



Office of Temporary and Disability Assistance

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General Information System (GIS) Message

Section 1

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From:	Valerie Figueroa, Deputy Commissioner, Employment and Income Support Programs
Subject:	Updates to the Emergency Rental Assistance Program (ERAP)
Effective Date:	Immediately
Contact Information:	Emergency Rental Assistance Bureau at: 518-486-7530 or nyserap@otda.ny.gov Temporary Assistance Bureau at: 518-474-9344 or otda.sm.cees.tabureau@otda.ny.gov SNAP Questions – SNAP Bureau 518-473-1469 or otda.sm.cees.snap@otda.ny.gov HEAP Questions – HEAP Bureau 518-473-0332 or nysheap@otda.ny.gov

Section 2

This General Information System (GIS) message provides guidance to social services districts (districts) on updates to the Emergency Rental Assistance Program (ERAP) and the impacts of this program on applications for rental arrears through Temporary Assistance (TA).

ERAP Case Processing Update

OTDA is actively reviewing and processing eligible ERAP applications submitted through October 31, 2022. Additional applications are expected to be reviewed and processed in the future as funds become available.

At this time, ERAP applications from subsidized housing tenants whose rent is limited to a certain percentage of income (including public housing, section 8, and FHEPS) are not currently eligible to be paid through ERAP. State law precludes paying ERAP applications submitted by subsidized housing tenants until all other eligible applicants have been served. Therefore, subsidized housing applications are not currently eligible for an ERAP payment regardless of the date the application was submitted. Residents of public housing are urged to contact their public housing

authority to determine if their rent can be adjusted retroactively based on a previous change in circumstances, including a reduction in income.

TA Eligibility

In all households, where there is an immediate need that cannot wait for a decision on ERAP eligibility, the district must meet the immediate need for those eligible on the same day the applicant/recipient (A/R) identifies such need, including the provision of rent arrears to prevent an eviction.

For those **non-subsidized** households who applied for ERAP *prior to 11/14/2021*, the date of the initial program closure, and who still have an ERAP application pending, the TA eligibility policy communicated in [GIS 21TA/DC039 and GIS 22TA/DC004](#) still applies requiring a decision on the ERAP application before issuance of TA to address rent arrears.

For those households who applied for ERAP *on or after 11/14/2021*, ERAP cannot be considered an available resource as a condition of eligibility for TA due to the uncertainty around the final funding amount available from federal allocations that may be available to New York State based on underspending in other areas. Despite the anticipated lack of funding, all individuals may apply for assistance through ERAP so long as the program is accepting new applications. The program is scheduled to stop accepting new applications on 1/20/23. ERAP applications received before the ERAP portal closes will continue to be evaluated to the extent funding remains available. Additional details will be available on the OTDA website at <https://otda.ny.gov/programs/emergency-rental-assistance/#overview>.

For all subsidized households who have applied for ERAP since program opening on 6/1/2021, **ERAP may not be considered an available resource and their application for TA must be processed even if the household has an ERAP application pending.** A household is defined as subsidized if the household's rent is limited to a set percentage of income (including section 8, public housing, FHEPS). The TA eligibility policy communicated in [GIS 21TA/DC039 and GIS 22TA/DC004](#) **no longer applies** to these households and the district must meet the immediate need the same day the applicant/recipient (A/R) identifies such immediate need.

Tenant households that apply for ERAP will continue to receive ERAP tenant protections until an eligibility determination is made on the ERAP application. For additional information on these protections, please see the "Tenant Protections" section of the ERAP FAQs located here: [Frequently Asked Questions | Emergency Rental Assistance Program | OTDA \(ny.gov\)](#)

As a reminder, ERAP benefits must not be counted as income or as a resource for TA, the Supplemental Nutrition Assistance Program (SNAP) or the Home Energy Assistance Program (HEAP) eligibility or for budgeting purposes. For recipients who are granted ERAP benefits for prospective (future) rent, these payments will cover the difference between the TA grant and the monthly shelter cost. ERAP benefits will not be issued through the Welfare Management System (WMS).

The ERAP call center is open to handle ERAP inquiries over the telephone and webchat. The call center telephone number is 1-844-NY1-RENT (1-844-691-7368). The webchat can be accessed from the OTDA ERAP website. Districts may refer individuals to the call center, webchat, or Community Based Organizations (CBOs) if they have questions about ERAP. Districts can find contact information for CBOs on the OTDA ERAP website at: <https://otda.ny.gov/programs/emergency-rental-assistance/help/applying/>