

Landlord FAQ on CARES ACT Eviction Diversion Program (EDP)

1. Is there any literature for landlords available?

A: Yes, the same information that is available to tenants. EDP and Virtual Housing Hour flyers can be used to inform landlords.

2. How do we initiate the process and is this a voluntary program for me?

A: This is a voluntary program for landlords. To initiate the EDP process, tenants will have to have received either a 7- or 30-Day Notice to Quit, a summons or judgment.

3. What is the timeline and when can I expect payment?

A: There is not a prescribed timeline. Once a settlement agreement or a Conditional Dismissal agreement has been executed and submitted to the funding agency, following a review of the documents, payment will be processed. Payment to the landlord should occur two weeks following the review of the Settlement Agreement or 2 weeks after the receipt of a Conditional Dismissal.

4. What documents will you need from the tenant?

A: The tenant will need to provide documents to the funding agency including court documents (if applicable), lease or evidence of a lease agreement, government ID or other accepted form of ID and proof of current income for four or more weeks for each person in the household over 18 years of age.

5. What paperwork will be required of me?

A: The landlord will need to complete a landlord application and can facilitate payment by providing requested documents or by faxing information regarding payment history to the funding agency.

6. What restrictions will be placed on me if I agree to participate?

A: Landlords must waive all late payments for the months of March through July, forgive up to 10% of rent due and allow for repayment of any rent still owed after the assistance is applied in equal payments up to a period of 12 months (in some cases, tenants may qualify for assistance from other sources or agencies to cover any shortfall of their portion).

7. What qualifications do they have to meet?

A: Tenants must have evidence of non-payment of rent, meet income requirements and provide necessary documents. The maximum assistance for tenants is capped at 100% of Area Median Income (AMI) for that community. Factors used to calculate the amount of assistance include income, family size, number of bedrooms and rent (not to exceed 150% of fair market rent or FMR). Tenants at the lower end of the income scale could also qualify for one month pre-paid rent and will be offered short term case management services.

8. Do they have to demonstrate affordability?

A: Only to the extent that rent not exceed 150% of FMR and income does not exceed 100% AMI.

9. Does it have to go to court?

A: No. Tenants can be assisted if they have a Notice to Quit or Demand for Possession or if they have a summons or judgement.

10. Do they need a demand for possession to qualify?

A: Yes, they must have a legal 7- or 30-Day Notice to Quit or Demand for Possession.

11. Is the unit inspection virtual?

A: Inspections are not required. However, a referral to legal services will occur if the tenant has concerns with the property or the landlord.

12. When are they eligible for eviction if they stop paying?

A: Coronavirus Relief Funds cannot assist with relocations. These funds can only be used for cases where the tenant will remain in the property going forward as long as they are making rent payments.

13. Can they be evicted months later for actions? If so, when?

A: Yes, if the tenant is not paying rent, the regular legal processes of eviction can be followed.