

# **Policy Clarification**

**Cash Assistance – All – PCA-20654-150**

**Food Stamps – All – PFS-20654-550**

**Medical Assistance – All – PMA-20654-350**

**Long-Term Care – All – PMN-20654-450**

**LIHEAP – All – PLA-20654-650**

**Submitted: 12/6/2021**

**Agency: CAOs**

**Subject: Emergency Rental Assistance Program (ERAP) Payments**

**Question: Are ERAP payments countable when making eligibility determinations for Supplemental Nutrition Assistance Program (SNAP), Medical Assistance (MA), Long-Term Care (LTC), Home and Community-Based Services (HCBS), Temporary Assistance for Needy Families (TANF) and Low-Income Home Energy Assistance Program (LIHEAP)? We have a case where the client receives the ERAP as a direct pay because the landlord does not participate in the program.**

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**Response By: Policy Clarification Unit**

**Date:**

When deciding if an ERAP payment is countable, the CAO must first determine if the recipient is a tenant or a landlord.

Emergency Rental Assistance provided to or on behalf of a tenant from a payment made under Section 501(j) of the Consolidated Appropriations Act or Section 3201(d) of the American Rescue Plan Act is excluded as income and a resource when making an eligibility decision for the household or any member of the household for SNAP, MA, LTC, HCBS, TANF, and LIHEAP.

Emergency Rental Assistance provided to a landlord from a payment made under section 501(j) of the Consolidated Appropriations Act or Section 3201(d) of the American Rescue Plan Act shall be treated as a non-recurring lump sum for Cash, SNAP, LIHEAP, and MA, including LTC and HCBS.

**Exception:** If the rental income is already being adjusted for the budget then disregard the lump sum amount so the income is not counted twice.

For example, if the household or individual is a tenant that received ERAP for rent, utilities and/or other expenses related to housing, it is not counted as income or as a resource for eligibility or benefit amount determinations for Cash, SNAP, MA, LIHEAP, or LTC regardless of whether the money is paid directly to the tenant or to the landlord or utility company on behalf of a tenant.

If the household or individual is a landlord that received ERAP for their tenants past due or future rent, it is counted as non-recurring lump sum income for eligibility or benefit amount determinations unless rent is already being adjusted to the grant. The ERAP provider will provide the individual with a W-9 form indicating the amount of rental income paid.