



# **COVID-19 Housing Assistance Program Guide**

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# MINNESOTA HOUSING – COVID-19 HOUSING ASSISTANCE PROGRAM GUIDE



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## **Chapter 1 – Introduction**

The COVID-19 Housing Assistance Program (the Program) provides housing assistance to prevent homelessness and help maintain housing stability of individuals and families impacted by the public health-related emergency. The Program is funded with federal dollars through the Coronavirus Relief Fund, which is authorized by the federal Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

The Program will assist households that have been impacted by COVID-19 through unemployment, illness, or other COVID-19 related circumstances. Grant administrators across the state will assist households that have a housing-related expense with a due date of March 1, 2020, or later that is past due.

Minnesota Housing created this guide, which outlines Program requirements and steps on how to implement the COVID-19 Housing Assistance Program.

## Chapter 2 – Eligibility Criteria

### 2.01 Eligible Applicants

Entities eligible to serve as grant administrators include:

- Family Homeless Prevention and Assistance Program (FHPAP) grant administrators or subgrantees
- Federally recognized tribes in Minnesota
- Local units of government (cities, counties, PHAs, HRAs)
- Nonprofit/community based organizations with ability to administer rental or mortgage assistance

Grant administrators are required to establish a full and open application process that serves the entire geographic service area defined in their application.

### 2.02 Eligible Recipients

To qualify for this Program, households must meet all of the criteria listed below:

- Be a Minnesota resident.
- Be a renter or homeowner with household income at or below 300% of federal poverty guidelines, with preference given for households below 200% of federal poverty guidelines.

FY 2020 Federal Poverty Guidelines		1-Person Household	2-Person Household	3-Person Household	4-Person Household	5-Person Household
<b>Poverty Threshold</b>	Annual	\$12,760	\$17,240	\$21,720	\$26,200	\$30,680
	Monthly	\$ 1,064	\$ 1,437	\$ 1,810	\$ 2,183	\$ 2,557
<b>300%</b>	Annual	\$38,280	\$51,720	\$65,160	\$78,600	\$92,040*
	Monthly	\$ 3,190	\$ 4,310	\$ 5,430	\$ 6,550	\$ 7,670
<b>200%</b>	Annual	\$25,520	\$34,480	\$43,440	\$52,400	\$61,360**
	Monthly	\$ 2,127	\$ 2,873	\$ 3,620	\$ 4,367	\$ 5,113

\*For each additional household member add \$13,440 annually

\*\*For each additional household member add \$8,960 annually

- Have a housing related expense incurred after March 1, 2020 that is past due. Program funds may only be used for expenses incurred between March 1, 2020 and December 30, 2020 pursuant to the CARES Act, as it may be amended.
- Be unable to make the payment(s) owed because of the public health emergency due to unemployment, illness, or another COVID-19 related issue.

Households currently receiving rental assistance that adjusts with income (i.e. Housing Choice voucher, project based assistance, or another form of state or federal rental assistance), are generally not eligible to apply for rental assistance in this Program. Households receiving rental assistance that adjusts with income are still eligible to apply for assistance with eligible utility expenses.

**Grant administrators are not permitted to be more restrictive or add additional criteria, eligibility requirements, or prioritizations.**

### **2.03 Eligible Expenses**

Eligible expenses include the following if needed to maintain housing security and avoid displacement:

#### **Housing Assistance:**

- Rent payments
- Mortgage payments (including escrowed property taxes\* and insurance)\*\*
- Contract for deed payments
- Manufactured home park lot rents
- Manufactured home payments
- Utility payments (gas, electric, water/sewer, and other utilities as approved by Minnesota Housing) **(Revised 9.1.2020)**
- Association fees
- Homeowners insurance
- Additional housing-related costs approved by Minnesota Housing

\* Property tax payments are eligible only in cases of foreclosure prevention.

\*\*Households with federally backed mortgage covered under the CARES Act (includes loans from such agencies as the Federal Housing Administration, Veteran’s Administration, United States Department of Agriculture Rural Development, Fannie Mae, Freddie Mac) are required to contact their mortgage servicer to obtain a special forbearance, a loan modification, and/or set up a repayment plan. **(Revised 9.1.2020)**

Housing Assistance payments will not be made directly to the household. Funds must be paid directly to the following:

- Landlord or leasing agent for a rental unit;
- Servicer for a mortgage or the entity who owns the mortgage for a homeowner;
- Contract for deed vendor or seller;
- Utility company;
- Manufactured home park owner; or,
- Any other identified entity to which payment for the aforementioned housing-related payment is owed.

At this time, there are no caps on the assistance available to households, and households that continue to meet the eligibility criteria may apply for assistance more than one time if they present with a new, past-due eligible housing expense. After the first application is final, any subsequent requests for housing assistance must be processed as a new application.

**Administration (Revised 9.23.2020):**

Up to 15 percent of the total grant funds disbursed to a grant administrator to administer the Program can be used for direct program administration costs, including the following:

- Costs associated with processing Program applications, determining eligibility, and making payments on behalf of Program participants. This may include such expenses as:
  - Payroll and benefits for staff whose time is substantially dedicated to processing housing applications, determining eligibility, verifying information, approving/denying applications, etc.
  - Other direct costs associated with administering the program, including but not limited to, administrative staff time dedicated to program management, data/reporting costs of the program, processing housing assistance payments, etc.
- Costs of providing supportive services for Program participants, including assessment and landlord negotiation.
- Expenses incurred to comply with reporting and recordkeeping requirements imposed by the Department of the Treasury's Office of Inspector General.
- Other direct costs associated with administering the Program (e.g. program management, data/reporting costs, outreach services, etc.).

**NOTE: Pursuant to guidance from the United States Department of the Treasury issued on September 2, 2020, Program funds shall not be used for Indirect Costs. The total Program funds used for Administration expenses may not exceed 15% of Program funds disbursed to a grant administrator without the prior written approval of Minnesota Housing.**

## **2.04 Equity**

This Program is intended to benefit persons at risk of homelessness due to eviction, foreclosure or related displacement. Specific groups are overrepresented among this population, including Native American and people of color/Black, persons with disabilities, veterans, and lesbian, gay, bisexual, transgender, or questioning/queer (LGBTQ) persons.

Grant administrators should identify and serve the persons disproportionately experiencing housing instability within their proposed service areas, and to implement clear, appropriate, and assertive strategies for engaging and serving them effectively. In addition, grant administrators are strongly encouraged to implement specific strategies that promote staffing and Program models representative of and responsive to the populations to be served, particularly those households overrepresented among people experiencing homelessness.

## Chapter 3 – Centralized Intake Process and Common Household Application

### 3.01 Centralized Intake – 211

United Way 211 (211) provides the public facing intake point for households seeking assistance via phone, text, or web access across the state.

Intake access points for initial eligibility determinations:

- When a household contacts 211 over the phone, the 211 specialist will assess initial eligibility.
- When a household texts “MNRENT” or “MNHOME” to 898-211, the household will receive a text message with a link to the initial eligibility questions and 211’s phone number.
- Households who access via the web will be able to complete the initial eligibility questions on their own.
- Households can contact grant administrators directly and, in those instances, grant administrators will need to assist applicants in completing the initial eligibility questions.

Once initial eligibility is determined, the household provides their address and contact information and selects a grant administrator that serves their area. The household’s account and initial contact information is assigned to the selected grant administrator. Grant administrators and subgrantees that process applications are required to receive these referrals.

### 3.02 Common Household Application – HousingLink

Grant administrators and subgrantees that process applications are required to use the online Common Household Application system provided by HousingLink (the “Online System”) for all households applying for assistance to track, process, and approve or deny applications. The Common Household Application is attached as Appendix C. As part of the application process, households must complete a Household Certification and Release of Information Form (Appendix D). Households without internet access will be identified in the Online System for a follow up call by the grant administrator or subgrantee to assist with completing the online application. Households can either upload documents directly to the Online System or provide paper documents to the grantee via mail or hand delivery. Grant administrators and subgrantees that process applications are required to contact Sue Speakman-Gomez at Housing Link (sspeakman@housinglink.org) to enroll in the Online System and process applications from households referred to their organization.

Grant and subgrantee administrators are required to update the status of the common household application as it progresses through the review processes (see below). Households can track the status of their application by logging into the Online System. After the past due expenses have been verified by the grant administrator, the Online System must be updated to reflect the approved Housing Assistance amounts as well as the start and end dates of each past due invoice that is approved for payment. Please note that the status of the application in the Online System is also used to calculate housing assistance disbursements from Minnesota Housing to the grant administrator (see Chapter 5).

Grant and subgrantee administrators must select and update application status in the Online System for each application, which currently includes **(Revised 9.1.2020)**:

- **Prescreening Rejected:** The applicant (or 211 on behalf of an applicant) completed the pre-screening questions and did not meet initial eligibility questions.
- **Prescreening Approved:** The applicant (or 211 on behalf of an applicant) completed the pre-screening and has met initial eligibility questions. The applicant has not yet started a full application.
- **Application Started:** The applicant (whether household or an administrator on behalf of a household) has access to the application but has not added any information yet.
- **Application in Progress:** The applicant (whether household or an administrator on behalf of a household) has begun to fill out the answers on the application; however, not all questions have been completed.
- **Application Completed:** The applicant (whether household or an administrator on behalf of a household) has answered all required questions and attestations and submitted the application for review. This status is the Grant Administrator’s indication to begin verification/review.
- **Verification in Progress:** A Grant Administrator has begun verifying the household application. The Grant Administrator is required to **manually change** an application to this status.
- **Application Denied or Application Approved:** After the review and verification process, the Grant Administrator determines if the application meets all program eligibility requirements and complies with the Program Guide. The Grant Administrator is required to **manually change an application** to this status.

**IMPORTANT: In order for a household application to be included in the funding disbursement process described in Chapter 5 of this Program Guide, the Grant Administrator must enter the approved housing assistance amount in the "Approved Payment Amount" of the applicant record and change the application status to "Application Approved" in the Online System.**

### 3.03 Electronic Signatures

For any documents that require a signature to complete the Common Household Application, Grant Administrators and subgrantees that process housing assistance applications may use [DocuSign](#) or [Adobe e-sign](#) to create an electronic signature. Other electronic signature software may be considered but requires approval from Minnesota Housing before being used. Please contact the program manager to make a request to use different electronic signature software.

The cost to use electronic signatures is an eligible administrative expense. If the household is unable to sign electronically or print, scan, sign, and upload the document into their Common Household Application, the application documentation can be mailed to the household for a signature and returned to the grant administrator or subgrantee for uploading.

### 3.04 Housing Assistance Application Processing

Grant administrators and subgrantees that process applications are not permitted to stop accepting and processing Housing Assistance applications without the written consent of Minnesota Housing.

## Chapter 4 – Grantee Requirements

### 4.01 Grant Proceeds

The Initial Selection Amount / Grant Proceeds in the Grant Contract Agreement is not a commitment or guarantee of funds. Upon completion of the Program, total disbursements to any given grant administrator may be higher or lower than the Initial Selection Amount / Grant Proceeds to meet Program-wide demand and Program priorities. Minnesota Housing will work with grant administrators to adequately document any increases in Grant Proceeds. Grant administrators are encouraged to continue accepting and processing Housing Assistance applications until such time that Minnesota Housing notifies grant administrators.

### 4.02 Subgrantees

Grant administrators are expected to enter into formal agreements with subgrantees and impose, at a minimum, the same expectations that Minnesota Housing requires of grant administrators, including all applicable federal requirements. In addition, grant administrators must ensure that communication received from Minnesota Housing is relayed to subgrantees. Grantees remain responsible for compliance with all requirements and for performance of any subgrantees.

### 4.03 Household Income Determination

Grant administrators and subgrantees must determine income eligibility of households prior to providing housing assistance. Income eligibility is calculated from the household's income in the prior four week period. Households must be at or below 300 percent of the federal poverty guidelines, with preference given to households below 200 percent of federal poverty guidelines. Income is calculated based upon gross income.

#### Determining Income

The following income for any and all members of the household **is included** in income calculation:

- The full amount of earned income before payroll deductions of any wages and salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services
- The full amount of any payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of payments
- Any payments in lieu of earnings such as unemployment compensation, including Pandemic Emergency Unemployment Compensation (PEUC), disability compensation, worker's compensation, and severance pay
- Any public assistance payments such as cash assistance or Social Security.
- Any periodic and determinable allowances such as alimony, child support, and foster care payments
- Any net income from the operation of a business or profession, including direct payments for services or self-employment

The following types of income are **not included** in income calculation:

- Earned income of minors (age 17 and under)

- One-time federal household stimulus payments
- Income of live-in health aids
- Non-cash benefits such as childcare or medical care assistance and food support
- One-time cash gifts, for example a birthday

### **Verification of Household Income**

There are three methods to obtaining household income: documents provided by the household, third party verification and, in situations where the prior two methods are not able to be obtained in a timely manner, household self-certification.

### **Documents**

When possible, documentation of income for the prior four weeks should be obtained from the household. This includes:

- If employed, obtain pay stubs for the prior four weeks. Pay stubs should be the most recent and just prior to the date the household is seeking assistance. If a household has inconsistent income, for example, they work varied hours, obtaining additional pay stubs is recommended.
  - If a household is unable to provide pay stubs, third party verification from the employer is acceptable and should be clearly documented in the household file.
- Documentation of cash assistance such as Social Security income or public assistance
- Documentation of child support, alimony, or foster care payments
- Documentation of any income received for self-employment
- If a household is without income, obtaining a self-certification of zero income

### **Third Party Verification**

Under this form of verification, a third party is contacted to provide information about the household's income. This may be preferable if providing the documentation poses a hardship on the household due to geographic distance, lack of access to technology, or they are unable to provide it in a timely manner.

- To obtain third party verification, the provider must obtain a signed release of information. Written verification is preferred; however, there may be times where the third party is unwilling to provide this and/or cannot do so in a timely manner. In these instances, verbal verification is acceptable; however, this must be well documented in the client file, such as on intake paperwork or as a case note. Information included should be the date the verbal verification was provided, the name of the individual providing the information and the entity they represent, as well as their contact information.

### **Self-certification**

- In limited circumstances, individuals may be able to meet this requirement via a self-certification. The self-certification should include the household income, in addition to household size, in order to determine income eligibility.

## Calculating Income

When calculating income, keep in mind the following:

- Income calculation is determined using gross annual income, i.e. total pay before taxes and other deductions.
- Calculate annual income, rather than monthly, in order to align with the annual Federal Poverty Guidelines table provided in Section 2.02 – Eligible Recipients.
- Calculate annual income based upon 52 weeks in a year. For example, the prior four weeks of income can be multiplied by 13 to obtain the annual income for comparing against the Federal Poverty Guidelines.

The Income Calculation Workbook available on the Minnesota Housing website is an optional tool that can assist with annualizing income for comparison against the Federal Poverty Guidelines.

## 4.04 Monitoring and Evaluation

### Monitoring of Grant Administrators and Subgrantees Administrators

Grant administrators are expected to monitor subgrantee client files, expenditures and program expectations during the grant term.

### Household Files

At a minimum, household files should contain the following:

- Completed Common Household Application form using the Online System for all households
- Household Certification and Release of Information form, which includes the following:
  - Certification that the information that will be provided by the household in the Online System is true, accurate, and complete to the best of their knowledge
  - Household authorization for the provider to share information with and/or receive information from the entity to which the funds are owed, such as the landlord, utility company, etc.
  - Any other releases of information, if applicable. For example, if third party verification is needed to obtain verification of employment income
- Documentation of eligibility criteria including:
  - The household income is at or below 300% federal poverty guidelines and identifying those households at or below 200% of federal poverty guidelines. The Income Calculation Worksheet (or self-certification of income) provides a demonstration of how annual income is calculated. The income calculation should be included in the client file. For additional guidance, refer to Section 2.02 – Eligible Recipients and Section 4.03 – Household Income.
  - Type and amount of assistance provided.
  - Verification of an eligible housing-related expense that is past due:
    - Documentation provided can include a past due utility notice or mortgage statement, landlord verification form, etc.

- Internal Revenue Service (IRS) Form W-9 **(Revised 9.23.2020)**:
  - Except for payments made directly to utility companies, all entities receiving housing assistance payments from this Program must provide a completed Form W-9 prior to receiving payment. If the entity is exempt from filling out Form W-9, the form includes instructions on how to note their exempt status. Do not upload Form W-9 into the Online System to protect the privacy of the agency receiving payment.
  - When a Form W-9 is required, the entity receiving the payment only needs to provide Form W-9 to the grant administrator once. It is not necessary to obtain another Form W-9 for the same entity for each household application.

\*This Program Guide does not constitute tax advice, direction, or best practices. Please consult with your accountant for tax related questions.

- If the household is applying for past due rental assistance, a landlord verification form that contains the following information:
  - Name of renter
  - Amount of past due rent, including late fees
  - Period for which past due rent is owed, for example: September 1 – 30, 2020
  - Landlord contact information
  - Landlord signature
  - Certification that the landlord has not received a payment from another source
- Acknowledgement that the Grievance Policy was provided to the household. If a household was denied assistance, a copy of the denial letter (see Section 4.05, Appeal Policy)

Minnesota Housing will conduct at least one monitoring visit of grant administrators during this Program grant period, which may include:

- Household file monitoring (refer to Section 4.04 – Household Files, above)
- Financial reconciliation
- Following the monitoring visit, Minnesota Housing staff will notify the grantee if follow-up is required. An example of this could include obtaining additional documentation to verify household eligibility. Upon timely completion of follow-up items, Minnesota Housing staff may issue a monitoring review summary letter including grantee strengths, areas of concern, recommendations, and required follow up items.

Grant administrators and subgrantees are responsible for maintaining financial records that document the use of all Program funds, including those used for direct Housing Assistance and Administration costs. After grant term completion, grant administrators and subgrantees are expected to maintain all records for a minimum of six years. In addition to Program financial records, household records must also be maintained for a minimum of six years after the grant term has ended.

In addition, Minnesota Housing reserves the right to review financial and household records during this period, and records must be made available upon request.

#### **4.05 Appeal Policy (Added 9.1.2020)**

If an applicant is denied assistance, a written denial letter must be sent to the applicant listing the reasons for denial. The applicant may appeal the decision by contacting the Grant Administrator and requesting an appeal of the decision, either in writing or orally, within 10 days of the date of the denial letter.

After receiving a request for an appeal, the Grant Administrator will assign a staff person to review the materials submitted by the applicant to determine if the applicant is eligible for assistance. The reviewer must be a different staff member from the one who originally made the eligibility determination. If, on review, the applicant is deemed eligible, they will be assisted based on the time and date of the original application submission. If the applicant is again deemed ineligible, a written letter of the appeal decision must be sent out to the applicant with the decision and the reasons for upholding the denial.

The appeal must be completed within five business days of receiving the request for appeal. If an applicant is successful in their appeal, their ability to receive assistance will depend on whether any COVID-19s Housing Assistance Program funds are available on the date of the appeal decision. A successful appeal decision does not guarantee receipt of assistance.

#### **4.06 Reporting**

The following outlines the reporting requirements during the grant term. The timely and accurate reporting requirements are taken into account when evaluating overall grantee performance and are one consideration when determining if grant administrators are eligible for additional disbursements. Refer to Appendix B: COVID-19 Housing Assistance Program Reporting Timeline for due dates.

##### **Monthly Expenditures and Outputs Reports**

Grant administrators will be provided with a Monthly Expenditure and Outputs Report template that must be submitted after the completion of each reporting period and include subgrantee expenditures and outputs. Reports will include:

- Expenses by funding category:
  - Housing Assistance by type, i.e. mortgage assistance, utility assistance, etc.; and
  - Program Administration
- Outputs
  - Number of household served with each type of housing assistance

To help ensure accurate and timely reporting, grant administrators should reconcile their expenditures and households served on an ongoing basis. Grant administrators also agree to provide such additional reporting as may be deemed necessary by Minnesota Housing.

#### **4.07 Compliance with Federal Requirements (Revised 9.23.2020)**

Grant Administrators are responsible for complying with all federal requirements imposed on Program funds through the Coronavirus Relief Fund or the CARES Act. The Grant Administrators must provide any reporting required related to the use of the federal funds and to allow access to its records and

financial statements to cooperate with any state or federal audit or review process related to use of the federal funds. According to federal guidance, payments to Grant Administrators under this Program count toward the threshold of the Single Audit Act and 2 C.R.F. part 200, subpart F audit requirements and Grant Administrators must comply with applicable requirements.

Grant Administrators must provide meaningful access to the program for applicants with Limited English Proficiency. This will likely look different for each Grant Administrator, and could include utilizing bilingual staff or a telephonic language line. For more information on what options are available, please visit [www.LEP.gov](http://www.LEP.gov) or contact Minnesota Housing.

#### **4.08           Communicating with Non-responsive Applicants (Added 9.23.2020)**

Grant Administrators must contact the applicant at least three times in a two week period using multiple methods (telephone, email, US mail) and preferably at different times of the day. Grant Administrators will document the attempts to contact the applicant in the notes in the Online System.

If an applicant cannot be reached or fails to respond, the Grant Administrator will mail or email the appeal process and a denial letter to the applicant explaining that their application was denied due to non-response. A note will be added to the applicant's file in the Online System identifying the reason for the denial. If the applicant contacts the Grant Administrator after the two week period, the applicant must submit a new application in the Online System to be considered for housing assistance.

## Chapter 5 – Application and Disbursement Schedule

This chapter comprises the Application and Disbursement Schedule for the Program and should be read together with Exhibit D of the Grant Contract Agreement. The Application and Disbursement schedule may be modified at the sole discretion of Minnesota Housing to achieve Program goals and meet demand.

The Grant Contract Agreement will include the Initial Selection Amount estimated for each grant administrator. The Initial Selection Amount will be broken into two types: Housing Assistance and Administration. The initial disbursement will occur as soon as practicable after execution of the Grant Contract Agreement.

After the initial disbursement, subsequent disbursements will occur based on the Application Periods described below. The total amount, if any, of subsequent disbursements will be based on actual demand. Housing Assistance and Administration disbursements are subject to overall Program funding availability.

### 5.01 Application Periods

- First Application Period: Program launch through August 31, 2020

The first Application Period is for grant administrators to begin outreach, prepare systems, and begin collecting and processing applications. Approved Housing Assistance Applications indicating an imminent risk of housing loss may be paid at the discretion of the grant administrator from the initial Housing Assistance disbursement.

- Second Application Period: September 1, 2020, through September 11, 2020.
- Subsequent Application Periods: The period starting on September 12, 2020, and for each two-week period thereafter until the Final Application Period. For example, September 12-September 25, September 26-October 9, and so on.
- Final Application Period: When Minnesota Housing determines Program funds will be fully expended, based upon prior disbursements and Housing Assistance Applications with a “Payment Approved” status in the Online System.
- Within each Application Period, payments for households at or below 200% of poverty guidelines shall be prioritized.

### 5.02 Housing Assistance Disbursements (Revised 9.23.2020)

- After the initial disbursement, subsequent disbursements of Housing Assistance will generally be based on the status of the Housing Assistance Applications in the Online System from the applicable Application Period, less any remaining funds from prior disbursements that are not committed to a Housing Assistance payment. Minnesota Housing may adjust the amount of subsequent Housing Assistance disbursements as it deems necessary for Program management.
- In the Final Application Period, Minnesota Housing will notify grant administrators and will calculate final disbursements to all grant administrators based upon, but not limited to, the following considerations: remaining Program funds, prioritizing payments to households at or below 200% of poverty guidelines, geographic distribution, the Administrative Expense Cap, and

the date the household application file was created. This period is expected to correlate to the Final Disbursement Period.

- The “Application Approved” status equates to the “Approved for Payment” status identified in the grant contracts.

### **5.03 Administration Disbursements (Revised 9.23.2020)**

- The first three Administration expense disbursements will be calculated in conformance with the Grant Contract Agreement. Based on Program demand and remaining funds, the percentages in the second and third disbursements may be adjusted at the sole discretion of Minnesota Housing.
- The remaining balance of the Administration expense portion of the Budget will generally be disbursed to bring the percentage of total Administration expenses disbursed into proportion to the total Housing Assistance disbursements. For example, if 60% of the Housing Assistance portion of the Budget has been disbursed, then up to 60% of the Administration portion of the Budget may also be disbursed.
- If the Housing Assistance portion of the Budget is increased thereby increasing the total Budget, the Administration expense portion of the Budget may also be increased, if Program funds are available and in accordance with overall Program criteria and objectives and in the sole discretion of Minnesota Housing.
- Grantees may use Direct Cost Administration expense funds as Housing Assistance funds without modifying the Budget, so long as the Grantee accurately reports on the usage of such funds to the State.
- The total Administration expenses may not exceed the Administrative Expense Cap.

## Chapter 6 – Fair Housing Policy

It is the policy of Minnesota Housing to affirmatively further fair housing in all its programs so that individuals of similar income levels have equal access to Minnesota Housing programs, regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, familial status, gender identity or sexual orientation.

Minnesota Housing's fair housing policy incorporates the requirements of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988, as well as the Minnesota Human Rights Act. Housing providers are expected to comply with the applicable statutes, regulations, and related policy guidance. Housing providers should ensure that admissions, occupancy, marketing and operating procedures comply with non-discrimination requirements.

In part, the Fair Housing Act and the Minnesota Human Rights Act make it unlawful, because of protected class status, to:

- Discriminate in the selection/acceptance of applicants in the rental of housing units;
- Discriminate in terms, conditions or privileges of the rental of a dwelling unit or services or facilities;
- Engage in any conduct relating to the provision of housing that otherwise make unavailable or denies the rental of a dwelling unit;
- Make, print or publish (or cause to make, print or publish) notices, statements or advertisements that indicate preferences or limitations based on protected class status;
- Represent a dwelling is not available when it is in fact available;
- Deny access to, or membership or participation in, associations or other services organizations or facilities relating to the business of renting a dwelling or discriminate in the terms or conditions of membership or participation; or
- Engage in harassment or quid pro quo negotiations related to the rental of a dwelling unit.

Minnesota Housing has a commitment to affirmatively further fair housing for individuals with disabilities by promoting the accessibility requirements set out in the Fair Housing Act, which establish design and construction mandates for covered multifamily dwellings and requires housing providers to make reasonable accommodations and to allow persons with disabilities to make reasonable modifications.

As a condition of funding through Minnesota Housing, housing providers are not permitted to refuse to lease a unit to, or discriminate against, a prospective resident solely because the prospective resident has a Housing Choice Voucher or other form of tenant-based rental assistance.

## **Chapter 7– Fraud, Misuse of Funds, Conflict of Interest, Suspension, and Disclosure and Reporting**

### **7.01 Fraud**

Fraud is any intentionally deceptive action made for personal gain or to damage another.

Any person or entity (including its employees and affiliates) that enters into an agreement with Minnesota Housing and witnesses, discovers evidence of, receives a report from another source, or has other reasonable basis to suspect that fraud or embezzlement has occurred must immediately make a report through one of the ways described in section 7.05.

### **7.02 Misuse of Funds**

A loan or grant agreement is a legal contract between Minnesota Housing and the borrower or grantee. The borrower or grantee promises to use the funds to engage in certain activities or procure certain goods or services while Minnesota Housing agrees to provide funds to the borrower or grantee to pay for those activities, goods or services. Regardless of the Minnesota Housing program or funding source, the borrower or grantee must use Minnesota Housing funds as agreed, and the borrower or grantee must maintain appropriate documentation to prove that funds were used for the intended purpose(s).

A misuse of funds shall be deemed to have occurred when: (1) Minnesota Housing funds are not used as agreed by a borrower or grantee; or (2) a borrower or grantee cannot provide adequate documentation to establish that Minnesota Housing funds were used in accordance with the terms and conditions of the loan or grant agreement.

Any borrower or grantee (including its employees and affiliates) of Minnesota Housing funds that discovers evidence, receives a report from another source, or has other reasonable basis to suspect that a misuse of funds has occurred must immediately make a report through one of the ways described in section 7.05.

### **7.03 Conflict of Interest**

A conflict of interest, actual, potential, or perceived, occurs when a person has an actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties. A potential or perceived conflict of interest exists even if no unethical, improper or illegal act results from it.

An individual conflict of interest is any situation in which one’s judgment, actions or non-action could be interpreted to be influenced by something that would benefit them directly or through indirect gain to a friend, relative, acquaintance or business or organization with which they are involved.

Organizational conflicts of interest occur when:

- A contracting party is unable or potentially unable to render impartial assistance or advice to Minnesota Housing due to competing duties or loyalties
- A contracting party’s objectivity in carrying out the award is or might be otherwise impaired due to competing duties or loyalties

- A contracting party has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors

Once made aware of a conflict of interest, Minnesota Housing will make a determination before disbursing any further funds or processing an award. Determinations could include:

- Revising the contracting party's responsibilities to mitigate the conflict
- Allowing the contracting party to create firewalls that mitigate the conflict
- Asking the contracting party to submit an organizational conflict of interest mitigation plan
- Terminating the contracting party's participation

Any person or entity (including its employees and affiliates) that enters into an agreement with Minnesota Housing must avoid and immediately disclose to Minnesota Housing any and all actual, perceived or potential conflicts of interest through one of the ways described in section 7.05.

A contracting party should review its contract agreement and request for proposals (RFP) material, if applicable, for further requirements.

#### **7.04 Suspension**

By entering into any agreement with Minnesota Housing, a contracting party represents that the contracting party (including its employees or affiliates that will have direct control over the subject of the agreement) has not been suspended from doing business with Minnesota Housing. Refer to Minnesota Housing's website for a list of [suspended individuals and organizations](#).

#### **7.05 Disclosure and Reporting**

Minnesota Housing promotes a "speak-up, see something, say something" culture whereby internal staff, external business partners (e.g., grant administrators, borrowers) and the general public are encouraged to report instances of fraud, misuse of funds, conflicts of interest, or other concerns without fear of retaliation. You may report wrongdoing or other concerns by contacting:

- Minnesota Housing's chief risk officer
- Any member of Minnesota Housing's [Servant Leadership Team](#)
- [EthicsPoint](#), the Minnesota Housing hotline reporting service vendor

## Appendix A – Definitions

TERM	DEFINITION
Administrative Expense Cap (Revised 9.23.2020)	The limit on administrative costs is 15% of Program funds disbursed, unless there is prior written approval of the State.
Application and Disbursement Schedule	The schedule and structure of expected disbursements as set out in Chapter 5 of the Guide.
CARES Act	Coronavirus Aid, Relief, and Economic Security Act
Direct Costs	Costs that are associated with a particular funded program, such as personnel dedicated to the program, travel expenses or outreach materials for the program.
EthicsPoint	Minnesota Housing hotline reporting service vendor
FHPAP	Family Homeless Prevention and Assistance Program
Final Disbursement Period	The final disbursement period after Minnesota Housing determines that Program funds will be fully expended based upon prior disbursements and Housing Assistance Applications with an “Application Approved” status, or such other date as determined at the sole discretion of Minnesota Housing.
HRA	Housing and Redevelopment Authority
Indirect Costs (Revised 9.23.2020)	Indirect costs as set out in 2 CFR 200.56, including costs that are shared across programs, or funding objectives, generally costs associated with facilities and organizational administration. Indirect Costs cannot be reimbursed in this Program.
Minor	An individual age 17 or younger
PEUC	Pandemic Emergency Unemployment Compensation
PHA	Public Housing Authority
Program	COVID-19 Housing Assistance Program
211	211/United Way

## Appendix B – COVID-19 Housing Assistance Program Reporting Timeline

August 17, 2020 – December 30, 2020

Date*	Activity
Tuesday, September 8, 2020	First report due (Contract start date – 8/31/20)
Wednesday, October 7, 2020	Second report due (9/1/20 – 9/30/20)
Friday, November 6, 2020	Third report due (10/1/20 – 10/31/20)
Monday, December 7, 2020	Fourth report due (11/1/20 – 11/30/20)
Friday, January 8, 2021	Final report due (12/1/20 – 12/30/20)

\* This schedule may be adjusted as needed by Minnesota Housing.

## Appendix C – Common Household Application (Revised 9.1.2020)

### Instructions:

Complete this form if:

- You are a Minnesota resident
- You have a rent payment, mortgage payment, homeowner association dues, contract for deed payment, homeowner insurance payment, utility payment, or housing-related payment with a due date of March 1, 2020, or later that is past due
- Your outstanding housing related expense is due to unemployment, illness, or another issue that happened as a result of the COVID-19 pandemic

If you currently receive rental assistance that adjusts with income (i.e. Housing Choice voucher, project based assistance, or another form of state or federal rental assistance), you are generally not eligible to apply for rental assistance in this program. You may still apply for assistance with eligible utility expenses.

If you have a federally backed mortgage covered under the CARES Act (includes loans from such agencies as the Federal Housing Administration, Veteran’s Administration, United States Department of Agriculture Rural Development, Fannie Mae, Freddie Mac), you will be required to contact your mortgage servicer to obtain a special forbearance, a loan modification, and/or set up a repayment plan.

You will be asked to provide the following documentation (or pictures of them):

- Personal identification number from a state issued ID, driver’s license, passport, ITIN, Tribal ID or other form of ID. The documents do not need to be provided. If you do not have an ID, you may check “I do not have an ID.”
- Verification of balance owed (utility bill, past due rent/mortgage bill, etc.)
- Contact information for the organization to be paid (landlord, mortgage company, utility company, etc.)
- Proof of your total gross income from the prior four weeks

After you complete this form, it will be reviewed for eligibility. You may be contacted for additional information before receiving final approval or denial. Approvals are subject to funding availability.

This form is available in Hmong, Somali, and Spanish. To access this form in one of these languages, contact 211 for assistance (**Call:** 211 or 651.291.0211 **Toll Free:** 800.543-7709).

### A. Applicant Information

Last Name:		First Name:	
Full Name of the person on the lease or mortgage (if different from the name of the applicant listed above):			
Street Address:	City:	State: MN	Zip Code:
Email Address:	Phone Number:	County:	
Number of children under the age of 18 living with you?		Number of adults 18 years of age and over, including you, living in your home?	

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<p>Race (select all categories that apply): This information is optional.</p> <p><input type="checkbox"/> American Indian/Alaskan Native</p> <p><input type="checkbox"/> Asian</p> <p><input type="checkbox"/> Black or African American</p> <p><input type="checkbox"/> Native Hawaiian or Other Pacific Islander</p> <p><input type="checkbox"/> White</p> <p><input type="checkbox"/> Other</p>	<p>Ethnicity: This information is optional.</p> <p><input type="checkbox"/> Hispanic/Latinx</p> <p><input type="checkbox"/> Non- Hispanic/Latinx</p>
<p>Personal Identification Number:                  Select from the following list (drop-down selection):</p> <ul style="list-style-type: none"> <li>• Driver’s license/state ID</li> <li>• Passport Number (does not have to be limited to US passports)</li> <li>• Social Security Number</li> <li>• Tribal Identification Number</li> <li>• Alien Registration Number</li> <li>• Individual Taxpayer Identification Number (ITIN)</li> <li>• Other: Please identify</li> </ul> <p><input type="checkbox"/> I do not have an ID number</p>	

**B. Housing Status and Type of Assistance/Amount:**

Current Housing Status:

Homeowner     Renter

Note: If you own a manufactured home but rent the lot, please select homeowner. If you rent a manufactured home, please select renter.

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Type of Assistance Needed and Amount Requested:

<input type="checkbox"/> Rental Payment	Amount: _____	Organization to be paid: _____	Organization Email/Phone: _____
<input type="checkbox"/> Mortgage Payment	Amount: _____	Organization to be paid: _____	Organization Email/Phone: _____
Loan Number: _____			
<input type="checkbox"/> Homeowner association dues	Amount: _____	Organization to be paid: _____	Organization Email/Phone: _____
<input type="checkbox"/> Contract for deed payment	Amount: _____	Organization to be paid: _____	Organization Email/Phone: _____
<input type="checkbox"/> Homeowner’s insurance	Amount: _____	Organization to be paid: _____	Organization Email/Phone: _____
<input type="checkbox"/> Utility assistance	Account Number: _____	Amount: _____	Organization to be paid: _____
		Organization to be paid: _____	Organization Email/Phone: _____
<input type="checkbox"/> Manufactured Home Lot Rent	Amount: _____	Organization to be paid: _____	Organization Email/Phone: _____
<input type="checkbox"/> Manufactured Home Payment	Amount: _____	Organization to be paid: _____	Organization Email/Phone: _____
<input type="checkbox"/> Other:	Amount: _____	Organization to be paid: _____	Organization Email/Phone: _____

*Upload verification of balance owed for rent, mortgage payment, utility bill, etc.*

I cannot upload these documents

Note: If you cannot upload verification, paper copies must be delivered to your grant administrator

Optional: Have you or someone in your household previously been evicted? Yes or No

Optional: Have you or someone in your household previously experienced homelessness? Yes or No

**C. Income Information:**

How much total gross income did your household receive in the prior four weeks?  
(Gross income includes but is not limited to gross wage income, cash assistance such as Social Security income or public assistance, unemployment compensation, worker’s compensation, severance pay, child support, alimony or foster care payments.)

*Upload verification of current income (e.g. pay stubs, benefit letter, proof of unemployment)*

I cannot upload these documents

Note: If you cannot upload verification, you may be required to provide paper copies to your grant administrator. If you do not have proof of income, please contact your local grant administrator for additional guidance.

**D. Certifications**

- I certify that I am applying for housing assistance because one of the following applies to my household:
- Job loss, furlough, or layoff due to COVID-19
  - Reduction in work hours due to COVID-19
  - Reduction or stop in work hours due being sickened by COVID-19
  - Inability to work outside of the home due to a household member being diagnosed with COVID-19
  - Other COVID-19 related circumstance (briefly describe):

I attest that I am not receiving any other source of assistance to pay for the household related expense(s) listed in section B.

I attest that I am unable to make the payment(s) owed because of the public health emergency due to unemployment, illness, or another COVID-19 related issue.

I attest that the information entered on this intake form is true and accurate. I understand that I may be asked to provide further verification at a later point.

**Tennessee Warning:**

In accordance with [Minn Stat §13.04, subd. 2](#), you must be provided with a Tennessee Warning. The purpose of the notice is to enable you to make an informed decision about whether to give data about yourself, which could be shared with government entities and others, including the Minnesota Housing Finance Agency, the local administrator, community agencies funded from state, federal, and local resources that help provide housing assistance, and the organization(s) identified as holding the debt for which you are seeking assistance, and others Minnesota Housing deems necessary for information to be shared with in order to effectively manage and evaluate the program’s effectiveness. The data could also be shared upon court order or provided to the state or legislative auditor. We are required to inform you of your rights as they pertain to the private information we collect from you. The information we collect from you is classified by law as either public (anyone can see it), private (the public is not given access, but you are), or confidential

(even you cannot see the information). As an applicant of this assistance, most of the information requested about you is classified as private. You are not legally required to provide any of the requested information; however, if you do not provide requested information, we may not be able to provide you with the services or resources you are requesting.

By checking this box, I acknowledge that I have read and understood the above Tennessee Warning.

## Appendix D – Household Certification and Release of Information Form

### Certification

By signing below, I \_\_\_\_\_ (full name) certify that the information presented in this application, as well as the information provided to HousingLink, is true, accurate and complete to the best of my knowledge. I understand that the information submitted in this application may be subject to further verification.

I also understand that providing false representations in my application constitutes an act of fraud. False, misleading or incomplete information may result in the denial, termination and/or repayment of assistance.

### Release of Information

I \_\_\_\_\_ (full name) do hereby authorize AGENCY to obtain and/or release information from the following agencies and/or individuals listed below:

\_\_\_\_\_

I authorize the following information to be (choose one or both):  shared with  received from

All information relating to my need for COVID-19 Housing Assistance, including verification of past due housing related expenses and eligibility for assistance

Other (List): \_\_\_\_\_

I understand that my records are protected under state and federal law and cannot be shared without my written permission unless otherwise provided for in the regulations. I also understand that I do not have to agree to release this information, but it may affect how much the agency can help me.

I understand that I may cancel this permission at any time; however, this will not affect information released before I withdrew my consent. I also understand that this permission expires after the reason or purpose of this consent has been fulfilled and no later than one year from the date signed.

I understand that information disclosed to and received from the persons and organizations named above will only be shared with organization staff or individuals to determine my eligibility for Covid-19 Housing Assistance.

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Any release of private information is not allowed except as authorized above. (Minn. Statutes 13.05)

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Printed Name

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Signature

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Date