

# Emergency Rental Assistance Program (ERAP) Landlord Town Hall Discussion Follow Up

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**April 2022**

## Introduction

The Department of Family Services (DFS) would like to thank everyone that participated in the landlord town hall discussion held March 25, 2022. Your feedback and participation is invaluable.

You will find in this document the answers to the questions and comments made during the discussion. Due to the high volume of questions and comments, we will not be answering them individually, but rather have grouped them by topic area and provided the answers below.

## Questions/Answers by Topic Area

### ERAP Payment Timeline

There was a lot of conversation and concern related to the timeframes. The desired turn around for application review, determination and payment issuance (if applicable) is four (4) weeks. The program has experienced unexpected continued high volume demand starting with surges in late November and high application volumes remaining steady since January. We acknowledge these volumes have caused a delay in processing time. In response to this unanticipated volume and increased processing time, we have worked with the ERAP case management and the call center vendor to add eight (8) additional case managers.

If a landlord or tenant are experiencing a case in which the application processing has exceeded four (4) weeks, it could be due to one or more of the following reasons:

- 1) *Lack of information/documentation* - We want to do everything we can to make sure the money is going to the right people. Much of the required documentation is to protect against fraud. To assist with case review, we ask that the landlord or tenant -
  - a) Check email regularly: All correspondence will come from [noreplywyoerap@wyo.gov](mailto:noreplywyoerap@wyo.gov). It is important for landlords and tenants to add this email to their contact list to avoid missing important emails.
  - b) Answer and respond to ERAP Phone calls: All phone calls will come from 1-877-WYO-HOUSING, which is 1-877-996-3727. There can be numerous reasons an ERAP staff is reaching out to the landlord or tenant.
  - c) Utilize local assistance: We encourage landlords and tenants to utilize the assistance of the community based organizations that DFS has contracted with to assist with ERAP application submission. More information is listed below under "Resources."
  - d) Upload and label all required documents.
    - i) Please ensure all required landlord and tenant documents are provided at time of application and are clearly identifiable.

- ii) Use of self attestation: If a tenant is unable to provide documentation, ERAP permits submitting a written attestation (letter) explaining unsafe or unhealthy living conditions or other evidence of risk of homelessness.
- 2) Additional review processes have been put into place to reduce the risk of potential fraud. The following are types of cases placed in a queue called “case investigation.”
- a) *Requests for assistance over \$10,000 or for 12 or more months* - Throughout the life of the program these have both been indicators of potential fraud. As such, we have required all cases that fall into this category to go through additional review processes.
  - b) *Out-of-State Landlords or Property Managers* - Landlords/property managers in a neighboring state (Colorado, Utah, Montana and South Dakota) do not need additional review. All other states require an additional review. If located out of state, we recommend submitting documentation showing:
    - i) The landlord owns the property while living in another state.
    - ii) The landlord owns the property, and the property manager is located in another state.
  - c) *Inter-familiar relationship between landlord and tenant* - While a rental obligation between family members is allowed, it requires additional review.
  - d) *Third party identity checks* - Third party identify checks are part of the normal application process. If a third party identity check indicates that the individual has been a potential victim of identity theft, we conduct an additional review as part of our efforts to prevent potential fraud.

We are committed to program expediency and want to do everything we can to ensure the assistance is provided in a timely manner while balancing prudent use of tax dollars. If you are experiencing issues with specific cases, please utilize the landlord email - [erap-landlord@wyo.gov](mailto:erap-landlord@wyo.gov) - which is discussed further under the “Call Center” and “Resources” sections. Also, please note the following table shows the average case processing times as of March 31, 2022. The cases are broken down into a few different categories to give perspective. We are diligently working to bring the overall average to under 30 days.

<b>Case Type</b>	<b>Current Aging Average (As of 3/31/22)</b>
Applications and extensions that pass review on their first attempt	30 days from submission to payment
Applications requiring additional information	30 days from submission to payment
Applications that have State of Wyoming Vendor Code Issues	30-50 days from submission to payment
<b>NOTE: Additional Case Management professionals have been on-boarded with a specific focus on reducing the averages.</b>	

Not included in the table, but important to note is the age of the cases placed in the “case investigation” queue. As of April 8, 2022, the average time from submission to decision is 31 to 32 days. Prior to this, these cases were taking an average of an excess of 40 days.

## Call Center

We received a lot of comments related to frustrations with the call center. The following items have already been or will be put in place shortly:

- 1) Call center training documentation was updated based on feedback and enhancements - implemented on 3/30/22.
- 2) Call identification codes that allow for a call to be flagged by reviews for follow up– planned implementation for 4/8/22.
- 3) A landlord specific mailbox for direct inquiries was created March 29, 2022 and is now live. It is [erap-landlord@wyo.gov](mailto:erap-landlord@wyo.gov).
- 4) Multi-unit landlord instructions developed for call center – planned implementation for 4/8/22.
- 5) Enhanced call center escalation policy based on time and qualitative factors – planned implementation 4/8/22.
- 6) Refined outlier reporting for call center metrics such as long calls, long wait times, and repeat callers– implemented on 3/30/22.

## Taxes

ERAP payments received by landlords are taxable. Per [IRS guidance](#), and as explained in the DFS [ERAP FAQ #3](#), rental payments and/or utility payments landlords receive from ERAP funding, whether from a customer or from a Distributing Entity on the customer’s behalf, are included in the landlord’s gross income. Landlords will receive a 1099 form from the State of Wyoming, State Auditor’s Office.

## Late Fees

Late fees for unpaid rent or utilities are eligible for payment, however, they are capped at 10% of monthly rental or utility amount owed. For late fees on past due rent, the lease must provide that a late fee will be charged.

Please note that the landlord agrees to accept payment of late fees, at the capped amount, as payment in full for the months paid. See below for the statement that the landlord must attest to in the application.

- I/We, as applicant, agree to accept the amount paid under the Emergency Rental Assistance program, as payment in full, for all past due rent, including any and all late fees or interest. Landlord agrees to dismiss, with prejudice, any action for forcible entry and detainer.*

## Overpayments

If overpayments are made and/or the assistance is not due, the landlord/property manager shall return the partial overpayment or the originally issued check to DFS. When returning a partial overpayment of the originally issued check, please make sure the following information is included:

1. Include a brief explanation why funds have been returned.
2. If the refund is prorated, please include a ledger explaining the expenses.
3. Include case numbers as this will assist in the return of funds process.

Please return funds to:

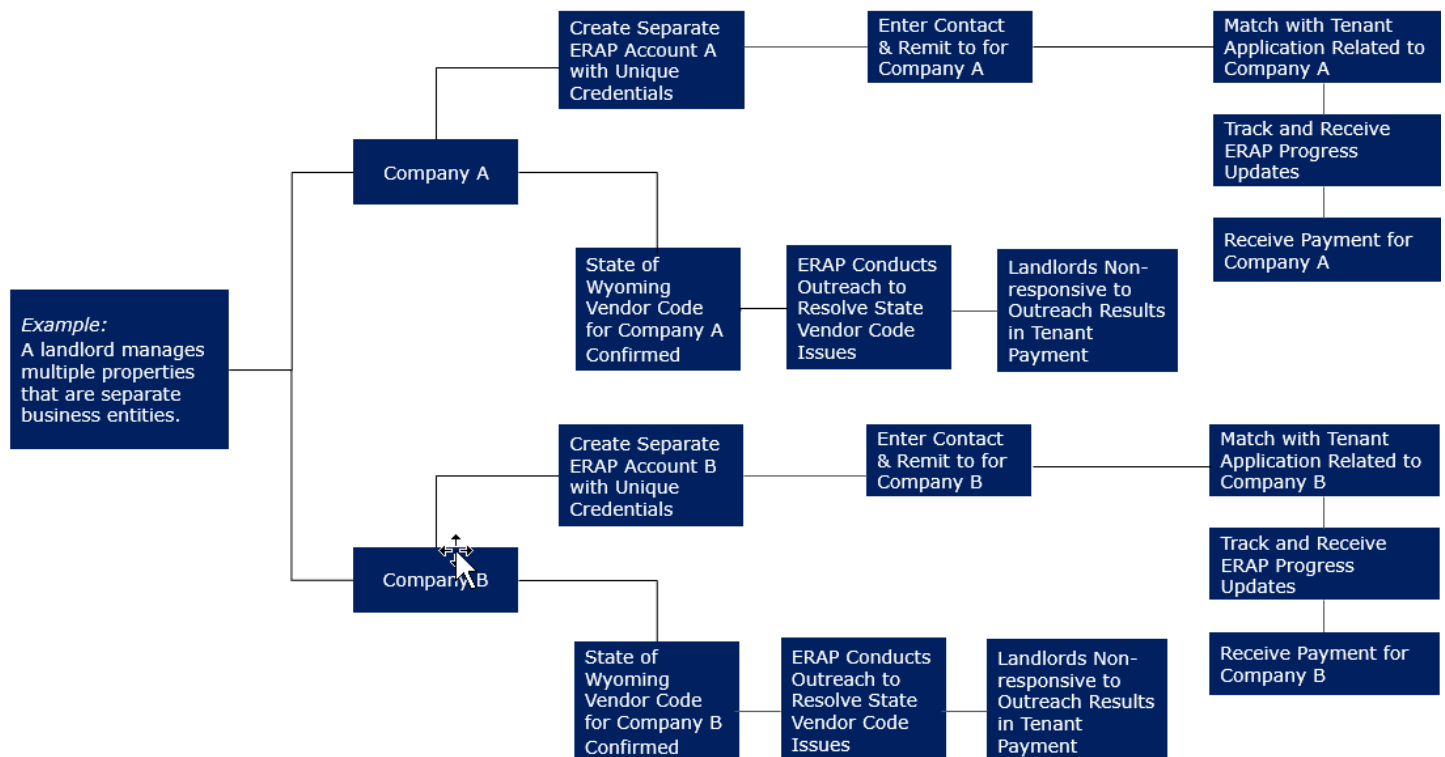
Department of Family Services  
2300 Capitol Ave 3rd Floor  
Cheyenne, WY 82002  
Attention: ERAP

## Multiple Landlord Companies/Property Management

We understand some landlords and property management companies operate with multiple businesses, which require payment to different entities.

In order to ensure the rental assistance payment is issued to the correct entity/person, the following process must be followed when the landlord is filling out the ERAP application. Payments to multiple landlord companies and/or property managers require a unique Vendor Code, which is issued by the State's Auditor's office during the application process. If not all payments go to one person or entity, the landlord must at the time of ERAP application create a separate account for each payment source. The separate accounts will trigger the establishment of a Vendor Code, which will ensure payments are issued correctly. We recognize this requires extra work on the front end to create and manage separate log-ins, but it is necessary to ensure correct payment issuance. Once ERAP landlord accounts are created, they are locked down by the system to avoid changes to the person and or entity to ensure payments are correctly distributed. Payments that need to be canceled and reissued will delay the receipt of assistance.

Below is a flowchart of the process:



## Communication/Notices

Ensuring landlords and tenants receive notifications from ERAP is critical. The system is built so that participating landlords will automatically receive email notifications at the email address provided in the application and text messages, if a mobile phone number is provided in the application. Such notifications include, but are not limited to, application process updates, requests for additional information, and case determination.

Some landlords reported at the last town hall they were not receiving emails or text messages. After a system and process review, and looking at a sampling of specific cases, it was determined the IT functionality is working properly. However, we have learned some notifications are not set up to automatically be sent to the landlord (i.e. when a tenant's case is denied, a tenant has filed an extension case). Currently, manual notices are generated, but we realize it is possible for this step to get overlooked. We are working with the IT team to ensure all decision points are generated as automated notices.

It is important that all the email addresses and phone numbers are entered correctly to receive program communications. Below are helpful tips to ensure landlords are not missing emails, texts or phone calls from ERAP staff:

**Check email regularly:** All correspondence will come from NoReplyWYOERAP@wyo.gov. It is important for landlords and tenants to add the email to contact lists to avoid missing important emails. If you are not seeing anticipated emails in your inbox, make sure you check your spam folder.

**Answer and respond to ERAP phone calls:** All phone calls will come from 1-877-996-3727/1-877-WYO-ERAP. All text messages will come from 1-877-996-3727. There may be numerous reasons an ERAP staff is reaching out to the landlord (or tenant).

Finally, DFS looks forward to beginning regular communications with landlords. DFS plans to send information emails to landlords twice a month. Content will include useful information to assist in the application process and ways to make the process easier for landlords and tenants, as well as address any relevant questions, concerns or issues. Landlords will also receive notices on upcoming training and meetings.

## **Payments/Vendor Setup**

Vendor set up is an important piece in ensuring timely and accurate payments. If incorrect or incomplete information is provided it will delay processing time, and require outreach from the case management team. If outreach is unsuccessful and a vendor code cannot be created, the approved payment will be switched to the tenant, who will then be responsible for payment to the landlord. Below are helpful tips:

1. When starting a landlord application, please be sure to correctly input all vendor information. The imputed information is used to set the landlord or business up in the State's payment system. Incorrect information may lead to longer wait times.
2. Important information is as follows:
  - a. Business name or Legal name;
  - b. If a business, the Employer Identification Number or Tax Identification Number;
  - c. If an individual, a Social Security Number;
  - d. Address (If your business address is not the same as the address you want the check sent to (remitted), please make sure both of those addresses are entered at time of application); and
  - e. Phone number.

## **Landlord Attestation/Acknowledgments (eviction rights)**

By submitting an application, landlords are attesting that the information in the application is correct and complete to the best of his/her knowledge and that there is a lease or rental obligation for the rental unit for the periods for which relief is requested. Landlords are also agreeing that they are not anticipating receiving funds from any other source for the same rental units for the same months of assistance submitted for coverage under ERAP.

Once a landlord accepts ERAP funds, he/she agrees not to evict the tenant for failure to pay rent for the period covered by the ERAP funds. This does not prohibit eviction for health or safety reasons.

For further reference, below are the following acknowledgements landlords make when signing and submitting an ERAP application:

#### **PAYMENT ACCEPTANCE AND ACKNOWLEDGMENTS FOR LANDLORD**

- I/WE UNDERSTAND THAT WE ARE ONLY ACCEPTING ASSISTANCE FOR AMOUNTS DUE AND OWING FOR PAST RENT OR FOR FUTURE RENT FOR THE TENANT*
- I/We, as applicant, agree to accept the amount paid under the Emergency Rental Assistance program, as payment in full, for all past due rent, including any and all late fees or interest. Landlord agrees to dismiss, with prejudice, any action for forcible entry and detainer.*
- If I/We as Landlord has issued a three (3)- day notice to Tenant, Landlord agrees not to enforce, and to withdraw, the three (3)-day notice until such time as Tenant's eligibility for this program has been determined. If Tenant is not eligible for assistance, Landlord must issue an additional notice to proceed with any eviction.*
- I/We as Landlord agree that, if being paid for future rent, Landlord will not evict the tenant for failure to pay rent. In the event I/we evict the tenant for other legal reasons, I/we agree to return any overpayment of rental amounts to the State of Wyoming*
- I/We understand that any amounts I/we receive under this program are taxable income and must be claimed on my next Federal tax return.*
- I/We understand that amounts we receive under this program may be made public.*

## **Resources**

### **ERAP Website**

For highlevel, general information about ERAP, please visit this link:

<https://dfs.wyo.gov/assistance-programs/home-utilities-energy-assistance/emergency-rental-assistance-program-erap/>

### **ERAP Landlord FAQs and User Guide**

For specific information and helpful hints for landlords and their participation in ERAP, please visit this link:

<https://dfs.wyo.gov/assistance-programs/home-utilities-energy-assistance/emergency-rental-assistance-program-erap/landlords-and-utilities/>

### **ERAP Landlord Specific Email**

As mentioned above, and per request, a landlord specific email has been created. It is [erap-landlord@wyo.gov](mailto:erap-landlord@wyo.gov). Please utilize this email to bring forward any questions or concerns with specific cases you are participating in. **Please remember to include the tenant and/or landlord case number(s) in your email if applicable to the reason you are emailing. It is also helpful if the tenant's case number (also known as the "parent case") is also provided although we can start by cross referencing with the landlord's case number.**

## Community Based Organizations

There are organizations available in each county ready to help eligible households get needed assistance with applications and case management. Please use this link to find the organization in your communities:

<https://dfs.wyo.gov/wp-content/uploads/2022/01/2022-0106-ERAP-CBO-list.pdf>

## Landlord FAQs

In an effort to answer questions from landlords (and utility companies), FAQs were created at the onset of the program. They have recently been updated, and will continue to be updated with any regulation or policy change. The FAQs can be found on the ERAP website, but specifically at this link:

<https://dfs.wyo.gov/assistance-programs/home-utilities-energy-assistance/emergency-rental-assistance-program-erap/landlords-and-utilities/>

## Town Hall Recording

The town hall meeting was recorded and can be accessed [here](#).

## Next Steps

### Second Landlord Virtual Town Hall

Due to the demand from the last meeting and our desire to continue to build relationships with landlords, DFS will be offering two more town halls, April 12th, 1:30-3:00 p.m. and April 13th, 10:00-11:30 a.m. The same information will be provided in both meetings, so you do not need to attend both. Please attend the one that fits best with your schedule. Registration will be required. When registering, please provide topic areas or questions you'd like discussed.

- Register for April 12 town hall from 1:30-3:00 p.m. [CLICK HERE](#)
- Register for April 13 town hall from 10:00-11:30 a.m. [CLICK HERE](#)

We look forward to all of you joining us again, and inviting others that may not have been able to participate in the first discussion.