

URBAN REDEVELOPMENT AUTHORITY OF PITTSBURGH

Housing Opportunity Fund

Legal Assistance Program – Tenants

Program Guidelines

Approved
2/11/2021

**Housing Opportunity Fund (HOF) Legal Assistance Program – Tenant (LAP-T) Program Guidelines
Urban Redevelopment Authority of Pittsburgh (URA), Residential and Consumer Lending**

I. PROGRAM OBJECTIVE

The main objective of the Housing Opportunity Fund (HOF) Legal Assistance Program – Tenants (LAP-T) is to provide legal services to tenants who are facing economic related housing issues. Eligible tenants must be at or below 50% of Pittsburgh’s Area Median Income and must reside in the City of Pittsburgh. The goal of the LAP-T is to prevent evictions and homelessness. The LAP-T is composed of four primary services:

1. Coordinated Entry
2. Mediation Services
3. Limited Legal Consultation
4. Full Legal Representation

A summary of the four primary services of the LAP-T are listed below:

Coordinated Entry: The Coordinated Entry Program Administrator will be responsible for screening phone calls from tenants and homeowners* to determine the best level of service appropriate for the tenant’s needs as it pertains to one of following areas:

- Eviction resulting from non-payment of rent, or eviction related to other matters at the discretion of Program Administrators
- Implied warranty of habitability
- Security deposit returns

**Coordinated Entry will also be used to screen for the Legal Assistance Program – Homeowners (LAP-H)*

Additionally, the Coordinated Entry Program Administrator will be responsible for entering in tenant and homeowner data in the appropriate URA database and tracker. Eligible activities include, but are not limited to, the following:

- Confirming residency in the City of Pittsburgh
- Confirming income eligibility (income must not exceed 50% of Pittsburgh’s Area Median Income)
- Confirming the program eligibility of the tenant
- Assessing the type and level of legal assistance needed
- Providing language interpretation services, and coordinating a translator if needed

The Coordinated Entry Program Administrator must demonstrate experience working with and understanding legal issues concerning low-income communities. The Program Administrator must have experience triaging legal assistance calls and have extensive knowledge of the different levels of legal assistance services.

If a tenant or homeowner seeking legal assistance first contacts one of the legal Program Administrators contracted with LAP-T (before calling Coordinated Entry), the Program Administrator will be able to assist the household by entering a referral into the system. If a Program Administrator fails to enter a

referral into the Coordinated Entry system, the Program Administrator may not be reimbursed for that service.

Mediation Services: Mediation Services Program Administrators will be responsible for facilitating, coordinating, and drafting the mediation agreement on behalf of the tenant. Mediation Services will be limited to the following housing issues:

1. Eviction resulting from non-payment of rent
2. Implied warranty of habitability
3. Security deposit returns

Eligible activities include, but are not limited to, the following:

- Confirming program eligibility of the tenant
- Ensuring the settlement does not violate either party's rights by providing education and information to both tenants and their landlords regarding their rights as it pertains to the issues in the mediation agreement. If a tenant requests a review by an attorney and the Program Administrator is unable to provide that review, the Program Administrator should then submit a referral for limited legal consultation to request a legal review of their mediation agreement, as they have a right to a legal review by an attorney.
- Conducting public outreach for mediation services, ensuring services are advertised to diverse groups and communities in the City of Pittsburgh
- Educating and offering additional housing resources to tenants and their landlords, including providing referrals to the Housing Stabilization Program and other housing resources
- Providing services to the immigrant and refugee community

Limited Legal Consultation: Limited Legal Consultation Program Administrators will be responsible for providing professional or formal opinions regarding the following areas:

1. Eviction related to non-payment of rent, or eviction related to other matters at the discretion of Program Administrators
2. Implied warranty of habitability
3. Security deposit returns

Eligible activities include, but are not limited to, the following:

- Confirming program eligibility of the tenant
- Operating a centralized hotline or point of contact to provide limited legal consultation provided by an attorney to tenants in the City of Pittsburgh
- Providing legal advice to the immigrant and refugee community within the City of Pittsburgh

Limited Legal Consultation services may be delivered over-the-phone, by email, in-person or virtually. The provider will determine the appropriate level of assistance based on the specific need and what method of limited legal consultation is the most appropriate response. This may include but is not limited to: providing letters or formal opinion on housing-related issues, educating tenants on their housing and landlord-tenant rights and responsibilities, and informal or formal advice on how the tenant should proceed with their housing issue.

Full Legal Representation: Full Legal Representation Program Administrators will be responsible for providing one-time, full legal representation through the entirety of the legal proceedings (magistrate level and appeals) The legal assistance provider(s) will have discretion on determining program eligibility, according to the LAP-T guidelines. Eligible cases may include, but not be limited to, nonpayment of rent as a direct or indirect cause for eviction as determined by the legal assistance provider.

Neither HOF nor the URA can commit to continued funding for any legal services provided through the LAP-T for more than twenty-four (24) months

Eligible activities include, but are not limited to, the following:

- Confirming program eligibility of the tenant
- Providing legal representation for tenants in court, as determined by the Program Administrator
- Has the ability to provide legal representation to the immigrant and refugee community

Depending on the complexity of the tenant's legal case, the tenant may be able to access multiple legal services within the LAP-T as deemed necessary by the Legal Assistance Program Administrators.

II. PROGRAM FUNDING

The LAP-T will be sourced by local Housing Opportunity Funds, CDBG and/or other funding received by the URA which may include local, state, federal or foundation funds. Future or annual funding is not guaranteed.

III. ELIGIBLE APPLICANTS

For each allocation of funding the URA will issue a Request for Proposals (RFP) to solicit applications for Program Administrators from qualified legal agencies and community organizations. Program Administrators must have experience providing legal services related to eviction prevention and eviction proceedings to low-income households.

IV. ELIGIBLE RECIPIENTS OF PROGRAM FUNDING

Tenants receiving assistance under LAP-T must meet the following requirements:

A. Each tenant must reside in the City of Pittsburgh.

B. The annual gross household income of each tenant must be at or below 50% of the Pittsburgh Area Median Income (AMI) with adjustments made for family size. Pittsburgh Area Median Income is subject to HUD's annual calculation of Area Median Income (AMI). For more information please visit hud.gov.

C. Determination of the tenant's annual income shall be based on current income projected from the date of application. Annual income should be based on the gross income from all sources before taxes or withholding from all household members who are not minors or full-time students. The tenant must show pay stubs issued within the last 30 days and employment verification. A self-certification of one's income will also be required to verify the tenant's income history.

V. ELIGIBLE PROPERTIES/RESIDENCES

The property that the tenant is renting in must be located within the City of Pittsburgh.

VI. ELIGIBLE USES OF FUNDING FOR LEGAL SERVICES

A. Program Administrators must have appropriate training and licenses, and must specify in their responses which service/s they will provide and document what training and licensing staff have, where appropriate:

1. Coordinated Entry
2. Mediation Services
3. Limited Legal Consultation
4. Full Legal Representation
 - a. For Full Legal Representation, neither HOF nor the URA can commit to continued funding for any legal services provided through the Program for more than twenty-four (24) months.

VII. PROGRAM ADMINISTRATION RESPONSIBILITIES

Program Administrators will be required to utilize the appropriate URA reporting databases and/or reporting structures that will capture the following for each component of the LAP-T program:

1. Coordinated Entry
 - a. Total number of tenants screened
 - i. Number of eligible tenants referred, delineated by type of legal service
 - ii. Number of ineligible tenants and a corresponding explanation of ineligibility for each ineligible tenant
2. Mediation Services
 - a. Total number of referrals
 - i. Number of successful mediations
 - ii. Number of unsuccessful mediation and reasons why
 - b. Total mediation time spent with each tenant
 - c. Type of mediation
 - d. Number of external referrals
3. Limited Legal Consultation
 - a. Total number of referrals
 - i. Breakdown of hours spent on limited legal consultations by type of legal service provided (i.e., habitability issues, eviction resulting from a failure to pay rent, impermissible withholding of security deposits)
4. Full Legal Representation:
 - a. Total number of referrals
 - i. Total time spent representing each tenant
 - ii. Final outcome for tenant (i.e., eviction was prevented)

Program Administrators will be required to maintain files documenting tenant eligibility including income, funding received, services received, and termination from program for ten years from the date of contract execution.

All Program Administrators are required to follow the *Pennsylvania Rules of Professional Conduct*, 42 Pa.C.S.A. (1988), to the extent that they apply to the services to be provided hereunder.

VIII. PAYMENT PROCEDURES

Program Administrators must request payments on the proper URA form(s), duly signed and approved by the Program Administrator, for a specified dollar amount. The URA will only reimburse for approved eligible costs incurred. Program Administrators must include invoices for services rendered and include the necessary URA report with invoice no more frequently than once per month.

IX. APPEALS COMMITTEE

The URA will establish an Appeals Committee whose purpose is to review HOF LAP-T Program Guideline(s) waiver requests. The Appeals Committee will recommend approval or disapproval of the request to the Director of Resident and Consumer Lending. The Director of Residential and Lending can choose to accept or reject the recommendation of the Appeals Committee.

X. CERTIFICATIONS

In accordance with 24 CFR Part 8, the Authority certifies its compliance with the provisions of Section 504 of the Rehabilitation Act of 1973, as amended on June 2, 1988.

XI. NON-DISCRIMINATION CERTIFICATION

The Urban Redevelopment Authority of Pittsburgh abides by all applicable laws and regulations regarding nondiscrimination and refrains from discriminating on the basis of age, race, color, religious creed, ancestry, national origin, sex, sexual orientation, gender identity, gender expression, political or union affiliation, and/or disability. No person shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination solely on the basis of any of the above factors under the loan and grant programs operated by the Urban Redevelopment Authority of Pittsburgh.