

**EMERGENCY RENTAL ASSISTANCE PROGRAM
U.S. DEPARTMENT OF THE TREASURY**

Program Improvement Plan

This form of Program Improvement Plan has been developed to improve the delivery of emergency rental assistance (ERA) funds under the Consolidated Appropriations Act, 2021 and the American Rescue Plan Act of 2021. The assistance authorized by the Consolidated Appropriations Act, 2021 is referred to as “ERA1.” The assistance authorized by the American Rescue Plan Act of 2021 is referred to as “ERA2.”

The Consolidated Appropriations Act, 2021 requires the U.S. Treasury Department to begin reallocating “excess” ERA1 funds beginning on September 30, 2021. Treasury issued Reallocation Guidance, available on Treasury’s website, under which grantees that obligated less than 65% of their ERA1 allocations by September 30, 2021, or that do not provide an Obligated Funds Certification as described in the guidance, must submit for Treasury’s approval a Program Improvement Plan no later than November 15, 2021 in order to avoid an excess funds determination equal to 10% of the grantee’s initial allocation. A grantee may also submit a Program Improvement Plan to mitigate an excess funds determination that would result from an insufficient expenditure ratio based on the grantee’s reported expenditures through September 30, 2021.

In this Program Improvement Plan, the undersigned grantee (Grantee) will:

1. Assess the Grantee’s ERA1 program by identifying (i) policies and practices recommended by Treasury that the Grantee has already implemented; (ii) whether the Grantee has adopted any policies or practices that Treasury has discouraged; and (iii) key obstacles to delivering ERA assistance to eligible households in the Grantee’s jurisdiction;
2. Document actions the Grantee will take to improve program performance; and
3. Project the Grantee’s ERA1 expenditures through February 2022.

1. Assess the Grantee’s ERA1 Program

A. Identify policies and practices implemented by the Grantee

Please indicate which of the following recommended policies or practices that the Grantee has already implemented. **Note that the policies and practices that Treasury most strongly encourages are listed in bold type.**

Application, Accessibility, and Prioritization

The Grantee’s application process:

- Provides the opportunity to apply in-person

- Provides the opportunity to apply over the phone
- Provides the opportunity to apply online
- Includes a mobile-friendly option to facilitate submitting an application with a smartphone**
- Applies [user-friendly website and application design practices](#)
- Partners with [community-based organizations, tenant organizations or trusted community leaders](#) to provide tenants with application assistance
- Ensures all application methods adopted by the Grantee are equally available and accessible by individuals with disabilities
- Ensures all application methods adopted by the Grantee are available in languages other than English**
 - If so, please list the languages
- Prioritizes applications from households [at high risk of eviction](#) or facing other immediate threats to housing stability**
- Provides [applicants a way to check on their application status](#)

Determination of Household Eligibility

The Grantee:

- Does not create additional eligibility requirements beyond those required by the statute
- [Partners with a neighboring jurisdiction](#) on application policies, program terms and intake procedures to ensure regional consistency
- Relies on a tenant's self-attestation for purposes of determining whether an applicant has experienced a [qualifying financial hardship](#) (see sample application screen: [COVID-19 Pandemic Impact](#))**
- Allows for self-attestation to establish that a tenant is [at risk of housing instability or homelessness](#) (see sample application screen: [Risk of Housing Instability or Homelessness](#))**
- Accepts a self-attestation of income when determining an applicant's [income eligibility](#)**
- Has defined a [fact-specific proxy](#) for purposes of supporting the determination of applicants' income eligibility (see sample application screen: [Income-Fact Specific Proxy](#))**
- Uses [categorical eligibility](#) when available to confirm an applicant's income eligibility (see sample application screen: [Income-Categorical Eligibility](#))
- Combines self-attestation with other reasonable policies and procedures to [document where the applicant resides and the applicant's monthly rent payment in cases where the lease is either unwritten or there is no available copy](#) (see application screen: [Residence and Monthly Rent](#))
- Allows tenants of [public housing](#) and other federally assisted housing to apply

Eviction Diversion, Housing Stability Services, and Legal Services

The Grantee:

- Has an [eviction-diversion partnership](#) with one or more courts that hear eviction cases from the grantee's jurisdiction**
 - If applicable, check any components of the diversion program:
 - Provides tenants access to an advocate or other legal assistance
 - Made available before the filing of an eviction complaint or pleading

- Provides alternative(s) to formal court process (e.g., alternative dispute resolution)
- Provides opportunity to apply for ERA and housing stability services
- Participation is mandatory
- Supported by policies that direct parties to apply for ERA before filing and that halt the eviction process where an application is initiated
- Court-based or otherwise implemented through formal collaboration with the court
- Provides information to judges, magistrates, court clerks, and other relevant court officials and sheriffs or law enforcement about the availability of ERA funds for tenant assistance and housing stability services and the importance of offering these services as early as possible in, or prior to the initiation of, the eviction process
- Works with eviction court(s) to provide information about ERA program assistance to tenants and landlords as early in the adjudication process as possible
- Refers ERA applicants to non-profit organizations for legal assistance
- Expends funds to support legal assistance to tenants at risk of eviction**
- Refers ERA applicants to non-profit organizations for housing stability services
- Expends funds on [housing stability services](#) provided by community-based and nonprofit organizations to keep people housed and meet essential household needs**
- Refers ERA applicants to non-profit organizations for culturally and linguistically relevant housing stability services
- Expends funds to support housing stability services or legal assistance that are culturally and linguistically relevant to populations with limited English proficiency**
- Provides tenants with information about non-profit organizations that provide housing stability services on the ERA website and in the application
- As a condition to receiving ERA funds paid on a tenant's behalf, requires a landlord's agreement [not to evict the tenant for nonpayment of rent for 30 to 90 days longer than the period covered by the rental assistance](#)
- Requires landlords and utility companies receiving funds for rental or utility payment arrears to terminate any debt collection actions and inform credit reporting agencies of the matter's resolution

Marketing and Outreach

The Grantee:

- Advertises the ERA program in print, television, radio, or online media specifically targeted to [groups that may experience barriers](#) to accessing ERA resources
- Advertises the ERA program in print, television, radio, or online media in [languages other than English](#)
 - If so, please list the languages

- Includes measures specially targeted to [landlords that own or operate fewer than 10 units](#) in its program outreach efforts**
- [Conducts outreach to landlords](#) through landlord and real-estate associations

- Provides funding to [community-based organizations, promotoras, tenant organizations, or trusted community leaders](#) to support ERA outreach efforts, application assistance or navigation services
- Coordinates with other health and social service providers serving low-income communities to identify and reach individuals who may qualify for the ERA program
- [Engages utility companies or agencies that administer the Low Income Home Energy Assistance Program \(LIHEAP\)](#) to inform low-income tenants about the ERA program
- Targets its outreach practices based on [social vulnerability index scores, risk of evictions, or other data-driven measures of housing insecurity](#)
- Markets the ERA program through [community institutions such as libraries, public schools, grocery stores, community centers, and health clinics](#)

Payments

The Grantee:

- Makes [bundled payment arrangements](#) with landlord or utility providers that serve more than 10 eligible tenants
- Provides the tenant and landlord notice immediately upon approval of an application and prior to payment processing
- Offers [electronic payments](#) to tenants and landlords
- On average, makes payments less than two weeks after application approval

Program Design

The Grantee:

- [Provides tenants the opportunity to apply and receive funds directly](#) when landlords decline to participate in the application process
- Collaborates with another [ERA grantee to achieve administrative efficiencies or to prevent duplication of assistance](#)
- Notifies one or more utility companies about ERA applications in process to secure a payment [grace period](#) or service restoration for the applicant households
- Will accept technical assistance when offered to strengthen the ERA program
- Has created a publicly viewable data dashboard or program progress report
- Has developed a risk-mitigation plan for fraud
- Protects personally identifiable information (PII) of tenants, including by not collecting Social Security numbers

B. Discouraged Practices

In the box below, please identify any practices or policies expressly discouraged by Treasury's FAQ guidance the Grantee believes are warranted for its ERA program and intends to continue. Examples include failing to allow tenants to apply directly when landlords do not participate; prohibiting applications from residents of federally assisted housing; establishing eligibility requirements beyond those required by statute or Treasury's FAQs; and collecting Social Security numbers or other unnecessary personally identifiable information (PII) from applicants. At its option, the Grantee may provide further details and explanation under separate cover.

Discouraged Practices
<p>Montana is not aware of any practices or policies that we have implemented that are expressly discouraged by Treasury's guidance. Tenants can apply directly even if landlords do not participate. Residents of federally assisted housing can apply for assistance for their tenant portion of rent. We have not established any criteria beyond statute and do not require SSN or unnecessary PII from applicants. However, SSN is requested in cases where renters receive payments directly if their landlord does not participate in the program and/or to receive financial assistance with other expenses related to housing like Internet service. In these cases, SSN is the unique Tax Identification Number needed for state accounting payment processing.</p> <p>Montana does continue to require source documentation (2020 IRS Tax Returns or two most recent months of income source documentation as applicable to the household's income sources) to determine income eligibility. We do allow self-attestation of zero income.</p> <p>Participating landlords and utility providers can request electronic payments. To reduce PII (bank account and routing numbers) collected from renters, Montana does currently process all payments to renters via check.</p>

C. Identify key obstacles

In the boxes below, please identify the key obstacles to increasing the amount of ERA1 funds the Grantee expends on assistance to eligible households and increasing the number of households served by the Grantee's ERA1 program on a monthly basis.

Obstacle # 1

As noted in our September month report, we've experienced some technology obstacles as we've needed to adapt and implement evolving Treasury guidance, compliance and reporting requirements within our on-line application, back office processing and accounting systems. Our program launched April 5. The first Reporting Guidance v1.0 was not available until June 30. We launched v2.0 of our on-line application, including changes in line item payment approvals to support the required Participant Household Payment Data file, on September 17. Reporting Guidance v2.0 was released September 24. We are now evaluating additional adjustments that may be needed to streamline future financial reporting and to accommodate co-current administration of ERA1 and ERA2 funds.

Obstacle # 2

Increased application volume following the end of the federal eviction moratorium and our launch of continued assistance applications in late September, coupled with recent staff departures as several team members have accepted other permanent positions. This combination of issues has generated an application backlog and increased our average application processing time from around 12 days to 20 days.

Obstacle #3

Training and logistics to establish data collection, compliance and reporting for new Housing Stability Services program via DPHHS contracts with eligible nonprofit service providers, as well as training and logistics to establish data collection, compliance and reporting for new Eviction Prevention & Diversion program in partnership with the Montana Legal Services Association.

2. Actions for Program Improvement

In the boxes below, please list at least three specific actions that the Grantee will take to improve the performance of its ERA1 program, including to increase the amount of ERA1 funds the Grantee expends on assistance to eligible households and increase the number of households served by the Grantee's ERA1 program on a monthly basis. To the maximum extent possible, the Grantee's improvements should include policies and practices identified in bold in Section A above as those that Treasury most strongly encourages.

Improvement Action # 1

Expend funds on housing stability services provided by community-based and nonprofit organizations to keep people housed and meet essential household needs. The Department of Commerce executed a Memorandum of Understanding (MOU) to shift up to \$14 million in ERA1 to the Department of Public Health and Human Services (DPHHS). DPHHS is working now to execute contracts with nonprofit partners to provide Housing Stability Services to eligible households.

Improvement Action # 2

Establish an eviction-diversion partnership via an expanded contract with the Montana Legal Services Association, building on our successful CARES Act funded contract for the Montana Eviction Intervention Project established in 2020. Contract negotiations are underway and initial legal review of the written contract template is complete.

Improvement Action #3

Conduct a new marketing campaign with targeted outreach efforts, in partnership with community-based organizations.

Improvement Action #4

Complete on-boarding of four new staff in mid-November. Using operational dashboards and performance analytics included in our new system, assess and redistribute workload amongst existing team members in response to increased new and continued assistance application and phone call volume.

Improvement Action #5

Finalize remaining data migration clean-up from prior to new on-line application system. Implement additional system upgrades to accommodate co-current administration of ERA2 and increase automation for Treasury financial reporting requirements.

3. Projected ERA1 expenditures

Please provide reasonable monthly projections of the Grantee's ERA1 program's expenditures and activities over the next four months.

November 2021	
Number of unique households that will be assisted	600
Amount of assistance to eligible households expended	\$ 3,580,000
Number of applications submitted	800

December 2021	
Number of unique households that will be assisted	1014
Amount of assistance to eligible households expended	\$ 5,075,502
Number of applications submitted	900

January 2022	
Number of unique households that will be assisted	1278
Amount of assistance to eligible households expended	\$ 5,689,998
Number of applications submitted	600

February 2022	
Number of unique households that will be assisted	1479
Amount of assistance to eligible households expended	\$ 6,231,501
Number of applications submitted	500

Do you anticipate providing rental assistance between November 2021 and February 2022 funded with a source other than ERA1 (e.g. ERA2, State and Local Fiscal Recovery Funds, other funds made available by a state or local entity)?

- Yes
 No

If yes, please describe in the box below the sources of funding other than ERA1 that you anticipate will support the Grantee's provision of rental assistance, and provide a projection for the next four months of the number of households that will receive such assistance and the amount to be expended.

Other Funding Sources
ERA2

Projection		
Month*	Number of Households	Amount
1. December , 20 ²¹	0	\$ 0
2. January , 20 ²²	300	\$ 1,590,000
3. February , 20 ²²	400	\$ 2,120,000
4. March , 20 ²²	500	\$ 2,650,000

*The projection should begin with the first full month following plan submission.

Contact Information for Program Administrator:

For questions related to implementation of this plan, please list a program administrator contact:

Name: Cheryl Cohen

Title: Division Administrator

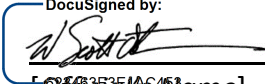
Email: cheryl.cohen@mt.gov

Office phone: 406.841.2844

Mobile phone: _____

Signature

[ERA GRANTEE]

By:  _____ Date: 11/12/2021, 20

DocuSigned by:
018325251AC463
[Official's Name]
[Official's Title] Montana Director of Commerce

PAPERWORK REDUCTION ACT NOTICE: The information collected will be used for the U.S. Government to determine the reallocation of emergency rental assistance funds. The estimated burden associated with this collection of information is 120 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

PRIVACY ACT STATEMENT

AUTHORITY: Solicitation of this information is authorized by section 501 of division N of the Consolidated Appropriations Act, 2021 (the "Act")

PURPOSE: The Act requires Treasury to allocate funds to eligible grantees for the delivery of emergency rental assistance to eligible households. Eligible grantees include states, local governments, U.S. territories, Tribes or Tribally Designated Housing Entities (TDHEs), as applicable, and the Department of Hawaiian Home Lands. Treasury maintains contact information for authorized representatives and contact persons of the ERA grantees for the purpose of communicating with ERA grantees regarding the administration of their award under the Act.

ROUTINE USES: The information you furnish may be shared in accordance with the routine uses outlined in the Treasury's system of records notice, Treasury .017 – Correspondence and Contact Information, which can be found at 81 FR 78266 (Nov. 7, 2016).

DISCLOSURE: Disclosure of this information is voluntary. However, grantees/recipients that do not disclose contact information will be unable to communicate with Treasury on issues related to their obligations under the Act which may affect the status of their award.