



Contra
Costa
County

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: October 19, 2021

Subject: EMERGENCY RENTAL ASSISTANCE PROGRAM 2 - UPDATE AND SUPPLEMENTAL SERVICE ALLOCATION RECOMMENDATIONS

RECOMMENDATION(S):

1. ALLOCATE Emergency Rental Assistance Program 2 (ERAP 2) funding to support legal, housing stability and mediation services; and
2. APPROVE and AUTHORIZE the County Administrator, or designee, to execute contracts with organizations in denominations determined by the Board of Supervisors in Recommendation No. 1 above.

FISCAL IMPACT:

\$230,000 related to recommendations included in today's action. Up to \$1,168,258.51 in ERAP 2 sub-recipient allocation from the State of California will be available for programming. These funds are 100% Federal.

The County will be allocated \$467,303.40 initially, which is 40% of the the figure stated above. This is because the American Rescue Plan authorizes the U.S. Treasury to advance 40% of the total allocation to jurisdictions, with the remainder to be distributed once 75% of the initial amount (i.e. the 40%) is obligated. Since Contra Costa County is an Option A entity under the State's ERAP program, the State will make application to the U.S. Treasury

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **10/19/2021** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 19, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Timothy Ewell, (925)
655-2043

cc:

for the remaining 60% of fundind and forward the County the balalnce of the \$1,168,258.51
ERAP 2 sub-recipient allocation.

BACKGROUND:

Emergency Rental Assistance Program History

The Emergency Rental Assistance Program (ERAP) makes funding available to assist households that are unable to pay rent or utilities. Two separate programs have been funded by the federal government to support this endeavor: ERAP 1 provides up to \$25 billion under the Consolidated Appropriations Act of 2021, which was enacted on December 27, 2020; and ERAP 2 provides up to \$21.55 billion under the American Rescue Plan Act of 2021, which was enacted on March 11, 2021. The funds are provided directly to states, U.S. territories, local governments, and (in the case of ERAP 1) Tribes. Grantees use the funds to provide assistance to eligible households through existing or newly created rental assistance programs.

In Contra Costa County, the combined share of ERAP 1 and ERAP 2 allocations is \$147,427,324 (\$75,822,312 from ERAP 1 and \$71,605,012 from ERAP 2). Note that both figures include a state allocation to the County in addition to the federal direct allocation. ERAP 1 funds must be spent by September 30, 2022 and ERAP 2 funding must be spent by September 30, 2025.

On February 9, 2021, the Board of Supervisors selected Option A pursuant to SB 91, allowing the State to implement the Emergency Rental Assistance Program (ERAP) on behalf of the County. The County was one of several large counties (i.e. those with populations over 200,000), including Butte, Los Angeles, San Mateo, Santa Cruz, San Luis Obispo, Tulare, Ventura and Yolo that opted into Option A along with all small counties (i.e. those with populations under 200,000). Subsequently, the County Administrator filed an Expression of Interest Form with the California Department of Housing and Community Development and, ultimately, executed an agreement with the State to operate the program on March 18, 2021. Authority was granted to the County Administrator to take these actions on March 2, 2021 as part of Resolution No. 2021/78.

On March 15, 2021, the statewide program opened to the public, including a multilingual website (housingiskey.com) and toll-free hotline (1-833-430-2122). The State has contracted with the Local Initiative Support Corporation (LISC) to assist with outreach for the program. The State's partnership with LISC includes contracts with "Local Partner Network Organizations" (primarily local community-based organizations), to provide assistance to residents seeking rental and utility payment relief. In Contra Costa County, residents can dial 1-833-687-0967 to make an appointment with a Local Partner Network Organization.

On March 23, 2021, the Board authorized additional funding in the amount of \$514,000 to further supplement outreach to residents throughout the County and to establish a Housing Stability Service program, as follows:

\$313,320 - Community Outreach & Engagement (Administered by Richmond

Community Foundation)

\$75,000 - Local Housing Stability Services (Bay Area Legal Aid administered by Richmond Community Foundation)

\$50,000 - 211 for Rental Assistance Navigation (Contra Costa Crisis Center)

\$20,000 - Emergent Needs (Administered by Richmond Community Foundation)

\$55,680 - Fiscal/Administrative Fee Allowance (Richmond Community Foundation)

\$514,000 Total

The above services are funded through December 31, 2021, with the exception of the allocation to the Contra Costa Crisis Center for 211 services, which extends through September 30, 2021.

Contra Costa County ERAP 2 Allocation

The U.S. Treasury notified eligible jurisdictions that the grant awards portal would open on Tuesday, May 4, 2021 with a due date on Monday, May 10, 2021 and concurrently released updated Frequently Asked Questions (FAQs) integrating the unique eligibility requirements contained in ERAP 2 with those already in place for ERAP 1. The County Administrator timely filed the grant application on Friday, May 7, 2021 as requested by the U.S. Treasury to qualify for funding. On May 18, 2021, the Board ratified action taken by the County Administrator to apply for the ERAP 2 allocation and the County received a 40% advance of its federal direct allocation in the amount of \$15,576,780 on May 27, 2021. The remainder of funds are to be allocated to jurisdictions once each jurisdiction has obligated 75% of the initial allocation.

On July 13, 2021, following the passage of AB 832, the California Department of Housing and Community Development issued a letter to local government agencies outlining options for participation in the State ERAP program using the ERAP 2 allocations issued by the U.S. Treasury. The state requested a letter of intention no later than July 27, 2021. On July 27, 2021, the County Administrator's Office responded to the State communicating an intention to continue participating as an Option A partner contingent on approval by the Board of Supervisors. Based on the responses to the State, several jurisdictions that had initially decided to run local programs with ERAP 1 funding have now decided to migrate to the State program for ERAP 2. Most notably, the counties of San Francisco, San Joaquin, Orange, Placer, Merced, Stanislaus and the cities of Los Angeles, Irvine, Modesto and Santa Clarita.

On September 21, 2021, the Board selected to again opt-in to participation in the statewide rental assistance program for the ERAP 2 allocation and transfer the County ERAP 2 federal direct allocation back to the U.S. Treasury for reallocation to the State for the benefit of County residents. Staff subsequently returned the County direct allocation back to the U.S. Treasury on September 27, 2021. In addition, staff provided an update on eviction protections that took effect beginning on October 1, 2021 through March 31, 2022, pursuant to AB 832. Much of the protections in place during this time

period require active action by a tenant to maintain tenancy, including application for the ERAP program. As part of this discussion, the Board directed staff to return in October 2021 with options for funding additional services from the ERAP 2 sub-recipient allocation from the State to the County.

Today's action is providing an update to the Board on the status of the ERAP program and providing options for funding additional supplemental services to assist tenants and landlords during the temporary AB 832 eviction protection period and when the temporary period has terminated on March 31, 2021.

CLERK'S ADDENDUM

Speakers: No name given; Stacey Street, Chief Operations Officer, RCF Connects; David Sharples, ACCE Richmond; Betty Gabledon, President of Todos Santos Tenants Union; Tony Bravo, Impact, Contra Costa Immigrants Rights Alliance; Kristy Laughlin; Marianna Moore; Hector Malvido; Monique Garland; Sabir, Raise the Roof Coalition.

ATTACHMENTS

PowerPoint Presentation