



**HOUSEHOLD
EMERGENCY RELIEF
PROGRAM**

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SPARK Grant Program
Household Emergency Relief Program

VERSION CONTROL

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2		
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6		

Contents

1. Program Overview	6
1.1. Definitions	6
1.2. Objectives.....	7
2. Program Eligibility	8
2.1. Eligible Households	8
2.1.1. Broadband Assistance Eligibility	8
2.1.2. Ineligible Households	8
2.2. Eligible Use of Funds	8
2.2.1. Rental or Mortgage Assistance	9
2.2.2. Utility Assistance	9
2.2.3. Broadband Assistance	9
3. Duplication of Benefits (DOB)	9
3.1. Assistance Considered a DOB	10
3.1.1. FEMA Individual Assistance (FEMA IA).....	10
3.1.2. Federal Voucher-Based Rental Assistance	11
3.1.3. Other Funding	11
4. Application Process	11
4.1. Intake	11
4.1.1. Intake Priority Period	12
4.2. Applicant Documentation Requirements	12
4.2.1. All Applicants.....	12
4.2.2. Renter Households.....	13
4.2.3. Owner Occupied Households.....	13
4.3. Intake and Eligibility Review	14
4.4. Eligibility Determination	14
4.5. Award Calculation and Determination.....	14
4.6. Award Coordination and Disbursement	14
4.6.1. Broadband Assistance Vouchers	15
5. Nonresponsive Applicants	15

6. General Provisions 15

 6.1. Program Guidelines Scope 15

 6.2. Program Guidelines Amendments 15

7. Program Oversight 16

8. Severability Clause 16

1. Program Overview

On March 13, 2020 the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020; pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5),

The onslaught of the coronavirus is having an unprecedented negative impact on the nation's businesses, nonprofit organizations, local governmental agencies, families, and citizens. To address the public health and economic threats posed by COVID-19, the President signed into law the Coronavirus, Aid, Relief, and Economic Security Act ("CARES Act" or "Act"). The CARES Act established the Coronavirus Relief Fund ("CRF") and appropriated \$150 billion to the Fund, of which, the State of Kansas received a \$1.25 billion state-wide allocation. The State has allocated **6,419,281.00** dollars of CARES funding to Seward County to offset certain costs associated with the COVID-19 Pandemic.

The State of Kansas, as the administering entity of the state CRF, has made available funding through the Department of Treasury, to begin the process of safely, strategically, and proactively providing the County with the resources needed to both mitigate the spread of COVID-19 and invest in the County's long-term economic recovery.

As part of its strategy to support households impacted by the pandemic, Seward County has established the COVID-19 Household Emergency Relief Program (hereinafter, referred to as the "**Program**") designed to alleviate burdens on the most vulnerable individuals or households experiencing financial crises due to the COVID-19 pandemic. The Program provides funding for residents to pay up to four months of past-due rent, mortgage and utility payments, as well as, funding to cover the increased rent, mortgage and utility burden due to financial hardships caused by COVID-19 for up to two months. Further, given concerns about the cost of broadband, the County will also aid with covering the cost of broadband installation and / or up to four months¹ of funding to cover broadband services for LMI households.

This Program was allocated a total of **\$1,091,277.77** in the County's Direct Aid Plan.² The award amounts for this Program are need-based. Households who meet eligibility requirements will be awarded a grant to cover the unique needs of the household, based on factors such as household size, household income, and actual demonstrated expense.³ Eligible households will qualify for the calculated award based on demonstrated actual need or the maximum award allowed under the program, whichever is lesser. The maximum award is **\$15,000.00**.

1.1. Definitions

This subsection outlines and defines the key terms used throughout these Guidelines.

- **Applicant:** A person or a household that has or will apply for assistance through this Program.
- **Award Notice:** This notice is sent to the Applicant and details the award amount to be disbursed on behalf of the Applicant for the purposes of rent, mortgage relief, utility assistance, and/or mortgage assistance.

¹ Funding can be applied as backpay or toward future credit on the Applicant's account.

² Total allocation is subject change with amendments to the Direct Aid Plan as determined by the County and approved by the State of Kansas.

³ Funding is limited as the State of Kansas has allocated a set amount to the County under the First Round of SPARK funding.

- **Case Managers:** Representatives of the County who will work directly in the Program implementation, both with Applicants and with the Applicant’s creditors during the application process and the duration of the Program. Case Managers’ responsibilities include, but are not limited to, receiving applicants’ documents during intake; reviewing them during the eligibility process; and, when assigned to a specific case, acting as the primary point of contact for all communications pertaining to assistance of beneficiaries of the Program; among other tasks.
- **Duplication of Benefits (DOB)** Defined by Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974, a duplication of benefit occurs when: 1) a beneficiary receives assistance for a particular recovery purpose, and 2) the assistance is from multiple sources (i.e. FEMA, insurance, and local funds), and 3) the assistance amount exceeds the need for the particular recovery purpose thus “duplicating benefits” for the same purpose.
- **Household Member:** A household member is defined as all persons occupying the same housing unit, regardless of their relationship to each other.
- **Household Income:** The anticipated gross amount of income from all sources for all adult family members during the upcoming twelve (12) month period.
- **Low to Moderate Income (LMI):** Low to moderate income populations are those having incomes not more than eighty percent (80%) of Area Median Family Income as established by HUD.
- **Primary Residence:** Refers to a dwelling where a person maintains or will maintain their primary residence, and which will typically be occupied for the majority of the calendar year. A person can only have one primary residence.
- **Rent / Mortgage Burden:** The amount of monthly contractual rent/mortgage payment that exceeds 30% of the gross household income.
- **Utilities:** The expenses incurred by the Applicant for the payment of water, electricity, and/or natural gas service.

1.2. Objectives

This Program seeks to alleviate financial pressure and provide greater economic security to residents of Seward County experiencing financial hardship due to COVID-19 by:

- Reducing the rent and utility burden on rental households and prevent homelessness for households impacted by COVID-19.
- Mitigating the risk of homeowners foreclosing on their homes due to financial hardship caused by COVID-19.
- Increasing the affordability of broadband access for LMI households to improve access to telehealth, facilitate distance learning, and allow for remote work.

2. Program Eligibility

This section outlines the program eligibility requirements that Applicants must fulfill to qualify for funding under this Program.

2.1. Eligible Households

To qualify, Applicants must meet the minimum criteria:

- Applicant’s primary residence is in Seward County;
- Applicant’s household income has been reduced as a result of COVID-19 (layoff, reduction of hours, business closed, required to quarantine, caring for school-aged children, etc.).
- Applicant’s landlord or property manager or mortgage company agrees to participate in the Program, as no direct payments will be made to the Applicant. All payments made on behalf of the applicant will be paid directly to the vendors.
- Applicant’s utility provider(s) agrees to participate in the Program, as no direct payments will be made to the Applicant.

Applicants that meet all criteria listed above are eligible to apply for an Emergency Income Payment for rent or mortgage principal and interest, utility assistance, and may be eligible to receive a voucher for broadband installation and / or payment assistance.

2.1.1. Broadband Assistance Eligibility

Broadband assistance is reserved for households whose annual gross income does not exceed 80% of the Area Median Family Income for the State of Kansas for 2020 as defined by the United States Department of Housing (“HUD”).⁴

Household Size	1	2	3	4	5	6	7	8
80% AMI	\$42,850	\$48,950	\$55,100	\$61,200	\$66,100	\$71,000	\$75,900	\$80,800

2.1.2. Ineligible Households

Applicant’s total readily available assets (any monies in banks, credit unions, certificates of deposit and cash on hand) for all members of the household exceeds \$10,000.

2.2. Eligible Use of Funds

This section sets forth the eligible uses of Coronavirus Relief Fund (CRF) for the Household Emergency Relief Program. Federal CRF Guidance outlines that the CARES Act provides for the provision of payments for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19). The Department of Treasury has interpreted economic support to be included as an eligible expense.

The County reserves the right to make exceptions on a case by case basis so long as compliance with the CARES Act and all applicable federal and local regulations and rules are met.

⁴ See <https://www.huduser.gov/portal/datasets/il/il20/State-Incomelimits-Report-FY20r.pdf>.

2.2.1. Rental or Mortgage Assistance

Applicants may apply for funding to cover:

- Up to **4 months** of full payment for arrears on rent or mortgage payments;
- Up to **2 months** of partial funding for current and future rent or mortgage payments;
 - > The Program will cover the difference between the Applicant's "Rent Burden" for the months that they apply for assistance.
 - > Households may apply for **1 month** or up to **2 months** of assistance.

"Rent Burden" is the amount of monthly contractual rent or mortgage payment that exceeds 30% of the gross household income.

For example, prior to the COVID pandemic, an Applicant's monthly household income was \$2,000 and the monthly rent was \$600. This means that on March 1, 2020, the Applicant's rent burden was 30%. However, due to a reduction in hours, the Applicant's current monthly income has decreased to \$1,200 and the rent remains the same. The Applicant is now paying 50% of monthly income toward rent. Therefore, the Applicant would be eligible for funding to cover the 20% (50%-30%) increase in rent burden, or \$360 for up to 2 months.

2.2.2. Utility Assistance

Applicants may apply for funding to cover:

- Up to **4 months** of full payment for utility arrears (including water, electricity or natural gas service); and
- Up to **2 months** of utility assistance for future payments:
 - > Utility assistance capped at \$500 per month or at the average utility price determined from previous utility bill(s) or statement(s), whichever is lesser.
 - > The amount of utility assistance which exceeds the amount owed will be applied as a credit to the Applicant's account.

2.2.3. Broadband Assistance

LMI Applicants may apply for a voucher to cover:

- Set up and installation fees of broadband services; and
- Up to **4 months** of full payment on broadband services to pay for arrears and/or credit future payments.

3. Duplication of Benefits (DOB)

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended, 42 U.S.C. §5121 et seq., prohibits any person, business concern, or other entity from receiving Federal funds for any part of such loss as to which he/she has received financial assistance under any other program, from private insurance, charitable assistance, or any other source. In accordance with the Coronavirus Relief Funding (CRF) Guidance issued by the Department of Treasury,

expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds are not eligible expenses.

As such, the County will consider disaster recovery aid received by Program applicants and determine if any assistance is duplicative. Any assistance determined to be duplicative must be deducted from the Program's calculation of the applicant's total need prior to awarding assistance.

Applicants may qualify for more than one of the County's Direct Aid Programs under the SPARK Grant Program as long as the funds are used for different purposes. For example, an Applicant who is a Small Business Owner and receives Relief Grant under the COVID-19 Agency Operational Relief Grant Program for working capital and public health related expenditures, could also qualify for the Household Emergency Relief Grant Program and receive rental or mortgage assistance, utility assistance, and/or broadband assistance.

During the Award Determination and Calculation stage, the County will conduct a DOB review as follows, but not limited to the following steps:

- The County will collect information on potentially duplicative funding sources from all Applicants as part of the application process.
- Applicants will be required to provide their insurance company's contact information, necessary authorizations to communicate with their insurance company, policy coverage information, and claims information including the amounts received or approved to be received from insurance companies,
- The amounts applied for, approved to be distributed, or received for all potentially duplicative sources. Duplicative sources include but are not limited to private insurance and charitable sources.
- Aid which has been applied for, approved to be distributed, or received which includes not only money but "in-kind" aid such as goods and services received without cost to the Applicant.
- Applicants will be required to authorize the County to contact all potentially duplicative funding sources on their behalf to verify all funding sources received and/or approved.
- Using information collected from the Applicant and the authorization provided to the County by the Applicant, the County will perform a verification of benefits received and/or approved on all Applicants.

3.1. Assistance Considered a DOB

The following are sources of assistance that may have been provided to the Applicant and are considered a duplication of benefit.

3.1.1. FEMA Individual Assistance (FEMA IA)

FEMA IA assistance may have been provided to applicants for rental assistance. FEMA IA will be determined and verified by the Program through FEMA provided datasets or through applicant provided information originating at FEMA, such as, a FEMA Award letter. If evidence is provided that a FEMA award included rental assistance, then that rental assistance must be exhausted prior to program funding being provided for rental assistance.

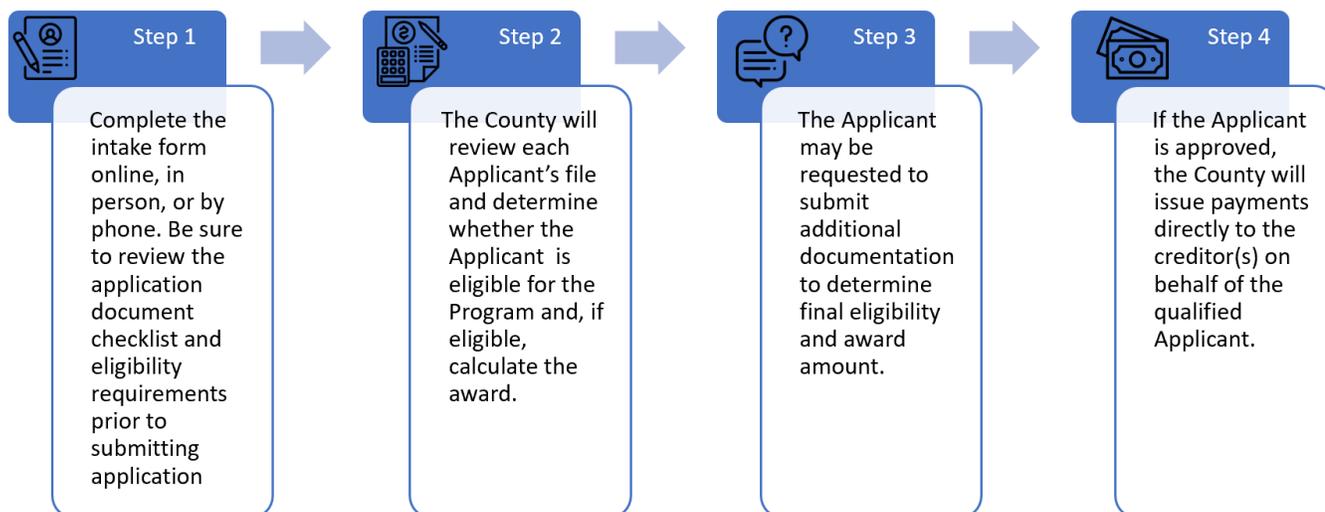
3.1.2. Federal Voucher-Based Rental Assistance

Housing voucher programs, including the Housing Choice Voucher (“HCV”) Program and Veterans Affairs Supportive Housing (“VASH”) Program, provide assistance in the form of a rental subsidy that is paid to participating landlords by Public Housing Authorities on behalf of eligible low-income households.

3.1.3. Other Funding

Funding received for the same purpose of a Program award, such as funding provided by a non-profit entity for rental assistance, must be reported by the Applicant through the application process and must be reviewed by the Program. In addition, the support documentation related to other duplicative funding sources will be provided by the Applicant, verified by the Program, and applied as a DOB by the Program.

4. Application Process



4.1. Intake

Applicants may apply for the Household Emergency Relief Program through one of the following methods:

1. Complete an application online through the [Seward County Household Emergency Relief Web Application](#).
2. Schedule an appointment and apply in person through the County's Outreach Coordinator which will be posted on the County's website.⁵

⁵ Applicants may also submit a request via household@sewardcountyks.org or by contacting the County's Outreach Coordinator listed on the County's website.

Applicants must complete a Program intake application and provide supporting documents required for the eligibility review, income verification, and duplication of benefits review. All documentation submitted by the Applicant must be valid at the time of submission.

Outreach Coordinators will be available in person, by phone, and email to provide assistance with the application intake process. Case Managers will be available by phone, video conference, and email to assist the Applicant with the overall application process and to answer questions as needed. Multiple standard methods of communication will be provided to ensure Applicants receive timely, accurate information regarding the status of their applications. Methods of communication include but are not limited to: website, email address, telephone number, postal address, letters, and assistance from Case Managers. Applicants may submit a question to the Program at any time utilizing any of the above options.

4.1.1. Intake Priority Period

During the first **14 calendar days** of the application intake period, the Program will prioritize the review of the following applicants:

- Applicants whose household income does not exceed 80% of the AMFI for the State of Kansas as defined by HUD (LMI Households) and have not received other assistance for lost revenue or expenses arising from the pandemic.

The opportunity of prioritization will be applied at all stages of the Program, beginning at intake and ending at award. This does not preclude non-priority Applications from being served throughout the application process. For example, if a higher priority Applicant cannot take advantage of the opportunity at the time, a non-priority applicant may be served.

4.2. Applicant Documentation Requirements

In order to verify eligibility for this Program and determine the level of Emergency Income Payment that is necessary and reasonable, the Applicant will be required to submit, at a minimum, the following supporting documentation with the application.

4.2.1. All Applicants

- Sign and comply with an Acknowledgment and Consent Statement:
 - > Authorizes the Program to obtain third-party data directly related to determining the award amount and /or compliance with Program requirements;
 - > Applicant grants subrogation rights to the Program regarding the right to recover any funds that are duplicated with other sources of assistance;
 - > Applicant attests to losing household income as a result of COVID-19 (layoff, reduction of hours, business closed, required to quarantine, caring for school-aged children, etc.) or has experienced a large, unexpected medical cost related to COVID-19, now resulting in a gap in income.
- Form of Picture Identification
- Verification of all sources of income and assets.

- > Last **30 calendar days** of pay stubs for all adults age 18 and older, pension statement(s), social security award letter(s); and /or any documentation of any household income, this includes, but is not limited to the following documentation listed below.
 - Federal / State Tax Returns;
 - Employer Letter;
 - Unemployment Letter;
 - Verification of Child support / Alimony;
 - Self-Employment Certification Form (to be submitted if the Applicant is self-employed)
- > The Applicant should provide the documentation that is most representative of their current income during and post COVID-19. For example, if an Applicant made less money due to COVID-19, check stubs or an unemployment letter would be more representative than a 2018 tax return.
- Utility Bill(s) or Statements. Utilities that are eligible for this Program are as follows: natural gas, electricity, water, and sewage.
 - > Utility Bills for the months of July and August or a bill statement which captures this information; and
 - > Past due utility bills or statements.
 - If applying for utility arrears (past due utilities), households may apply for up to **4** months of assistance.
- Any additional information deemed necessary to verify eligibility or determine the unmet need for the Program.

4.2.2. Renter Households

- A copy of an active Lease Agreement or a letter from the rental property owner detailing the amount of rent the tenant pays per month.
- In the case that the Applicant is behind on rent, the Applicant should provide documentation to show the amount of rent that is owed and for which months. Documentation examples are as follows:
 - > Letter or email from the Landlord or Property Manager detailing the rent that is owed; or
 - > Notice to Quit or any communication received from Landlord or Property Manager concerning late rent or missing rent payments.

4.2.3. Owner Occupied Households

- Mortgage Statement showing the amount of Principal, Interest, Taxes, and Insurance:
- Homeowner must provide notification from Lender that the owner does not qualify for a mortgage forbearance or suspension of mortgage payment issued any period from March 2020 through October 2020.
- Documentation of mortgage owed.

4.3. Intake and Eligibility Review

Upon receipt of the application, the Case Manager will perform an initial intake and eligibility review to determine whether the application is complete. If the Application is missing any information and documents or requires clarification, the Case Manager will issue a **Request for Information Notice** to the Applicant. The Applicant will then have **14 calendar days** to provide the requested information.

Once the application is complete, the Case Manager will issue a recommended eligibility determination to the County.

4.4. Eligibility Determination

The Program will proceed to the Award Calculation step to determine the qualified award amount as outlined in section 6.1 of these Guidelines. The Applicant will not receive a **Notice of Award** until the County and Board of County Commissioners have approved the Applicant for funding.

In the case that the BOCC determine that an Applicant is not eligible for an award under this Program, the Applicant will be notified and issued an **Adverse Eligibility Notice** detailing the reasoning for the determination.

4.5. Award Calculation and Determination

Upon determination of eligibility, the Case Manager will determine the award calculation, in accordance with, but not limited to, the following steps:

1. Verify income and determine the eligible amount of rental/mortgage assistance, utility assistance, and broadband assistance that the Applicant qualifies for, as outlined in section 4 of these Guidelines.
2. Identify all potentially duplicative assistance disclosed in the Program Application.
3. Verify all duplicative assistance received or approved for the Applicant and determine amount considered to be duplicative with the award.
4. Deduct assistance determined to be duplicative from the calculated award amount.
5. Determine the maximum award.
 - Award to not exceed **\$15,000** per Applicant.

When determining funding, the County will prioritize eligible households that demonstrate the “greatest economic and social need” accounting for income, rent burden, and risk of homelessness. This means that, in the case of a funding shortfall, Applicants who have back-rent or are at risk of foreclosure and/or are two months behind on utility payments will be prioritized.

4.6. Award Coordination and Disbursement

The Board of County Commissioners will review the eligibility determination and award recommendation prepared by the County and its authorized representatives. Upon approval by the BOCC, the Applicant will be sent an **Award Notice** detailing the award amount and next steps.

If approved, the County will contact the vendors listed on the **Release of Information form** to collect the payment authorization form and the applicant to collect any information required for the County to issue payment. Once

the payment has been disbursed on behalf of the Applicant, the County will issue a **Confirmation of Payment Notice** to the Applicant.

4.6.1. Broadband Assistance Vouchers

Program Awardees who qualify for broadband assistance and do not already have broadband access, may request broadband installation and setup with one of the Program's participating internet providers listed on the County's website. The Provider will invoice the County directly on behalf of the Awardee. The Awardee shall schedule installation prior to December 30, 2020.

5. Nonresponsive Applicants

The Program will make reasonable attempts to contact Applicants who have submitted incomplete applications in order to collect documentation or obtain any other necessary information required to process the application and award. If the Program has made **3** consecutive unsuccessful attempts to contact an Applicant with no follow-up contact over a period of **10 calendar days**, the Applicant will be sent a **Nonresponsive Notice**, if Applicant has provided an address. Contact attempts should be made using different methods of communication and at different times of the day and week.

The **Nonresponsive Notice** advises the Applicant that they must contact the Program within five days of the date of the notice or their application will be closed.

6. General Provisions

6.1. Program Guidelines Scope

This document sets forth the policy governing the Program. These program guidelines are intended to aid and provide program activity guidance in Program implementation and closeout and should not be construed as exhaustive instructions. All Program activities must comply with the policies hereby stated. In addition, all program staff must adhere to established program procedures and all federal and state laws and regulations in effect, as applicable, in the execution of program activities.

However, the County reserves the faculty to authorize, in its sole discretion, the granting of Program benefits to any Applicant, only when exceptional circumstances, not contemplated in these guidelines, justify it. Such faculty will be exercised on a case-by-case basis in compliance with local, state, and federal requirements. Seward County is in no way obligated to grant the Program benefits in said cases.

6.2. Program Guidelines Amendments

Seward County reserves the right to modify the policies established in these guidelines if the program guidelines, as written, do not reflect the intended policy or cause procedures to be impracticable, among any other circumstances.

If an amended version of these guidelines is approved, the amended version fully supersedes all other previous versions and should be used as the basis for the evaluation of all situations encountered in the implementation and/or continuance of the Program from the date of its issuance, that is, the date that appears on the cover of these guidelines. Each version of the program guidelines will contain a detailed version control log that outlines any substantive amendment, inclusions, and/or changes.

7. Program Oversight

Nothing contained within these guidelines is intended to limit the role of, the State of Kansas, the County, and / or corresponding authorities from exercising oversight and monitoring activities of the Program.

8. Severability Clause

If any provision of these guidelines, or the application thereof to any person, partnership, or corporation, or circumstance, is deemed invalid, illegal, or incapable of being enforced to any extent by a competent court, the remainder of these guidelines, and the application of such provisions, will not be affected. All valid applications of these guidelines shall be severed from any applications deemed invalid, leaving the valid applications in full force.

END OF GUIDELINES