

RENTAL ASSISTANCE - ARREARS

CORE STANDARD

The provision of rental and utility assistance for arrears is permitted through the program. This is direct assistance to victims and their families for back rent and utilities that were a direct result of their status of being a victim of a crime. Mortgage expenses are ineligible.

Policy and Procedures

The program will allow for the payment of rental and utility arrears that consists of a one-time payment for up to 3 months of rent in arrears, including any court fees, legal fees and other late fees included as rent in a written lease. The maximum amount of assistance is \$5,000 (Rent and utilities).

1. The 3-month period must fall within the current contract year.
2. Participants must meet the eligibility criteria:
 - Arrears must be the result of the participant being a victim of a crime.
 - Must have late notices or have a summons or warrant of removal from landlord-tenant court.
 - Current gross income at or below 80 percent of Area Median Income (<https://ahpnj.org/resources/income-limits-rental-increases>).
 - Resided in the housing unit for at least three months without incurring arrears.
 - Ability to pay monthly housing costs after receiving HPP assistance.
3. Arrears will be paid in accordance with the current and applicable HUD FMR (www.huduser.gov).

The funded agency is responsible for:

1. Verifying and maintaining documentation showing that the arrears are related to the participant being the victim of a crime;
2. Negotiating with landlords and documenting outcomes when the rent exceeds HUD FMR (www.huduser.gov);
3. Providing case management to participants to secure other forms of rental assistance if needed;
4. Certifying that assistance period requested for reimbursement falls within the current award performance period.

Conflict of Interest – Funding may not be used in payment to any vendor of goods or services if said vendor has a personal or professional affiliation with any member of the Board of Directors (Board) or staff of the VOCA subrecipient program.

- a. Personal or professional affiliation includes:
 - i. A material economic relationship between the vendor and a Board member or staff member.
 - ii. A material economic relationship between the vendor and a Board/staff member's partner, parent, sibling, child or member of the immediate household.
- b. Members of the Board of Directors and staff have an affirmative duty to disclose all personal or professional affiliations with a proposed vendor of services. The subrecipient must consider all material facts to avoid even the appearance of impropriety. If a conflict of interest, or the appearance of a conflict of interest exists, the subrecipient must avoid entering into contractual relationships with said proposed vendor(s).

ADMINISTRATION

1. Each request for rental and utility assistance services shall receive a separate review for consideration and approval. For each victim and their family, the agency shall document the statement of the victim's exigent need, the intake assessment, the individualized plan, and all signed agreements.
2. Agencies must have a written policy and established procedures on the management, approval, and distribution of rental and utility assistance funds. In addition, Agencies must maintain a thorough record of all activities related to the administration of funds that reflects their written policy and procedures. At a minimum, records must include documentation of eligibility, distribution of funds, payee and amounts, dates of transactions, approving authorities and any other information deemed applicable by the agency's written policy.
3. Agencies administering rental and utility assistance services must establish a system of checks and balances and ensure segregation of associated duties. Formal internal controls for the approval and distribution of funds, that includes two-person accountability, must be outlined in their written policies and procedures.
4. Rental and utility assistance shall be paid directly to the entity providing said services on behalf of the victim when at all possible (e.g., rent, utilities, etc.).

MONITORING & REPORTING REQUIREMENTS

1. OAG will monitor agencies on the administration of services. OAG staff will review program policies and procedures, financial transactions and all records related to the assistance of victims and their families.
2. Regular reporting on expenses will be required as part of the quarterly fiscal reporting processes. Agencies are encouraged to develop or utilize tracking systems to monitor expenses for services.

3. Agencies should be aware that the misuse of funds is strictly prohibited. Agencies identified for the misuse of funds through routine monitoring and audits will be held responsible for full reimbursement of the misappropriated funds.