



April 16, 2021

The Honorable Janet Yellen  
Secretary  
U.S. Department of Treasury  
1500 Pennsylvania Avenue N.W.  
Washington, D.C. 20220

Dear Secretary Yellen:

The undersigned national associations that represent for-profit and non-profit owners, developers, managers, housing cooperatives, lenders and housing agencies involved in providing affordable rental and cooperative housing to millions of American families would like to compliment you on the efforts of the Treasury Department to facilitate the allocation of Emergency Rental Assistance funds to States and localities. The swift allocation of funding and the FAQ guidance have assisted numerous grantees in quickly rolling out their programs, however a good many of grantees are grappling with details. Our members have experienced inconsistencies related to program implementation that may prevent many renters from meeting their rental obligations which will ultimately lead to unnecessary evictions.

A significant issue relates to low and very low- income tenants who participate in Federally assisted housing programs. The statute clearly provides that such residents are eligible as long as the ERA payments are not duplicative of other federally funded rental assistance; the FAQs (Question 15) issued by the Treasury further describe the parameters for eligibility including that the renter household may receive ERA for the tenant-owned portion of the rent or utilities “that is not subsidized.” Yet, a number of States and localities are flatly refusing to allow subsidized renters or their landlords to apply. These are low and very low-income households that have accrued thousands of dollars in unpaid rent that they will never be able to pay. The amounts are such that the housing providers have no ability to absorb the losses which will ultimately lead to the eviction of thousands of families.

We are also seeing that many of the ERA programs being rolled out are not utilizing the critical flexibility provided in the Treasury’s FAQ to use self-attestation to reduce

burdensome documentation requirements, which is drastically slowing down the distribution of funding.

We urge the Treasury to update their guidance to remind grantees of the statutory intent related to renters that participate in Federal housing programs and to encourage the use of self-attestation to facilitate Emergency Rental Assistance payments.

Thank you for your attention to this critical matter.

Sincerely,

CCIM Institute  
Council for Affordable and Rural Housing  
Institute of Real Estate Management  
Manufactured Housing Institute  
Mortgage Bankers Association  
National Affordable Housing Management Association  
National Apartment Association  
National Association of Affordable Housing Lenders  
National Association of Home Builders  
National Association of Housing Cooperatives  
National Association of REALTORS®  
National Leased Housing Association  
National Multifamily Housing Council