



Contra Costa County

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: August 16, 2022

Subject: EMERGENCY RENTAL ASSISTANCE PROGRAM UPDATE

RECOMMENDATION(S):

1. ACCEPT a report on the Emergency Rental Assistance Program and status of program infrastructure to support legal, housing stability, and mediation services for tenants and landlords in Contra Costa County.
2. APPROVE and AUTHORIZE the County Administrator, or designee, to enter into the following contracts in an aggregate amount not to exceed \$237,500 for continued tenant/landlord assistance services:

Vendor	Service	Amount
Contra Costa Crisis Center (211)	Outreach/Navigation	\$50,000
Congress of Neutrals	Mediation	\$67,500
Congress of Neutrals	Attorney of the Day	\$15,000
Shelter Inc.	Courthouse Clinics	\$35,000
TBD	East County Legal Services	\$70,000
	Total	\$237,500

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/16/2022** ☒ 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: August 16, 2022

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

By: June McHuen, Deputy

Contact: Timothy Ewell, (925)
655-2043

cc:

RECOMMENDATION(S): (CONT'D)

FISCAL IMPACT:

\$237,500; \$237,303 Federal distributed by the California Department of Housing and Community Development; \$197 County General Fund.

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.

Contra Costa Joins State ERAP Program – “Housing is Key”

On February 9, 2021, the Board of Supervisors selected ‘Option A’ pursuant to Senate Bill 91 (Chapter 2, Statutes of 2021), allowing the State to implement the ERAP on behalf of the County for the benefit of County residents. 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 September 21, 2021, the Board selected to again opt-in to participate in the statewide rental assistance program for the ERAP 2 allocation and subsequently transferred the County ERAP 2 federal direct allocation back to the U.S. Treasury for reallocation to the State for the benefit of County residents on September 27, 2021. In addition, staff

provided an update to the Board and members of the public 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 required active action by a tenant to maintain tenancy, including application to the ERAP program for benefits. As part of this discussion, the Board directed staff to return in October 2021 with options for funding additional tenant/landlord services using local ERAP funds.

Statewide “Housing is Key” Program Launches on March 15, 2021

On March 15, 2021, the statewide program opened to the public, including a multilingual website (housingiskey.com) and toll-free hotline. The State contracted with the Local Initiative Support Corporation (LISC) to assist with outreach for the program. The State's partnership with LISC included contracts with "Local Partner Network Organizations" (primarily local community-based organizations), to provide assistance to residents seeking rental and utility payment relief.

Contra Costa Authorizes Supplemental Outreach/Legal Assistance Services

In addition to the resources funded by the statewide program for the benefit of local residents, including in Contra Costa County, the Board of Supervisors has funded supplemental programming services to further assist residents facing housing insecurity. Over the course of the ERAP program, the Board has funded \$4.8 million to legal assistance, housing stability, outreach, mediation and additional rental assistance programs for the benefit of residents in the County. These programs, outlined below, were funded from a range of sources including the Community Development Block Grant (CDBG), Older Americans Act (OAA), the Emergency Rental Assistance Program (ERAP) and the Dispute Resolution Programs Act of 1986 (DRPA).

Contra Costa County Rental/Eviction Protection Activities, thru December 31, 2022		Amount	Source	End Date
Legal Assistance/Referral Clinics	Centro Legal De La Raza	\$ 540,000	CDBG	12/31/2022
	Contra Costa Legal Services	\$ 149,160	OAA	6/30/2022
	Shelter Inc. - Courthouse Clinics	\$ 70,000	ERAP	12/31/2022
	Congress of Neutrals - Attorney of the Day	\$ 30,000	ERAP	12/31/2022
Housing Stability/Counseling	Bay Area Legal Aid	\$ 75,000	ERAP	12/31/2021
	ECHO Housing	\$ 60,000	CDBG	12/31/2022
Outreach	Richmond Community Foundation	\$ 389,000	ERAP	12/31/2021
	Contra Costa Crisis Center (211)	\$ 50,000	ERAP	9/30/2021
	Contra Costa Crisis Center (211)	\$ 80,000	ERAP	11/30/2022
Mediation	Congress of Neutrals	\$ 115,000	DRPA	6/30/2022
	Congress of Neutrals	\$ 50,000	ERAP	9/30/2022
Rental Assistance	Shelter Inc.	\$ 3,200,000	CDBG	Until Spent
Total		\$ 4,808,160		

Note that the table above includes all programs funded, some of which have concluded and some of which remain ongoing as denoted in the “End Date” column. A table with

active programs with contact information is included later in this report.

Conclusion of the “Housing is Key” Program on March 31, 2022

On March 31, 2022, the Housing is Key program concluded and ceased to accept new applications from residents. This was following significant demand for rental relief statewide resulting in the full obligation of federal ERAP funds and after the State had pursued more funding from the U.S. Treasury for California residents. The State was successful in receiving an additional \$200 million from the U.S. Treasury, but more funding would be necessary to fund all eligible requests for relief.

In recognition of the demand for rental relief exceeding federal ERAP funding allocations, the Legislature passed and the Governor signed Senate Bill 115 (Skinner), which provided a backstop of State General Fund resources to ensure payment of benefits to qualified households. Senate Bill 115 also put in place the process to close down the ERAP program by designating March 31, 2022 as the final date for residents to apply for relief. Subsequently, Assembly Bill 2179 (Grayson) provided for eviction protections to those who had filed for rent relief by March 31st to be extended for an additional three months, through June 30, 2022. No protections for rental debt incurred from April 1, 2022 forward were put in place at that time.

Contra Costa County ERAP Performance

As of August 10, 2022, 16,520 Contra Costa households have received \$215,832,750 in rental and utility relief assistance since March 2021. It is important to note that this reflects approximately \$68 million more than the County’s initial federal ERAP allocations, due in large part to the State’s advocacy for reallocation of additional federal ERAP revenue and the passage of Senate Bill 115 (Skinner). The average benefit per household is \$13,169. Currently, the State is completing review of approximately 500 remaining Contra Costa applications.

Current Tenant/Landlord Resources

In anticipation of the final state eviction moratorium and ERAP program concluding, the Board has funded legal assistance, housing stability, outreach, mediation and additional rental assistance programs at least through December 31, 2022, as indicated in the table below.

Contra Costa County Rental/Eviction Protection Activities, thru December 31, 2022				
		Phone	Website	End Date
Legal Assistance/Referral Clinics	Centro Legal De La Raza	(510) 738 3906	https://www.centrolegal.org/	12/31/2022
	Shelter Inc. - Courthouse Clinics	(925) 335 0698	https://shelterinc.org/what-we-do/contracosta/	12/31/2022
	Congress of Neutrals - Attorney of the Day	(925) 937 3008	https://www.congressofneutrals.org/	12/31/2022
Housing Stability/Counseling	ECHO Housing	(855) ASK ECHO	https://www.chofairhousing.org/tenantlandlord-services.html	12/31/2022
Service Navigation/Referrals	Contra Costa Crisis Center (211)	2 1 1	https://www.crisis-center.org/	11/30/2022
Landlord/Tenant Mediation	Congress of Neutrals	(925) 937 3008	https://www.congressofneutrals.org/	9/30/2022
Rental Assistance	Shelter Inc.	(925) 335 0698	https://shelterinc.org/get-help/covid-19/	Until Spent

In addition, during the May 2022 budget adoption, the Board directed staff to return to the Finance Committee to discuss future funding sources for the continued provision of tenant/landlord services, including legal assistance and housing counseling.

July 2022 Emergency Rental Assistance Program Update

At the July 12, 2022 Board of Supervisors meeting, staff provided a comprehensive report on the ERAP program, including total financial aid provided to date, landlord/tenant program infrastructure put in place since March 2021 and programs deployed in advance of the statewide eviction moratorium expiration. The Board also received acknowledgement from Geoffery Ross, Deputy Director of the California Department of Housing and Community Development on it's exemplary partnership with the State in bringing emergency rental and utility assistance to landlords and residents in Contra Costa County.

During public comment, members of the community requested that the Board allocate the remaining, one-time allocation of ERAP 2 Administrative funds, in the amount of \$237,303 in advance of discussion in the Finance Committee. Following discussion, the Board directed staff to return on August 16, 2022 with statistical information about the programs in place and an analysis of funding recommendations for consideration by the Board for use of the remaining funds.

Today's action provides the requested program data along with funding recommendation to spend the remaing ERAP 2 Administrative funds. The information and recommendations are provided in the attached PowerPoint document, which will be presented during the Board meeting.

CONSEQUENCE OF NEGATIVE ACTION:

The report will not be formally accepted by the Board.

CLERK'S ADDENDUM

Speakers: Melvin Willis, ACCE (Alliance of Californians for Community Empowerment); Reverend Sophia DeWitt, East Bay Housing Organizations, Raise the Roof Contra Costa; Mariana Moore, Senior Director, Ensuring Opportunity Campaign to End Poverty in Contra Costa; Wanda Johnson; Betty, tenant organizer; Tony, Monument Impact, Raise the Roof; Jennifer Morales, Monument

Impact; Reverend Millie Phillips; Michaela; Elsa Stevens, ACCE; Kristi; Patricia Aguilar, Pittsburg ACCE; Juana Retti, Richmond ACCE; Caller 6770; Gigi Crowder; Sara Gurdian, Budget Justice Coalition; Vanessa; Monument Impact; Jane Currant, Richmond; Kimberly Galindo, Walnut Creek; No Name Given. Written commentary provided by Adam Poe, Bay Area Legal Aid (attached).

ATTACHMENTS

PowerPoint Presentation