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LEGAL DESIGN LAB Stanford Law School

Emergency Rental Assistance Program Design Checklist

From program design to implementation and evaluation, the process of launching a local emergency rental assistance (ERA) program is complex and unique to every jurisdiction. Some cities may be well-positioned to deploy a centralized ERA program, while others may be better served by a program that relies on partnerships with community-based organizations. Funding and political priorities will also affect the design and results of a local program.

With these regional and local variations in mind, this resource offers an overview of key considerations in kick-starting an ERA program. It can serve as a checklist of important steps and factors that cities and local leaders should keep in mind throughout program design and implementation. For city leaders or administrators looking to explore program design elements at a deeper level, this brief also highlights relevant tools and resources for further reading.

Contents

This resource was developed by the National League of Cities and the Stanford Legal Design Lab based on partnerships with the five city participants of the Emergency Rental Assistance Technical Assistance Program. Additional resources for local governments implementing or refining an ERA program can be found at nlc.org/resource/emergency-rental-assistance-toolkit.

I. Program Design and Development

i. Initial Program Design

ACHIEVE INTERNAL ALIGNMENT ON PROGRAM SCOPE AND SPECIFICATIONS

Use the questions below to align internal stakeholders (e.g., administrative staff, city council, city manager, city mayor) around key issues and considerations that will inform program design.

Key considerations

- What is the goal or mission of this program?
- What needs should this program prioritize given the local eviction landscape?
- What other services or supports are already in place to meet some of those needs, and where are there gaps?
- What should this program strive to be?
- What is this program not?
- What municipal resources (e.g., funding, departments, personnel) are available to administer this program, and how could those be augmented by community partners or the addition of staff capacity?
- What political or feasibility limitations should we consider?

Related resources

Understanding Your Local Eviction Landscape: A Worksheet for City Officials
(National League of Cities)

Advancing Racial Equity in Emergency Rental Assistance Programs
(National Low Income Housing Coalition, et al.)

Learning from Emergency Rental Assistance Programs: Lessons from Fifteen Case Studies
(Housing Initiative at Penn, et al.)

DETERMINE PROGRAM BENEFITS AND ELIGIBILITY CRITERIA

Stakeholders will also need to achieve alignment and clarity on eligibility for the ERA program, including the level, type and duration of benefits offered. When determining who is eligible to apply, cities and their partners should include eligibility factors such as: income level (% of area median income), geographic limitations and demonstrated impact of COVID-19 on beneficiaries. Partners will also need to develop consensus on any requirements to be made of landlords benefiting from the program.

Key considerations

- How much funding is available for assistance?
  - How will the community balance the competing priorities of serving a large number of households vs. serving fewer households at a greater level of assistance?
- What are the eligible uses of the funding source(s)?
- What are the eligibility criteria defined by the funding source(s)?
- How can the program better target households and individuals with the greatest level of need?
  - What disparities exist in poverty and eviction risk across race, income level and geographic area?
- What are the local needs the program should address (e.g., back rent, future rent, utility payments, moving costs)?
- What are the current economic and housing market conditions in the community (e.g., median rent for low-income renters, average back rent owed)?

Related resources

Best Practices for State and Local Emergency Rental Assistance Programs
(National Low Income Housing Coalition)

Using CDBG Emergency Payments for Rental Assistance in Coronavirus Responses
(U.S. Department of Housing and Urban Development)

Administration of the Federal Emergency Rental Assistance Program: Considerations for State Agencies
(National Council of State Housing Agencies)

DEVELOP A BRIEF, PUBLIC-FACING PROGRAM SUMMARY

Once program details have been finalized across internal stakeholders, develop a one-to-two-paragraph description that can serve as the backbone for outreach materials, such as a program webpage or promotional materials.

Key considerations

- Explain what the program is, why it was created, whom it seeks to serve and how it works.
- This description can be general because it will later be supplemented with more specific information related to eligibility criteria, benefits and the application process.
- Use plain language to describe the program and benefits available, not jargon.

ii. Program Administration and Coordination

DEVELOP A SIMPLE PROGRAM APPLICATION

When developing an application for assistance, make every effort to keep it simple and accessible to residents while meeting the basic requirements of the funding source(s).

Key considerations

- Streamline the application and minimize the burdens for applicants as much as possible.
  - Limit the required documentation.
  - Employ self-attestation or fact-based proxies for requirements such as household income and the impact of COVID-19 on applicants.
- Develop an easy, accessible process for applicants to submit the application.
  - As application processing capacity allows, offer the application as a downloadable, fillable form and in hard copy.
  - Allow submission through a file-upload system or via email, in addition to accepting a hard copy of an application through mail or drop-off.
  - If possible, offer over-the-phone application submission.
- Ensure that application materials are available in the community's top-spoken languages.
- Use plain, user-friendly language throughout the application to limit confusion and applicant questions.

Related resources

[Guidelines for ERA Program Online Applications]
(U.S. Department of the Treasury)

[ERA Resource Hub: Application Examples & Prioritization Examples]
(National Low Income Housing Coalition)

[Example Flow for ERA Program Online Applications]
(U.S. Department of the Treasury)

ESTABLISH AN EFFICIENT PROCEDURE FOR APPLICATION PROCESSING AND REVIEW

Ensure a swift and efficient end-to-end process encompassing the following steps: intake of applications; review of applications for compliance with key criteria; applicant follow-up and notification; and hand-off to payment of emergency rental assistance to eligible applicants.

Key considerations

- How will applications be processed? (E.g., via a points-based system, standard first-come/first-served, shortlisted first-come/first-served, weighted lottery)
- In what cases will direct payments to the tenant be allowable, instead of payments going to landlords?
- What will be the process for following up with applicants to gather missing documents?
- What information on application status will be available to tenants and landlords?
- How will the process avoid or address duplication or “doubling up” of benefits to individual households?
- What additional forms of assistance or referrals can be provided to residents who submit applications that are deemed ineligible or who may still have unmet needs even after receiving assistance?

Related resources

Prioritization in Emergency Rental Assistance Programs:
A Framework of Strategies, Policies, and Procedures to Better Serve Priority Populations
(National Low Income Housing Coalition)

Implementing Fact-Specific Proxy in ERA Programs:
Key Considerations and Lessons Learned
(National Low Income Housing Coalition)

Guidelines for Fact-Specific Proxies
(U.S. Department of the Treasury)

ESTABLISH AND DOCUMENT PROCEDURES FOR SWIFT PAYMENT PROCESSING

The payment process for emergency rental assistance must adhere to federal guidance, while prioritizing flexibility and prompt disbursal of payments to households experiencing housing instability.

Key considerations

- Establish a payment process that reflects the urgency of imminent eviction fillings and judgments, as well as informal evictions that can result in tenants becoming homeless overnight.
  - If the city is disbursing ERA, coordinate a meeting with the city's finance department early to establish responsive policies for getting assistance to tenants and landlords quickly.
  - If community-based organizations are supporting application processing and payment, consider establishing a process by which the city's finance department provides reimbursements to the organizations shortly after payments to tenants and landlords have been satisfied.
  - Consider a payment process that allows for direct-to-tenant payments if a landlord is unwilling to participate.
  - To effectively support unbanked or underbanked tenants, diversify payment options via alternative methods such as pre-paid cash cards or debit cards, and reach out to local financial institutions to arrange no-fee (or low-fee) check cashing services for the program.
- Provide transparency around the payment process to both tenants and landlords.
  - Develop outreach materials (paper-based and digital) that offer clarity about when and how applicants will receive payment.
  - Provide periodic updates to applicants on the status of their disbursement by phone, text message or e-mail.
  - When applicable, choose an electronic application system that provides applicants with updates on the disbursement of their assistance in real time.

Related resources

Direct-to-Tenant Payment Implementation:
Increasing Flexibility and Equity in Emergency Rental Assistance Programs
(National Low Income Housing Coalition)

5 Strategies to Better Serve Unbanked Tenants
(National League of Cities)

DEVELOP HELPFUL RESOURCES FOR APPLICANTS

In addition to developing a webpage housing the application and program information, aim to provide additional information and assistance to potential applicants in a range of formats. This will help ensure that more applications are completed properly with minimal follow-up by staff.

Key considerations

- Consider developing a range of resources for applicants including:
  - Checklist of documentation required for application
  - Frequently asked questions document
  - Overview or visualization of the application process and anticipated timeline
  - "How-to" video demonstrating the application process, step-by-step
  - Self-attestation forms
  - Instructions for how to receive additional assistance with the application process or how to reach out with questions
  - Referral list for other organizations that may provide additional assistance if an applicant is ineligible for ERA
- Ensure that all materials are culturally relevant and informed by racial equity.
  - Provide materials and application assistance in all top-spoken languages.
  - Partner with community-based organizations to vet and provide feedback on program-related resources.
- Improve accessibility of assistance by providing resources in a range of formats, both digital and hard copy.

Related resources

Example Forms
(U.S. Department of the Treasury)

Culturally and Linguistically Competent Outreach
(U.S. Department of the Treasury)

iii. Promotion and Outreach Planning

DETERMINE OUTREACH STRATEGY AND TACTICS

A comprehensive outreach strategy will help ensure that emergency rental assistance goes to tenants and landlords who are most in need. Outreach approaches can include: community events, digital promotion, paper-based resources, direct outreach or advertising, and community partnerships.

Key considerations

- Reach residents where they are by conducting outreach through a range of platforms, both online and in-person.
- Plan to develop both digital and paper-based promotional materials in top-spoken languages.
- Prioritize outreach to the most vulnerable populations, regions or neighborhoods based on level of need and historic inequities.
- Use trusted messengers (including neighborhood-based leaders) to communicate about the program.
  - Build on existing partnerships with culturally relevant community organizations who can help with outreach, or forge new relationships with local organizations.
- Make the most of existing outreach systems for reaching priority communities or expand staff capacity by hiring housing navigators.

Related resources

Eviction Prevention: A Guide for Local Governments
(National League of Cities)

Emergency Rental Assistance Outreach
(Local Housing Solutions)

Reaching Priority Populations through Emergency Rental Assistance Programs in Response to COVID-19: Lessons from Chicago, Illinois
(Government Performance Lab)

DEVELOP AN ONLINE PROGRAM WEBPAGE

Create an easily navigable online landing page for the program within the city government or departmental website by building upon your program summary.

Key considerations

- The program page should include:
  - A high-level, easily understandable summary of the program
  - Details on who is eligible to apply
  - Description of available assistance
  - List of documents required for the application
  - Clear direction on where and how to apply
  - Details on when and where applications are being accepted
  - Resources available to assist residents with the application process
  - Additional resources available for ineligible residents

Related resources

Guidelines for Program Web Sites (U.S. Department of the Treasury)

Eviction Help Webpage Guide (Stanford Legal Design Lab)

ERA Resource Hub: Outreach Materials (National Low Income Housing Coalition)

DEVELOP PROMOTIONAL MATERIALS

Promotional materials for the program may include: digital and paper-based resources; direct outreach or advertising; or materials for partners to support their outreach and promotion efforts.

Key considerations

- Design and develop materials to have a similar "look and feel" to bolster recognition across the community by using consistent color schemes, fonts, design styles and messaging.
  - Use free tools such as Canva to create easily editable materials that adhere to the size and layout specifications of various platforms.
  - Include clear, brief and consistent phrasing and messaging.
  - Minimize text or excessive details and use jargon-free, compelling messages while directing readers to the program website and other resources for information.

- Develop promotional materials that can be used across a range of platforms — both digital and in-person — to reach the broadest possible audience, including:
  - Digital promotional materials such as: webpages; graphics and content for social media (e.g., Facebook, Instagram, Twitter, Nextdoor, TikTok, YouTube)
  - Paper-based resources such as: brochures; fact sheets; mailers; postcards; flyers; cards with QR codes
  - Direct outreach or advertising such as: scripts for public service announcements (PSAs); phone outreach and robo calls; SMS alerts; newspaper; TV; and radio advertising
  - Materials for partner organizations such as: blurbs and other information for partner newsletters or webpages; flyers; sample social media content
- Ensure that materials are culturally relevant, informed by racial equity and available in multiple languages.
  - Consider which households might be the "hardest to reach" in your community and evaluate whether planned materials will be relevant and accessible to them.
  - Analyze available data about the tenant community to identify trends, and target outreach based on factors such as location, demographics, internet access and language.
  - Develop materials tailored for both tenant and landlord audiences.
- Equip community partners and other community-based organizations (e.g., libraries, faith-based organizations and hospitals) with relevant materials and messaging.
  - This might include: posters and flyers for on-site promotion; brochures; mailers; QR codes; and additional paper-based materials to be distributed in-person.
  - Provide a 1-2 paragraph description of available assistance for partners to include in email and print newsletters, on organization websites, and to inform staff communications.

Related resources

Housing Insecurity Media Toolkit: Emergency Rental Assistance Resources
(Consumer Financial Protection Bureau)

Social Media Outreach Toolkit for Eviction Prevention
(Stanford Legal Design Lab)

ERA Resource Hub: Outreach Materials
(National Low Income Housing Coalition)

II. Pre-Launch and Launch

☐ WORK WITH THE COURT SYSTEM TO PROMOTE REFERRALS AND DUE PROCESS FOR RESIDENTS

The relevant local, state, or county court system can be a critical source of referrals for landlords and tenants facing the prospect of eviction, as well as an essential partner in preventing housing instability. Engage with judges and court staff early and often to stay aligned and to ensure that the court and individuals actively facing or filing for evictions have accurate information about available assistance.

Key considerations

- Ensure that judges, clerks and court staff have a clear understanding of the resources available to tenants and landlords, are aware of the process for obtaining ERA and know where to direct people for help.
  - Provide court personnel with promotional and informational materials for relevant resources, including flyers and cards with QR codes that direct to the program webpage.
  - Encourage court clerks and court staff to share program information before, during and after eviction filings with landlords and tenants.
  - Provide regular updates to court personnel about changes related to the process or program requirements, average processing times, availability of funding, and additional eviction prevention measures.
- Encourage judges to follow due process requirements, ensuring adequate opportunity for both tenants and landlords to prepare for hearings and present their case.
- Encourage court officials to follow national eviction diversion standards, including screening for litigants who are in ERA queues, and courts' issuance of motions that stay cases until a decision on an open ERA application has been made.
- Pursue a data-sharing agreement between the court and the ERA program to enable program administrators to quickly reach households at risk of eviction and to support ongoing program evaluation efforts.
- Work with court staff to ensure that court summons and other eviction-related court documents are user-friendly and proactively direct recipients to available resources.
- Invite relevant judicial stakeholders to participate actively in the city's broader eviction prevention efforts through attendance at regular taskforce meetings, planning sessions or community events.
  - Remember that court staff are often on the front lines of eviction cases and can be crucial partners in preventing housing instability across the community.

Related resources

[Resources for Courts](#)
(National Center for State Courts)

[Court Initiatives on Eviction Prevention](#)
(Stanford Legal Design Lab)

[10 Guidelines to Aid Tenants and Landlords in Eviction Crisis are Adopted by the ABA House](#)
(ABA Journal)

PARTNER WITH AND BRIEF LOCAL NONPROFITS, SERVICE PROVIDERS, COMMUNITY PARTNERS AND THE LANDLORD COMMUNITY

Front-line service providers, community-based organizations and landlords themselves should be equipped with specifics about available assistance prior to program launch so they can effectively refer households at risk of eviction.

Key considerations

- Provide ERA program information to social service providers, legal aid providers, tenant help lines, community-based organizations (e.g., culturally diverse community groups and faith-based organizations) and other nonprofits.
  - Share key information such as eligibility standards and application requirements, available benefits, the dates of open application windows, and an overview of the application process.
- Be prepared to direct households to resources from non-municipal organizations that can provide additional assistance or in the case of a denied ERA application.
  - Establish a method for regular check-ins with other service providers regarding program updates and opportunities for improved alignment of services.
- Connect with the landlord community though local landlord associations, meetings with large property owners and community events to share information about available assistance.
  - Coordinate with existing city initiatives or information repositories that serve landlords, such as Neighborhood Services teams and small businesses initiatives.
  - Ask landlords who have had a positive experience with ERA to share written testimonies that can be used in promotional materials shared with other landlords.
  - Provide a clear point of contact or channel for communication and feedback related to ERA for landlords.

ROLL OUT AND ANNOUNCE THE PROGRAM

Deploy clear, consistent messaging to announce the program and share information about the assistance available to residents in need of financial support.

Key considerations

- Coordinate with website developers and communications staff to ensure a smooth roll-out and to rapidly address any glitches or bugs with the webpage or application.
- Notify local news outlets (e.g., newspapers, TV and radio stations) with a press release or launch event, share relevant resources, and offer interviews with city leaders.
- Partner with community-based organizations, elected officials and landlord associations to host pop-up booths and information-sharing events.
- Complement in-person events and news coverage with direct mailers to households in high-need areas, posted flyers, paid ads and social media promotion of the program.

III. Reporting and Data Collection

ADHERE TO REPORTING REQUIREMENTS

COVID-19-related ERA programs funded by U.S. Department of the Treasury (e.g., ERA1 or ERA2) and U.S. Department of Housing and Urban Development grants (e.g., CDBG-CV) generally require the submission of quarterly compliance reports.

Key considerations

- Review the most up-to-date reporting requirements and guidance for the relevant funding source(s) prior to finalizing program design to ensure that eligibility and data tracking specifications will be met.

Related resources

Reporting Guidance
(U.S. Department of the Treasury)

ERA Reporting Guidance v 3.2 (Updated March 29, 2022)
(U.S. Department of the Treasury)

Program Rules, Waivers, and Alternative Requirements Under the CARES Act for CDBG-CV Grants, FY 2019 and 2020 CDBG Grants, and for Other Formula Programs
(U.S. Department of Housing and Urban Development)

COLLECT AND ANALYZE TIMELY DATA FOR PROGRAM EVALUATION AND REFINEMENT

Negotiate data-sharing agreements across partners, institute sound data collection practices, and leverage open data sources to track progress on eviction prevention efforts over time.

Key considerations

- Coordinate closely with courts and service providers to improve access to digital, up-to-date data and forge alignment on data standards.
- Categories and types of data cities should seek to collect and analyze over time include:
    - Court data on eviction lawsuits:
        - Annual eviction filing rate and total numbers
        - Share of filings for non-payment of rent, lease violations and for other reasons
        - Share of landlord wins in court cases
        - Share of cases resolved without the tenant appearing in court or other defaults
        - Average amount of unpaid rent or months in arrears
        - Estimated number of informal evictions taking place outside the court system
    - Use of legal services in evictions:
        - Share of tenants who appear in court without a lawyer
        - Share of tenants who connect with legal aid groups or legal self-help centers
        - Variance in court and housing outcomes between tenants who have and have not received legal assistance
    - Demographics and location of evictions:
        - Demographics of groups most likely to face eviction (e.g., race, ethnicity, age, gender, income bracket, household size)
        - Geographic areas or housing units with the highest eviction rates
    - Landlord details:
        - Share of landlords who have filed evictions
        - Landlord types and locations (e.g., "mom and pop", out-of-state, large property management companies)
    - Eviction outcomes:
        - Share of eviction judgments that result in setouts or forceful removals
        - Housing stability status or rate of homelessness for people who have been through an eviction lawsuit
        - Rate of refiling for eviction by particular landlords against the same tenant
    - Open data sources may be available to supplement local or regional data systems.

Related resources

Data on Evictions and Housing
(Stanford Legal Design Lab)

Foreclosure and Eviction Analysis Tool
(New America)

The Eviction Tracking System
(The Eviction Lab at Princeton University)

ALIGN WITH STAKEHOLDERS TO DEVELOP A LONG-TERM STRATEGY FOR LOCAL EVICTION DATA

Coordinate with relevant local and regional partners to explore how to forge a coordinated strategy for capturing and tracking data on an ongoing basis.

Key considerations

- What is the current state of local eviction data?
  - How accessible is eviction data?
  - What type of data is available, and how granular is it?
  - What laws, regulations or policies are in place to maintain privacy and guard against misuse?
  - Is there political will for building or improving on local data systems?
- What systems and resources are already in place or could be built on for the collection, stewardship and analysis of eviction data?
- What additional data and analysis would be beneficial for data-driven, equity-focused decision-making and policy development?
- What data-sharing agreements or alignment of data standards are possible across governmental and community-based partners?

Related resources

Recommendations for Creating National and Local Eviction Data Systems
(New America et al.)

Foreclosure and Eviction Analysis Tool: A Step-by-Step User Guide
(New America)

Open Eviction Data and Tool Resources
(Stanford Legal Design Lab)

IV. Additional Steps and Considerations

☐ **IMPLEMENT A FEEDBACK LOOP FOR PROGRAM AND PROCESS IMPROVEMENTS**

Should collect and act on feedback and program data to continually improve outreach, targeting, application processing, payment systems and user experience.

Key considerations

- Establish clear and direct channels for program staff, other government staff, court staff, community partners and applicants to provide feedback and recommendations for improving the ERA program.
  - Host community roundtables and regularly dedicate time at eviction prevention taskforce meetings to collecting feedback.
  - Share brief surveys that take no more than 5 minutes to complete with ERA recipients directly via text, email or phone.
- Regularly revisit available program data to determine whether assistance is effectively reaching high-need households. Prioritize data on:
  - The race, ethnicity, age, primary language spoken, and geographic location of households served, relative to averages for high-need households in your region
  - The share of extremely low-income, very low-income and low-income households served
  - The share of available funds that have been dispersed
  - The degree to which applicants are consistently "getting stuck" at a particular stage in the application
  - Areas and categories where evictions are being filed at a high rate (e.g., in specific neighborhoods, or by specific property owners)
  - The degree to which the needs of eligible households are being fully met and whether they remain stably housed
- Adjust or implement additional outreach and processing strategies to better reach households the ERA program is not reaching. Possible activities include:
  - Provide information about the ERA program in local libraries, recreation and community centers, and schools
  - Engage community-based organizations to serve as trusted messengers
  - Expand the languages used to provide program information, materials and assistance
  - Deploy door-to-door outreach in priority neighborhoods
  - Focus paper-based materials on areas with limited internet access
  - Minimize required documentation and take other steps to streamline the application process
  - Offer additional hands-on assistance for completing an application (e.g., over-the-phone assistance or in-person help at locations convenient to applicants)

CAPTURE SUCCESS STORIES FOR PROGRAM PROMOTION

Foster relationships with individuals who have positive experiences with the emergency rental assistance process and good outcomes and invite them to be program ambassadors for the local landlord and tenant communities.

Key considerations

- Build in processes that enable follow-up with clients and ERA recipients to identify success stories (e.g., tenants who remain stably housed as a result of ERA program, landlords who have a positive experience with payment processing, and joint tenant/landlord relationships that are improved).
- Ask both tenants and landlords to author brief testimonials about their experience with ERA program.
  - Use stories and quotes in promotional materials (e.g., fliers, social media content) and particularly in presentations to tenant or landlord groups.

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