

Item #6

DEPARTMENT: Neighborhood & Housing Services Department

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Department Director

COUNCIL DISTRICTS IMPACTED: Citywide

SUMMARY: Emergency Housing Assistance Program (EHAP) and Eviction Prevention Update

BACKGROUND INFORMATION:

On April 23, 2020, City Council approved the creation of the Emergency Housing Assistance Program (EHAP). The program provides eligible applicants rental, mortgage, and utility assistance.

The EHAP is administered by the Neighborhood and Housing Services Department (NHSD). As of December 7, 2021, the City has approved \$163.6 million in assistance to over 54,063 households seeking emergency rental, mortgage, and utility assistance.

The total budget for the EHAP is \$197.3 million of which about 9% is for administrative support. This includes Phases I-IV of the EHAP. Funding is projected to last until mid-January. Since September, the average spend rate per month is \$8.5 million for assistance with just over 1,000 applications submitted per week.

Current EHAP Budget by Phase:

Phase I approved April 23, 2020	\$25,553,016.00
Phase II approved June 4, 2020	\$26,944,551.00
Phase III approved September 17, 2020 amended January 21, 2020	\$34,311,149.00
Phase IV approved February 18, 2021 amended June 17, 2021	\$110,550,163.00
Total	\$197,358,879.00

As of December 7, 2021, the City has approved \$163.6 million in assistance to over 54,063 households seeking emergency rental, mortgage, and utility assistance. The chart below provides the breakout by City Council District.

Emergency Housing Assistance Program				
CD	Avg AMI %	Approved	Avg HH Size	Approved \$
1	26.7	4,925	2	\$14,233,472
2	27.3	7,567	3	\$22,288,100

3	27.8	5,833	3	\$16,780,514
4	29.8	4,637	3	\$14,475,303
5	24.1	3,848	3	\$10,381,105
6	30.7	5,042	3	\$15,691,494
7	28.3	5,798	3	\$17,062,011
8	29.8.0	5,903	2	\$18,093,144
9	30.6	3,730	2	\$11,891,975
10	30.4	4,535	2	\$14,217,308
County	29.7	2,247	3	\$8,527,832
Totals		55,065		\$163,642,258

ISSUE:

EHAP funding is projected to last until mid-January. The U.S. Treasury issued guidance on reallocation requests this in the fall of 2021 and the City of San Antonio submitted a reallocation request in early November for \$60 million. U.S. Treasury reallocations will be made in April 2022; it is unclear if advance notification about reallocation requests will be made. U.S. Treasury guidance indicates that reallocations will be made in 2-month intervals so the full requested may not be provided.

Applicants seeking rental, mortgage and utility assistance are eligible for up to 9 months of assistance based on the following eligibility criteria for the EHAP applicants, all applicants must:

- Reside within the San Antonio or Bexar County
- Provide documentation of hardship due to COVID-19
- Make less than 80% of the Area Median Income (AMI)

Assistance is tiered based on the applicant's AMI:

- If an applicant's income is at or below 50% AMI, the applicant is eligible for up to 9 months of rental or mortgage assistance and the current bill amount for utility bill (SAWS, CPS Energy, Internet) assistance.
- If an applicant's income is between 51% and 80% AMI, the applicant is eligible for up to 6 months of rental or mortgage assistance and the current bill amount for utility bill (SAWS, CPS Energy, Internet) assistance.

Should additional funding be provided, the allowances may need to be revisited to focus on the most vulnerable and those facing eviction. The program could reduce income eligibility to focus on those at or below 50% AMI. The program could focus on serving those facing eviction for incomes up to 80% AMI. The program could reduce the number of months of assistance being provided to 3 months of assistance.

Eviction Intervention Efforts Update

On November 10th, the Supreme Court of Texas (SCOTX) issued its 44th Emergency Order regarding the COVID-19 State of Disaster. This order extended the Texas Eviction Diversion Program protections from December 1st to January 1st and has affirmed that these protections apply to local rental assistance programs, such as EHAP. The order allows eviction proceedings to be abated for 60 days and recommends that court seal records in cases where for both the landlord and tenant agree to abatement while the tenant applies for rent assistance. If the landlord and tenant participate in either the state or local rental assistance programs, the court records remain sealed permanently. Tenants and landlords can participate in the program and records can be sealed even after there is a judgment and up until a writ of possession is issued. The order also notes Courts must allow legal aid providers to be present in court to help eligible tenants.

Each of the four Justices of Peace continue to welcome the City's Eviction Intervention Team in their courtrooms. The team has been working closely with the Justices since June 2020 when they first began to re-open after public health emergency orders. The team is present in every hearing and offices out of the courts even when hearings are not in session to be accessible for landlords and tenants. Additionally, the team attends regular intake sessions at Workforce Solutions Alamo and other community events in collaboration with the EHAP team. The team makes referrals to EHAP, the Right to Counsel Program, and other services as needed. As of November 29th, the team has achieved 1,289 dismissals and 1,801 resets of pending evictions.

The team continues to use weekly eviction filing data provided by the county to conduct outreach. As of November 26th, there were 1,105 filings in November- a 28% decrease from October which had over 1,500 filings and was the busiest month since the pandemic began.

On November 23rd, the City received notice that it was not selected for by HUD for the Eviction Protection Grant Program. 10 legal aid providers from around the country were selected for the program, though none from Texas. In the notice, HUD noted that it received over 100 applications making the program highly competitive. The City will continue to collaborate with TRLA to provide legal services.

ALTERNATIVES:

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FISCAL IMPACT:

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RECOMMENDATION:

This item is for briefing purposes only.