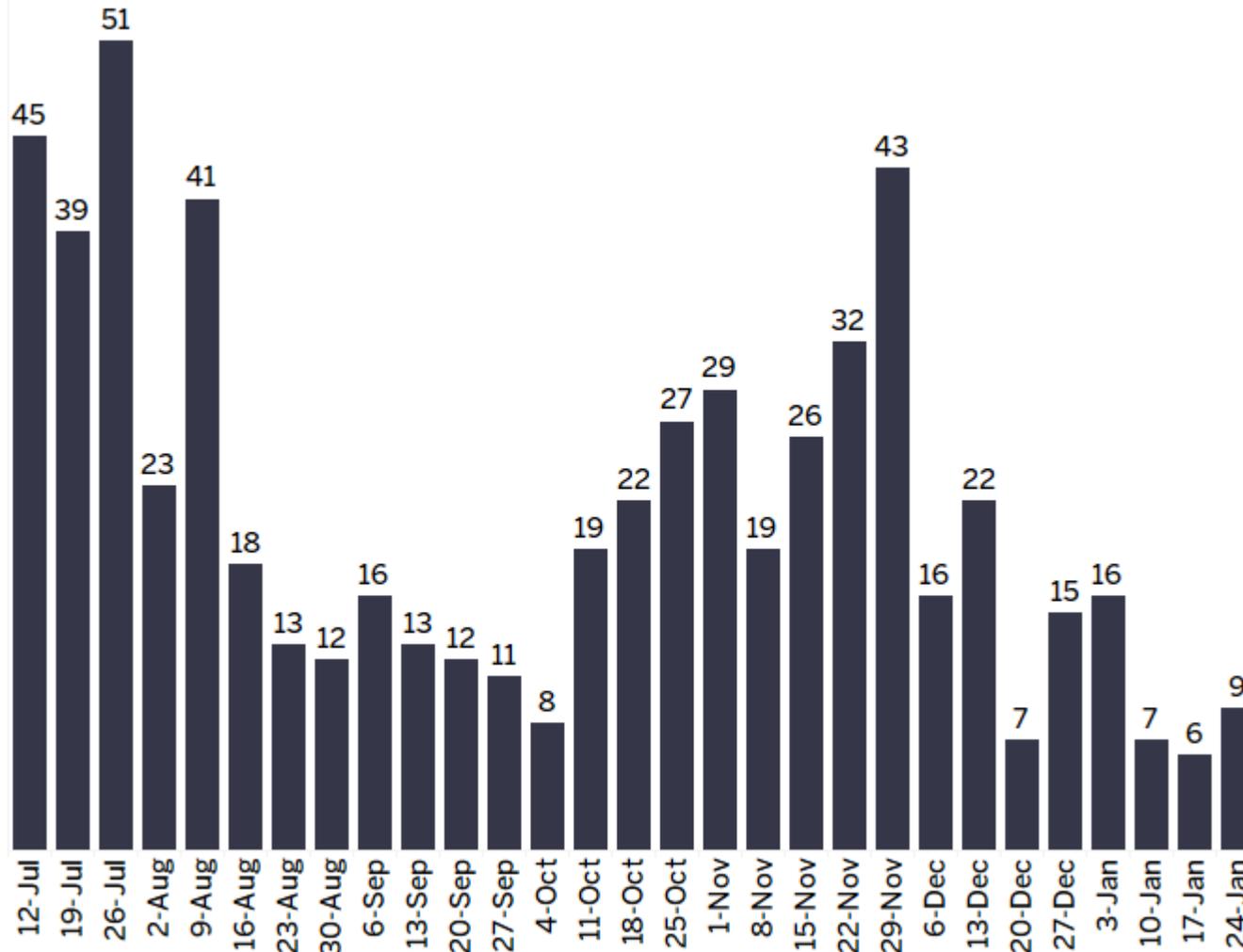
Current spending and encumbered
\$28.1M



Note: Spending and percentages may shift as payments are reconciled.

EVICTON TRACKER

NEW WRITS BY WEEK



- **897** residents scheduled for eviction after July 19
- **46%** of households with writ have applied for emergency rental assistance
- Context: **fewer than 8%** of writs typically result in eviction

NOTE: Records on writs for eviction can include commercial tenants as well as multiple notices for a single household. The stats above attempt to capture unique residential households only, but it is not always possible to make such distinctions.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Aseem K. Nigam
Director

MEMORANDUM

February 1, 2022

TO: Gabe Albornoz, President,
Montgomery County Council

From: Aseem Nigam, Director *AN*
Department of Housing and Community Affairs

Subject: Housing Mission - Outreach, Counseling and Legal Assistance for Tenants

Continuously Connecting Tenants and Landlords to Support: Since May 2020, the County has established a coordinated structure of counseling support organizations and legal representation support. The County and support organizations have conducted broad, sustained outreach to at-risk renters and to landlords who can reach tenants behind on rent. The outreach and communications have resulted in the substantial number of applications received and fulfilled: To date, \$65M of COVID-19 assistance has been provided for more than 9,100 renter households. We continue working to reach even more at-risk renters and landlords to access all available support and maintain their housing.

Best Practices as Recommended for Integration of Services and Rental Assistance: The analyses of best practices from the Maryland A.G. Task Force (2022) and the White House Summit (2021) recommend integration of COVID Rent Relief programs with outreach, counseling and legal assistance for renters. More specific recommendations include early and ongoing outreach to renters; uniform messaging connecting to centralized numbers and websites; targeting those most likely at risk with trusted messengers; using a mix of print, digital and in-person; and adequate and bilingual staffing. Since 2020, Montgomery County's approach has reflected best practice recommendations from the Maryland AG Task Force and the White House Summit.

Funding: With Council support, beginning in May 2020, DHCA has provided \$1.696 million for court-based legal assistance and tenant and landlord support services and outreach. CASA, HIP, LEDC and Renters Alliance are the Support Organizations conducting outreach to at-risk, vulnerable communities and providing one-on-one financial counseling. Maryland Legal Aid, Homeless Persons Representation Project and CASA provide legal support and in-court representation.

Office of the Director

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3791 FAX
www.montgomerycountymd.gov/dhca

Direct Service Support: Four support organizations continuously reach out and respond to tenant and landlord requests. Tenants receive direct counseling assistance, including detailed explanations of assistance; help with applications, especially if receiving an eviction notice; understanding court notices; and help working with their landlord. These services supplement DHCA's Office of Landlord Tenant Affairs support to renters and landlords. Further, Maryland Legal Aid and HPRP free legal representation at the courthouse and along with CASA provide telephone guidance in preparing for court. Tenants also have access to Maryland Court Help Center, providing on-site advice for walk ins as well as advance calls. The support organizations provide a coordinated door-to-door effort to reach and assist tenants based on weekly eviction notices from the Sheriff's Office.

Outreach Structure: Support organizations, DHCA, and DHHS conduct broad, sustained outreach and communications, working in partnership with PIO, RSCs, Office of Community Partnerships, MCPS, Montgomery College, faith-based and other communities, and food distribution networks. Targeted outreach includes working with 100+ apartment building managers and their tenants; focused outreach events; 70,000 flyers distributed; 185 weekly webinars in English and Spanish; connecting to renters through trusted voices and community organizations, including faith-based communities; and collaborating with the municipality's housing departments. Additional communications include signage in Ride On buses; mandatory lobby signs in apartment buildings; webpages for renters and landlords promoted via social media, County and community e-newsletters and flyers. Connections with landlords via monthly e-newsletter, webinars and in-person support improved landlord understanding of support and connecting tenants with available rental assistance. Recent, focused efforts to expand community-based outreach and engage additional trusted voices and communities has included Montgomery County Food Council, Census Complete Count Committee, COVID Community Committee, and MCPL.

Looking to the future While we are still in response mode, we are pivoting to a sustainable, substantial infrastructure of supports. As we implement this, we will continue our commitment to learn, refine and improve our outreach efforts to connect more renters to legal assistance, counseling support and financial assistance. The County's commitment to expand the numbers of dedicated affordable housing units, through financing and policy actions, provides the most critical support for tenants facing housing insecurity.

Housing Mission

Support for Renters and Landlords

February 8, 2022



Marc Elrich
County Executive

Aseem Nigam
DHCA Director



Department of Housing and Community Affairs

Connecting Tenants and Landlords to Support

Continuous connection of tenants and landlords with rental assistance, counseling organizations, and legal services, in collaboration with HHS, nonprofit & for-profit partners.

- Updating: COVID Rent Relief program enhancements; Court opening and closing; Eviction protections (CDC and Governors Orders); Rent increase limits; Court notices changes

Direct Service – Tenant financial and rights counseling: Tenants directed to contact a Support Organization for one-on-one support with their situation.

Direct Service - Legal counsel and representation in Court – Free legal representation for tenants at courthouse for walk ups; legal counsel for tenants with a court notice to prepare for court.



Outreach and Supports for Tenants

(Funding)

With Council support, beginning in May 2020, DHCA has provided \$1.696 million for court-based legal assistance and one-on-one tenant and landlord support services.

Counseling and Outreach:

- CASA, HIP, LEDC, Renters Alliance
- Outreach to targeting at-risk tenants and vulnerable communities
 - COVID-19 assistance of \$65M to 9,100 households
 - One-on-one financial counseling and education

Legal Support and In-Court Representation:

- Maryland Legal Aid, Homeless Persons Representation Project , CASA
- Representation available at Court; legal preparation and advice



Connecting Tenants with Supports & Resources

On-going broad, sustained outreach and communications in partnership with HHS, PIO, Regional Service Centers, Office of Community Partnerships, MCPS, Montgomery College, faith-based and other communities, food distribution networks, census and vaccine outreach events, tenant events, etc.

- Flyers* (paper and electronic): 70,000+ distributed.
- Bus ads* posted for continuous display.
- Lobby signs* about tenant rights and eviction prevention, posted in all MF apartment buildings.
- Outreach events* with property managers and tenants at 100+ large apartment buildings in high-risk census tracts; flyers at food distribution sites and outreach events throughout the County.
- Renter & Landlord webpages* promoted via flyers, social media, e-newsletters, COVID Rent Relief site, etc.
- Webinars for tenants*: 185 hosted by Support Organizations, in English and Spanish.
- Reaching Tenants through Landlords*: monthly landlord newsletter about connecting tenants to COVID Rent Relief and Support Organizations; new legal requirements; and available resources and webinars.
- Fourteen press releases* regarding avoiding eviction and accessing COVID rent relief.

Expanded efforts, Fall-Winter 2021/2022:

- Training and supporting networks*: Montgomery County Food Council, Census Complete Count Committee, COVID Community Committee, MCPL on how community members can refer tenants to available supports.
- Focused effort to engage trusted voices and communities* and expanded community-based outreach.



| Best Practice Recommendations – White House (2021) & MD AG Task Force (2022) | Since 2020, Montgomery County’s approach has addressed Best Practice Recommendations |
|---|---|
| Integrate rent relief, counseling, legal assistance & outreach | Since 2020, rent relief, counseling and legal assistance have been available to renters and promoted via outreach |
| Early and ongoing outreach | Outreach and communications: March 2020 - present |
| Uniform messaging | Consistent focus on rental assistance, counseling support, legal assistance |
| Targeted to most likely eligible; various and trusted messengers | Focused outreach: 100+ apt bldgs., food distributions, Montgomery College, MCPS, faith-based, Cities, community organizations, etc. |
| Mix of print, digital and in-person | 70,000 flyers, posters, bus ads, e-news, social, webinars, events, apt bldgs |
| Centralized number & website | 311 & www.montgomerycountymd.gov/renters (updated regularly) |
| Coordinate agencies/nonprofits | Weekly tenant support calls with Support Orgs, Legal Orgs & Cities |
| Adequate and bilingual staffing | Yes – County, Support Organizations & Legal Organizations |
| Avoid disruptive displacement | Coordinated outreach and service among County, Support & Legal Orgs to help maintain housing, including for tenants nearing eviction. |

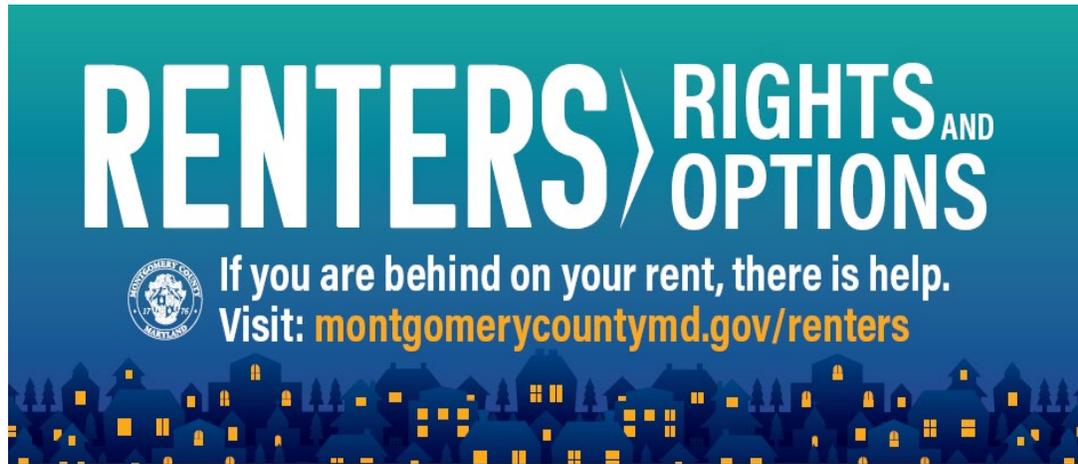
Where Do We Go from Here

Pivoting from response mode to a sustainable ecosystem of support, while expanding production and preservation of affordable housing

- Continuous County collaboration & coordination with Support Organizations, Legal Assistance
- Continuous connections with faith-based, community organizations, school and food networks
- Continued e-newsletters to landlords and property managers to support connection to services
- DHCA / DHHS websites integration as centralized tool for connecting to services
- Expanding financing and policies to preserve and create additional dedicated affordable housing



Bus ads and tenants' rights poster



RENTERS' RIGHTS AND OPTIONS

If you are behind on your rent, there is help.
Visit: montgomerycountymd.gov/renters

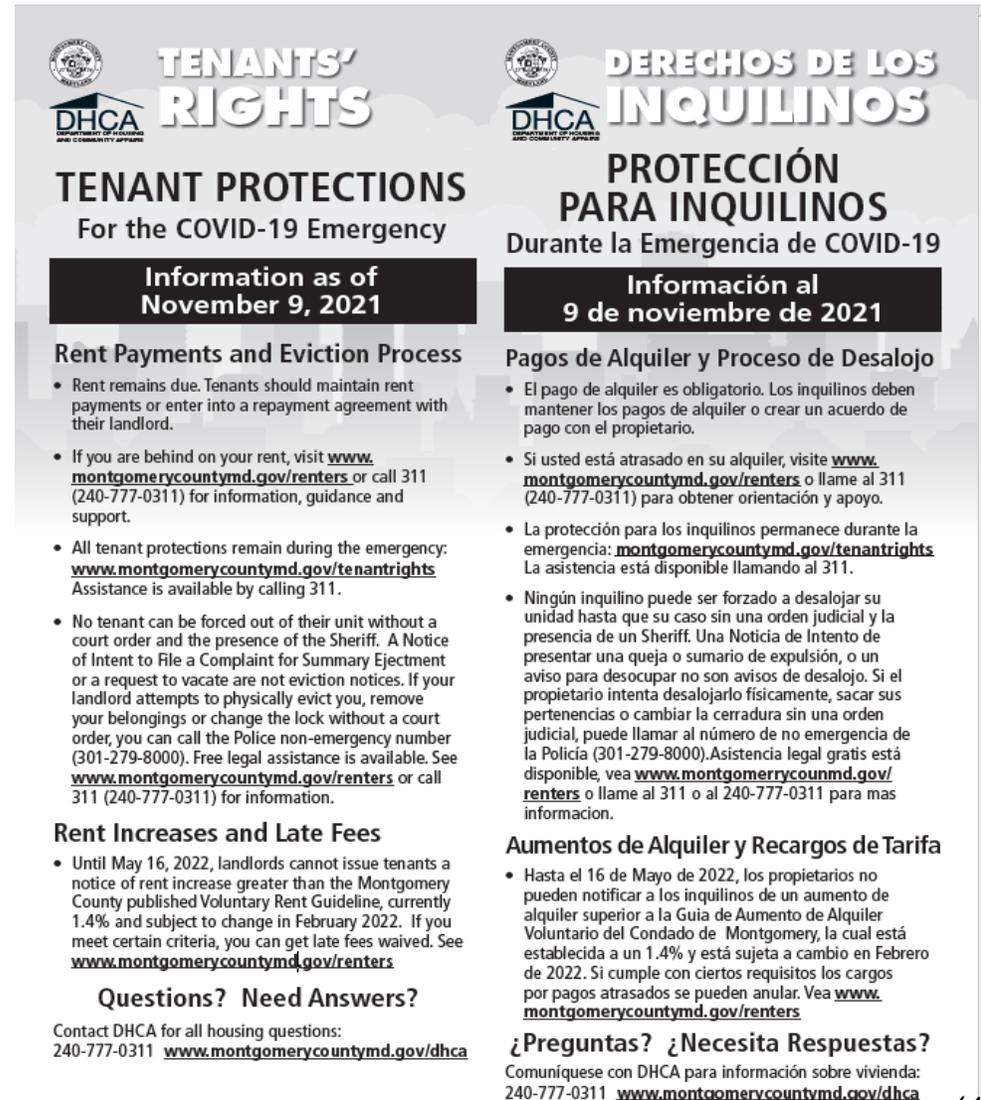
Logo: MONTGOMERY COUNTY MARYLAND



INQUILINOS' Derechos y Opciones

Si está atrasado en su alquiler, hay ayuda.
Visite: montgomerycountymd.gov/renters

Logo: MONTGOMERY COUNTY MARYLAND



TENANTS' RIGHTS
DHCA DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

TENANT PROTECTIONS
For the COVID-19 Emergency

Information as of November 9, 2021

Rent Payments and Eviction Process

- Rent remains due. Tenants should maintain rent payments or enter into a repayment agreement with their landlord.
- If you are behind on your rent, visit www.montgomerycountymd.gov/renters or call 311 (240-777-0311) for information, guidance and support.
- All tenant protections remain during the emergency: www.montgomerycountymd.gov/tenantrights. Assistance is available by calling 311.
- No tenant can be forced out of their unit without a court order and the presence of the Sheriff. A Notice of Intent to File a Complaint for Summary Ejectment or a request to vacate are not eviction notices. If your landlord attempts to physically evict you, remove your belongings or change the lock without a court order, you can call the Police non-emergency number (301-279-8000). Free legal assistance is available. See www.montgomerycountymd.gov/renters or call 311 (240-777-0311) for information.

Rent Increases and Late Fees

- Until May 16, 2022, landlords cannot issue tenants a notice of rent increase greater than the Montgomery County published Voluntary Rent Guideline, currently 1.4% and subject to change in February 2022. If you meet certain criteria, you can get late fees waived. See www.montgomerycountymd.gov/renters

Questions? Need Answers?

Contact DHCA for all housing questions:
240-777-0311 www.montgomerycountymd.gov/dhca

DERECHOS DE LOS INQUILINOS
DHCA DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

PROTECCIÓN PARA INQUILINOS
Durante la Emergencia de COVID-19

Información al 9 de noviembre de 2021

Pagos de Alquiler y Proceso de Desalojo

- El pago de alquiler es obligatorio. Los inquilinos deben mantener los pagos de alquiler o crear un acuerdo de pago con el propietario.
- Si usted está atrasado en su alquiler, visite www.montgomerycountymd.gov/renters o llame al 311 (240-777-0311) para obtener orientación y apoyo.
- La protección para los inquilinos permanece durante la emergencia: www.montgomerycountymd.gov/tenantrights. La asistencia está disponible llamando al 311.
- Ningún inquilino puede ser forzado a desalojar su unidad hasta que su caso sin una orden judicial y la presencia de un Sheriff. Una Noticia de Intento de presentar una queja o sumario de expulsión, o un aviso para desocupar no son avisos de desalojo. Si el propietario intenta desalojarlo físicamente, sacar sus pertenencias o cambiar la cerradura sin una orden judicial, puede llamar al número de no emergencia de la Policía (301-279-8000). Asistencia legal gratis está disponible, vea www.montgomerycountymd.gov/renters o llame al 311 o al 240-777-0311 para mas informacion.

Aumentos de Alquiler y Recargos de Tarifa

- Hasta el 16 de Mayo de 2022, los propietarios no pueden notificar a los inquilinos de un aumento de alquiler superior a la Guía de Aumento de Alquiler Voluntario del Condado de Montgomery, la cual está establecida a un 1.4% y está sujeta a cambio en Febrero de 2022. Si cumple con ciertos requisitos los cargos por pagos atrasados se pueden anular. Vea www.montgomerycountymd.gov/renters

¿Preguntas? ¿Necesita Respuestas?

Comuníquese con DHCA para información sobre vivienda:
240-777-0311 www.montgomerycountymd.gov/dhca

Renters: Avoiding Eviction & Working with Landlords

[Ver esta página en español](#)

1 Apply for rental assistance

[+ See details](#)

2 Call for free legal assistance or tenant counseling services

[+ See details](#)

3 Act to get late fees waived

[+ See details](#)

Information Sessions for Tenants:

Hosted by [Latino Economic Development Center](#)

- Tuesday, Jan. 18 at 5 p.m.
- [Register to attend - Tenants Rights and Resources webinar](#)

Hosted by [Renters Alliance](#)

- Wednesday, Jan. 26 at 7 p.m.
- [Register to attend](#)

Support Organizations

To learn your options and get help in preparing for Court and applying for rental assistance, contact a Support Organization.

- [CASA](#) : 301-431-4185
- [Housing Initiative Partnership, Inc.](#) : 301-916-5946
- [Latino Economic Development Center](#) : 202-540-7427
- [Renters Alliance Inc.](#) : info@rentersalliance.org

Legal Assistance Organizations

- [Maryland Legal Aid](#): 888-465-2468
- [Homeless Persons Representation Project](#) : 410-387-3126

General Information

Montgomery County Office of Landlord-Tenant Affairs: 311 (240-777-0311) or olta.intake@montgomerycountymd.gov

Handy Documents

- [Landlord-Tenant Handbook](#)

Share this information

[Late Fee Waiver form](#) - [English](#) | [Español \(Spanish\)](#) | [አማርኛ \(Amharic\)](#) | [Français \(French\)](#) | [한국어 \(Korean\)](#) | [中文 \(Mandarin\)](#) | [Tiếng Việt \(Vietnamese\)](#)

Share this webpage:

www.montgomerycountymd.gov/renters

Webpage & e-newsletters for Landlords

Landlord issues related to COVID-19 crisis

Landlords Working with Renters

COVID Rent Relief Program Round Three is currently closed for new applications. We have processed over 66% of applications received, with over \$43.2 million released as of January 2nd. We will continue to process all remaining applications received.

An additional round of rent relief funding will be announced in early 2022, with an updated application process and eligibility criteria.

Be aware of changes in the Court Schedule (for schedule updates --> [Maryland Courts](#))

- Due to the Omicron surge, beginning December 29, 2021 through March 6, 2022, Maryland Courts are rescheduling some landlord-tenant hearings.
- Landlords should pay attention to notices on changes and should call the Clerk of the Court to confirm any scheduled hearing. People can reach Montgomery County District Court by calling 301-563-8800. TTY users call [Maryland Relay](#): 711
- Courts remain open for some cases and available to answer questions.

Enforcement of judgments and writs for eviction are not being delayed.

Support Organizations helping renters apply for benefits & negotiate payment plans

- [CASA](#) : 301-431-4185
- [Housing Initiative Partnership, Inc.](#) : 301-916-5946
- [Latino Economic Development Center](#) : 202-540-7427
- [Renters Alliance Inc.](#) : info@rentersalliance.org

Legal Assistance Organizations

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General Information

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Handy Documents

- [Landlord-Tenant Handbook](#)



Important Updates for Landlords: COVID Rent Relief Application Portal & Rental Housing Survey for Single Units

Dear Landlord/Property Manager,

I continue to appreciate your efforts to work with your eligible residents to apply for rental assistance. I want to provide you an update on that program and share information about an upcoming survey for single rental units.

COVID Rent Relief Application Portal to Close 12/31

HHS has announced that the current round of the COVID Rent Relief Program (CRRP) will stop accepting applications at 5 pm on 12/31. All applications submitted prior to that time will be reviewed and processed. If you have tenants that have not yet submitted applications for support, please support them in submitting their applications prior to this date. Additionally, if you have not yet completed the landlord application for any of your residents, please also do so by the 31st. Program eligibility and the link to apply is available at www.mc311.com/rentrelief. The County will transition to using Treasury's Emergency Rental Assistance Two funds in 2022. Details on eligibility and application process for those funds will be announced at a future date.

Rental Housing Survey for Single Units to begin April 2022

Starting April 2022, landlords of single unit rental properties (including rented condominiums and accessory dwelling units) will need to complete an annual Rental Housing Survey. Landlords of multifamily rentals already complete the annual Survey, which is conducted to help Montgomery County capture a more complete picture of available rental housing. Like the multifamily properties, single unit landlords will be required to maintain certain records as required by the Montgomery County Code Chapter [29-51](#).