

MEMORANDUM

Agenda Item No. 8(K)(2)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 8, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to create the coronavirus disease 2019 (COVID-19) Emergency Rental Assistance Program (ERAP) for rental assistance grants to low- and moderate income persons in Miami-Dade County that have lost income as a result of the COVID-19 pandemic; allocating \$10 million of funds that the County has received pursuant to the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for the ERAP; and authorizing the County Mayor to execute such documents necessary to carry out the purposes of the ERAP and this resolution

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Co-Prime Sponsors Commissioner Eileen Higgins and Commissioner Daniella Levine Cava, and Co-Sponsors Commissioner Jose "Pepe" Diaz, Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, and Commissioner Dennis C. Moss.



Abigail Price-Williams
County Attorney


APW/uw

Memorandum



Date: July 8, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Approving the Coronavirus Disease 2019 (COVID-19) Emergency Rental Assistance Program (ERAP) for Miami-Dade County from Funds Derived from the 2020 Coronavirus Aid, Relief, and Economic Security (CARES Act)

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize the County Mayor or the County Mayor's designee to develop and implement a Coronavirus Disease 2019 (COVID-19) Emergency Rental Assistance Program (ERAP) that will assist eligible residents of Miami-Dade County that; 1) earn no more than 80 percent of the County median income according to the United States Department of Housing and Urban Development (U.S. HUD); 2) have a current written lease signed by their landlord; 3) not be a recipient of other rental assistance programs; and 4) have documentation showing that the household's income has suffered during the period of the COVID-19 pandemic. It is further recommended that the Board allocate \$10 million of funds that the County has received pursuant to the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for the ERAP, to be allocated equally among the 13 Miami-Dade County Commission Districts. Finally, it is recommended that the Board authorize the County Mayor or County Mayor's designee to execute any documents necessary, subject to the County Attorney Office's approval, to carry out the purposes set forth herein.

Scope

The scope of the ERAP is countywide and provides a one-time rental assistance for eligible residents who meet the criteria.

Fiscal Impact/Funding Source

The ERAP is federally-funded through Section 5001 of the CARES Act, signed into law on March 27, 2020, and which established the Coronavirus Relief Fund (CRF) as part of Section 601(d) of the Social Security Act. Miami-Dade County, as a unit of local government, is eligible for an allocation from the CRF which is designed to provide financial resources to address expenditures incurred to respond directly to the emergency as well as to second-order effects of the emergency, such as payment of overdue rent caused by income loss due to disruptions in business attributable to COVID-19.

The amount budgeted for ERAP is approximately \$10 million, and will be allocated equally among the thirteen Miami-Dade County Commission Districts.

Track Record/Monitor

The ERAP will be monitored by Michael Liu, Director, Public Housing and Community Development (PHCD).

Background

Community transmission of the novel coronavirus in the United States began in early February 2020 and perhaps earlier; and amid growing local anticipated impacts, the Governor of the State of Florida issued Executive Order No. 20-51 on March 1, 2020, directing the Florida Department of Health to issue a public health emergency. Thereafter, on March 11, 2020, the County Mayor issued a State of Local Emergency.

The CRF requires that only costs incurred from March 1, 2020 through December 30, 2020 may be covered.

Even before the COVID-19 pandemic, Miami-Dade County was designated as one of the most cost burdened jurisdictions for housing in the United States. Well over 50 percent of households in Miami-Dade County must pay 30 percent or more of their incomes for housing. There have been estimates that over 100,000 affordable housing units would have to be built over the next 8 years to address the demand.

With thousands of businesses having been closed to address the need to mitigate transmission of the virus, tens of thousands of families have experienced income loss due to layoffs, firings, and reduced work hours. Unemployment claims are the highest in the United States since 1945, with over 36 million people having filed for assistance as of the middle of May 2020. Miami-Dade County has been particularly vulnerable to the need to close businesses and restrict travel due to its heavy reliance on the hospitality and visitor industries. This crisis has only exacerbated our affordable housing challenge, and provides the basis for the ERAP.

Eligibility and Assistance Provided

Eligible for the ERAP, are residents of Miami-Dade County who earn no more than 80 percent of County area median income (AMI) according to the U.S. Department of Housing and Urban Development (HUD); currently have a lease; not a participant in other rental assistance programs; and have documentation showing that the household's income has suffered during the period of the COVID-19 pandemic (e.g., paystubs, unemployment notice, notice of rent past due, etc.).

The assistance provided will depend on bedroom size and household income. Rental assistance will be calculated based on the lesser of the rent allowed by HUD for the bedroom size of the unit or the actual monthly rent, reduced by 30 percent of the household's current monthly gross income.

A sampling of AMI according to HUD are as follows: 80 percent of AMI for households of up to 4 persons: (one person) \$51,200.00; (two persons) \$58,560.00; (three persons) \$65,840.00; (four persons) \$73,120.00.

HUD rent payment levels are as follows: Studio-\$1,280.00; 1 BR-\$1,372.00; 2 BR-\$1-646.00; 3 BR-\$1,902.00; 4 BR-\$2,122.00; 5 BR-\$2,341.00

How Assistance is Calculated

Example: Family size of four

- The head-of-household is laid-off due to employer downsizing as a result of limited business caused by the COVID-19 crisis. The family is renting a three-bedroom apartment and the current monthly family income is now \$2,083.00.
- Based on the 80 percent of AMI for a family of 4, the eligible monthly maximum income is \$6,093.00 ($\$73,120.00 \div 12 = \$6,093.00$). This family meets the income requirement. The current monthly rent for this family is \$1,600.00 per month.

Calculation of assistance

Gross monthly income:	\$2,083.00
(a) Actual Rent:	\$1,600.00
(b) Maximum allowable rent for a 3-BR per HUD:	\$1,902.00
 The lesser of (a) and (b):	 \$1,600.00
Less 30% of gross monthly income ($= .30 \times \$2,083.00$):	\$625.00
 Rental Assistance:	 \$975.00

Application Process

PHCD will accept applications through a dedicated secure website utilizing Emphasys software. This is the software platform that PHCD currently uses for its federally-subsidized housing programs. Additionally, there will also be a dedicated phone number for those who need assistance due to special circumstances and capacity to accept applications manually.

The online application will ask and collect documentation verifying the applicant's identity; household income; the applicant's lease; inability to pay the full rent due to loss of income as a result of COVID-19 impacts; is not receiving any other government housing assistance; and contact information of the landlord.

The acceptance of applications will only be open for a four-day period. Applications will be reviewed for completeness, segregated by commission district, and using a computerized random selection process, applications will be assigned numbers that will determine the order of final review for approval by district.

Other application details will be announced at a later time.

Summary

The County is committed to helping families with limited resources to make payments for overdue rent.

A handwritten signature in blue ink, appearing to read "M. Kemp", with a large loop at the end.

Maurice L. Kemp, Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 8, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(K)(2)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(K)(2)
7-8-20

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO CREATE THE CORONAVIRUS DISEASE 2019 (COVID-19) EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP) FOR RENTAL ASSISTANCE GRANTS TO LOW- AND MODERATE INCOME PERSONS IN MIAMI-DADE COUNTY THAT HAVE LOST INCOME AS A RESULT OF THE COVID-19 PANDEMIC; ALLOCATING \$10 MILLION OF FUNDS THAT THE COUNTY HAS RECEIVED PURSUANT TO THE 2020 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) FOR THE ERAP; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH DOCUMENTS NECESSARY TO CARRY OUT THE PURPOSES OF THE ERAP AND THIS RESOLUTION

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recital is incorporated in this resolution and is approved.

Section 2. This Board directs the County Mayor or the County Mayor's designee to create the Coronavirus Disease 2019 (COVID-19) Emergency Rental Assistance Program (ERAP), as described in the attached memorandum, for rental assistance grants to low and moderate income persons in Miami-Dade County that have lost income as a result of the COVID-19 pandemic.

Section 3. This Board allocates \$10 million of funds that the County has received pursuant to the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for the ERAP, to be allocated equally among the 13 Miami-Dade County Commission Districts.

Section 4. This Board further authorizes the County Mayor or the County Mayor's designee to execute any documents necessary to carry out the purposes of the ERAP and this resolution, following approval by the County Attorney's Office for form and legal sufficiency.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 8th day of July, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency



Shannon D. Summerset-Williams