



MEMORANDUM

June 21, 2022

To: TRIBAL HOUSING CLIENTS

From: Ed Clay Goodman & Cari Baermann
HOBBS, STRAUS, DEAN & WALKER, LLP

Re: ***Treasury's Emergency Rental Assistance Information Session***

On June 21, 2022, the Northern Circle Indian Housing Authority (NCIHA) hosted a listening session on the Treasury Emergency Rental Assistance Program (“ERA Program”). This memorandum provides a synthesis of information presented during the call.

I. ERA Program

a. Overview

NCIHA staff provided an overview of ERA Program best practices, compliance, policy development, outreach, reallocations, and technical assistance.

Tribes received an \$800 million set-aside from the ERA Program fund to assist eligible households who are facing eviction due to unpaid rents and utilities, or the inability to pay prospective rents and utilities. This included \$797.6 million for tribes or Tribally Designated Housing Entities (TDHEs) and \$2.4 million (.3%) for Department of Hawaiian Home Lands (DHHL). ERA Program funds were provided to 301 Tribes/TDHEs, including DHHL.

b. Best Practices

The NCIHA staff commented that they made sure that all housing authority staff members were familiar with their ERA Program policy so that any staff member could step in to implement the Program if another staff member was unable to work because of COVID-19. Other best practices included: using social media to reach out to tribal members about the program; requesting detailed information on how COVID-19 impacted ERA Program applicants; posting their own tribe-specific ERA Program FAQs on the housing authority website; using QuickBooks to track the Program finances; and partnering with other tribes to expand available resources and help a greater number of Native Americans.

The NCIHA staff remarked that they used a third-party portal through which ERA Program applicants could submit applications for ERA Program assistance. They also used Housing Data

Systems (HDS) to track and manage ERA Program applications. They noted that any tribally designated housing entities (TDHEs) can call HDS and ask to use the ERA Program HDS template that NCIHA created. The NCIHA staff also used Microsoft Teams to track information submitted by applications for the ERA Program. Microsoft Teams allowed the staff to accurately track amounts paid and amounts obligated for each tenant and the ERA Program overall. NCIHA used a letter of intent to send to landlords and property management for the tenants who would be receiving ERA Program assistance.

One participant asked what types of self-attestations did they use for self-employed tenants. NCIHA responded that sometimes they asked the bank to print bank statements of income for that tenant, or they asked the tenant to create a spreadsheet of their income with a self-attestation certifying that the information was true. NCIHA also asked these tenants to provide a declaration describing their employment situation and how they anticipated their employment to change in coming months. However, they also noted the risk inherent in having tenants self-attesting to their income, and the importance of TDHEs taking additional steps to prevent fraud.

Conclusion

If you have any questions about this memorandum, please contact Ed Clay Goodman (egoodman@hobbsstrauss.com) or Cari Baermann (cbaermann@hobbsstrauss.com), or by phone at 503-242-1745.