

## New York State

# Landlord Rental Assistance Program (LRAP) Frequently Asked Questions

### 1. What is the Landlord Rental Assistance Program and what help does it provide?

The Landlord Rental Assistance Program (LRAP) is an economic relief program developed to provide assistance for rental arrears accumulated during the COVID-19 eviction moratorium for landlords whose tenants are unwilling to apply for the [Emergency Rental Assistance Program \(ERAP\)](#), including where the tenant has vacated the rental property. The program will help eligible landlords obtain unpaid rents due. Approved applicants may receive:

- Up to 12 months of rental arrears payments for rents accrued on or after March 1, 2020.

Payments will be made directly to the landlord. Landlords will be notified in writing of the amounts paid on their behalf.

### 2. Am I eligible for the Landlord Rental Assistance Program (LRAP)?

Landlords for units in New York State may be eligible for LRAP if all of the following apply:

- The landlord has a tenant who has vacated the rental property with unpaid rental arrears or the landlord has a tenant who is residing in an apartment with rental arrears, but will not agree to apply for ERAP.
- Unit rental amount is at or below [150 percent of the Fair Market rent \(FMR\)](#) based on the county and number of bedrooms. If the monthly rental amount exceeds 150% FMR, the landlord will be ineligible for assistance.
- The landlord has reached out to their existing tenant to encourage participation in ERAP at least 3 times, including 2 in writing and will need to attest to this requirement.
- The landlord has documented rental arrears owed for the tenant or former tenant at their residence for rent costs on or after March 1, 2020.

There are no citizenship or immigration status requirements to qualify for the program.

### Important Note Regarding Priority Application Processing

For applications received during the first 45 days of LRAP, priority is given to landlords who own a building with 20 or fewer units.

After 45 days, applications for all eligible landlords will be processed on a first-come, first-served basis, as long as funds remain available.

### 3. If I am a landlord who completed an ERAP application that my tenant did not complete will I need to complete a new application for LRAP?

Yes, LRAP is a new program and the program requirements are different from ERAP.

**4. Can tenants who are unwilling to apply for ERAP for rental assistance apply for utility arrears assistance through ERAP?**

No. If a tenant is unwilling to apply for rental arrears assistance, they are not eligible for utility assistance through ERAP.

**5. Is there an income limit for the tenant or landlord that will be used when determining LRAP eligibility?**

No. Neither a tenant's nor a landlord's income will be factored in when determining LRAP eligibility.

**6. What types of rental properties are eligible for LRAP assistance?**

The following types of residential rental properties are eligible for LRAP assistance:

- Apartment;
- Duplex;
- Single Family Detached/House;
- Semi Detached / Row House;
- Single Room Occupancy; or
- Manufactured home or manufactured home lot rental.

**7. Are units where tenants or former tenants receive a Section 8 Housing Choice voucher or otherwise had a rental contribution limited to a certain percentage of income eligible to receive rental assistance from LRAP?**

Owners/landlord of units where the tenant household's rent is limited to a percentage of household income may apply for assistance, but the application will not be assessed for eligibility until all other applications have been considered and will receive assistance only if funds remain available. The impacted types of housing include tenants receiving a Section 8 Housing Choice voucher, a project-based Section 8 voucher or those who reside in public housing or other housing situations where rent cannot be more than a set percentage of their income.

**8. Are public housing authorities eligible to receive LRAP assistance?**

Public housing authorities may apply for assistance, but the application will not be assessed for eligibility until all other applications have been considered and will receive assistance through LRAP only if funds remain available.

**9. What documents will a landlord need to submit for LRAP?**

Landlords and property owners will need to provide:

- **W-9 tax** form by typing this information in the Owner Account on the LRAP portal.
- **Proof of Ownership** by uploading this information into the LRAP application.

- **Executed lease** with tenant or former tenant, or if there is no written lease, a cancelled check, evidence of funds transfer or other documentation of the last full monthly rent payment. Upload pages of the lease that include at least the unit address, tenants on the lease, the monthly rental obligation, and signature page.
- **Documentation of unpaid rent due** from the tenant or former tenant by uploading a monthly rent confirmation form or ledger identifying the rental amount due by month. Do not include non-rent payments such as late fees or parking fees.
- **Banking information** by typing in direct deposit information in the Owner Account on the LRAP portal.
- If applicable, an owner affidavit or signed agreement designating the property management company/agent as authorized recipient of LRAP funds.

The property owner or an authorized property management company will be required to sign the application form and associated certifications agreeing that the information provided, including the amount of rental arrears owed, is accurate and does not duplicate a payment received from another program. If the tenant still resides at the unit, the owner must provide dates on which the landlord contacted the tenant to encourage participation in ERAP.

**10. If a landlord did not have a lease, but rented a property on a month-to-month basis, is the landlord still eligible to receive LRAP assistance?**

Yes. Landlords need to provide documentation of their rental agreement with the tenant – either an executed lease, or if there is no written lease, a cancelled check, evidence of funds transfer or other documentation of the last full monthly rent payment.

**11. Are all locations throughout NY State eligible for LRAP assistance?**

Yes. Landlords with rental property throughout the State may apply for LRAP.

**12. Are landlords who do not own a building with 20 or fewer units eligible for LRAP?**

Yes. A landlord who owns any size building is eligible for LRAP. See Question #2 for more information regarding prioritization.

**13. If a landlord applies for LRAP, and the tenant is still residing in the unit, can the landlord or property owner evict the tenant?**

There are no automatic protections against eviction when a landlord applies for LRAP. However, whether or not the landlord or property owner applies for LRAP, the landlord can be prohibited from evicting the tenant because the tenant did not pay rent. The Tenant Safe Harbor Act prohibits a court from evicting a tenant for not paying rent during the COVID-19 covered period, which began on March 7, 2020 and continued until January 15, 2022, if the tenant suffered a financial hardship during that same COVID-19 covered period. If the landlord does try to evict the tenant because the tenant did not pay rent during the COVID-19 covered period, the tenant can raise financial hardship as a defense. If the tenant can show that they suffered financial hardship, the landlord still can sue to recover the rent that the tenant owes, but the tenant cannot be evicted. Additionally, a tenant that applies, or has applied, for ERAP is entitled to the protections against eviction available under that program. See [Emergency Rental Assistance Program Frequently Asked Questions](#).

**14. If a landlord receives help through LRAP, and the tenant is still residing in the unit, can the landlord or property owner evict the tenant?**

The landlord must agree to the following terms as a condition of accepting a rental arrears payment:

- The LRAP payment satisfies the tenant's share of the rental obligation for the time period covered by the payment.
- To waive any late fees due on any rental arrears covered by the LRAP payment.
- To not increase the monthly rental amount above the monthly amount due at the time of application for LRAP assistance for months for which rental assistance is received and for one year from receipt of the LRAP payment.
- That they have contacted the household at least three times, two in writing, to encourage participating in ERAP.
- To not evict the person for whom the LRAP payment is made for reason of expired lease or holdover tenancy for one year from receipt of the LRAP payment. An exception to this requirement shall be made if the dwelling unit contains four or fewer units and the property owner or owner's immediate family members intend to immediately occupy the unit for use as a primary residence.

**15. If a tenant owed pre-pandemic rent arrears, can a landlord still get LRAP assistance for March 2020 - onward?**

Yes. A landlord may still apply for up to 12 months of arrears that have accrued on or after March 13, 2020.

**16. Will help through LRAP be provided on a first-come, first-served basis?**

Priority is given to landlords who own a building with 20 or fewer units and applies during the first 45 days of the program.

After 45 days, applications for all eligible landlords will be processed on a first-come, first-served basis, as long as funds remain available.

**17. Can non-priority landlords apply for LRAP during the first 45 days, or do they need to wait?**

Any landlord with a tenant who has left the unit or who is unwilling to cooperate with an ERAP application is eligible to apply at any time during the program, including within the first 45 days.

**18. Will a handwritten signature or an e-signature be required for the application?**

The LRAP application will be available online only, so e-signatures will be required.

**19. Is there a unit inspection required for LRAP?**

No.

**20. Why are landlords required to provide a W-9 tax form?**

The W-9 tax form is required to be typed in within the LRAP portal in order to receive LRAP payments.

**21. Is there a cap on the amount paid to cover monthly rental arrears?**

Yes. Unit rental amounts must be at or below [150 percent of the Fair Market rent \(FMR\)](#). These limits differ by county and number of bedrooms. If the monthly rental amount exceeds the FMR, the landlord will be ineligible for assistance.

**22. If my tenant has vacated a unit, is there a limit on the rent arrears I can obtain?**

Yes. A landlord may receive rent for arrears due up through the month the tenant vacated the rental unit, up to the 12 month maximum. For example, if a tenant who had arrears due for May through July of 2021 vacated the unit on August 2 without paying rent for August, the landlord may receive arrears for May through August. Arrears will not be paid for months following the month a tenant vacated the unit.

**23. Will you accept mail-in applications for LRAP?**

No. If landlords or owners need assistance applying, please reach out to a [community-based organization](#) in your area.

**24. Will ERAP cover attorney fees incurred by landlords?**

No.

**25. Do I have to create an account in order to apply for LRAP?**

Yes, creating an online portal account is a requirement to apply for LRAP.

**26. What are the hours that the website will accept ERAP applications?**

The website will accept applications 24 hours a day so long as program is open.

**27. How long will it take before a landlord receives payment after submitting a completed LRAP application?**

It is expected that cases will be processed in 4-6 weeks from the date of submission of a completed application. This timeframe may vary based upon the completeness of the application and all the correct documentation being submitted.

**28. How do I request a reasonable accommodation due to a disability?**

Please tell us if you require a reasonable accommodation to apply for LRAP. Examples of available reasonable accommodations include: providing documents in an alternative format including: braille, audio file (CD), data format (screen-reader accessible file on CD) and large print (18 point font) as requested, or TTY relay communications.

Please contact the LRAP Hotline at 1-844-NY1-RENT (1-844-691-7368), for reasonable accommodations. If you are hearing impaired, a TTY phone number is available by calling 1-833-843-8829. You may also request an accommodation by emailing [accessibility@otda.ny.gov](mailto:accessibility@otda.ny.gov).

**29. Can an owner receive assistance through LRAP for a commercial property?**

No. LRAP is solely for residential units.