



# Delaware Housing Assistance Program (DEHAP)

## Program Guidelines

REV May 2, 2022

Delaware State Housing Authority  
18 The Green, Dover, DE 19901  
1-866-935-0407



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## Application Process

Either the renter household or the landlord can initiate an application. Documentation is required from both the tenant and the landlord, so we encourage tenants and landlords to be in communication with each other before applying.

The application portal will start with several pre-qualification questions to help determine potential eligibility.

All applications must be submitted via the online application portal. Documents or applications submitted via email, mail, fax or other means will not be accepted. Assistance is available from community partners to help households who need assistance submitting an application. Community partners are listed on the [www.decovidhousinghelp.com](http://www.decovidhousinghelp.com) website under Application Assistance.

## Assistance Available

DEHAP can cover arrears for rent, utilities (if stated in the lease) that are due to the landlord from April 2020 – present, up to 15 months to ensure the household's housing stability. The maximum amount of rental assistance per household is up to \$2,000 per month. The maximum amount of total utility assistance per household is up to \$1,500 per month with a total maximum of \$22,500 in utility assistance. The 15-month rental assistance is treated separately from the 15-months of assistance allowed for utilities. For instance, a renter applicant who has met their 15-month limit for rental assistance can also apply for another 15-months of utility assistance even if the rental household is not in the arrears on the rent.

Effective March 1, 2022, an additional 3 months of rental and/or utility assistance (for a total maximum of 18 months) can be provided if a household is still in need of assistance and continues to meet all DEHAP eligibility requirements.

Arrears from before April 1, 2020 cannot be paid by DEHAP. Late fees and court fees, if stated in the lease, may also be covered. Late fees for the period covered by the State of Emergency (March 24, 2020 – July 13, 2021, during which late fees were prohibited, cannot be paid by DEHAP. Fees that are stated in the lease may also be covered.

A renter household does not have to be in arrears to apply. DEHAP can pay up to three months in advance from the time of application processing. The renter household must reapply for additional months.

DEHAP cannot pay for hotel or motel stays.

## Eligible Households

Eligible renter households must have:

- 1) One or more individuals qualified for unemployment OR experienced a reduction in income, incurred significant costs, or experienced other financial hardship due directly or indirectly to the pandemic; AND
- 2) Risk of experiencing homelessness or housing instability, which may include past due utility or rent notice or eviction notice, housing cost burden (rent is more than 30% of monthly income), or any member of the household has experienced homelessness since March 13, 2020; AND
- 3) Income (either 2020 or 2021 annual income or current income at time of application) at or below 80% of Area Median Income for the county of residence according to the below table:

Maximum Income Eligibility for the DEHAP Program						
80% Area Median Income (AMI)						
County	1 person	2 person	3 person	4 person	5 person	6 person
New Castle	\$59,050	\$67,450	\$75,900	\$84,300	\$91,050	\$97,800
Kent and Sussex	\$52,000	\$59,450	\$66,850	\$74,300	\$80,250	\$86,200

## Utility Assistance

Utility and home energy cost are expenses related to the occupancy of rental property. Eligible renter households may apply for assistance to cover past due and current utility balances that were incurred beginning April 2020 and may receive up to 18 months of assistance (months are not required to be consecutive) the existence of 12 months of arrears evidences the need for additional assistance to ensure housing stability. Eligible utility expenses include water, waste, gas and electric and must be separately stated.

Before utility assistance can be approved, the renter applicant must submit documentation of their utility arrearage. Acceptable documentation may consist of monthly utility bills, or a ledger showing past utility charges from the most recent billing period. Only charges incurred in April 2020 or later are eligible for assistance and only past due and current utility charges are eligible for assistance. Future utility charges are not eligible for assistance. For instances where the past due amount is a lump sum, the amount of months may be determined by using the DEHAP Utility Calculator in the RentRelief portal (See Appendix A). The utility calculator takes the most current bill, current amount due, total past due amount to auto calculate number of months eligible for utility assistance.

Telecommunication services (telephone, cable) delivered to the rental dwelling are not eligible for utility assistance. Utilities that are in the landlord's name but due from the tenant will be treated as rent. Renter applicants residing in properties owned by Public Housing Authorities or who are participants in the Housing Choice Voucher Program (HCVP) will have their utility allowance deducted from existing arrearage to calculate allowable assistance per Treasury rules.

## Security Deposits

Security deposit assistance will be available to eligible applicants who are securing new housing in connection with DEHAP. Eligible renter applicants will receive up to one month's rent to be used for security deposit and may be approved at the same time for the equivalent of three month's forward-facing rent for the unit. In cases where a renter applicant is awarded this type of assistance, the security deposit, or any portion thereof, may be paid to the applicant under the terms of the lease and applicable law when the rental housing is vacated.

In order to obtain a security deposit and up to three month's forward-facing rent, a prospective landlord/property manager must agree to:

- 1) Execute a lease based on a pre-qualification letter submitted to the renter applicant demonstrating that they have a unit available that they are willing to lease pending the renter applicant's ability to secure this assistance in the form of security deposit and three months of forward-facing rent from DEHAP;
- 2) Applicant must secure unit within 90 days of receiving their commitment letter;
- 3) The lease from the landlord/property manager must include address of unit, date the lease agreement will begin, monthly rent rate and term of the lease (six month minimum)

## Other Eligibility Topics

### Previous recipients

Previous Recipients of DEHAP assistance under the previous versions of the program (March 2020 – January 2021) may apply again for arrears or rent not previously covered by DEHAP. As the eligibility requirements and documentation has changed, previous recipients must apply again. Previous assistance from DEHAP under the earlier versions of the program does not count towards the maximum of 18 months of assistance. Utilities due to the landlord and fees from months already paid by previous version of the program cannot be requested.

### Owners of Manufactured Homes on Leased Land

Lot rent in a manufactured home community is considered rent and can be covered by DEHAP if other eligibility and documentation requirements are met.

### Landlord and Tenant in Same Unit/Renting a Room

If the tenant and landlord live in the same home, additional documentation of past rent payments is required.

### Other Rent Subsidies

Residents who are receiving federal or state rental assistance subsidies and meet other program requirements are eligible for DEHAP for assistance with the tenant portion of the rent. If they have not already, tenants should also pursue income recertification and rent adjustment if their income has changed.

### Rent-to-Own

Applicants who have a rent-to-own/lease-to-purchase agreement on their unit are eligible for DEHAP assistance, as long as they do not currently have ownership interest in the property.

### Current Residency

The primary goal of DEHAP assistance is to help tenants regain housing stability and remain in their unit. However, we understand in certain circumstances a tenant may unexpectedly leave a

unit while a DEHAP application is pending. DEHAP can provide rental assistance when a tenant is no longer in a unit if BOTH of the following are true:

- There was no active eviction filing at the time of moveout; and
- The application was submitted by the tenant before the tenant left the unit.

## Required Documentation

The following documentation is required from the renter household:

- 1) Identification;
- 2) Income documentation;
- 3) Documentation of eligibility for unemployment benefits, if available, or self-attestation of COVID-19-related financial hardship (completed within the application portal); and
- 4) Lease

And from the landlord:

- 1) Completed W-9;
- 2) Account confirmation for use of direct deposit; and
- 3) Rent ledger or past due statement, detailing months due, rent paid, and including the tenant name and address.

### **Additional detail on all of these items follows.**

The renter household will need to provide:

1. **Identification for Head of Household and household member with COVID-19 impact, if not head of household.** Any of the following may be used as acceptable ID:
  - Government issued driver's license or identification card
  - U.S. Passport
  - Resident Alien Card
  - Temporary Resident Identification Card
  - Any other documentation also accepted by the [DE Division of Motor Vehicles](#), or
  - A recent (<60 days) piece of official mail (such as bank statement, utility bill, or pay stub) with name and current address
2. **Income documentation for all household members 18 years of age or older.** Such documentation may include any of the following, listed in order of most to least preferable:

- If the property is located in a Qualified Census Tract (See Appendix B) a Self-attestation from the tenant is acceptable in lieu of providing income documentation.
- Documentation of calendar year 2020 or 2021 household income: 2020 or 2021 IRS tax returns, Form 1040 or 1040A, or W-2s
- Documentation of categorical eligibility through a determination letter dated on or after January 1, 2020 from a local, state, or federal government assistance program. Such programs may include Housing Choice Voucher, SNAP, TANF, LIHEAP, WIC, Head Start, and SSI;
- Documentation of all sources of current household income for the last 30 days, including but not limited to: paystubs, self-employment income, unemployment benefits, Supplemental Security Income (SSI), alimony and child support, Social Security, and pensions;
- -OR a Self-attestation from the tenant is acceptable in lieu of providing income documentation only under circumstances where the renter household has zero income, receives cash only payments, and/or COVID-19 impact.

***Calendar year 2020 or 2021 income documented with Federal income tax returns is the preferred method of verifying income eligibility.***

If tax returns are not available and household is providing documentation of current income, the household may self-attest to sources of income for which documentation is not available.

If a household has zero income, the household must provide an attestation that they have zero income and information on how it is meeting expenses.

If a household qualifies based on income for the last 30 days, it must recertify income eligibility every three months for the duration of assistance.

### **3. Documentation of COVID-19-related financial hardship.**

- Confirmation of eligibility for or receipt of Unemployment Benefits (must include tenant's name/identifying information), such as Statement of Monetary Determination or other statement from the Department of Labor; OR Self-attestation of COVID-19-related financial hardship.

### **4. Copy of signed lease.**

- Lease may be expired, but must include current rent amount, or a renewal or addendum with current rent also provided.
- Tenants requesting assistance for utilities owed to the landlord must also include bills for these utilities.
- Eviction notice
- All adults listed on the lease must be included on the application.

- All persons over the age of 18 who reside in the unit must be included on the application and income documentation provided.
- If there is another adult on the lease who no longer resides in the unit, tenant must provide signed Self-Certification of Household Members.
- Non-resident co-signers' income will not be included.
- If there is no lease, evidence of 2 months of payments and proof of residency using one of the documentation options below is required
  - Utility Bill
  - Credit Card Statement
  - Auto or Life Insurance policies
  - Voter Registration Cards
  - Bank Account Records
  - Employment Records
  - U.S. Postal Service change of address confirmation form/postmarked mail with forwarding address label
  - OR – Documentation from the court that your landlord has initiated court proceedings, such as the Complaint or Summons.
- If a new lease agreement is pending between the tenant and the landlord, all parties must agree to a minimum occupancy of six (6) months. The program may provide a pre-qualification letter for rental assistance to the renter applicant to demonstrate eligibility and participation in the program with the landlord. The renter applicant must secure a unit within 90 days of receiving the pre-qualification letter (See Appendix C).
- When the landlord and tenant live in same unit, past rent receipts or other documentation of past payment within the past 2 years is required. If an applicant is receiving other rental assistance such as a Housing Choice Voucher, lease documentation must include the tenant portion of the rent

**The landlord will need to provide:**

1. W-9 form (completed and signed – by landlord)
2. Direct deposit information and account information confirmation through Yardi's Account Validation portal.
3. Rent ledger or past due statement detailing months due, rent paid, and including the tenant name and address.

If in DSHA's determination documents submitted in any application are inconsistent, discrepant, incomplete or otherwise need further clarification needed to support the documents submitted in any application, then other documentation, as determined by DSHA,



may be required from the landlord, tenant or both in order to verify ownership of the property, proof of residency, or proof of landlord/tenant relationship.

## Applicant Processing and Eligibility Timeline

If the application is incomplete and edits or additional documentation is needed, applicants will be contacted three times by any of the following methods: email, text and phone to notify them of items needed. If there is no response, they will be contacted one additional time by phone. Applicants will have up to seven (7) days from the date of the first notice to provide all required documentation or the status of their application will be moved to Denied No Appeal – Withdrawn: Missing Documents due to incomplete and/or missing required documentation.

The applicant may reinstate their application by logging into the portal and initiating a Recertify and including the missing documents. Prior documents listed on the case will be automatically copied to the recertify case. Any required documentation previously submitted by the tenant can be used if it is still current.

## Payments

DSHA will make a payment directly to the property owner/manager. Payments are made at least once a week. Direct deposit is strongly encouraged. Checks may take longer to process and must be mailed to the entity/address listed on the W9.

The portal will request ACH/direct deposit information to make this payment. This must include the account holder's name, routing number and account number and be a document issued by the bank. All utility payments will be made by check.

The renter household will be provided with documentation of payments made on their behalf.

If payment is received that is no longer due (for example, future rent was paid and tenant moved out unexpectedly), the unused amount must be returned to DEHAP. Payment, including reference to associated case number, should be made to:

Delaware State Housing Authority, ATTN: DEHAP  
18 The Green  
Dover, DE 19901

## Direct Assistance to Tenants

Participation is required from both the landlord and tenant in order to receive DEHAP assistance. In some cases, tenants may be paid directly if their landlords refuse to participate in program after multiple outreach attempts: at least three attempts by phone and email over a five-calendar day period, or if the landlord confirms in writing that they do not wish to participate. As in all cases, both the tenant and landlord will receive a notice when a case is approved.

## W-9 and Tax Questions

The W-9 should be completed with the Tax ID for the entity that receives payment and manages taxes for the income on the unit. In some cases, this may be a property management company. In these cases, the W-9 should be completed with the property management company's Tax ID and signed by the property manager.

For individual owners, their Tax ID is their SSN. The W-9 must be signed. Rent paid by DEHAP is taxable income to the landlord/owner, who will receive a 1099 from DSHA.

## Prioritization

As required by the federal Emergency Rental Assistance (ERA) guidelines, applications where the renter household's income is below 50% of Area Median Income (AMI) or at least one household member has been unemployed for more than 90 days will be prioritized for review. Applications where there is an active eviction filing will also be prioritized for review. Applicants who notify DEHAP via the call center (866-935-0407) of an upcoming utility shutoff notice may also be prioritized for review.

## Terms and Conditions for Landlords

If a landlord accepts DEHAP assistance, they are agreeing to not evict the tenant due to non-payment of rent for the period covered by DE HAP payment and waive arrears from before the period covered by DE HAP payment. Other arrears may be addressed in a stipulated agreement reached through the Courts.

The maximum rent DEHAP can pay is \$2,000/month. If rent over this amount is due, the application is not ineligible but the maximum amount paid by DEHAP will be \$2,000/month.

## Appeals

Applications will be deemed ineligible if:

- Applicant or co-applicant cannot provide third-party verification of occupancy of the unit (such as a lease, utility bill, or other third-party documentation)
- Applicant is subleasing the unit
- Applicant does not provide supporting documentation necessary to determine compliance with the eligibility requirements and support of amount of assistance required.

Applicants deemed ineligible for any reason, including those listed above, will have the opportunity to provide further detailed information about and explanation of any extreme extenuating circumstance in support of eligibility for assistance as part of the Appeals process, described below.

Upon determination of ineligibility and denial of assistance, an applicant will be sent a notice by email stating the reason for the determination. The notice will include the process by which an applicant can appeal the determination and the time in which to do so.

In order to appeal a determination of ineligibility, an applicant may log back into their application and submit an appeal. The appeal should explain in detail the reason(s) an applicant believes the denial was in error or the extenuating circumstances the applicant believes should support the receipt of DEHAP assistance. An applicant will be contact for further follow-up only if necessary, in order to make a determination.

## Appendix A: 2021 Qualified Census Tracts

The United States Department of Housing and Urban Development (HUD) state that Low-Income Housing Tax Credit (LIHTC) Qualified Census Tracts (QCTs) must have 50 percent of households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of 25 percent or more. Each year, HUD is statutorily mandated to designate QCTs for the purposes of outlined under Internal Revenue Code (IRC) Section 42.

### Qualified Census Tracts

COUNTY	TRACT ID												
<b>KENT</b>	413.00	414.00											
<b>NEW CASTLE</b>	3.00	4.00	5.00	6.01	6.02	9.00	16.00	21.00	22.00	23.00	24.00	26.00	
	27.00	29.00	30.02	123.00	129.00	144.02	145.01	145.02	154.00	155.02			
<b>SUSSEX</b>	503.01	505.03											

### Qualified Census Tracts by Zip Code

Kent County	New Castle	Sussex County
19901	19711	19947
19904	19713	19933
	19717	19950
	19801	
	19802	
	19803	
	19804	
	19805	
	19806	

19807

19720

**Additional Supplemental Resources**[Federal Register Vol. 85 HUD Mandatory Designation of QCTs](#)[2021 Qualified Census Tracts](#)[HUD Maps of 2021 Qualified Census Tracts](#)

## Appendix B: Pre-Qualification Letter

**Date****Subject:** DEHAP RentRelief Approval for Security Deposit and the First 3 Month's RentDear **-Renter Applicant-**,

We are in receipt of your recent application to DEHAP RentRelief. Your application has been successfully submitted and you qualify for assistance with a security deposit and the first 3 month's rent pending your ability to secure a unit.

You will have 90 days from the date of this letter to secure a unit utilizing this assistance. You should print out this letter and show to a potential landlord as evidence of your ability to provide a required security deposit and first month's rent. A signed lease (for a minimum of 6 months) and landlord agreement to participate in the program will be required in order to execute payment to the landlord. This approval is subject to funding and we reserve the right to re-evaluate income and COVID need. Please have a prospective landlord call 866-935-0407 to learn more about the terms of the program.

Sincerely,

DEHAP Rental Assistance  
18 The Green  
Dover, DE 19901