

A.10522 (Cymbrowitz)/S.8419 (Kavanagh): The Emergency Rent Relief Act of 2020

A.10522 (Cymbrowitz)/S.8419 (Kavanagh) creates a short-term program that provides emergency rent relief to low-income residents impacted by COVID-19. The program would be funded by up to \$100 million allocated from the Coronavirus Relief Fund monies allocated to the State from the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act and not dedicated to other purposes.

Program Administration: The Division of Housing and Community Renewal (HCR) would administer the program and would have the authority to delegate local administration of the program to any state, county, city, town or public housing agency, or any non-profit organization.

Eligibility: Assistance is available to households: (1) earning less than 80% of area median income both now and before March 7, 2020;¹ (2) with a rent burden, or monthly payment toward rent, equaling more than 30% of income both now and before March 7, 2020; and (3) which have lost income since March 7, 2020.

Prioritization: HCR would be directed to prioritize households with the greatest economic and social need, with factors including income, rent burden, percentage of income lost and risk of homelessness or eviction being taken into consideration.

Income: Similar to other housing programs, income would include all sources of each member of the household, including all wages, tips, overtime, salary, recurring gifts, returns on investments, welfare assistance, social security payments, child support payments, unemployment benefits, any benefit, payment or cash grant whose purpose is to assist with rental payments, any payments whose purpose is to replace lost income, and any other government benefit or cash grant. This would not include income from children or full-time students, sporadic gifts or groceries from someone not living in the household, foster care payments, supplemental nutrition assistance program benefits, earned income disallowance, or the earned income tax credit.

Assistance Payment: Would be available for rent payments due between April 1 and July 31, 2020. Amount would be equal to the difference between the individual's rent burden on March 1, and the individual's rent burden at the time for which assistance is requested. Paid in the form of a voucher directly to the landlord, and would not be required to be repaid by the tenant unless otherwise required by law, such as in the case of fraud. The subsidy is limited to 125% of Fair Market Rent.

Reporting: HCR would be required to provide a report on how the money for this program was spent by October 31, 2020.

¹ 80% AMI for a family of three in NYC is approximately \$81,900. 80% AMI for a family of three in Albany is approximately \$69,850. Find 80% of your area's AMI using HUD's Income Limits search tool at https://www.huduser.gov/portal/datasets/il/il2020/select_Geography.odn. Or, for New York City, visit <https://www1.nyc.gov/site/hpd/services-and-information/area-median-income.page>.