C.H. HUCKELBERRY  
County Administrator  

August 19, 2021

Mr. Michael Racy  
Racy Associates, Inc.  
535 W. Burton Drive  
Tucson, Arizona 85704  

Re: Correspondence to the Board of Supervisors from a Coalition of Housing Interests, Including the Arizona Multihousing Association and the Arizona Housing Coalition

Dear Mr. Racy:

The attached letter describes a number of activities that housing interests believe should occur to speed up the Emergency Rental Assistance Programs where funding has been provided by the federal government. The letter has been signed by a large number of individuals throughout Arizona who are interested in housing and rental assistance.

The letter makes four specific recommendations. Please review these recommendations to determine whether they can be implemented through legislation, rulemaking or simply through administrative procedure.

Finally, as you may or may not know, the joint effort of Pima County and the City of Tucson in emergency rental assistance has been quite successful as compared to the statewide program. To date, we have obligated over 70 percent of our ERAP 1 funding and our Community and Workforce Development Director Dan Sullivan and the City of Tucson Housing Director will soon issue a joint request letter to the Department of Economic Security requesting more funding for the Emergency Rental Assistant Program operated by Pima County, the City of Tucson and three nonprofit affiliated supporting organizations.

Sincerely,

C.H. Huckelberry  
County Administrator  

Enclosure  

c: The Honorable Chair and Members, Pima County Board of Supervisors  
Jan Lesher, Chief Deputy County Administrator  
Michael Ortega, City Manager, City of Tucson  
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer, Health and Community Services  
Dan Sullivan, Director, Community and Workforce Development  
Liz Morales, Director, City of Tucson Housing and Community Development
VIA EMAIL

August 17, 2021

Chairwoman Sharon Bronson and the Board of Supervisors
130 W. Congress Street
Tucson, AZ 85701

RE: EMERGENCY RENTAL ASSISTANCE PROGRAM REFORM

Dear Chairwoman Bronson and fellow Supervisors:

We write to you today on behalf of the thousands of rental property owners who own over 920,000 rental housing units in Arizona, and the hundreds of thousands of renters who live in those properties. We urge the County to direct its federal government relations and advocacy efforts to seek critical reforms to the federal Emergency Rental Assistance Program (“ERAP”).

Since March 27, 2020, the federal government has imposed a national eviction moratorium in some form or another. Since that time—eighteen months and counting—many renters and rental property owners are still awaiting rental assistance.

This past December (over eight months ago), Congress created the ERAP and allocated $492 million to the state of Arizona as part of the Consolidated Appropriations Act, 2021, and an additional $428 million from the American Rescue Plan Act of 2021, to be administered by state and local housing agencies. These appropriations were a welcomed sight for many renters and rental property owners across the state.

Since the original ERAP appropriation by Congress, only $91 million—10 percent of the total funds available—has been distributed to renters and rental property owners. Critics have correctly pointed to overly burdensome regulatory requirements prescribed by Congress, as well as additional requirements imposed by the distributing agencies, as being the primary challenge to disbursing the funds.

The slow deployment of ERAP was recently described in great detail by an Arizona Republic investigation. See “As eviction moratorium deadline approaches, Arizona has given out just 10% of rental aid.” See also “Months after applying, Phoenix family still waiting for rental aid as eviction moratorium expires.” See also “Want to help struggling renters? Spend the billions just sitting there now.”

As the state grapples with the need to produce more affordable housing, the slow deployment of ERAP will have lasting impact on the state’s already undersupplied rental housing stock. According to a survey conducted by the National Rental Home Council, a majority of single-family rental home property owners say they’ve been negatively impacted by the eviction moratorium, with 30% saying they will be forced to tighten standards when evaluating future rental applications, 11% forced to sell at least one of their properties, and 12% forced to sell all their properties. A reduction in the rental housing supply with demand still surging, means rental pricing will continue to rise.
On May 20, 2021, renter advocates, housing service providers, and some of the larger rental property owners and managers, sent a Joint Letter to Arizona’s Congressional delegation and provided recommendations to deploy ERAP in more efficient and expedient fashion. Unfortunately, those recommendations have been completely ignored.

Given the continued sense of urgency to prevent eviction and the mounting debt due to many months of unpaid rent, we urge the County to direct its federal government relations and advocacy efforts to seek similar reforms conveyed by the May 20, 2021 Joint Letter.

Eighteen months into the pandemic, and eight months after ERAP was approved by Congress, it is time to cut the red tape and the onerous requirements that are making it so difficult to deploy these critical funds.

Sincerely,

Joan Serviss
Executive Director
Arizona Housing Coalition

Courtney Gilstrap LeVinus
President/CEO
Arizona Multihousing Association

CC: Chuck Huckelberry, County Administrator
Manira Cervantes, Community Services Manager
May 20, 2021

The Honorable Kyrsten Sinema  
317 Hart Senate Office Building  
Washington, DC 20510  

The Honorable Mark Kelly  
Suite B40B, Dirksen Senate Office Building  
Washington, DC 20510  

The Honorable Tom O'Halleran  
318 Cannon House Office Building  
Washington, DC 20510  

The Honorable Andy Biggs  
171 Cannon House Office Building  
Washington, DC 20510  

The Honorable Ann Kirkpatrick  
309 Cannon House Office Building  
Washington, DC 20510  

The Honorable David Schweikert  
304 Cannon House Office Building  
Washington, DC 20510  

The Honorable Raul Grijalva  
1511 Longworth House Office Building  
Washington, DC 20510  

The Honorable Ruben Gallego  
1131 Longworth House Office Building  
Washington, DC 20510  

The Honorable Paul Gosar  
2057 Rayburn House Office Building  
Washington, DC 20510  

The Honorable Debbie Lesko  
1214 Longworth House Office Building  
Washington, DC 20510  

The Honorable Greg Stanton  
207 Cannon House Office Building  
Washington, DC 20510

RE: Emergency Rental Assistance Programs

Dear Members of Congress,

We write you today on behalf of rental residents and rental property owners and managers who live in or manage, over 920,000 rental housing units across the state of Arizona. The Arizona rental housing industry, including renters, support over 400,000 jobs while generating over $73.2 billion of economic activity annually.

Like so many other Americans, individuals, and business owners, the COVID-19 pandemic has placed an unprecedented strain on renters, individual rental property owners and the rental housing industry.

1 https://www.weareapartments.org/data/Arizona
For renters, the pandemic has created an unparalleled challenge, especially for those in the workforce who have lost their incomes through no fault of their own. Federal stimulus helped many of these workers and households with their mounting bills, but those benefits were only temporary while the job loss or reduced income continues.

For rental property owners who rely on rental income as their primary source of income, including retirees, the prospect of not receiving any rental income for twelve months, with unpaid rental balances exceeding $20,000, places these owners in an untenable and unsustainable position. These same owners have not received relief from their mortgage, insurance, and property tax obligations, and they are still required to meet all their contractual obligations to provide safe housing to renters.

In an attempt to ease such economic hardship placed upon renters and rental property owners, Congress created the Emergency Rental Assistance Program (“ERAP”) and allocated $492 million to the state of Arizona as part of the Consolidated Appropriations Act, 2021, and an additional $374 million from the American Rescue Plan Act of 2021, to be administered by state and local housing agencies.

While ERAP was a step in the right direction, the programs have been delayed considerably due to the significant regulatory requirements prescribed by Congress. This means renters are faced with further uncertainty and hardship while rental property owners move closer to foreclosure, bankruptcy, or a forced sale of the property. The Wall Street Journal recently profiled the slow deployment of ERAP. See “Billions in Covid-19 Aid Is Slow to Reach Renters and Landlords.”

In Arizona, since Congress approved ERAP in late December, state and local governments have only deployed approximately $11 million of the $866 million, or 1 percent, that is available for ERAP.

In addition, and perhaps most concerning, while Congress has approved nearly $1 billion for ERAP, it has prohibited certain renter households and rental owners from accessing the funds even if those same households have declared a COVID hardship, and are behind on their rent payments.

With the above as background on the matter, we strongly urge the following immediate changes to ERAP:

1. **Remove income restrictions and align the federal Eviction Moratorium with ERAP.** Under the Centers for Disease Control and Prevention (“CDC”) eviction moratorium, an individual may qualify under the moratorium if they earn up to $99,000 in annual income, or if filing jointly, $198,000. However, under the ERAP requirements, individuals may only qualify for rental assistance if their household income is at or below 80 percent of the area median. In Maricopa County, a household of three can only earn up to $56,900 to qualify for assistance; in Pima County that same family of three can only earn up to $49,450. Congress should act to align the eviction moratorium with rental assistance so that if an individual qualifies under the CDC moratorium, then they automatically qualify for emergency rental assistance without cumbersome qualification requirements.

2. **Allow ERAP to be used to pay rent balances for non-communicative renters.** Under ERAP, a rental property owner may begin applications on behalf of their renters; however, the renter must still provide income information and other eligibility documents to the housing agency. Unfortunately, approximately 1% of renters in the state have not communicated with their rental property owner, and some owe rent for as many as twelve months. Some of these renters have
also refused, or are not eligible to, participate in the ERAP. Since ERAP requires some level of renter participation, this abstention by the renter can leave the rental property owner in an unfair and unsustainable position. Congress should act, or Treasury should clarify, that rental property owners can recover rents owed in the event the renter is not communicating or participating in the ERAP process.

3. **Explicitly allow for renter income self-attestations to qualify for ERAP.** We have heard that the income verification process is time consuming for both the renter applying for assistance as well as the agency tasked with deploying the rental assistance. Currently, there is no consistency among state and local governments in Arizona to allow for “self-attestations” or declarations of income. Some agencies allow for self-attestations while other agencies only allow for income self-attestation as a last resort. This inconsistent process by housing agencies significantly slows the application process. It should be noted that renters seeking to qualify for the eviction moratorium can do so by simply filing a declaration to the rental property owner.

4. **Allow the ERAP to reimburse rental property owners even if the renter has moved and if the rental property owner agrees to “vacate” any judgements.** Since the beginning of the pandemic, rental property owners have been encumbered with providing housing without payment. The CDC Eviction Moratorium has made it clear that individuals are not relieved of their obligation to pay rent. Concern has been raised that once the CDC moratorium is rescinded or struck down by the Courts that renters with unpaid balances, especially for renters that do not qualify for ERAP, could face eviction. Concern has also been raised that those renters would then have eviction-related court judgements on their credit history. In order to avoid this, Congress should act, or Treasury should clarify, that rental property owners can apply for ERAP for unpaid rent balances even after a renter has moved or if the renter has a judgment entered against them. As a condition to accepting ERAP dollars, the rental property owner should agree to “vacate” the eviction judgement. This ensures any debt or adverse credit impact is absolved for the renter allowing them to qualify for a new rental home, and the rental property owner is not further financially damaged.

By enacting the above reforms, Congress can ensure that renters remain stable in their housing for the remainder of the pandemic and rental property owners do not default on their mortgages or other financial obligations.

Sincerely,

Courtney LeVinus, President & CEO, Arizona Multihousing Association
Joan Serviss, Executive Director, Arizona Housing Coalition
Alex Ryckman, Asset Manager, The Wolff Company
Allison May, District Manager, Avenue5
Amy Schwabenlender, Executive Director, Human Services Campus
Andrea Woods, Community Director, HSL Asset Management
Andrew Loubert, President, Community Reinvestment Solutions
Andrew Titche, VP Operations, HSL Asset Management
Angel Segura, District Asset Manager, HSL Asset Management
Angelina Meraz, Community Director, HSL
Ashley Ybarra, Asst. Community Manager, HSL Asset Management
Bahney Dedolph, Deputy Director, AZ Council of Human Service Providers
Beth Wiese, Executive Director, Church of Safe Injection – Tucson
Bob Lebsack, Regional Asset Manager, HSL
Brad Bridwell, Dir. Of National Operations, Cloudbreak Communities
Christina Morales, Leasing Consultant, HSL Asset Management
Christopher Walker, Managing Attorney, Law Offices of Scott Clark
Ciarra Granados, Community Director, HSL Asset Management
Connie Phillips, President and CEO, Lutheran Social Services of the Southwest
Crystal DeHoag, President, Bella Investment Group
Cyndi Rodriguez, Community Director, HSL Properties
Danny Knee, Executive Director, Community Investment Corporation
David Kotin, President, Kay-Kay Realty
Debbie Arico, Operations Manager, Blue Fox Properties
Drew Lowery, Community Director, HSL Asset Management
Dustin Lacey, VP of Marketing, Mark-Taylor Residential
Elizabeth Beaulieu, Portfolio Director, Quarterpenny Management
Herbert Jackson, VP HOUSING, Greater Phoenix Urban League
Jacki Taylor, CEO, Save the Family
Jackson Fonder, CEO, UMOM New Day Centers
Jason McCool, Property Owner, JM Emerson LLC
Jason Thorpe, Continuum of Care Representative, Tucson Pima Collaboration to End Homelessness
Jeffrey Landon, President, Landon Management Services
Emergency Rental Assistance Programs
May 20, 2021
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Jen Mihm, Svp, Wolff
Jennifer Odom, Community Director, Riverstone Apartments/HSL
JoAngel Armijo, Admin Coordinator, Arizona Housing Coalition
Jolene Sheahan, Principal, MEB Management Services
Jordan Stanley, Community Director, HSL Asset Management
Kathy Relyea, Regional Manager, Avenue5
Katy Scoblink, Chief Operating Officer, OPCS
Kayci Bart, Community Director, HSL Asset Management
Ken Briggs, Associate Vice President, United Way of Tucson and Southern Arizona
Kimberly Fitch, Owner/President, Nicolosi & Fitch
Kimberly Pacheco, Dir. of Multi Family Housing, Scotia Group Management
Kohler Eisenhour, Senior Vice President, Avenue5 Residential
Kris Tomlinson, Vice President, Pinnacle/Cushman & Wakefield
Krisanne Beckstead, Regional Manager, Picerne Real Estate Group
Kristen Randall, Constable, Pima County
Kristin Heiple, Vice President, Baron Properties
Kristy Snowden, Comm. Housing Coordinator, Compass Affordable Housing
Larry Scaramella, CEO, Pacific Community Management, LLC
Linda Coburn, VP of Asset Management, NexMetro Communities
Lisa Osborne, Regional Manager, Priderock
Liz Morales, Director, City of Tucson Housing and Community Development Dept.
Luis Verger, VP- Organizational Dev., Asset Living/Shelton
Marcos Castro, ACD, HSL Properties
Mark Schilling, Executive Vice President & Partner, MEB
Mark Zinman, Attorney, Zona Law Group P.C.
Maryann Beerling, CEO, Compass Affordable Housing
Matthew Christensen, VP, Asset Management, Investors Capital Group
Melissa Rodriguez, Community Director, HSL Properties
Michele D. Stokes, CEO, Behold Charities Int’l
Michelle Sinclair, Director of Asset Management, Evergreen Devco
Mike Shore, President/CEO, HOM, Inc
Moise Hendeles, Owner, FLM Enterprises, Inc.
Monica Franszi Humbles, Regional Supervisor, Scotia Group Management
Nancy Ramirez, Operations Director, Campesinos Sin Fronteras
Omar Mireles, President, HSL Properties
Pamela Sahlin-McCarty, Regional Manager, Fairfield Residential
Paul Sween, Managing Partner, Dominium
Peggy Hutchison, CEO, Primavera Foundation
Penny Buckley, Program Director, Sister Jose Women’s Center
Rachel Udorvich, Leasing Consultant, HSL Asset Management
Reid Butler, Owner, Butler Housing Company, Inc
Sharlynn Morganstern, Regional Supervisor, Scotia Group Management
Sharon Kuhlman, VP - Property Operations, Shelton Residential
Sheila Hill, Navigator, City of Tucson
Shelly Hoffman, Community Director, HSL Enclave at the Foothills
Sheri Thomas, Managing Dir. - Asset Mgmt., Trinsic Residential Group
Stacey Searl, Regional Director, Weidner Apartment Homes
Stephanie Brewer, Executive Director, Newtown Community Development Corporation
Terry Galligan, Deputy Director - Housing and Community Development, City of Tucson
Thomas Shelton, Principal, Asset Living
Tina Schreiber, Senior Director, Greystar Residential
Todd Gosselink, Managing Dir. - SW Region, Trinsic Residential Group
Vicki Holben, Asst. Community Director, HSL
Vikki Garcia, Regional Supervisor, Scotia Group Management
Wendy Johnson, Executive Director, Justa Center
Wendy Weiske, Compliance Manager, Gorman & Company, LLC
Zaira Livier, Director, People’s Defense Initiative