

**DC**DEPARTMENT of
HUMAN SERVICES

Updates and Frequently Asked Questions about Eviction Prevention and Emergency Rent Assistance during the Coronavirus (COVID-19) Public Health Emergency

as of January 4, 2021

This resource provides the most current information on eviction prevention and rental assistance programs available in the District of Columbia. Please be aware that this guidance is based on the best information currently available and will be updated as needed. Thank you for your patience. For additional information on rent assistance programs, please visit coronavirus.dc.gov/rent.

1. Q: How long will the eviction moratorium last? What is the Federal/Centers for Disease Control and Prevention (CDC) eviction moratorium, and how is it different?

A: The District's [prohibition on evictions](#) is tied to the health emergency that is currently set to expire on March 31, 2021. According to current legislation, evictions are not allowed until after 60 days after the end of the health emergency (through May 2021). The Federal prohibition on evictions is set to expire on January 31, 2021. The District's moratorium is stricter than the federal one and as such, renters and landlords should follow guidance from the District government.

2. Q: What programs are available in the District to help residents behind on their rent?

A: COVID-19 Housing Assistance Program (CHAP) - The Department of Housing and Community Development (DHCD) has developed the COVID-19 Housing Assistance Program (CHAP), a \$6.2 million program funded by the federal Community Development Block Grant (CDBG) offering rental assistance to low-income renters who are in arrears. Tenants must earn 80% of the Median Family Income (MFI) or below based on the [COVID-19 Income & Rent Schedule](#). Financial assistance will be based on income and household size. Assistance can be applied for rent from April 2020 onward for up to three months of overdue rent depending on available funds; eligible applicants may be able to apply for an additional 3 months for a total of 6 months of rental assistance. Interested applicants are asked to fill out intake information by going to the central intake portal for emergency rental assistance. [Click here to read more about this program and apply](#).

Emergency Rental Assistance Program (ERAP) - ERAP helps District residents with incomes that do not exceed 40% of the Area Median Income (AMI) who are facing housing emergencies, by providing funding for overdue rent if a qualified household is facing eviction (including late costs and court fees). The program also supports security deposits and the first month's rent. ERAP may provide up to five (5) times HUD's Rental Reasonable guideline for the zip code and bedroom size. Eligible households may apply for ERAP up to two (2) times in a single twelve (12) month period from the date of the first application, during the public health emergency, and within 60 days of the end of a public health emergency, to access the rent assistance within the eligibility cap. [Click here to read more about this program](#).



In addition to ERAP and CHAP, the District offers the following rental assistance and eviction prevention programs including:

- Homelessness Prevention Program (HPP)
- DHCD Rental Assistance
- 202 Assist
- DC MAP (Mortgage Assistance Program) COVID-19

To learn more about these programs, mortgage resources, and utility information, visit coronavirus.dc.gov/rent.

- 3. Q: I am a renter who lost my job and am now behind in rent. Should I apply for emergency rental assistance now or wait until the end of the eviction moratorium? I'm afraid that if I apply now, I will again owe money when the moratorium ends and could get evicted.**

A: You should apply for rental assistance as soon as you need it, as there is no guarantee funds will be available when the moratorium ends. It is strongly recommended that residents not wait to apply longer than being 3 to 5 months behind in rent. Due to the public health emergency, the Emergency Rental Assistance Program (ERAP) is allowing residents to apply up to twice within a calendar year during a public health emergency and within 60 days of the end of the public emergency to access the rent assistance within the eligibility cap, allowing for the option to get some assistance now and some later, if needed.

- 4. Q: I am a renter and my work hours were cut at my job. While I have some income, I do not have enough to pay the full rent. What should I do?**

A: Renters are encouraged, to the best of their ability, to stay current on rent by making full or partial payments to avoid repercussions after the eviction moratorium is lifted. To assist tenants with financial hardships during this public health emergency, recent legislation has been enacted which lays out several protections. Most importantly, this requires that your rental provider must allow you, if you are undergoing financial hardship, to enter into a rental payment plan for unpaid rent that was due during the emergency, and for up to one year thereafter. In addition to discussing a payment plan with your landlord, the District's rental assistance programs might be able to assist you with the remaining unpaid rent. To learn more about rental payment plans, and your other rights as a tenant during this public health emergency, [click here](#) or visit the Office of Tenant Advocate's website at ota.dc.gov/page/information-tenants. To learn more about rental assistance programs go to coronavirus.dc.gov/rent.

- 5. Q: As a renter, can I apply for emergency rental assistance more than once in a 12-month period?**

A: Yes, during the public health emergency, which currently runs through March 31, 2021, residents can apply to the ERAP program up to twice within a 12-month period during the public health emergency, and within 60 days after the end of a public health emergency, to access rent assistance within the eligibility cap. CHAP allows for up to 6 months of assistance but



encourages people to apply once 3 months of rent arrears are owed. To learn more about rental assistance programs go to coronavirus.dc.gov/rent.

6. Q: Do renters need a writ to apply for emergency rental assistance?

A: No. Writs are not needed to apply for either ERAP or CHAP.

7. Q: Do renters need to provide proof of their ability to pay rent moving forward to qualify for emergency rental assistance? What if I am still unemployed?

A: Under CHAP, an applicant can be eligible if their savings or assets are equal to three months of expenses or no more than \$15,000. Expenses may include but are not limited to utilities, cell phone bills, private student loans, childcare, or eldercare expenses. ERAP previously required applicants to prove their ability to pay rent after receiving assistance; that requirement has been waived during the public health emergency and one year after.

8. Q: Are undocumented individuals eligible for emergency rental assistance?

A: All District residents are encouraged to seek assistance, and the community-based organizations will work with them to find available resources. Neither CHAP nor ERAP require a social security number or need to verify an applicant's immigration status for eligibility. To learn more about rental assistance programs go to coronavirus.dc.gov/rent.

9. Q: As a renter, I do not have an official lease agreement. Am I eligible to apply for emergency rental assistance?

A: Yes. An ERAP applicant with an oral housing agreement (instead of an official lease) would be eligible to apply for emergency rental assistance, by asking the landlord to provide in writing the terms of the housing agreement. The new written agreement must specify the following:

- Unit owner name
- Unit address
- Monthly rent amount
- Amount of rent arrears (i.e., dollar amount) and duration of the rent arrears (i.e., whether the rent is at least 30-days past due)

Applicants must answer follow-up questions and provide supporting documentation as determined by the ERAP provider. The CHAP program prefers a written lease agreement but is not required to establish tenancy. In instances where a tenant is not on the written lease or there is not a written lease with the landlord, community-based organizations (CBOs) may accept documentation of proof of payment made by the applicant. This documentation may include but is not limited to receipts or deposit statements. DHCD expects that CBOs should request that landlords add CHAP applicants as a tenant to the lease agreement.



10. Q: I requested a repair that has not been made. What are my rights during the eviction moratorium, especially if I have not been able to pay rent?

A: If you have not been evicted, your tenancy continues whether or not you have been able to pay rent. Therefore, your lease agreement still applies in full, and your landlord must continue to provide the services you agreed upon, including repairs. In addition, your landlord must still maintain the property and the unit in compliance with applicable District housing and property maintenance regulations, regardless of what your lease says. If your landlord fails to correct a housing code or property maintenance code violation within a reasonable time of being notified, or if you are unsure whether a condition constitutes a violation, contact the Department of Consumer and Regulatory Affairs (DCRA) to request a residential inspection online by going to DCRA's website, dcra.dc.gov, and clicking the "[housing inspection request](#)" icon. To schedule an emergency inspection call (202) 442-9557 ext. 6 or dial 311. If your landlord (a) is cited for the violation by DCRA and still refuses to correct it; or (b) refuses to make a repair that is required in the lease, but is not required by District regulations, contact the Office of the Tenant Advocate at (202) 719-6560.

11. Q: My landlord locked me out of my unit because I have not been able to pay rent. Is this illegal? Where can I go for help?

A: Self-help evictions are unlawful in the District of Columbia. Any eviction must be pursuant to a court order and must be scheduled and supervised by the United States Marshals Service. Furthermore, landlords are prohibited from evicting any tenant during the public health emergency (PHE).

If you are the victim of a self-help eviction in progress, you may request the intervention of the Metropolitan Police Department. You may also file a temporary restraining order in D.C. Superior Court, which will be heard in short order by a judge in chambers. Tenants may file emergency motions by emailing Civilefilings@dcsc.gov or contact the Landlord Tenant Legal Assistance Network at (202) 780-2575.

12. Q: As a landlord, several of my tenants have not been able to pay rent, and I am having difficulty meeting my financial obligations for the building. Does the District offer any resources to help landlords?

A: Yes, in addition to rental assistance programs for tenants, the District has programs for residents with mortgages that might be beneficial to landlords. To learn more about these and other resources for landlords, please visit coronavirus.dc.gov/rent.