

Texas Department of Housing and Community Affairs
Texas Rent Relief Program
Questions and Answers
Updated February 21, 2021

Note: *Many questions came in that relate specifically to a landlord’s rights and duties relating to the legal provisions associated with eviction. The Texas Rent Relief Program cannot provide legal guidance on how a landlord or management company should choose to proceed in general terms or in specific scenarios. Questions on the court’s direction or options may be directed to the Office of Court Administration; however, they also cannot provide legal guidance.*

If after reading and referencing all these materials you still have questions, please contact the Texas Rent Relief Call Center at 833-989-7368 for further assistance.

You may click on the hyperlinks below to move to the most appropriate category that applies to your question.

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A. Frequently Asked Questions

1. What is the purpose of the Program?

The Program provides rental and utility assistance to qualifying applicants to prevent housing instability, potential eviction, and financial hardships of tenants and landlords as a result of the COVID-19 public health emergency.

2. When does the Program begin and what is my deadline to apply?

The Program begins accepting applications Monday, February 15, 2021 at 8 a.m. Central Time and will remain open until all available funds have been committed. The duration of the Program will depend on the number of eligible applicants.

3. Who is eligible to receive assistance from the Program?

Renter households must have an income no more than 80 percent of area median income (AMI) **AND** one or more members of the household must attest in writing that they have either:

- qualified for unemployment benefits, **OR**
- due to or during the pandemic:
 - experienced a reduction in income,
 - incurred significant costs, or
 - experienced other financial hardship.
- **AND** one or more individuals within the household must demonstrate they:
 - are at risk of experiencing homelessness or housing instability, which may include a past due utility or rent notice or eviction notice, **OR**
 - are at risk of needing to move into unsafe or unhealthy housing conditions.

[Answer a Few Quick Questions To See If You Qualify](#)
[Look Up Your Area Median Income \(AMI\)](#)

4. Who is not eligible to receive assistance from the Program?

Renter households that are receiving tenant-based voucher assistance, such as a Housing Choice Voucher; project based Section 8 or are in public housing are not eligible. Those households are encouraged to submit an interim income recertification with their PHA or property manager, if eligible.

5. Is there a U.S. citizenship requirement? Can undocumented residents apply?

Evidence of legal status is not required. The funding Texas received for rent relief is part of the Coronavirus stimulus bill passed by Congress and because it is emergency assistance, documentation of household residency status is not required and there are no restrictions on who can apply as long as they meet income and other economic hardship eligibility requirements.

6. Will some applications be given priority?

For applications received during the first fourteen (14) days by March 1st, the following applicants will be given priority:

- Households whose income is at or below 50% Area Median Income (AMI) **OR**
- One or more household members are unemployed as of the date you apply for assistance, **AND** one or more households members (this can be the same household member) were unemployed for 90 days prior to the date you apply for assistance

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Only after those priority applicants are processed will the Program then proceed with the review of anyone with income over 50% AMI who submitted an application during the first fourteen (14) days; afterward, all applications will be processed on a first-come first-serve basis until all funds are committed.

7. What financial assistance is provided?

Program funds may be used to provide up to fifteen (15) months of assistance for the following expenses:

- rent,
- past due rent,
- utilities and home energy costs, and
- past due utility and home energy costs

While applicants may be assisted for up to 15 months, the Program will not commit funds for prospective (future) rent for more than a 3-month period at a time. Applicants must reapply every 3 months and will only be assisted if funds are still available. The program cannot pay for food for households.

8. What is the maximum amount of rental assistance?

For this program, rents may not exceed 150% of the Fair Market Rent (or 150% of the Small Area Fair Market Rent, if applicable). The TRR Program will not provide assistance if a unit's rent exceeds 150%. Units that exceed the limit are ineligible for any assistance. Tenants in such cases should look at other rental assistance programs. When applying the application will automatically calculate the maximum rent limits. The FMRs will also be available on the TexasRentRelief.com website.

9. Does a tenant have to be in arrears or can they just be struggling and not able to pay next month?

No, they do not necessarily have to be in arrears. To be eligible, they must have a past due utility or rent bill or be living in unsafe/unhealthy environment during the pandemic, like a shared living situation or emergency shelter.

10. Will tenants and landlords be notified when a payment is made?

The landlord, tenant, and/or utility provider will be notified automatically of payment by email (if an email address is present in the system) after the tenant, landlord, and pay request have been determined eligible and payment calculation has been completed and verified by the payment team. An applicant can also check the status of their application at any time through the online application portal, and the status will reflect when a payment has been made.

B. General Program Questions

11. How long will the portal be open?

The portal will remain open and accept applications until all funds are obligated to applicants.

12. Who can apply starting February 15? In what order will applications be reviewed? When will I know if an application I submitted is approved?

Any applicants can apply in the first 14 days, whether they meet the priority criteria or not. However, applications received in the first 14 days (through March 1, 2021) that qualify as a priority application will be reviewed first, in first-come first-serve order. Only after those priority applicants are processed will the Program then proceed with the review of any applications received in the first 14 days that had not met the

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priority designation. For applications received in the first 14 days that are not part of the priority, applicants should expect that it may be several weeks before they are informed of the status of their application. Afterward, all applications will be processed on a first-come first-serve basis until all funds are committed.

13. Who has to complete the tenant's application – the tenant or the landlord?

The landlord is encouraged to start a tenant's request in the system so that it is clearly and correctly correlated to the property and landlord. The system will then send an email to the tenant asking them to sign off (electronically) on the application and to provide any missing documentation, including income documentation. If the tenant does not have an email address, a call center representative will reach out to them. A tenant may also apply on their own, without the assistance of the landlord, in which case the landlord will be notified and asked to sign off and participate. A tenant electing to apply directly does not remove the program's obligation to still seek to pay the landlord first.

14. How do I apply for rental assistance under the Program?

Complete an online application at TexasRentRelief.com **OR** call a program representative at (833) 9TX-RENT (toll free) to apply over the phone. The toll free number offers access to assistance in multiple languages.

Landlord

- By applying online, the landlord can create a Landlord Profile and list all properties under their management, as well as identify each tenant for whom they are requesting assistance.
- After the landlord profile is complete and submitted, the system will automatically email each identified tenant, prompting them to complete their Tenant Profile.
- For tenants without an email address, the Landlord can print the application form, obtain a physical signature, and upload the application and related income documents on the tenant's behalf. If needed, tenants will be contacted by a Program representative to assist in gathering necessary information and documents to complete the Tenant Profile.

Tenant

- Tenants may apply directly for unpaid or future rent or utilities. If your landlord is willing to participate, you can either apply directly and your landlord will be contacted for additional information, or you can work with your landlord for them to apply on your behalf using the landlord application.
- If your landlord chooses not to participate in the Program, you as the tenant may still apply for rental assistance by completing the online application or by calling the toll-free number listed above to apply over the phone.

15. Is there a number we can call if we need further help or is everything done online with no one to speak with?

Definitely. The call center 1-833-9TX-RENT (1-833-989-7368) is available Monday-Saturday, 8 a.m. - 6 p.m. CST. Help is available in multiple languages.

16. How do I check the status of my application?

After submitting an application, you will be able to monitor the status of your application through the online dashboard or by calling (833) 9TX-RENT (toll free) to speak with a customer service representative. You will be notified if we need more information to complete your application.

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17. What if my status is ineligible?

Ineligible applicants will be provided an opportunity to appeal that decision. Appeal instructions can be located at TexasRentRelief.com.

18. Are past due rent and utility bills from 2020 eligible for assistance?

Yes, rent or utility expenses from as far back as March 13, 2020 (the date of emergency declaration) will be eligible for assistance under the Program.

19. How many months back and forward are covered?

Applicants are limited to a total of 15 months of TRR assistance. Months of arrears can go as far back as March 13, 2020, so if an applicant applies in February 2021, they can request rent for all of those months. Current/forward rent is limited to 3 months at initial application. Additional funds can be requested after the first 3 months if still needed for stability and funds are available. Note that the program cannot pay for arrears only and the total number of months an applicant may apply for will depend on whether program funds remain available.

20. Is the application for utilities the same application?

Yes, when the tenant goes into the system (or is asked these questions over the phone) there is an opportunity to request utility assistance, in addition to rent.

21. What counties are covered?

All 254 Texas counties are covered by this program. Applicants in every area of the state can apply.

22. What is the funding source for the Texas Rent Relief Program?

The Emergency Rental Assistance bill was passed as part of the Consolidated Appropriations Act, 2021 which provides \$25 billion nationally for pandemic-response rental assistance. The program is administered through the U.S. Department of the Treasury. As part of this relief package, the State of Texas has received approximately \$1.3 billion to assist landlords and tenants through the Texas Rent Relief Program; additionally local communities in Texas with populations greater than 200,000 had an opportunity to receive roughly an additional \$700 million as direct allocations of these funds.

23. How does this program differ from TERAP (Texas Emergency Rental Assistance Program)?

This program, Texas Rent Relief (TRR), is available to renters and landlords across the entire state. The program allows for up to 15 possible months of assistance and applicants apply directly to the state. The program is funded by the Treasury.

TERAP is only available in the [45 cities and counties](#) participating in the program. The program allows for no more than 6 months of assistance and applicants apply directly to their local participating city/county – not the state. TERAP is funded by the U.S. Department of Housing and Urban Development with Community Development Block Grant CARES Funds allocated to the state.

24. How does this program differ from other locally operated programs?

TDHCA does not have program-specific information on all of the local areas offering other rental assistance.

25. Are there any penalties if landlords or tenants submit fraudulent information?

Yes. Falsification of documents or any material falsehoods or omissions in an Application to this program, including knowingly seeking duplicative benefits, is subject to state and federal criminal penalties. Landlords

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and tenants are particularly put on notice that 18 U.S.C. §1001 provides, among other things, that whoever knowingly and willingly makes or uses a document or writing containing any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of the United States will be fined not more than \$10,000 or imprisoned for not more than five years, or both.

C. Landlord FAQs

26. What kind of marketing materials are available for landlords to share with their renters? Where can this information be found?

The toolkit of flyers that can be printed and handed out to tenants and shared on social media is available under Outreach Toolkit at <https://texasrentrelief.com/>.

27. What documentation will I need to complete my application if I am submitting on behalf of my tenants?

As part of the Program application, the landlord must submit the following documentation so we can confirm eligibility:

- Government Issued ID (if individual);
- Rent or lease agreement (or rent receipt if no current agreement)
- If applying on behalf of a condominium, Authorized Representative proof
- Completed IRS Form W-9
- Household Certification Form (if not being provided by the tenant)
- Household Income Documentation, as listed above (if not being provided by the tenant)

28. What documentation do you need from the landlord to prove "ownership?"

Ownership can be demonstrated through the real property record (in most counties that can be demonstrated through an upload of electronic information from the Appraisal District's website). If this is corporate ownership, the applying entity should match the entity listed on the property record.

29. Do tenants need a social security number?

No, but they must be able to provide an ID.

30. How can a landlord access the tenant application and certification to be downloaded and wet signatures obtained for tenants not willing/able to sign off in the system?

The full tenant application and household certification will be available from the "Program Documents" side bar within the application so that the landlord can print required documents and obtain a wet signature if needed.

31. Does the landlord have to enter all residents' email addresses into the application?

One email address per household is acceptable. Please be sure the email address you provide for a household is a correct, functioning email address that the tenant regularly checks.

32. Does each adult on the lease need to fill out a separate tenant application?

No, one tenant application per unit should be submitted. There is a place for the person completing the application to add other adult household members and their income in the tenant application.

33. It appears that an application will be needed for each individual household. Is this the case, or is there a

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landlord-only application to enroll?

Landlords may enter multiple applicants at one time for a property, but because each household must be determined eligible, each application for a tenant's rental assistance must be household-specific and tenant specific information is required.

34. What if the monthly rent includes utilities? What if it includes internet/Wi-Fi?

The full amount of rent can still be requested for assistance, and paid for, through the program, even if it includes some utilities or internet access. However, note that the cap for rent still cannot exceed 150% of the Fair Market Rent (or 150% of the Small Area Fair Market Rent, if applicable).

35. Would monthly charges such as valet trash service or package receiving fees, which are not specifically coded as rent but which are still required charges by management, be eligible for assistance? Or should these be excluded when applying?

If the expense is actually in the rent amount in the lease, then it can be requested. If it is a separate fee, it is not eligible.

36. Can late fees or eviction/court fees be included in the request for assistance?

No, the program cannot pay for late fees, eviction fees, or court costs at this time. TDHCA is awaiting further guidance from Treasury on this issue. In the meantime, landlords must waive late fees for applicable months.

37. What if the resident agrees with the landlord that the landlord will file the application but then the resident goes and files another application themselves? Which will receive priority?

The landlord and tenant application are joined in the system, so they cannot be handled separately.

38. We have a resident who has not paid since March 1st, 2020. Which dates would he be eligible for since the program only goes as far back as March 13th?

You could either apply only for April 2020 forward, or you could provide a request for the prorated March rent. For example, if the rent for March was \$800, you can divide \$800 by the # of days in March (31) to determine the daily rate. In this case the daily rate would be \$25.81/day. You would multiply that by the number of days in March that are eligible under the program – 19 days. So in this example you could request \$490.39 for March 2020.

39. What does a landlord do if a tenant will not cooperate, doesn't want to participate, or won't sign an application?

Unfortunately, if a tenant is unwilling to sign the application, assistance cannot be provided.

40. If I accept assistance from the program for arrears and current month, and their lease is then up in April, for instance, do I have to renew their lease?

No, using the program does not require you to renew leases for periods past the month for which the current/future assistance is provided.

41. Will payments made to a landlord specify the tenant, property and unit so the funds paid can be tracked by the management co?

As the ACH descriptor is limited to 10 characters, it will specify the tenant's first initial and last name

42. For payment not sent to the landlord, can we ensure the payment will be made to the community in which they owe?

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Payments will only be sent to the tenant if the landlord elects not to receive the payment and has either confirmed that to the program, or has not responded within 21 days after repeated efforts from Program staff to make contact. At that time payment will be made to the tenant. The Program will require that the tenant pay the landlord. However, that is challenging to enforce, so we strongly encourage landlords to participate.

43. How will the landlord be paid? How will payments be made?

Payments will be made using ACH deposit. Paper checks will not be used. As part of the application process, the landlord will be asked to provide bank routing information to complete the payments.

44. My property is in an LLC, for which I am the sole owner. For the disbursement, can I put in my personal bank information if I have documentation showing I am the sole owner of the LLC?

Yes.

45. How long will it take for payment to be made?

Once all required documentation is submitted and the application is considered eligible and complete, payment should take no more than 14 days.

46. Is this program available to conventional (not rent-restricted) properties?

Definitely. The program is not limited to only affordable properties. However, the monthly rent must still be below the FMR requirement of not exceeding 150% of the Fair Market Rent (or 150% of the Small Area Fair Market Rent, if applicable).

47. What is duplication of benefits? How is TDHCA handling duplication of benefits with local entities also receiving funds from Treasury? What other programs are covered by duplication of benefits?

Simply put, duplication of benefits means being paid more than one time for the same expense. So if a tenant or landlord receives a payment from a local rental assistance program for December 2020 and January 2021, and then also receives payment for those months from the Texas Rent Relief program, a duplication of benefits has occurred. When this happens, whoever received the duplicate payment (be it a landlord or a tenant) must repay the Texas Rent Relief program (or the other program).

TDHCA is not denying applicants the opportunity to apply in parts of the state where other programs are operating because there is such significant need for the funds. Applicants can apply either to TDHCA or locally or both. Applicants will be asked if they have received other assistance as part of the application. However, if approved at both providers, they cannot accept assistance from both providers for the same months for the full amount of rent. They can, however, use both programs for different months of assistance or to cover partial assistance. For example, if a household has a monthly rent of \$750, and received \$250 from a local church, the program can still pay for the remaining \$500 of rent not covered by the other provider. TDHCA will be working to share data with local entities to minimize these occurrences. However, landlords should ensure they do not accept payment more than once per unit for covered months. Other entities whose funds are considered a duplication of benefits include city or county funds, other federal or state funds, as well as funds from nonprofits or churches.

48. How do we certify that we will not receive duplicative assistance?

When you first set up your landlord profile, you will be asked to agree to this requirement in the system. TDHCA realizes that you may not always know you have received duplicate payment before it happens. The certification requires that if such duplicative payments occur, you repay the program for the duplicated payment within 10 days.

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49. Are we able to submit for tenant portion of a Section 8 or Public Housing recipient?

No, you cannot request assistance for the tenant paid portion of rent. Households who have had a change in income are encouraged to submit an interim income recertification with their Public Housing Authority or property manager, as applicable.

50. What if an application is in process and the resident happens to come across some money for their full past due rent payment? Do we have to notify anyone? Will their application be cancelled or will they proceed per usual?

Yes, you need to notify the TRR program and withdraw the application for assistance.

51. If my tenant received rental assistance from this program to cover past due rent, can they also apply for additional assistance?

Applicants can apply for past rent and up to three months of future rent and can reapply every 3 months if funds are still available. Assistance for rental arrears alone is not permitted at this time. Tenants can apply for three months of future rent payments as long as the Program cap of 15 months is not exceeded.

52. What do we do about residents that have had multiple assistance checks given for the same month? The checks do not specify the month that they are given for, but they gave us 2-3 checks from different companies and now have a large credit for future rent.

If your tenant has credit for future rent, do not apply to the TRR Program.

53. Does the program apply to student housing?

The program is not for dormitories, or room rentals, but may be used for housing that is primarily occupied by students, where the student is on the lease. The student must meet all program eligibility requirements.

54. Can I apply for payment for a tenant that no longer occupies the unit even if it was a voluntary move out?

No, while we appreciate the interest in wanting to be paid for this lost income, the federal program requirements include that the tenant provide their permission and that they also be receiving current/forward rent on the unit.

55. For tenant, are these payments considered income for tax purposes? In other words, will these benefits be subject to income taxes for the resident? How is this assistance reported on a tax credit property TIC (Tenant Income Certification) and USR (Unit Status Report)?

Assistance provided to a household shall not be regarded as income and shall not be regarded as a resource for purposes of determining the eligibility of the household or any member of the household for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

56. What certification and/or acknowledgement will I be required to sign as a landlord who applies to the Texas Rent Relief Program?

[Landlord Certification \(PDF\)](#)

57. What is the landlord certification form?

The landlord certification is an acknowledgement of what the landlord is agreeing to by accepting the funds. A copy of the content of that certification is found under the question "What certification and/or acknowledgement will I be required to sign as a landlord who applies to the Texas Rent Relief Program?"

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D. Tenant FAQs

58. How do I know if my landlord is going to apply? Should I ask my landlord today if they are going to? What if they won't have enough assistance for me should I reach out or should I just apply and will the landlord let me know if they are seeking this? If I am in the priority group what would you do?

Speak to your landlord, but if you don't hear from them still apply on your own.

59. What if my landlord refuses to enroll into the Program?

If your landlord refuses to enroll in the Program, you can still apply directly. In order to provide direct payments, the Program is required to attempt to reach the landlord to confirm their unwillingness to participate. After a 21-day period in which the Program has not heard from the landlord or have confirmation they have declined to participate, the payment will be made to the tenant.

60. If the landlord does not agree to the terms and the tenant receives assistance and pays the rent, will late fees still be waived, and will eviction notices be erased?

No, if the landlord does not elect to participate in the program, the program cannot require that they waive fees or stop eviction cases already in progress.

61. If we wish to pursue possession, because a resident hasn't paid since February 2020, can we simply NOT set up the resident and continue with the eviction?

Yes, you may. Landlords are not required to participate in the program. Note, however, that the tenant can still apply for assistance, and if approved, the payment will then go to the tenant.

62. For tenants applying over the phone through the call center, how will they submit documentation needed?

Call center representatives are prepared to submit tenant account registrations over the phone. As part of this process they will provide the following addresses to applicants to submit documentation by postal mail to 785 Greens Pkwy Houston, Texas 77067 OR electronically by email to info@texasrentrelief.com.

63. If I receive SNAP, does that cover my income documentation?

Not at this time. Treasury has not indicated that we can accept eligibility under other programs as acceptable evidence of income.

64. How do I read the AMI grid?

You can look up your [Area Median Income \(AMI\) here](#). First, find the county for the where the unit requesting assistance is located. They are listed alphabetically. Once you find the county, look for the column for the correct # of household members for the household being assisted. You will see right in that column for the household's size, for the specific county, a row that says 50% AMI – the household's income would need to be at or below that number to be considered for priority review in the first 14 days. In the row for that county that says 80% AMI, you will find the maximum income the household may earn to be able to receive assistance. For example, a household of 5 in Anderson County can earn no more than \$50,900 per year to qualify for assistance; and if that household earns \$31,850 or less, they can be considered for priority processing if received in the first 14 days.

65. Regarding unemployed applicants, if their W-2 is above 80% AMI, but satisfy the unemployment of 90+ days and have not paid rent for 90+ days, will they be eligible for the program?

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If their annual income from 2020 shown on their W-2 exceeds 80% AMI, they may still try to meet the income test by looking at the last 60 days of income documentation. If the last 60 days show an income below 80% AMI, they will meet the requirement for income eligibility. If however, even the last 60 days income exceeds 80% AMI for the household, then assistance cannot be provided.

66. When calculating income, are you considering what they made pre-pandemic or now?

The applicant has the choice of either using their total 2020 annual income – or the most recent 60 days of income. If the most recent 60 days of income is used, then any reapplication for funds must include a resubmission of income documentation. If the applicant uses their total 2020 income, they do not have to submit income documentation if reapplying for assistance after three months.

67. If a reduction in income is not from pandemic-related lay-offs or reduced hours, but from medical complications associated with increased stress (or other factors), can they be assisted?

Yes, if they otherwise qualify. The requirement is that the household directly, or indirectly, has been impacted by the pandemic and has experienced a reduction in income, incurred significant costs, or experienced other financial hardship.

68. Would a tenant be eligible if the spouse is no longer living in the home but is still on the lease?

Because the spouse is on the lease, their income would need to be included. If, with their income included, the household is income eligible and otherwise found eligible, then the spouse's actual presence in the unit does not affect the application.

69. Is a public housing authority recipient eligible?

No. If a household is receiving assistance from their local housing authority, and has seen a reduction in income they need to ask their public housing authority to do an interim income certification.

70. Is this only for people within apartment communities or is it for those in rental homes or duplexes?

Any rental unit is allowed.

71. Will tenants doing lease to own be eligible?

If a lease is in place, then yes.

72. Can a Tenant Income Certification (TIC) on an affordable property count as income documentation?

No, Treasury has not allowed that as an option at this time.

73. What documentation will I need to complete my application?

As part of the Program application, all tenants and household members must submit the following documentation so we can confirm eligibility:

- Government-issued or personal ID for at least one household member on the lease,
- Copy of rent or lease agreement (or rent receipt)
- Notices of late rent payment or notice to evict, if applicable
- Copies of past due utility bills, if utility assistance is being requested
- Income Documentation for all household members above the age of 18 (or head and/or co-head of household if all members are under 18) must be provided from one of the two options below:
 1. If you have completed your household's federal income taxes for 2020, you will need to provide one of the following:

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- Filed 2020 IRS Form 1040
- 2. If you have not yet completed your federal income taxes for 2020 OR you are not required to file a federal income tax return for 2020, you will need to provide all of the applicable income documentation under one of these two categories:

Acceptable annual income documentation:

- 2020 IRS Form W2
- Current Social Security Benefits letter or 2020 Form 1099-SA (including benefits paid to minors)
- 2020 Form 1099-R
- 2020 IRS Form 1099-MISC for contractor income

Other acceptable income documentation:

- Check stubs from your employer for the previous 2 months
- Current unemployment benefits letter including gross benefit amount
- Current letter from your employer verifying gross wages (pay rate, hours/week, pay date)
- Current Pension/Retirement Benefit letter (if applicable)
- Current Annuity Payment letter
- Current Interest Statement 1099- INT
- Current Dividend Statement 1099- DIV
- Certification of Income Form (for Self- Employed or Cash Income)
- Zero Income Form

74. If a resident does not have a work permit or social security number, can they apply?

Yes. Though some form of government issued or personal ID will be required.

75. What is required for evidence of income if I am self-employed? What if I have no income?

A Certification of Income form will be provided and available in the system or on the website. A Zero Income form will also be available in the system or on the website.

76. What document will satisfy the requirements for those that are unemployed for the last 90 days and the day of application?

This is based on a self-certification, as the requirement is not that the individual has filed for or received unemployment benefits, only that they are unemployed.

77. If I am income-eligible and meet the other tenant eligibility requirements, but my rent exceeds the 150% limit, can I still get assistance?

No.

78. What if I am a household member 18 or older and do not receive income?

If you do not receive income, please submit the Certification of Zero Income Form.

79. Is a tenant paying child support able to qualify?

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Yes, if they otherwise meet all eligibility requirements, they can receive assistance.

80. How many forms of the "Multiple income verification" documents does a tenant need?

As many as it takes to provide the full picture of the household's income. For some households that may be only one document; for others it may be quite a few.

81. Does the employer letter verifying gross wages have to be notarized?

No. Please note that falsification of documents is subject to criminal penalties.

82. What happens if tenants can't provide all the documents when the application is submitted? Should the incomplete application be submitted to keep my place in line or do I wait until all the documents are submitted.

While an applicant can apply with an incomplete application, upon review the applicant will be contacted for the missing documents/information. After unsuccessful contact by phone, the applicant will be notified by email of their non-responsiveness (if email is present in system) and the application will be automatically deemed inactive after 10 days. The notice provides the applicant with contact information for the Program, advises the applicant of the next steps in the application process and notifies the applicant that they must contact the program within 10 days of the date of the notice. If the applicant still fails to contact the program within the 10 days allowed, the application will be permanently closed, meaning a new application will need to be created if the applicant wishes to still pursue assistance (if funds are still available).

83. How will my household income be calculated?

Income for all household members 18 years of age or older will be considered when calculating annual household income. A household is defined as all persons occupying the same housing unit, regardless of their relationship to each other. The occupants could consist of a single family, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

Household income will be calculated based on the adjusted gross income as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 series for individual Federal annual income tax purposes. When determining the number of household members and annual household income, keep in mind:

- Minor children are considered household members. Earned income of minor children is not considered as part of total annual household income.
- Minor children who are subject to shared custody agreements may be counted as household members if the minor child lives in the residence at least 50% of the time.
- Temporarily absent family members are considered household members and their income is considered in calculation of household income, regardless of how much the temporarily absent family member contributes to the household.
- Paid, non-related, live-in aides, whether paid by the family or through a social service program, are not considered household members. Income of live-in aides is not considered in the calculation of household income. Related persons do not qualify as live-in aides.
- Permanently absent family members, such as a spouse who resides permanently in a nursing home, may be considered a household member, at the discretion of the head of household/program applicant. If the head of household opts to include a permanently absent family member in the household, the income of the permanently absent household member will be counted in the calculation of annual household income. If the head of household chooses not to include the

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permanently absent family member as part of the household, the income of the permanently absent family member will not be considered in the calculation of annual household income.

84. I filed my 2020 taxes but because of my lower income this year compared to last year, they allowed me to use my 2019 income. Will this be an issue?

For purposes of applying for the program, your 2020 income or your current income (based on last 2 months) must be used. If your 2020 income taxes filed reflect an amount correlated to your 2019 taxes we will look at your 2020 filed taxes, regardless of how you calculated them.

85. I'm a tenant. I owe Dec., Jan and Feb. I am currently unemployed. If I apply on Monday, February 15, 2021 for back rent, when would I need to apply again for up to 3 months of future rent?

You can apply at the initial term for Dec, Jan and Feb as arrears and include in that first application March, April and May. You would only need to reapply for 3 more months in Mid-May, if needed.

86. Am I eligible for assistance even if I have moved to a different rental unit since the start of the COVID-19 public health emergency?

There is no requirement for the length of stay in a rental unit to be eligible to receive rent relief.

87. If I've applied for and received rental assistance from another source before, am I still eligible to apply for rent relief under the Program?

If you already received assistance for a specific time period, the Program cannot provide assistance for that same time period. Texas Rent Relief Program may only be used to pay for incurred costs that are not—and will not be—paid for by any other rental assistance provider to avoid a duplication of benefit.

88. Can I choose to apply *only* for rent arrears?

No. The program only can pay for arrears for a household if that household is also requesting current/future months of assistance.

89. Does having applied for assistance from another provider in 2020 prevent us from applying for this program?

You cannot request assistance for the same months for which you already received assistance. You can apply for any months for which you have not received assistance.

90. If a tenant was approved before and funds were used but now they owe again, are they able to apply again?

Yes, as long as the request is for months for which the tenant has not yet received assistance.

91. Do the assistance funds provided have to be repaid?

No, so long as no duplicate assistance is received, this is not a loan and requires no repayment.

92. If I'm current on my rent, but my utilities are past due, can I apply for utility assistance?

Yes. Utility or home energy costs are eligible, even if you do not need rent assistance.

93. Which utilities are eligible for financial assistance under the Program?

Eligible utilities include electricity, gas, water and sewer, trash removal and energy costs, such as fuel oil. Telecommunication services, such as telephone, cable, and internet service costs are **NOT** eligible for assistance.

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94. Are homeowners with mortgage payment problems eligible for the assistance under the Program?

No. For this program, only those who rent their homes are eligible. Mortgage payments and utility expenses for homeowners are not eligible for financial assistance under the Program. The below resources have information for homeowners who may need help with their mortgage payments or utility bills.

<https://www.fhfa.gov/Homeownersbuyer/MortgageAssistance>

95. Does the tenant have to prove that they lost their job or hours were cut?

No, this is a self-certification. File testing and auditing will be performed to identify fraud.

96. What certificate and/or acknowledgement will I be required to sign as a tenant who applies to the Texas Rent Relief Program?

[Tenant Certification \(PDF\)](#)

97. How will payments be made?

Payments will be made directly to the landlord or utility provider on your behalf unless the landlord or utility/home energy provider does not agree to accept the payment. In that case, the Program may make payments to you directly using ACH deposit to your bank account. If you do not have access to a bank account, the Program will issue a check.

E. Eviction Diversion

98. How are evictions handled and what hat is the Eviction Diversion Program?

A portion of the Texas Rent Relief program funds are reserved for assistance to households whose landlords have already sued for eviction in their local court. The application process in the system is the same and can be started by either the landlord or the tenant. However only households in this situation are able to access funds reserved for this purpose.

99. How do we access the eviction diversion set-aside?

Through the same method - apply at TexasRentRelief.com. There is a field in the application for court docket #, Justice of the Peace Precinct # and County. Entry of the court docket # places the person in the set-aside.

100. Is there a difference now for landlords that live in eviction diversion pilot counties?

The eviction diversion program is now available statewide and any prior distinction is no longer applicable. All individuals under eviction proceedings with a local court should apply through the statewide program. The application process is the same and households under the eviction diversion set aside must still meet all of the program requirements including income eligibility.

101. What if my landlord already has started the eviction process?

Your landlord can still apply for assistance on your behalf, or you can apply directly. The process is the same whether an eviction proceeding has started or not.

102. Does the CDC declaration (associated with the CDC moratorium on eviction) have to be completed to access these funds?

No.

103. Is there a difference now for landlords that live in eviction diversion program pilot counties?

The eviction diversion program is now available statewide in all 254 counties and any prior distinction is no

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longer applicable. All individuals under eviction proceedings with a local court should apply through the statewide program at TexasRentRelief.com. At the hearing, the Justice of the Peace will discuss the Texas Eviction Diversion Program with the landlord and tenant. Both the landlord and tenant must agree for the eviction to be diverted. Note, however, that the tenant can still apply for assistance.

F. Outreach

104. What can local nonprofits or service providers do to assist renters with the program? Can a local nonprofit become a program provider?

Print tenant flyers from the tool kit on the website. Tell clients about the program. If clients do not have access to a computer or phone, offer them computer access. If they are not sure of the documentation requirements, help them be sure they have the needed documents (for income, their lease, etc.). As the program is operated entirely by the state with no local subrecipients, local nonprofits cannot become providers. Applicants will apply directly to the statewide program online at TexasRentRelief.com or over the phone at 1-833-9TX-RENT.

G. Reporting

105. What data will TDHCA be reporting about the program and recipients? How often?

At this time, the bill authorizing these funds and subsequent guidance from Treasury require the following information be gathered. TDHCA will be expected to report quarterly to Treasury.

Data to be collected about the program:

- the number of applications received;
- the number of eligible households that receive assistance from such payments;
- the acceptance rate of applicants for assistance;
- the type or types of assistance provided to each eligible household;
- the average amount of funding provided per eligible household receiving assistance;
- household income levels served broken down by income brackets; and
- the average number of monthly rental or utility payments that were covered by the funding amount that a household received, as applicable

Data to be collected about each household:

- Address of the rental unit,
- Name, address, social security number, tax identification number or DUNS number, as applicable, for landlord and utility provider,
- Amount and percentage of monthly rent covered by ERA assistance,
- Amount and percentage of separately-stated utility and home energy costs covered by ERA assistance,
- Total amount of each type of assistance (*i.e.*, rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears) provided to each household,
- Amount of outstanding rental arrears for each household,
- Number of months of rental payments and number of months of utility or home energy cost payments for which ERA assistance is provided,
- Household income and number of individuals in the household, and
- Gender, race, and ethnicity for the primary applicant for assistance.