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September 23, 2021

VIA ELECTRONIC FILING

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place E, Suite 350
St. Paul, MN 55101

RE: In the Matter of the Inquiring into Actions by Electric and Natural Gas Utilities in Light of the COVID-19 Pandemic Emergency

Docket No. E,G-999/CI-20-375

Dear Mr. Seuffert,

Background

On September 9th, 2021 Minnesota Housing submitted a letter to the docket requesting that the Public Utilities Commission modify Order Point 5 from May 26, 2021 to include the COVID-19 Emergency Rental Assistance program, also known as RentHelpMN, as a listed program alongside LIHEAP/EAP prohibiting disconnections of customers with past due balances who have a pending application or have been deemed eligible for assistance for the duration of the transition period (April 30th, 2022). The Public Utilities Commission opened a public comment period to solicit feedback on our request which was extended through Thursday, September 23rd, 2021.

Minnesota Housing would like to thank ACER, Violence Free MN, Pillsbury United, Community Mediation Minnesota, CUB MN et al, Dakota Electric, and the jointly filed Utilities for their thoughtful and comprehensive comments. Minnesota Housing has also reviewed the letter submitted by the Department of Commerce on September 17th. We appreciate the comments of support and we would also like to respond questions and concerns outlined by interested parties in the public comments that have been submitted to date.

Concerns outlined in the public comments submitted by the interested parties listed above include:

- Long waiting period between application to the RentHelpMN program and payment submission
- Lack of communication from the RentHelpMN program to utilities

- Lack of clarity on the RentHelpMN program in general and how it interacts with the Low Income Heating Assistance Program
- Lack of an established portal or other standardized process that utilities can access for the RentHelpMN program
- Data privacy and data security issues

Specific requests outlined in the public comments submitted by the interested parties listed above include:

1. Minnesota Housing should share general information and ongoing updates about the RentHelpMN program with utilities and advocates
2. Minnesota Housing should establish a secure, automated method (portal) by which RentHelpMN can share important details including: status of the application, anticipated award amount specific to the utility arrears and timing of the payment.
3. If it is not possible to implement a portal, then Minnesota Housing should establish a standard and secure process to notify utility companies when RentHelpMN applications are received for utilities' respective customers.
4. Minnesota Housing should include contact information for all the local administrators of the rental assistance funds to utilities.
5. Minnesota Housing should amplify existing utility programs that protect tenants from disconnection. This includes recommending all tenants also apply for assistance through LIHEAP and inform all tenants of protections offered through the Cold Weather Rule.

In addition, the Department of Commerce requested in their letter that Minnesota Housing address the extent to which program applicants may already be protected through other avenues and the processes by which it will provide utilities with the information necessary to protect RentHelpMN applicants from disconnection. The Department of Commerce also requested that MHFA address how it notifies applicants of other assistance such as LIHEAP and the protections of the Cold Weather Rule.

Minnesota Housing is aware of the concerns outlined above and is working to address the specific requests by the interested parties and the Department of Commerce.

Clarification of Request

Minnesota Housing would like to clarify that our request to suspend disconnections is meant to be for RentHelpMN applications where the applicants have applied for assistance to address utility arrears. We also would like to clarify that our request is meant to suspend utility disconnections through April 2022 only while the applicant has a pending RentHelpMN application. If the customer has a RentHelpMN application that has been resolved by either being denied or having the past due balances paid, we do not intend to limit credit activities for that renter through April 2022.

Program Details

Minnesota Housing would also like to provide some additional information about the COVID-19 Emergency Rental Assistance Program, operating as RentHelpMN, that provides context for our September 9th request.

The RentHelpMN program is an emergency assistance program that is currently addressing rental and utility arrears faced by Minnesotans who were impacted by COVID-19 and qualify for assistance. Minnesota Housing has received slightly over \$500 million with federal funding in December 2020 and March 2021 for assistance and program implementation. The program opened in late April 2021, shortly after additional guidance was provided by U.S. Treasury. Minnesota Housing is using self-attestation to the extent possible around issues such as income and COVID-19 impact to verify eligibility and payments are only be made on actual amounts due.

The scale of the funding and the different federal requirements and regulations make this program different from the program Minnesota Housing operated last year, known as the COVID-19 Housing Assistance Program. Here are some of the key differences:

- Outreach, Marketing and Application Help - Field Partners for RentHelpMN are implementing marketing, outreach and assisting individuals with the application process. Last year, many of these same Field Partners fully processed applications and made payments, in addition to marketing and outreach.
- Processing Applications - There is a central processing administrator that is processing RentHelpMN applications. As mentioned above, this is different than last year where there was a network of local administrators who processed applications and made payments.
- Income Eligibility – Minnesota Housing is utilizing income self-attestation, but renters must be under 80% AMI. Last year in the COVID-19 Housing Assistance Program renters had to be below 300% Federal Poverty Guidelines. The vast majority of applications for RentHelpMN so far are renters below 80% AMI.
- Months of Assistance – The federal government limits the months of assistance that a renter can receive. A renter can receive 15 months of assistance under the funding allocated in December 2020 and 18 months under the funding allocated in March 2021.
- Local Jurisdictions - An additional factor with the COVID-19 Emergency Rental Assistance program is that six other local government jurisdictions received their own allocations. Some of these local jurisdictions have contracted with the same entities that Minnesota Housing is using as Field Partners, but the local jurisdiction's program vary from Minnesota Housing's program and as such the local entities may have different or expanded roles for that work.

There are also some similarities with the program last year. Notably, there is no limit to the dollar amount an individual can receive, payments are made directly to the utility, and Greater Twins Cities United Way 211 is available for renters to call to get assistance with their application and get connected to a Field Partner. Utility providers are also able to identify the Field Partners that are working in their service area.

The short-time frame to establish and open a program limited the agency's ability to consider some of the features and access points that long standing programs such as Low Income Home Energy Assistance Program (LIHEAP) have. We understand that several other states are working through similar issues. However; it is also important to detail how the RentHelpMN program interacts with LIHEAP. Minnesota Housing is or will be:

- Encouraging RentHelpMN applicants with utility arrears to apply for LIHEAP. We acknowledge that LIHEAPs processing capabilities along with the additional crisis benefits and access to utility specific affordability programs that LIHEAP offers would provide benefits to those RentHelpMN applicants who meet LIHEAP's eligibility criteria. It is important to note that RentHelpMN can serve higher income renters than LIHEAP and renters cannot receive resources for the same costs.
- Updating the RentHelpMN website to make information about LIHEAP more prominent and working with Field Partners, 211, and other RentHelpMN staff and contractors to encourage the public to apply for LIHEAP whenever possible to help with utility bills.
- Considering several other communication efforts regarding LIHEAP, including but not limited to using communications within the evictions court system and communications about LIHEAP on the RentHelpMN online application website. Minnesota Housing recognizes the importance and protection provided to applicants by both the LIHEAP program and the Cold Weather Rule and will update our website and communications materials to emphasize the protection from disconnection these avenues offer.

Minnesota Housing will use the rest of this letter to respond to each remaining concern and request raised in the comments.

Long waiting period between application to the RentHelpMN program and payment submission

Minnesota Housing acknowledges that it can be a lengthy process for some applications to make it all the way to the point where a payment has been received and credited by a utility. To date we have hired more case management staff and have more than doubled the staff working on application verification, processing, and payments since the program launched. We have also made changes or are in the process of implementing changes to expedite the application review process. Last week, over \$9 million in payments were sent to landlords and utility companies, marking the highest weekly total so far. And yet, we know more needs to be done.

In the short term, we plan to continue to hire processing staff including more with a specific focus on customer service to help answer questions and potentially troubleshoot specific applications. Over the longer term, we will explore options to work more closely with utility providers to verify pay due bill amounts.

Lack of communication from the RentHelpMN program to utilities

Utilities and advocates noted that there has been a lack of communication about the RentHelpMN program and have requested that Minnesota Housing share general information and ongoing updates about RentHelpMN. In addition to our general programmatic outreach, Minnesota Housing has participated in two utility focused conversations hosted by the Department of Commerce and Minnesota Housing Staff have had or have scheduled individual, initial conversations with CenterPoint, Greater Minnesota Gas, Minnesota Energy Resources, Minnesota Power, Ottertail Power, and Xcel Energy. We have also scheduled individual, initial conversations with CUB MN, EnergyCents, HOME-Line, and the Legal Services Advocacy Project.

In the short term, we plan to increase communication via more regular updates to our website and social media. We also recognize the need for a dedicated pathway for utilities to communicate with RentHelpMN staff. As such we are open to creating a dedicated RentHelpMN utility email address for utilities to use for specific issues. If beneficial, we will also organize a regular check-in call for utilities similar to what the Department of Commerce hosts for the LIHEAP program. Over the longer term, we will consider potential solutions to provide more direct and timely information for utility providers on specific applications.

Lack of an established portal or other standardized process that utilities can access for the RentHelpMN program

Utilities and advocates noted that there has not been a standardized process for utilities to access application information for their customers for the RentHelpMN program similar to the eHeat portal for the LIHEAP program. They requested that Minnesota Housing establish a secure, automated portal by which RentHelpMN can share important details including: status of the application, anticipated award amount specific to the utility arrears and timing of the payment. If it is not possible to implement a portal, then they requested that Minnesota Housing establish a standard and secure process to notify utility companies when RentHelpMN applications are received for utilities' respective customers.

The program does provide applicants with a pre-qualification letter that the applicant can give to the utility provider to prove that they have applied. However, Minnesota Housing acknowledges that additional pieces of data including application status and utility amount request would be helpful and those pre-qualification letters are generally available just to applicants.

In the short-term, Minnesota Housing plans to provide regular data to the utilities including at a minimum: applicant name, customer account number, customer address, RentHelpMN application status, and utility amount request as input by the applicant. This data will be provided to each regulated utility individually every week. Over the longer term, we will consider providing this data more often and to a greater number of utilities including municipal and cooperative utilities throughout the state.

Data privacy and data security issues

Utilities noted that any sharing of data in either direction about utility customers and RentHelpMN applicants will need to be done in a secure manner and emphasize strong data privacy practices. Minnesota Housing's RentHelpMN Tennessee Warning allows us to share data with utilities for applicants that have included past due utilities bills in their application.

In the short-term, Minnesota Housing will utilize Box.com or a similar secure online platform to share data directly with utilities about their customers. In the longer term, we will consider if and how utilities can provide data back to Minnesota Housing in order to help verify customer bills and expedite application processing and payment. This would likely require data sharing agreements and additional consent of applicants and will likely vary by utility provider.

Conclusion

In conclusion, we would like to again thank all of the parties for their thoughtful comments, the Department of Commerce for their ongoing work assisting Minnesotans, and for the Public Utilities Commission for their consideration of our September 9th request. If the Public Utilities Commission has any additional questions or comments for Minnesota Housing, we would be happy to submit additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer Ho". The signature is fluid and cursive, with a stylized "H" at the end.

Jennifer Leimaile Ho
Commissioner, Minnesota Housing