

# Rental Assistance

Rental assistance programs provide dedicated funding to help low-income households pay rent for a limited period of time and/or pay back rent in order to stay in their homes and avoid eviction. Tenant legal services are frequently paired with rental assistance to support tenants in negotiating rental payments and ensure ongoing tenancy will be secured following the payments to landlords.

## Program Design, Implementation and Evaluation Considerations

*The callout box below labeled “TOC Policy Requirements” describes the policy features necessary for a jurisdiction to receive credit toward TOC Policy compliance. All other policy features discussed in this document represent details found in existing policies on the subject and a jurisdiction may want to consider them when adopting or implementing a policy, but nothing is required for TOC Policy compliance unless noted as a requirement in the “TOC Policy Requirements” callout box or the [TOC Policy Administrative Guidance](#).*

### Elements of the Program

- Ongoing funding
- Clear eligibility criteria

### Program Design Considerations

Jurisdictions may want to consider the following:

- **PROGRAM SIZE:** Jurisdictions can work with local tenant legal services providers to understand how many of their cases are related to nonpayment and use that information to determine initial funding levels and staffing needs.
- **SOURCE OF PROGRAM FUNDING:** Funding for the program can come from any source that allows tenant legal assistance as an eligible use of funds. Potential funding sources could include local housing trust funds, county funds, state and federal funds passed through the jurisdiction, grants from philanthropic organizations, and private contributions from businesses or individuals.

## At-A-Glance

### POTENTIAL FUNDING SOURCES

- Community Development Block Grant (CDBG) funds
- Housing Trust funds
- General Fund

### COST

High

### ADMINISTRATIVE BURDEN

 Medium

Staff capacity needed to identify funding sources, develop program, operate the program, income-qualify participants and monitor the program.

Administrative burden is significantly lower if they are administered by a community-based organization.

### EXTRA CONSIDERATIONS


 Highly effective

### WHICH P?

Protection

### POTENTIAL PARTNERS

- Tenant Advocacy Organizations

 **OPTION FOR TOC POLICY COMPLIANCE?**  
Yes!

- **MESSAGING:** Clearly stating that the assistance is not an ongoing subsidy but instead for one-time emergency assistance to prevent displacement.
- **FUNDING CAPS:** Programs typically limit the amount of assistance a household can receive. Some jurisdictions also limit how often tenants can receive assistance.
- **ELIGIBILITY:** Establishing clear eligibility requirements, defining the situations in which a tenant receives rental assistance and setting the eligibility criteria. For example, eligibility could be limited to lower-income tenants (80% AMI or less) and jurisdictions may decide to target specific income groups or populations deemed most at risk of displacement and/or homelessness. These could include households with children, permanently disabled adults, tenants 55 years and older, veterans and/or foster youth.
- **DOCUMENTATION:** Jurisdictions could choose to require documentation for a tenant to establish eligibility. Consider adopting flexible documentation requirements, including self-attestation, to respond to the needs of residents with informal tenancies or who are undocumented.

## Program Implementation, Administration and Enforcement

Direct program implementation and administration requires specific expertise and infrastructure. Most jurisdictions seek experienced partners through a competitive process and/or seek collaboration with nearby jurisdictions or the county to increase program reach and efficacy. This can leverage existing partnerships with organizations that have connections and are trusted in the community. Given the importance of pairing rental assistance with legal services, jurisdictions can consider partnering with legal service organizations locally to administer funding as part of their programs.

Coordinate rental assistance efforts with legal aid organizations and eviction prevention groups to deploy resources quickly and to ensure tenants are informed about their rights and where they can access rental assistance and legal help.

## Program Evaluation

Require annual or bi-annual reporting from program administrators to demonstrate program impact and opportunities for improvement. Potential metrics include the amount of money distributed and the number of renters to which it is distributed, as well as outcomes-oriented metrics of housing stability, such as housing retention rates, eviction prevention rates, and rent burden reduction rates.



**TOC Policy Requirements:** To comply with TOC policy, a jurisdiction must have a program with secured funding that provides ongoing allocations to the program at or above the targeted level (as outlined in [Appendix B of the Administrative Guidance](#)). The amount contributed can vary by year if the total for the relevant four-year OBAG cycle meets the specified target for the jurisdiction.

Jurisdictions that have an existing balance in a rental assistance funding program when submitting final documentation for TOC Policy compliance may count existing funds toward the required total so long as funds are available for expenditure during the four-year planning period (anticipated to align with the OBAG cycle).

Jurisdictions that have committed rental assistance funds prior to submitting final documentation for TOC Policy compliance may count expended funds toward the required total so long as at least one of the following conditions is met: a) the funds are used to support a project or program occurring during the relevant four-year OBAG cycle (e.g., funds are committed to

an organization to use for rental assistance during the OBAG 4 cycle sometime between 2026 and 2030), and/or b) the funds are expended after January 1, 2025.

Additionally, a jurisdiction must define the situations in which a tenant receives rental assistance and set the eligibility criteria for who receives assistance. Assistance must serve tenants with incomes at 80% AMI or less, and jurisdictions may decide to target specific income groups or populations deemed most at risk of displacement and/or homelessness.

## Complementary Policies

**LEGAL ASSISTANCE FOR TENANTS:** Legal assistance helps tenants navigate their rights and legal processes related to eviction, while rental assistance provides financial support to cover rent payments. It can be highly effective to pair these services in one organization to ensure that tenants who are being evicted due to nonpayment have access to rental assistance resources at this inflection point. Legal services can help advocate for reduced rent debt and ensure ongoing tenancy will be sustained after rental assistance has been paid to landlords.

**RENT STABILIZATION:** Rent stabilization can help ensure that rising rent costs do not force tenants out of their homes, reducing the need for rental assistance. This can also ensure that landlords do not price-gauge to take advantage of rental assistance if programs are set up.

*This document is intended to provide general information and does not constitute legal advice. Additional facts, facts specific to a particular situation, or future developments may affect the subjects discussed in this document. Seek the advice of your jurisdiction's legal counsel before acting or relying upon this information. For specific questions regarding TOC compliance, please reach out to [TOCpolicy@bayareametro.gov](mailto:TOCpolicy@bayareametro.gov).*

## Other Resources

### EXAMPLES\*

[Oakland and Contra Costa County - Rental Assistance Program](#)

[Alameda County - Rental Assistance Program](#)

[City of San Diego - Rental Assistance Program](#)

### EXAMPLES OF IMPLEMENTATION PARTNERS

[ECHO Fair Housing](#)

[Shelter Inc.](#)

[Samaritan House San Mateo](#)

[The Salvation Army of Silicon Valley](#)

[St. Vincent de Paul of Marin County](#)

[Eviction Defense Collaborative](#)

### OTHER RESOURCES

[NLIHC - Santa Clara County Emergency Rental Assistance Case Study](#)

[Metropolitan Transportation Commission - Protection Policy 5: Rental Assistance Program](#)

*\*Note that examples have not been vetted for full TOC Compliance.*