AN ACT

Amending the act of April 9, 1929 (P.L.343, No.176), entitled "An act relating to the finances of the State government; providing for cancer control, prevention and research, for ambulatory surgical center data collection, for the Joint Underwriting Association, for entertainment business financial management firms, for private dam financial assurance and for reinstatement of item vetoes; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth, authorizing the Commonwealth to issue tax anticipation notes to defray current expenses, implementing the provisions of section 7(a) of Article VIII of the Constitution of Pennsylvania authorizing and restricting the incurring of certain debt and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or
collect taxes, or to make returns or reports under the laws
imposing taxes for State purposes, or to pay license fees or
other moneys to the Commonwealth, or any agency thereof,
every State depository and every debtor or creditor of the
Commonwealth," in emergency COVID-19 response, further
providing for definitions and for Mortgage and Rental
Assistance Program.

The General Assembly of the Commonwealth of Pennsylvania
hereby enacts as follows:

Section 1. The definition of "eligible landlord" in section
190-C of the act of April 9, 1929 (P.L.343, No.176), known as
The Fiscal Code, added May 29, 2020 (P.L.186, No.24), is amended
and the section is amended by adding a definition to read:

Section 190-C. Definitions.

The following words and phrases when used in this subarticle
shall have the meanings given to them in this section unless the
context clearly indicates otherwise:

* * *

"Eligible landlord." An individual or entity owning a place
of residence that leases the residence to an individual and that
experienced a loss of rental income because the lessee became
unemployed after March 1, 2020, or the lessee had their annual
household income reduced by 30% or more due to reduced work
hours and wages related to COVID-19. [The loss of rental income
must be at least 30 days past due.]

* * *

"Program." The COVID Relief - Mortgage and Rental Assistance
Grant Program established under section 191-C(a).

Section 2. Section 191-C(c), (d), (f) and (g) of the act,
added May 29, 2020 (P.L.186, No.24), are amended to read:

Section 191-C. Mortgage and Rental Assistance Program.

* * *

(c) Use of funds.--[Money] From money appropriated to the

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Pennsylvania Housing Finance Agency for COVID Relief - Mortgage and Rental Assistance, in addition to any other funds made available to the Commonwealth for COVID-19 relief, $100,000,000 shall be used to make grants under this subarticle.

(d) Allocation.--The agency shall allocate a minimum of $150,000,000 of the funds received for use under this subarticle for rental assistance grants for eligible landlords with no more than 10 properties located in this Commonwealth.

* * *

(f) [(Reserved).] Administrative fee.--For the purpose of covering the costs associated with the administration of the program, the agency may utilize an amount not to exceed 5% of the money appropriated for COVID Relief - Mortgage and Rental Assistance, or the actual costs of administering the program, whichever is less.

(g) Program requirements.--The following shall apply:

(1) An eligible lessee, mortgagor, landlord or mortgagee shall submit to the agency the name of the lessee or mortgagor from whom rental or mortgage payments are sought, along with any additional information deemed necessary by the agency to carry out the agency's responsibilities under this section.

(2) Assistance may be awarded to lessors or mortgagees on behalf of lessees or mortgagors who became unemployed after March 1, 2020, or had their annual household income reduced by 30% or more due to reduced work hours and wages related to COVID-19.

(3) The agency shall develop an application for eligible lessees, mortgagors, landlords or mortgagees to apply for 20200HB2837PN4353
assistance under this section within 30 days of the effective
date of this section. The application shall include an
attestation by the landlord or mortgagee releasing the lessee
or mortgagor of any fees or penalties
for any past due or future rent or mortgage payment for which
the agency pays the landlord or mortgagee. The application
shall be made available and posted on the agency's publicly
accessible Internet website and be in a form that can be
completed and returned by the lessee, mortgagor, landlord or
mortgagee electronically or through the United States mail.
The deadline for submitting applications to the agency shall

(4) The agency shall verify the name of the lessee or
mortgagor with the Department of Labor and Industry's Bureau
of Unemployment Compensation to ensure the lessee or
mortgagor became unemployed after March 1, 2020.] develop a
system to verify the employment status of a lessee or
mortgagor.

(5) The agency shall request any applicant
seeking assistance based on reduced work hours or wages
related to the coronavirus pandemic to submit information
verifying such information.

(6) The agency shall make payments only to lessors or
mortgagees.

(7) The agency shall make payments only on behalf of
households with an annualized current income of no more than
the upper limit of "median income" as defined in guidelines
published annually by the United States Department of Housing
and Urban Development.

(8) The agency shall notify each lessee or mortgagor of
the amount of payment made to the landlord or mortgagee on
the lessee's or mortgagor's behalf.

(9) The agency shall make payments as follows:

   (i) For rental assistance, an amount equal to 100% of the lessee's monthly rent, not to exceed $750 per
       month 130% of the fair market rent during fiscal year 2019-2020 for a two bedroom unit in the local area of
       this Commonwealth as determined by the United States Department of Housing and Urban Development, for each
       month for which assistance is sought for a maximum of six months. Payments shall be made no later than November 30, 2020.

   (ii) For mortgage assistance, an amount equal to 100% of the mortgagor's monthly mortgage, not to exceed $1,000 per month, for each month for which assistance is sought for a maximum of six months. Payments shall be made no later than November 30, 2020.

   (iii) In addition to any payment under subparagraph (i), a landlord who agrees to release the lessee on any remaining obligation for past due or future rent for all the months which the agency pays the landlord shall be entitled to an additional payment for each month equal to 25% of the outstanding balance, not to exceed the remaining monthly rent, or $600, whichever is less. If the total rent is covered by the payment under subparagraph (i), a landlord shall not be eligible for an additional payment under this subparagraph.

   (iv) In addition to any payment under subparagraph (ii), a mortgagee who agrees to release the mortgagor of any remaining obligation for any past due or future
mortgage payment for all the months which the agency pays
the mortgagee shall be entitled to an additional payment
for each month equal to 25% of the outstanding balance,
not to exceed the remaining monthly mortgage amount, or
$600, whichever is less. If the total mortgage payment is
covered by the payment under subparagraph (ii), a
mortgagee shall not be eligible for an additional payment
under this subparagraph.

(10) Notwithstanding any provision of law, the following
shall apply:

(i) A landlord who receives payments for a lessee
under the program shall be required to offer the lessee a
repayment plan for any rent obligation outstanding after
the payments received from the program are applied to the
lessee's rent obligation. The repayment plan may not
include any late fees or interest for the months in which
rental assistance was provided through the program. A
repayment plan under this subparagraph may not be shorter
than 12 months or the number of months outstanding on a
lessee's lease. If a lessee is renting under a month-to-
month lease, the repayment plan term may not be less than
12 months.

(ii) A mortgagee who receives payments for a
mortgagor under the program that are not sufficient to
cure any outstanding obligation after the payments
received from the program are applied to the mortgagor's
mortgage account shall assess the mortgagor's eligibility
for possible loss mitigation options as may be available
under applicable investor or insurer guidelines.

* * *
Section 3. This act shall take effect immediately.