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## Massachusetts to institute new emergency rental assistance restrictions

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Massachusetts renters may have a harder time getting emergency rental assistance after Jan. 1, when the state institutes new restrictions on the funds.

The state Department of Housing & Community Development will require most renters seeking assistance under the Emergency Rental Assistance Program to prove they owe at least one month's rent before getting any funds, according to a Dec. 7 memo by DHCD Program Director [Amy Mullen](#). Prior to the policy change, tenants could preemptively receive funding to avoid missing rental payments.

The DHCD is also implementing restrictions on application renewals and what kinds of assistance ERAP recipients can use "in an effort to extend the use of remaining emergency housing-assistance funds with the goal of serving as many unique households as possible," the memo states.



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A coalition of 160 organizations sent a letter to Gov. Charlie Baker, state housing officials and legislative leaders urging them to hold off on the policy changes and use funds from the federal American Rescue Plan Act to keep ERAP afloat. State officials had raised concerns that DHCD is running out of ERAP funds, advocates say, though the DHCD has spent less than half of the state's ERAP funds.

"We are alarmed that the state has abruptly decided to ramp down ERAP instead of allocating additional — and available — federal funds to continue this critical emergency assistance," the letter states. "At a time when application numbers are increasing, these changes will place additional burdens on families and individuals already in crisis due to the pandemic."

### **'Bad timing'**

Among the signatories were Trinity Management LLC in Boston, UHM Properties LLC in Boston and Peabody Properties. The head of Rogerson Communities, a Boston-based senior-living organization, also contacted state leaders urging them to reconsider the policy changes.

"This is a very difficult time for elders in Massachusetts and throughout the nation," said Walter J. Ramos, president and CEO of Rogerson Communities. "There are very vulnerable people out there who are extremely vulnerable to this pandemic, and we feel strongly that this is not the time to tighten up on safety-net programs."

"If anything, we need to broaden them until we are out of this pandemic and can assess where we are," Ramos added. "But right now is just not the time. It's bad timing."

The federal program was created to help low-income renters dealing with financial challenges during the Covid-19 pandemic. Households hit hard by the pandemic can receive up to 18 months of rental assistance, each in three-month increments, as well as up to \$2,500 in overdue utility payments.

Massachusetts has received a combined \$843 million in ERAP funds since the start of the program. As of Dec. 17, the DHCD has spent or committed \$411 million. State officials submitted a

request to the U.S. Treasury Department to receive additional emergency rental-assistance funds after federal officials said states could be eligible for more if they spent a portion of the funds by Sept. 30. State officials have not heard a response from the federal Treasury and moved forward with the policy changes because of demand for rental assistance, according to the state Executive Office of Housing and Economic Development.

Under the new policy, ERAP recipients won't be able to "recertify" their application after their first three months of funding runs out, meaning they will have to submit a new application to receive another three months of ERAP funds. First, they would need to fall behind on at least one month's worth of rent to even become eligible, according to the memo.

### **No supplemental RAFT**

An additional change in state policy will prohibit ERAP recipients from being eligible to receive funds from a state homelessness-prevention program, also funded by the DHCD, known as Residential Assistance for Families in Transition, or RAFT.

Prior RAFT recipients can still access ERAP, however, though the legislators voted earlier this year to drop the annual cap for RAFT funds from \$10,000 a year to \$7,000 a year starting on Jan. 1. Housing advocates are calling on state officials and legislators to keep the cap at \$10,000 and to eliminate the incoming RAFT exclusion for ERAP recipients.

DHCD makes exceptions for tenants who are "experiencing another housing crisis," according to the memo. That applies to tenants already receiving pre-court rental assistance, as well as those facing eviction, overcrowding, health-and-safety concerns, domestic violence, a natural disaster such as a fire or flood, a utility shutoff or another "crisis that will result in imminent housing loss or instability."

The law bars courts from allowing most evictions to move forward if a tenant has a rental-assistance application in progress.

But [Kelly Turley](#), associate director of the Massachusetts Coalition for the Homeless, said the new rules could further strain

relationships between landlords and tenants, some of whom are leaving their homes to avoid formal eviction proceedings.

"We know right now renters are losing their housing, but not through a formal eviction process," Turley said. "Landlords are getting frustrated and fed up and tensions are rising, so tenants are moving out without officially being evicted. We're concerned more of those informal evictions will happen if households aren't able to connect with emergency rental assistance in a timely manner."

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