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Jacob Liebenluft  
Counselor to the Secretary  
U.S. Department of the Treasury

Jenn Jones  
Chief of Staff  
U.S. Department of Housing and Urban Development

Erika Poethig  
The White House

Dear Mr. Liebenluft, Ms. Jones, Ms. Bailey, and Ms. Poethig:

On behalf of our nationwide membership of non-profit affordable senior housing communities, we thank the Treasury Department for continuing to prioritize the Emergency Rental Assistance program as a means to quickly and equitably bring relief to America's renters, including older adults. LeadingAge strongly supports the new Emergency Rental Assistance program, paired with extended eviction moratoria, as a means for relieving hardship experienced by millions of Americans during the pandemic.

**About LeadingAge**

LeadingAge represents more than 5,000 nonprofit aging services providers and other mission-minded organizations that touch millions of lives every day. Alongside our members and 38 state partners, we use applied research, advocacy, education, and community-building to make America a better place to grow old. Our membership encompasses the continuum of services for people as they age, including those with disabilities.

In its current design, the program has the potential to leave out older adults who are in need of rent relief. As you further refine the programmatic parameters set out in your latest FAQ (dated January 19, 2021), we'd like to submit the following considerations that will improve equity and accessibility of the program for seniors:

**Criteria: Streamline Eligibility and Allow Alternate Determinations**

Per the January 19 FAQs, grantees must require qualifying renters to demonstrate financial need through unemployment benefit eligibility or through income loss or financial hardship. Because many older adults do not have earned income, we urge Treasury to expand the qualification of unemployment benefits to include other criteria, such as qualifying for the Lifeline program or for Medicaid.

In addition, while many older adults are on a fixed income and may not have experienced income loss, they continue to be significantly financially impacted by the pandemic. For example, many seniors have lost support from family members or from services in the community that have temporarily shut down; because they are at higher risk for the virus, they may also have incurred higher expenses related to preparing for and responding to the COVID-19, such as preemptive quarantine supplies, PPE, and medication. For low-income older adults, every added cost has the potential to create a financial hardship. We urge Treasury to clarify that household costs for pandemic preparedness qualify as a financial hardship; in addition, because documentation of this sort of hardship may be difficult to produce, we urge Treasury to allow qualifying households to self-certify to these circumstances.

**Eligibility: Clarify Treatment of Federally-Subsidized Tenant Rent**

The statute includes language to prevent households from receiving duplicative federal assistance, which would include federal rental assistance. However, the federal rental assistance that is income adjusted only increases when a tenant documents lost income; the amount of rent subsidy a tenant receives (and therefore, the amount of rent that a tenant themselves has to pay) does not change when there are outside financial hardship factors like increased costs to prepare for and respond to a crisis, or when other, not-reported income or financial support is lost.

As described above, older adults have experienced financial hardship that is not due to income loss and therefore will not be covered by a rent subsidy increase. Providing Emergency Rental Assistance to these households would not be duplicative and would instead provide much-needed relief for the tenant-covered portion of rent and rent arrears.

As described in Question #9 of the FAQs, “if a household receives rental assistance other than the ERA, the ERA assistance may only be used to pay for costs, such as the tenant-paid portion of rent and utility costs, that are not paid for by the other rental assistance.” We strongly urge Treasury to clarify this statement to include eligibility for housing-assisted residents for their portion of the rent.

**Documentation: Reduce Burden for Participation**

The statute allows the Secretary of the Treasury to determine sufficient documentation for certifying income eligibility, and yet question #5 in the January 19 FAQs states that for determining monthly income levels, “grantees must obtain income source documentation...for at least the two months prior to the submission of the application for assistance,” with similar documentation required for annual income eligibility. Renters must also demonstrate risk of housing instability through late rent or utility payment notices.

Providing this kind of documentation will establish a burden to participate (both for renters and landlords) and will prevent needed relief from reaching renters. We strongly urge Treasury to allow resident self-certification (or the landlord/property owner on behalf of the resident) in place of the documentation requirement. Precedent for the self-certification approach is found in the CDC’s approach to providing eviction protections under the moratorium. Similarly, we urge Treasury to adjust the continued eligibility determination (every three months) to be conducted via self-certification.

**Reporting: Adjust Data Collection**

We strongly support the quarterly reporting requirements, as described in Question #8. We suggest that the Treasury include age as a data tracking category to help measure the impact of rent relief on older adults. To comply with the reporting requirement for household income, the qualifying renter could self-certify to an income bracket using the same self-certification mechanism described in the paragraph above.

Thank you for your quick action to provide rent relief to struggling households.

We appreciate your consideration of our comments and look forward to further opportunities to improve housing stability for low-income older adults. Please direct questions to [jbilowich@leadinage.org](mailto:jbilowich@leadinage.org).

Sincerely,  
Juliana Bilowich  
Director, Housing Operations and Policy, LeadingAge