Relief of Emergency Needs for Tenants (RENT) Assistance Program

Bernalillo County
Frequently Asked Questions (FAQs)

IMPORTANT NOTICE: Bernalillo County has launched the BernCo Relief of Emergency Needs for Tenants (RENT) Assistance Program. The BernCo RENT program is for income-eligible Bernalillo County renters that live in Bernalillo County outside the City of Albuquerque and have experienced a COVID-19 related income loss. Funds from this program can be applied towards past due rent and utilities, starting April 2020 through September 2025, or security deposits and future rent payments under certain circumstances.

The BernCo RENT Assistance Program is for Bernalillo County renters that meet the income eligibility requirement of 80% area median income (AMI) and less, per the following; special consideration will be awarded to applicants with an annual income at 50% AMI or less:

<table>
<thead>
<tr>
<th>Number of people living in household</th>
<th>1 person</th>
<th>2 people</th>
<th>3 people</th>
<th>4 people</th>
<th>5 people</th>
<th>6 people</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Income at 80% AMI or less</td>
<td>42,300</td>
<td>48,350</td>
<td>54,400</td>
<td>60,400</td>
<td>65,250</td>
<td>70,100</td>
</tr>
<tr>
<td>Annual Income at 50% AMI or less</td>
<td>26,460</td>
<td>30,200</td>
<td>34,000</td>
<td>37,750</td>
<td>40,800</td>
<td>43,800</td>
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BASIC INFORMATION

• What is the BernCo RENT Assistance Program?
  o The Relief of Emergency Needs for Tenants (RENT) Assistance Program provides full rent payment for income-eligible renters that live in Bernalillo County outside the City of Albuquerque and have experienced a COVID-19 related income loss.

• How does the BernCo RENT Assistance Program work? Eligible renters can apply to the BernCo RENT Assistance Program through a paper application or through an online application submission. Eligible county renters can download a copy of the application online or pick up a physical copy at Bernalillo County’s Alvarado Square, 415 Silver Ave SW. Applications submitted will be screened to determine if the applicant is eligible for RENT assistance. The BernCo RENT Assistance Program will contact the renter’s landlord for information. If an applicant is determined as eligible, rent payment will be issued directly to the landlord in the full amount of the contract rent.

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- What are the eligibility criteria for the BernCo RENT Assistance Program?
  - Applicants must:
    - Live outside the City of Albuquerque’s municipal boundary, but within Bernalillo County;
    - One or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the COVID-19 outbreak.
    - One or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability.
    - Have COVID-19 related income loss that has made it difficult or unable to pay rent;
    - Have documentation that shows the household’s current total gross household income is less than 80% of the Median Family Income;
    - Currently be on a lease, or have a commitment to sign a lease within Bernalillo County (outside the City of Albuquerque or Tribal Lands), and not be recipients of other federally subsidized rental assistance programs (such as Section 8 or Project-Based Voucher assistance, a Housing Choice Voucher, or Public Housing);
    - Not be a full-time student whose rent is paid by someone else.

- What if I receive other assistance?
  - An eligible household that occupies a federally subsidized residential or mixed-use property may receive ERA assistance, provided that ERA funds are not applied to costs that have been or will be reimbursed under any other federal assistance.
  - If an eligible household receives a monthly federal subsidy (e.g., a Housing Choice Voucher, Public Housing, or Project-Based Rental Assistance) and the tenant rent is adjusted according to changes in income, the renter household may receive ERA assistance for the tenant-owned portion of rent or utilities that is not subsidized.

- Do I have to be a US citizen or legal resident to apply?
  - There is no requirement for applicants to be a US citizen or legal resident to apply.

- How do I know if my address is within Bernalillo County’s outside the City of Albuquerque’s jurisdiction?
  - You can check to see before applying by viewing this short instructional video at: https://www.youtube.com/watch?v=Cx8-u0Nklpk&feature=youtu.be
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to use this Map:
http://ash.bernco.gov/Html5Viewer/index.html?viewer=Public_Advanced

For applicants who apply and are selected for further qualification review, an address confirmation will be performed by our department to ensure it is eligible.

- If I am currently homeless or staying temporarily with a friend, family member, or in a series of other people's homes, am I eligible for BernCo RENT funds?
  - Persons who are experiencing homeless, staying with a friend, family member, or in a series of other people’s homes are only eligible for the Bernalillo County Rent Assistance Program IF they find a place to rent within Bernalillo County (outside the City of Albuquerque and Tribal Lands) whereby the landlord is willing to rent to that applicant. This program will assist in providing the deposit and first month rent to secure that rental residence for the applicant.

- How can I apply for the BernCo RENT Assistance Program?
  - Visit www.bernco.gov/RENT for an online application or to download a paper copy of the application.
  - Once completed, paper applications - along with copies of the required documents - shall be delivered to the downtown Bernalillo County Treasurer’s Tax Payment drop-box at Fifth and Marquette NW.

Please ensure that your application is addressed to:
Bernalillo County
Attn: Economic Development
C/O Sulema Lenz
Alvarado Square

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415 Silver Ave SW
8th Floor, County Manager’s Office
Albuquerque, NM 87102

Complete applications can also be mailed to this address.

- **How much is the RENT assistance payment?**
  - Rental payments will be processed with all past due rent plus 3 future months.
    - RENT funds can be applied towards past due rent starting March 31, 2020 and through September 2025, for up to 18 months, which includes past due and future payments.
  - Under certain circumstances, RENT funds may be applied towards a security deposit and first month’s rent for a rental home within Bernalillo County (outside the City of Albuquerque and Tribal Lands) and will count towards the total maximum of 18 months assistance per household.
  - Utility payments will only be made for past or current amounts.
  - Applicants may request additional funds for future rent payments and past due or current utility payments for 3 months at a time per Federal Guidelines, Recertification and proof of eligibility is required. Accordingly, utilities and home energy costs include separately stated electricity, gas, water and sewer, trash removal, and energy costs, such as fuel oil. Payments to public utilities are permitted. All payments for utilities and home energy costs should be supported by a bill, invoice, or evidence of payment to the provider of the utility or home energy service.
  - Utilities and home energy costs that are covered by the landlord will be treated as rent.

- **Will the landlord or the applicant receive the RENT funds, and how will the funds be disbursed?**
  - Payment will be mailed directly to the landlord by paper check. Please ensure that the W9 and County Vendor Master Request Form are completed with the correct MAILING address.
  - If the Landlord is unresponsive or unwilling to participate in the RENT program, payments for housing will be mailed to the Applicant.
  - Unfortunately, the county will not be able to provide a direct deposit for the funds.

- **If I am a tenant and I receive RENT funds, is it counted as income?**
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It is not taxable to the tenant. However, it is taxable income to the landlord/owner or utility company, just as if it was received by the tenant.

- What do I do if I have more questions about the RENT Assistance Program?
  - First, look through the rest of our FAQs. If your question is not answered, you may contact the BernCo RENT Assistance Program by calling (505) 468-1279 during the application period, except for holidays. You may also email any questions to: BerncoRent@bernco.gov.

DURING THE APPLICATION PROCESS

- How do I fill out the application?
  - Please visit www.bernco.gov/RENT to complete an online application or download a copy of the application or visit a Bernalillo County community center to pick up a copy. Please fill out by hand and submit by delivering it to the downtown Bernalillo County Treasurer’s Tax Payment drop-box at Fifth and Marquette NW. Applications can also be mailed to the address noted prior.

- Is the application available in languages other than English?
  - Yes, the Applicant Portal has been configured in English, and applications are also available in Spanish (To select a different language, use the Language dropdown menu in the top right-hand corner of any screen).

- If I need help in submitting my application, what resources are available?
  - Yes, if you need assistance completing an application, language translation, or a specific communication format, you may call (505) 468-1279.

- Is there a cost to apply for the BernCo RENT Assistance Program?
  - No. There is no cost to apply. The BernCo RENT Assistance Program will never ask for payment to apply. Upon completion of the RENT application, there is no guarantee that the application will be funded.
  - Please do not provide personal information to anyone claiming he or she can help you in any of these ways.

- How many applications may I submit?
  - Only one application per household can be submitted. Any duplicate submissions will not be accepted.

- What do I do if I live with roommates?
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- If roommates share one lease, all roommates must be listed as a member of the household on one application. If roommates each have a separate lease with the landlord, each may submit their own application and only list their portion of rent listed on the lease.

- Which documents are renters required to provide with their application?
  - Photo ID of head of household, such as a New Mexico Driver’s License or other Government-issued photo ID, Passport, Green Card, US Visa, Identity Card, etc.
  - Proof that one or more members of the of the applicant’s household either (i) qualified for unemployment benefits or (ii) experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the COVID-19 outbreak.
    - If the applicant is applying based on section (i) for this determination, the applicant must either provide a written attestation signed by the applicant or other relevant documentation regarding the household member’s qualification for unemployment benefits.
    - If the applicant is applying based on section (ii) for this determination, Federal guidance requires the applicant to provide a written attestation signed by the applicant that one or more members of the household meets this condition.
  - Proof that one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability, which may include
    - A past due utility or rent notice or eviction notice,
    - Written attestation of unsafe or unhealthy living conditions, or
    - Written attestation or other evidence of risk.
  - Proof of gross annual income* as of 12/31/2020 for all household members (3rd party documentation or signed self-certification form or written and written/signed statement). For any household members who did not have income before COVID-19 need to submit a self-certification of zero income.
  - Proof of household’s current gross annual income (3rd party documentation, signed self-certification form, or signed written statement) OR if your household does not have any income currently, each adult household member must complete the Zero Income Certification form.
  - Proof of COVID-related income loss, such as CARES Act unemployment benefits letter, letter from employer, pay stubs showing reduced hours, self-certification/written and signed statement, etc.
  - Proof of lease or rental agreement, invoicing/receipts from extended stay hotel/motels.

- Which income documents can be used to prove prior or current income?
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- Verification can include: 2 consecutive months of pay stubs, 2021 tax return, other proof of earned income, Social Security/SSI benefit letter, proof of child support, TANF assistance letter, unemployment benefits letter, Veterans benefits letter, self-employment accounting documentation/books, proof of annuities, proof of retirement funds, pension benefit letter, worker’s compensation/severance pay verification, Armed Forces pay verification, student financial assistance verification, regular contributions or gifts verification, alimony verification, self-certification statement or form, zero-income certification statement or form, other income verification documents.

- Which documentation can be used to prove a COVID-related income loss?
  - Verification of loss/reduction of employment such as proof income reduced due to COVID-19, letter from employer, unemployment benefit letter showing benefits were issued due to COVID-19, etc. Documentation should be dated after March 31, 2020.

ELIGIBILITY REVIEW PROCESS

- What does the applicant eligibility review process look like for selected applications?
  - As applications are selected for eligibility review, they will be assigned to an Eligibility Specialist. The Specialist will review the application in detail, along with documents submitted with the application.
  - If any documentation is missing or incomplete, the Eligibility Specialist will attempt to reach the applicant by the email address and/or phone number listed on the application.
  - We advise applicants to provide any missing or incomplete documentation within 48 hours to guarantee priority status. Failure to provide documentation within this timeframe may delay the processing of your application, and therefore cannot guarantee funding.
  - Missing documentation may be mailed or dropped-off at the Drop-Box location indicated earlier.

- What happens if an applicant is determined ineligible for the BernCo RENT Assistance Program?
  - Applicants who are found to be ineligible for the BernCo RENT Assistance Program funds will be notified by email of such a decision.

- How and when will the landlords be notified if they need to submit documentation?
  - They will be notified by email to provide all required documentation and the method in which to do so.
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- What happens if I provide untrue or incomplete information on my application?
  - Applications with untrue or incomplete information will either be delayed or denied.

- What documentation does the landlord need to provide to get RENT funds on behalf of the applicant?
  - Once the Eligibility Specialist determines that the applicant is eligible, the Specialist will reach out to the landlord for additional information. The landlord will need to provide:
    - Completed W-9 form and Vendor Master Request Form
    - Proof of ownership (Property tax bill) and/or management agreement for property management companies who are managing the property on the owner's behalf, and
    - Completed Landlord Certification Form

- What happens if the applicant is eligible, but the landlord does not provide the necessary documentation timely?
  - Funds are very limited and there is a critical need to distribute funds quickly to families in need. We advise applicants to provide any missing or incomplete documentation within 48 hours to guarantee priority status. Failure to provide documentation within this timeframe may delay the processing of your application, and therefore cannot guarantee funding.
  - The landlord will have 14 calendar days to provide their documentation. Failure to provide documentation within this timeframe may delay the processing of your application, and therefore cannot guarantee funding.

- What certification agreements are included in the Landlord Certification Form?
  - The landlord must certify:
    - They have a written lease agreement or proof of invoicing with the tenant/resident.
    - The monthly rent amount per the lease or invoice.
    - The tenant/resident occupied the applicable residence for the months that assistance is requested, between April 1, 2020 and September 2025.
    - Landlord agrees to abide by the State of New Mexico Eviction Moratorium.
    - The landlord agrees that the Bernalillo County RENT Assistance Program funds will be applied directly to the designated tenant/resident’s rent.
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- The landlord agrees not to evict month-to-month tenants whose lease may have expired.
- The landlord agrees to not seek eviction for non-payment from the Lessee for at least three (3) months after the date in which eviction moratoriums have expired, and evictions may otherwise legally proceed. This certification applies to leases that have expired and/or is up for renewal, or if the rental term is currently in a month-to-month status.

- Does the landlord have to accept the BernCo RENT assistance payment?
  - Bernalillo County will contact the landlord and explain how the program works. The landlord will need to decide to accept this RENT assistance payment and sign some forms. We cannot force the landlord to participate.
  - Bernalillo County will notify the applicant if the landlord does not choose to accept the RENT assistance payment.

- When will RENT assistance payments be sent to the landlord?
  - As soon as the applicant is selected, the application will be reviewed for eligibility. If any documentation is missing or incomplete from the applicant, the applicant will need to return the completed documentation within 48 hours of the request. If the applicant is determined as eligible, the landlord will be contacted for their documentation. The landlord will have 14 calendar days to provide their documentation.

- Is RENT assistance provided for arrears?
  - Yes, but not before March 13, 2020, the date of the emergency declaration pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5191(b).

- Who is eligible to receive RENT assistance and how is the eligibility of a household documented?
  - Funds are to provide financial assistance and housing stability services to eligible households. To be eligible, a household must be obligated to pay rent on a residential dwelling and must be determined that:
    - one or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the COVID-19 outbreak;
    - one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and
    - the household has a household income at or below 80% of area median income.
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- What documents are needed for proof of residence?
  - If available, provide a current lease, signed by the applicant and the landlord or sublessor that identifies the unit where the applicant resides and establishes the rental payment amount.

- What if I don't have a signed lease?
  - In the absence of a signed lease, evidence of the amount of a rental payment may include bank statements, check stubs, or other documentation that reasonably establishes a pattern of paying rent, a written attestation by a landlord who can be verified as the legitimate owner or management agent of the unit, or other reasonable documentation as defined by the grantee in its policies and procedures.
  
  - Written Attestation: If an applicant is able to provide satisfactory evidence of residence but is unable to present adequate documentation of the amount of the rental obligation, we can accept a written attestation from the applicant to support the payment of assistance up to a monthly maximum of 100% of the greater of the Fair Market Rent or the Small Area Fair Market Rent for the County.
    - In this case, the applicant must also attest that the household has not received, and does not anticipate receiving, another source of public or private subsidy or assistance for the rental costs that are the subject of the attestation.

- Can I qualify if I own a manufactured home and lease the parcel which it is located on?
  - Yes, qualified residents that own a manufactured home and lease the parcel where it is located are qualified to receive rental assistance for the parcel. However, applicants are not eligible for mortgage assistance related to the manufactured home.

- Can I qualify if I have a rent to own contract for my home?
  - Yes, qualified residents that are in a rent to own contract for a home are qualified to receive rental assistance subject to the limitation below:
    - Applicant is not a signor or co-signor for the mortgage,
    - Applicant has not executed the purchase option of the contract, and
    - Applicant does not hold title to the property.

- Can I qualify if my primary residence is a hotel that is located outside the City of Albuquerque, but within Bernalillo County?
  - Yes, residents whose primary residence is a hotel outside the City of Albuquerque, but within Bernalillo County are eligible for rental assistance.

OTHER COVID-19 RESOURCES

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- If I do not get selected for the BernCo RENT Assistance Program or I need immediate housing assistance, are there any housing resources available?
  - Another housing resource at the City of Albuquerque Family & Community Services may be able to help. For more information visit: https://www.cabq.gov/family/services/homeless-services
  - For other Bernalillo County Housing Resources and information, visit: https://www.bernco.gov/community-services/housing-department.aspxv