The use of TANF Funds for Rental Assistance and Eviction Prevention during the COVID-19 Pandemic

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As state and local governments face unprecedented budget deficits and households spend months unable to pay rent, funding for rental assistance has become increasingly important but difficult to come by. Policymakers, housing advocates, and practitioners should look beyond well-known and oversubscribed housing subsidies administered by the US Department of Housing and Urban Development to other federal programs to provide rental assistance to the millions of renters facing evictions. Temporary Assistance for Needy Families is a flexible federal block grant that can provide needed emergency financial assistance to renters and help prevent evictions nationwide.

Key takeaways:

- The Coronavirus Aid, Relief, and Economic Security Act, expanded unemployment insurance, and rental assistance through other federal programs were key in keeping many renters afloat, but more funding is needed to prevent evictions.
- Flexible federal spending guidelines for Temporary Assistance for Needy Families (TANF) make it a viable source for filling gaps or expanding state and local emergency rental assistance. This flexibility gives states the power to determine spending priorities and restrictions.
- Basic cash assistance alone rarely covers full housing costs, and state-imposed regulations can exclude families, especially Black and immigrant families. To reach more renters and fully meet their needs, cash assistance through TANF should be paired with other subsidies, and states can loosen eligibility and benefit restrictions to reach more families.

- Nonrecurrent, short-term benefits, commonly referred to as TANF diversion payments, are designed to help people through crises and are particularly useful for funding emergency rental assistance.
- States should assess their TANF funds, especially nonrecurrent, short-term benefits, and any accumulated reserves, to make new commitments to spending on emergency rental assistance and eviction prevention.

Renter Evictions during the Pandemic

Renters have been hit particularly hard during the pandemic; an estimated 5.2 million renter households had at least one wage-earner who experienced job or income loss.[1] The risk of eviction following a job loss disproportionately affects women of color, who are more likely to be primary financial providers for a household than their white counterparts, hold lower-paying and riskier jobs in essential industries, and were already facing eviction at shocking rates (Frye 2020; Goodman and Magder 2020; Desmond 2014). Insufficient policy response and lack of funding for renters facing financial instability has left an estimated 20.1 million renters at risk of facing eviction (STOUT 2020).

Evictions were already at crisis levels before the pandemic, with more than two million evictions filed in the US in 2016 alone.[2] The majority of filings were for nonpayment of rent, with around one-third of judgements for less than one month of the local median rent.[3] Millions of others were living on the brink of eviction, with more than half of renters considered housing cost burdened[4] and 21 percent unable to come up with $400 for an emergency. Even one month's missed rent could lead to an eviction.[5] This is especially true for low-income renters, with a predicted 11 million very- and extremely low–income renter households facing housing instability in the next year (NLIHC 2020).

Now, an estimated additional 59 percent of renter households who were not previously housing cost burdened have experienced job loss (Strochak et al. 2020). Financial assistance from the one-time individual Coronavirus Aid, Relief, and Economic Security (CARES) Act economic impact payments, unemployment payments, and the increasing number of state and local rental assistance programs helped temporarily keep some renters afloat, but as of September 14 an estimated 10-14 million renter households were behind on rent (Schwartz and Steinkamp 2020).

Although the eviction moratorium issued by the Centers for Disease Control and Prevention protects 43 million renter households nationwide from eviction for nonpayment of rent through 2020, confusion around the law's interpretation and enforcement has led to continued evictions in some places.[6] The temporary patchwork of state and local eviction moratoriums can supersede the moratorium and provide renters with stronger temporary protections, but when these moratoriums expire, a backlog of rent payments will still be due. This is a delay, not a solution, and evictions for nonpayment will continue informally and illegally until renters get the money they need.[7]

Hundreds of new state and local rental assistance programs emerged in response to the increasing needs of vulnerable renters during the COVID-19 pandemic, but even large-scale programs, like

Houston's $15 million rental assistance fund, were depleted mere hours after opening for applications.[8] Jurisdictions are facing competing funding priorities in their COVID-19 response and are unable to meet renter need. Depressed economies, less tax revenue collection, increased health care spending, and ongoing unemployment insurance claims have left states facing severe revenue shortfalls (Dadayan 2020). Although many nontraditional funders, such as philanthropies and foundations, have contributed to emergency rental assistance and eviction prevention efforts[9], there is still a significant outstanding financial need, with an estimated $25-34 billion accumulated in back rent by January (Schwartz and Steinkamp 2020).

With no substantial traction on large-scale federal rental assistance legislation, state and local housing policymakers must consider creative solutions to reduce the growing backlog of rent and prevent evictions for millions of financially unstable renters.

Current Funding for Rental Assistance and Eviction Prevention

The federal system for housing assistance is fragmented. Many programs and rules are difficult for tenants and landlords to navigate, particularly during a crisis, and no single program has the available funding to match the need (Galvez et al. 2020). Before the pandemic, federal rental assistance supported 10.4 million people in 5.2 million households, with $43.9 billion directed from the federal government to states through a variety of funding mechanisms.[10] During this time, 23 million people in 10.7 million households still had to pay more than half their income on rent.

This section describes current major federal programs administered by the US Department of Housing and Urban Development (HUD) for housing assistance and highlights their key benefits and limitations. Even though researchers see more promise in some programs for expanding rental assistance rapidly and equitably in response to the COVID-19 crisis, a mix of supports for low-income renters are needed to ensure more households are reached (Galvez et al. 2020).

Two of the main federal programs solely offering rental assistance are the Housing Choice Voucher (HCV) program and Project-Based Rental Assistance (PBRA). Established in 1974, the HCV program is the federal government's largest program for helping the elderly, the disabled, and very low–income families afford private-market housing.[11] HCVs are administered by HUD via 2,200 public housing authorities (PHAs) (Sard 2018). Tenants apply to the PHA for assistance and enter into a lease with a private landlord, and a PHA then pays subsidies to landlords after the unit has passed an inspection and becomes eligible for the program. PHAs must provide 75 percent of its vouchers to applicants with incomes below 30 percent of area median income. Funding for 2020 is around $23 billion to assist roughly 2.3 million families, plus an additional $1.25 billion in CARES Act funds.[12] However, HCVs only support one in five renters who qualify for assistance, and funding for the HCV and other federal rental assistance programs has declined over past decades (Kingsley 2017). Historical funding limitations and reduced PHA capacity because of lower administration fees and the ability of many landlords to refuse vouchers are a crucial implementation challenge for scaling housing vouchers (Galvez et al. 2020; Cunningham et al. 2018).

Project-based rental assistance (PBRA) is a federal housing program where HUD directly contracts with private landlords to provide affordable homes to low-income tenants at certain properties.[13] Project-based assistance is tied to particular units and does not travel with individual tenants. The amount of rental assistance paid to the owner is the difference between 30 percent of a tenant's income and the approved contract rent for the unit. The 2018 appropriation was $11.5 billion serving 1.3 million units that house more than two million low-income residents (Bell and Rice 2018). At least 40 percent of units must be reserved for families with incomes at or below 30 percent of the area median income.[14] No new PBRA projects have been approved since 1983 (although public housing units are allowed to be converted to PBRA units through the Rental Assistance Demonstration program), so an expansion of rental assistance would require the adoption of a new contract mechanism (Galvez et al. 2020).

States and localities have also successfully leveraged more flexible programs that are not only geared toward rental assistance. Emergency Solutions Grants (ESG) provide funding to states and localities for street outreach, emergency shelter, homelessness prevention, rapid re-housing, and Homeless Management Information Systems programs (HUD 2019). Funding for ESG programs total $290 million in formula grants for fiscal year 2020, and, recently, ESG was allocated $4 billion through CARES Act funding (Gerken and Boshart 2020). ESG's rental assistance, via its homelessness prevention program, is a time-limited, tenant-based payment made directly to landlords for applicants with incomes below 30 percent of the area median income and who have no other housing options, financial resources, or support networks. For example, one of the rental assistance programs available through Chicago's Department of Family and Support Services is funded by ESG and provides rent and rent arrear payments for individuals and families at risk of eviction.[15]

During the 2008 financial crisis, the American Reinvestment and Recovery Act used the ESG mechanism and formula to reach their grantees through the Homelessness Prevention and Rapid-Rehousing Program. The program proved to be mostly effective, but many grantees had little experience implementing homelessness prevention programs and faced difficulties adequately targeting the most cost-burdened households (Cunningham et al. 2015). Currently, given the elevated homelessness numbers nationwide and reduced federal funding, many local governments are currently focusing their ESG allocations on serving people currently experiencing homelessness, rather than on homeless prevention programs.[16] And with the increased funding through the CARES Act, there are concerns about the capacity of ESG infrastructure to handle more than 14 times their typical volume.[17]

The Community Development Block Grant (CDBG) program offers grants to 1,231 states, cities, and counties via the HUD on a formula basis to "develop viable urban communities" by providing housing and expanding economic opportunities, particularly to people with low and moderate incomes.[18] Funding for the program equaled $3.4 billion for fiscal year 2020 plus $5 billion in CARES Act funding.[19] At least 70 percent of funds must be geared toward low- and moderate-income people. CDBG can be used for a variety of purposes. Under limited circumstances, when used for rental assistance, states, cities and counties determine program rules and structure. For example, the CDBG Emergency Rental Assistance Program in Osceola County, Florida, provides up to two months of emergency payments to landlords for tenants at risk of becoming homeless because of an inability to pay rent.[20] Funding for CDBG has been declining since the 1980s, and the vast majority of funds are used for infrastructure projects; only .03 percent were used as rental housing subsidies in fiscal year 2019 (Theodos, Stacy, and Ho 2017; Galvez et al. 2020).

The Home Investment Partnerships Program (HOME) is the largest federal block grant to states and localities directed solely toward the creation of affordable housing for low-income households. HOME activities include building, buying, and rehabilitating affordable housing and providing direct rental assistance to low-income people.[21] The funding level for 2020 is $1.35 billion, which must all serve low- and very low–income families. However, the rental assistance infrastructure and capacity through HOME is limited, as HOME funding has reduced significantly throughout the years, which makes expansion more difficult (Galvez et al. 2020).

Given the multitude of programs but limited funding, states and localities should think holistically about funding sources at their disposal that can be leveraged for housing assistance.[22] Although programs like HCV and PBRA are solely geared toward rental assistance, other programs like CDBG, HOME, and ESG have a variety of eligible uses, which include eviction prevention activities. But many of these programs are underfunded, and states and localities have not prioritized spending on eviction prevention (Gerken and Boshart 2020). Although TANF was not designed to promote housing stability, this funding source has the potential flexibility to fill funding gaps.

TANF can Prevent Evictions

Temporary Assistance for Needy Families (TANF) is a fixed federal block grant distributed yearly to states, tribes, and territories with goals broadly related to addressing and preventing poverty for families with children. TANF's flexible guidelines have widely varying spending priorities and programs across states, ranging from work-promoting activities and childcare subsidies to replacing existing state spending in some cases (Burnside and Schott 2020). Although TANF is not often considered a traditional eviction prevention funding source by housing policymakers and practitioners, it has the potential to fill gaps in state and local emergency rental assistance, scale up existing emergency rental assistance programs, and reach additional families falling further behind on rent.

Background

TANF was enacted in 1996, replacing the cash assistance entitlement provided by Aid to Families with Dependent Children and eliminating states' obligation to provide cash assistance to families in poverty. Federal TANF block grant funding has stayed fixed at $16.5 billion since its creation, effectively falling in value by almost 40 percent because of inflation (CBPP 2020). As of September 2020, states have not received any additional federal TANF funds for COVID-19 response. To receive the full grant, states are also required to make their own contributions, called state maintenance-of-effort requirements, which are equal to 75 percent of their former contribution to programs related to Aid to Families with

Dependent Children (Falk 2017). Flexible federal spending guidelines give states broad discretion in TANF spending as long as programs meet at least one of these four goals:[23]

1. Provide assistance to needy families so children may be cared for in their own homes or in the homes of relatives.
2. End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage.
3. Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies.
4. Encourage the formation and maintenance of two-parent families.

Eviction prevention is directly aligned with these goals, as families with children are disproportionately likely to receive an eviction order (Desmond and Gershenson 2017). Even a single eviction can have lasting negative effects on families' housing stability, mobility from poverty, and economic self-sufficiency (Collinson and Reed 2018; Desmond and Kimbro 2015). The Office of Family Assistance (OFA), which administers the block grant, encourages state use of TANF funds for eviction prevention as an effective way to provide assistance to state-defined "needy families" and reduce dependence on government benefits.[24] The OFA does not incentivize or require spending for housing stability efforts, leaving spending priorities up to state policymakers.

Publicly available data on state TANF expenditure does not include information on funds used for emergency rental assistance or participant housing outcomes, but TANF has helped many low-income renters stay housed. People who receive basic cash assistance are less likely to be evicted, and some state and local emergency assistance programs already use other TANF nonrecurrent, short-term (NRST) benefits and service funds to help renters at risk of eviction (Phinney et al. 2007). NRST funds, commonly referred to as a diversion payment, usually takes the form of a larger lump sum of cash used to address short-term needs, like rent delinquencies, moving costs, or legal fees.

The OFA highlights basic cash assistance and NRST benefits as effective ways to quickly get cash to families facing short- and long-term challenges paying rent by using existing TANF program infrastructure. Basic cash assistance and NRST benefits have different federal spending guidelines based on the broad categories of assistance and nonassistance spending, respectively.[25] Assistance spending guidelines are specific to basic cash assistance payments. These monthly payments can help eligible low-income families who face indefinite financial challenges and need ongoing financial assistance to pay rent. Nonassistance spending, which includes NRST funds, as well as a broad range of activities under TANF's third and fourth goals, have fewer eligibility restrictions and are better suited for families with a short-term financial need facing a discrete hardship that puts them at risk of eviction, like job loss. We discuss the high-level federal guidelines, limitations, and potential of both assistance and nonassistance funding for emergency rental assistance during the pandemic below.

Expanding Basic Cash Assistance Can Help Low-Income Renters but Is Not Enough

Although TANF is primarily associated with individual cash welfare payments, this basic cash assistance typically only makes up a small portion of state TANF expenditure. Spending on assistance is subject to a distinct set of federal requirements, as seen in box 1. States have increasingly diverted funds away from basic assistance. In 2018, state TANF agencies only spent 21 percent ($6.7 billion) of combined federal and maintenance-of-effort funds on basic assistance. In 2014 only 23 percent of families with children in poverty received basic cash assistance (Hahn et al. 2017). This assistance has become less useful in reducing housing cost burden over time, as fixed benefits have decreased in value while housing costs have increased. A Center on Budget and Policy Priorities analysis found that in 2020, the monthly TANF benefit for a family of three could not cover even half of FMR in 32 states.[26]

Basic cash assistance guidelines have not been substantially altered at the federal level in response to COVID-19. Instead, states have been encouraged to change their existing requirements to be as flexible as possible within federal guidelines, as long as the OFA is notified within 30 days. States are ultimately responsible for quickly adapting benefit and eligibility requirements, implementing these changes remotely and deciding how to spend TANF on additional crisis response (Hahn et al. 2020). For example, while all states impose work requirements on most adults who receive cash assistance, they can also exempt a limited number of participants from work activities and determine which activities to permit. A May survey of state TANF administrators found that of 19 responses, 15 currently had, or were in the process of creating, virtual opportunities for meeting work requirements. Fourteen had also expanded policies for work requirement exemption. Seven states had changed income and asset limits for cash assistance to not count the CARES Act economic impact payments and additional unemployment insurance benefits when determining eligibility for TANF cash assistance. Twelve states, on the other hand, still counted the additional unemployment insurance supplement as applicant income (Shantz and Hahn 2020).

BOX 1

Federal TANF Basic Assistance Requirements

- **Time limits:** Families with an adult recipient are limited to no more than 60 months of assistance funded with federal Temporary Assistance for Needy Families (TANF) dollars, though many states impose shorter time limits and some use state funds to provide assistance beyond 60 months for some recipients. States may except from the federal time limit for up to 20 percent of a state’s caseload for families experiencing “hardship,” which is defined by the state.[a]
- **Immigrant eligibility:** Legal immigrants’ TANF eligibility is complicated. Most legal immigrants cannot receive federally funded TANF cash assistance for their first five years of residence in the United States.[b]
- **Work requirements**: For families receiving TANF cash assistance, federal law requires cash assistance recipients to begin work within 24 months of assistance. States can receive financial penalties unless at least 50 percent of all families with work-eligible recipients are participating in federally-countable work-related activities. States can allow cash assistance recipients to engage in other work activities and can choose the circumstances for exempting families, but only

the federally specified exemptions and activities are considered in calculating a state's work participation rate. The Office of Family Assistance is not authorized to waive the work requirement in response to COVID-19, but has signaled that they will use their authorized flexibility to waive penalties for states failing to meet fiscal year 2020 work participation rates.[c]

[a] Federal law does not impose a time limit on "child-only" families, nor does this restriction hold for state maintenance-of-effort funds.

[b] Immigrant families, especially those with undocumented members, have been disproportionately affected by COVID-19 and largely excluded from federal relief efforts.

[c] "Questions and answers about TANF and the Coronavirus Disease 2019 (COVID-19) Pandemic," March 24, 2020, https://www.acf.hhs.gov/ofa/resource/tanf-acf-pi-2020-01.

While basic assistance provides a key support to many families in poverty, serving around 1.2 million recipients in 2018, state imposed TANF restrictions have exacerbated racial disparities in welfare access. States with larger Black populations have less generous and more restrictive TANF policies, including shorter time limits, more severe sanctions, and lower benefit amounts (Hahn et al. 2017). Black families, who were already less likely to receive sufficient cash assistance to meet their basic needs compared with other families, also face higher rates of financial hardship and eviction filings during the COVID-19 pandemic.[27]

Less-restrictive TANF basic assistance requirements can help increase equitable access to cash assistance, but cash assistance is not designed to effectively address an immediate housing crisis. Even most states' maximum benefit amounts do not cover a single month of outstanding rent, with the 2018 median maximum monthly benefit of $528 for a family of four[28] barely covering half of the median rent of $1,058 for an average two-bedroom apartment.[29] Expanding access to housing subsidies in addition to basic cash assistance gets families closer to a reasonable housing cost burden and reduces instability. For example, one New Jersey study found that welfare recipients were much less likely to experience eviction when they received targeted housing subsidies in addition to cash welfare.[30] Expanding access to basic cash assistance is vital to expanding TANF's reach to additional families, but not enough to sufficiently prevent eviction. In order to reach more renters and meet their needs, states should think creatively about leveraging nonassistance funding like NRST benefits.

Nonrecurrent, Short-Term Benefits Are Best Suited for Emergency Rental Assistance

The OFA encourages agencies interested in addressing housing needs to look beyond monthly cash assistance and use NRST benefits for immediate housing needs. NRST, or TANF diversion payments, are usually a larger lump sum of cash used to address short-term needs, like rent delinquencies. Similar to cash assistance, states are not legally required to use TANF funds for NRST support, but nearly all opt in, with 42 states voluntary spending NRST funds in 2018.[31] Under the current federal guidelines, families can receive a NRST payment under these baseline conditions:

- Funds are used to meet one of TANF's four outlined goals.
- Incomes are below the state definition of "needy" for nonassistance, as defined in their state plans. The federal limit for "needy" is 200 percent of the federal poverty level, but some states may have different standards.
- The payment deals with a specific crisis or episode of need, not a long-term need.
- Benefits will not extend beyond four months.[32]

NRST benefit receipt does not trigger basic assistance spending requirements, like work participation or child support assignment, which expands the pool of eligible renters. This flexibility makes NRST funds a quick and efficient funding source for emergency rental assistance, but states still have broad discretion in determining and changing maximum NRST payments, time limits, and eligibility standards. Table 1 provides examples of the differences in NRST payment requirements across states.

TABLE 1

Snapshot of States' Nonrecurrent, Short-Term Benefits Restrictions

	Maximum payment	Payment counts toward the 60-month time limit	How often recipient can receive maximum payment	Period of TANF ineligibility after receiving payment
Less restrictive	4 months of benefits or $2,560 (Virginia)	No (26 states)	As often as needed (4 states)	Ineligibility ends after the diversion period, or typically 4 months (10 states)
More restrictive	$750 maximum (New Jersey)	Yes (5 states)	Once in a 24-month period, up to twice in lifetime (Kentucky)	12 months (6 states)

Source: Ben Goehring, Christine Heffernan, Sarah Minton, Linda Giannarelli, *Welfare Rules Databook: State TANF Policies as of July 2018* (Washington, DC: Urban Institute, 2019).

Notes: Maximum NRST benefit payment is calculated for a family of three. The diversion period is usually calculated by dividing the diversion amount by the maximum aid payment for the family size. Nonrecurrent, short-term benefits using federal funds are not intended to extend beyond four months.

State of TANF Funds during the COVID-19 Pandemic

Unlike other welfare programs, such as the Supplemental Nutrition Assistance Program or its predecessor Aid to Families with Dependent Children, TANF's fixed annual federal block grant does not increase automatically when disasters strike. States that meet the maintenance-of-effort matching-fund requirements are able to draw from a different source, the TANF Contingency Fund that is allocated by Congress yearly. The initial iteration received $2 billion in funding and was created at the outset of TANF to assist in economic downturns. States relied heavily on this funding during the 2008 housing crisis, and the fund was depleted by early 2010. Congress also created the TANF Emergency Fund for states to draw from during the recession (box 2).

As of September 2020, Congress has not created a COVID-19 TANF emergency fund or increased TANF funding for state pandemic response. The CARES Act also did not include additional TANF funds.[33] In May, Senators Ron Wyden (D-OR), Brian Schatz (D-HI), Sherrod Brown (D-OH), and Robert Casey (D-PA) proposed the Pandemic TANF Assistance Act, which would create a $10 billion Coronavirus Emergency Assistance Grant Program for states, territories, and tribes to assist families and individuals. It would provide targeted assistance for people with the lowest incomes, flexibility in terms of eligible activities, and easily accessible funds.[34] It also eliminated work requirements and time limits for assistance. However, the bill has not gained much traction in the Senate.[35]

BOX 2

Expanded TANF Funding during the Housing Crisis

During the Great Recession, Congress passed the American Recovery and Reinvestment Act, which included the Temporary Assistance for Needy Families (TANF) Emergency Fund, providing $5 billion to states, tribes, and territories.[a] The funds were available to reimburse jurisdictions for 80 percent of any expenses on basic assistance; nonrecurrent, short-term (NRST) benefits; and subsidized employment. Although the act required funds to be used for needy families with children or pregnant women, jurisdictions had the flexibility to set their eligibility requirements and were allowed to support families not already receiving TANF assistance (Pavetti and Bailey 2020).

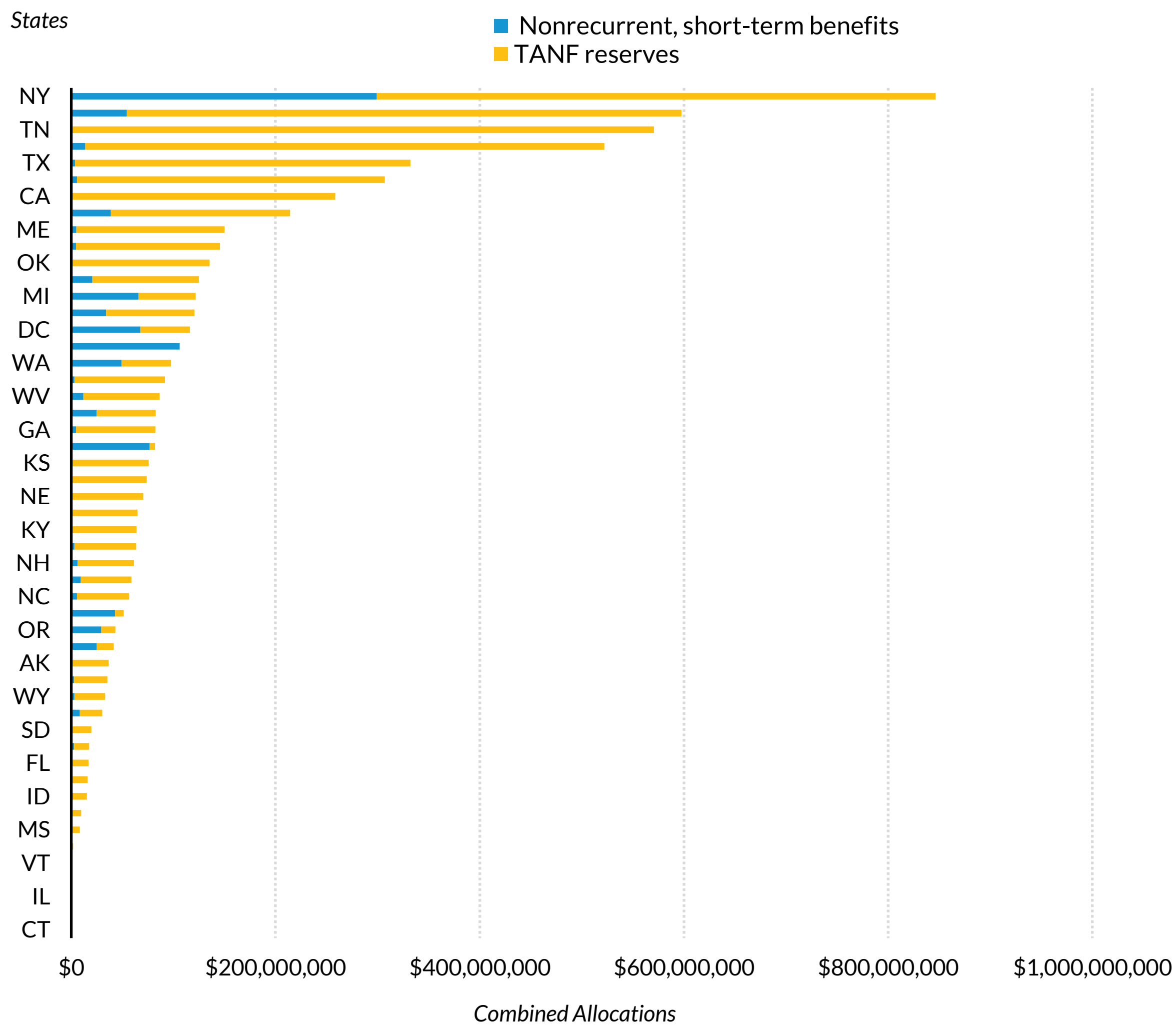
The TANF Emergency Fund was considered highly successful and provided additional cash benefits to nearly a quarter million families. Although there is limited evidence on its role in securing housing stability for at risk renters, some states used NRST funding through the emergency fund to set up eviction prevention programs (Schott 2010). The State of New Jersey added to its Social Services for the Homeless program for people at risk of experiencing homelessness but ineligible for cash assistance. This program provided emergency assistance for food, limited motel or shelter stays, rent or mortgage payments, utility payments, and security deposits. The State of Georgia partnered with United Way to provide one-time emergency payments of up to $3,000 to cover housing-related expenses. One of the intended goals for the partnership was for United Way to help identify the most at-risk families experiencing an emergency. Other states and localities, such as Colorado, Delaware, and Sacramento County, California, also combined TANF Emergency Funds and Homelessness Prevention and Rapid-Rehousing Program funds to enhance their homelessness prevention programs to either target different populations or prioritize TANF funds for initial short-term support and then expand any needed assistance through the Homelessness Prevention and Rapid-Rehousing Program for longer-term aid.

[a] “Background Information about the TANF Emergency Fund,” US Department of Health and Human Services, Office of Family Assistance, August 8, 2012, https://www.acf.hhs.gov/ofa/resource/background-information-about-the-tanf-emergency-fund

States can increase their matching maintenance-of-effort spending to over 100 percent to tap into TANF Contingency Funds, but COVID-19 has hit state budgets particularly hard, making this increased spending difficult. States are not required to spend all of their TANF funding each year, and in 2018, states collectively had reserves of $5.1 billion in unspent funds, equivalent to 32 percent of the total annual block grant (Burnside and Schott 2020). Now, states such as Georgia are facing pressure to tap into their accumulated TANF reserves and fund expanded NRST funds for emergency assistance. A coalition of more than 60 organizations, ranging from the Georgia NAACP to affordable housing advocates, called for the governor to commit to using the state's unobligated TANF dollars for emergency assistance to prevent eviction filings for the state's lowest-income families.[36] Committing TANF reserves and NRST funding to emergency rental assistance could make a large dent in state and local funding gaps (figure 1, table 1.A), but their flexibility makes them highly sought after to fill other growing state and local budget gaps.

FIGURE 1

Temporary Assistance for Needy Families Reserves Accumulated by State, 2018



Source: Urban Institute analysis of fiscal year 2018 data from the Office of Family Assistance, combined with federal Temporary Assistance for Needy Families and states' maintenance-of-effort expenditures and transfers.

Note: For the purposes of this study, we include the District of Columbia along with the states. Figure 1 does not contain all 50 states in the country. For data covering all states and the District of Columbia, please refer to table 1.A in the appendix.

Examples of TANF Use for Emergency Rental Assistance and Eviction Prevention

Although NRST funds are well positioned for expanding emergency rental assistance, there are also ample opportunities to couple TANF funds with existing housing stability and homelessness prevention grant programs, such as ESG. Yet, many of the programs receiving these funds are overburdened, underfunded, and have prioritized meeting the needs of the people experiencing homeless over prevention efforts.

Given TANF's flexibility, states are able to define what constitutes a crisis situation and the design programs to address such an emergency.[37] This means they have the ability to prioritize spending on eviction prevention efforts that respond to specific state, county, tribal, or local housing challenges. Below are a few examples of how states and localities have used TANF funds for emergency assistance.

Existing Emergency Rental Assistance Programs

The State of Wisconsin has an emergency assistance program within the Wisconsin Department of Children and Families that offers a one-time payment for an emergency housing or utility expense.[38] The Wisconsin program's definition of "emergency" is an event caused by a fire, flood, or natural disaster; homelessness or risk of becoming homeless; or an energy crisis. Except for families experiencing multiple emergency events, applicants are ineligible if they have received an EA payment in the previous 12 months. The payment amount depends on the type of crisis and financial need.[39]

Cuyahoga County, Ohio's Prevention, Retention, and Contingency Program provides services and aid to families with incomes at or below 200 percent of the federal poverty level who are experiencing an unexpected emergency. Among a number of requirements, families applying for rental or utility assistance must show evidence of a court proceeding or lead poisoning in the house. The program was made temporarily available for families affected by the COVID-19 pandemic, and assistance included supplemental food assistance, essential supplies (such as daily care or infant care items), and housing assistance of a maximum amount of $750.[40]

There are also local emergency assistance and eviction prevention programs serving major metropolitan areas, such as the Emergency Assistance to Prevent Evictions in Los Angeles County funded by California's TANF grantee, CalWORKs. The Los Angeles County program set particularly strict eligibility requirements: applicants must be part of CalWORKs, which entails income, household, residency, and citizenship requirements; must have exhausted other housing assistance programs; must be employed; must have verification of financial hardship; and must agree to pay a portion of the rent or utility (DPSS 2018). The benefit is further limited to a once-in-a-lifetime maximum payment of $3,000.

Although TANF federal funding is fixed, preexisting emergency assistance programs can take advantage of reserves or additional NRST funds to scale up efforts. Housing practitioners and TANF grantees can also take advantage of the OFA's flexibility during the pandemic and push state legislators to reduce restrictive eligibility requirements and provide more generous benefits.

New Emergency Rental Assistance Programs during the COVID-19 Pandemic

On April 17, the State of Montana reallocated approximately $430,000 in TANF funds to develop an emergency housing rental assistance program in response to COVID-19.[41] Governor Steve Bullock had convened a task force to determine distribution of potential CARES Act funds to best respond to the crisis. Each agency assessed their projected needs and current resources, leading to cross-agency conversations about the most efficient allocation of flexible funding. Housing instability was an identified need and Montana Housing, the state housing finance agency located in the Montana Department of Commerce, was able to repurpose TANF funds formerly used in a down payment loan program for multifamily housing to create a new emergency rental assistance program. Following a set of executive orders declaring a state of emergency, the governor released a directive on April 13 that allowed for housing assistance to be disbursed as grants by temporarily suspending statutes that restricted the assistance to loans. The program started shortly after.[42]

Montana Housing's Emergency Assistance Program was initially designed for low-income families with children younger than 18 years old who were eligible for TANF cash assistance who had experienced a substantial loss of income because of COVID-19. The assistance equaled one month of rent or security deposit directly sent to the applicant's landlord for as long as the applicant could show a need. In May, the program was expanded using $50 million in federal CARES Act money to serve more people by including renters, homeowners, and middle-income people, and removing the minor children requirement.

Cheryl Cohen, Montana housing's executive director, explained that one of the biggest implementation challenges was balancing the need to distribute funds quickly while attempting outreach and providing assistance to renters in the most vulnerable communities. Increased cross-agency communication between the Departments of Commerce and Public Health and Human Services facilitated by a technical assistance grant at the intersection of health and housing was also key to the program's success. The Department of Public Health and Human Services, which also manages TANF in the state, advised Montana Housing on best practices for assistance administration, and the two agencies ensured the program did not overlap with ESG spending.

Framework for Using TANF for Eviction Prevention

As funding for emergency rental assistance becomes increasingly sparse, housing policymakers, advocates, and practitioners can apply these lessons to tap into their state's TANF funds for eviction prevention.

- Assess current renter need and the landscape funding for emergency rental assistance.

   - What are current federal, state, and local funding sources for emergency rental assistance? Is TANF included in these programs?
   - How much assistance is needed to ensure renters are stably housed? (Strochak et al. 2020)
   - Which renters are left out? Can TANF basic assistance or NRST benefits reach these renters or be used as a substitute funding source too free up additional revenue?

- Understand states' TANF spending priorities and identify funds, like NRST benefits and reserves (appendix A) that have the flexibility to be used for rental assistance.

- Push states to remove restrictive TANF guidelines to better align with more flexible federal guidelines (box 1; table 1; page 8).

   - The only federal rule governing changes to the state plan is that states must notify the OFA within 30 days of a change.

- Prioritize cross-departmental collaboration to scale any existing programs, share resources, and ensure consistency in marketing and public communication

   - In Montana, collaboration between Montana Housing and the Department of Public Health and Human Services was key to ensuring TANF and ESG rental assistance efforts were not duplicated, reached the most renters possible, and used public funds efficiently.

- Ensure emergency rental assistance reaches renters facing the biggest eviction risk.

   - The Urban Institute's Rental Assistance Priority Index can facilitate targeted program outreach.[43]

Although the nationwide eviction moratorium is a critical short-term solution to keeping renters housed and help prevent the spread of COVID-19, back rent is piling up and protections will eventually end.[44] These outlined steps can help state and local jurisdictions renew their commitment to supporting the millions of renters at risk of eviction. States have the ability to dedicate a higher proportion of TANF cash assistance and loosen regulations to reach more low-income renter families. NRST funds can help renters who are facing an immediate crisis, and rainy-day reserves can help states ensure renters weather the COVID-19 storm.

Appendix A

TABLE A.1

TANF Expenditures by State and Activity

State	Total TANF Expenditures	Basic Cash Assistance	Basic Cash Assistance	NRST Benefits	NRST Benefits	Reserves	Reserves
Alabama	$174,160,313	$20,321,862	12%	$34,228,732	20%	$86,403,403	50%
Alaska	$80,603,902	$42,073,843	52%	$303,110	0%	$36,312,583	45%
Arizona	$314,281,164	$16,481,500	5%	$9,482,507	3%	$49,421,747	16%
Arkansas	$165,174,562	$4,098,634	2%	$0	0%	$73,792,207	45%
California	$6,231,429,420	$2,214,845,218	36%	$693,922	0%	$257,776,421	4%
Colorado	$369,035,190	$55,969,019	15%	$20,467,571	6%	$104,516,632	28%
Connecticut	$471,682,830	$50,235,960	11%	$0	0%	$0	0%
Delaware	$116,543,319	$13,868,102	12%	$2,648,501	2%	$14,681,104	13%
District of Columbia	$285,722,763	$114,481,531	40%	$67,558,860	24%	$48,728,015	17%
Florida	$775,222,340	$82,898,650	11%	$902,114	0%	$15,912,863	2%
Georgia	$488,964,067	$39,216,776	8%	$4,671,914	1%	$77,565,199	16%
Hawaii	$188,850,232	$28,602,509	15%	$5,701,063	3%	$301,270,692	160%
Idaho	$40,776,545	$8,218,660	20%	$1,344,553	3%	$13,785,444	34%
Illinois	$1,142,098,879	$31,882,616	3%	$740,061	0%	$0	0%
Indiana	$353,037,687	$14,744,438	4%	$387,960	0%	$64,533,230	18%
Iowa	$172,338,326	$33,549,353	19%	$298,427	0%	$653,990	0%
Kansas	$155,344,405	$13,025,973	8%	$701	0%	$75,799,400	49%
Kentucky	$261,549,485	$114,290,927	44%	$0	0%	$63,783,395	24%
Louisiana	$209,172,490	$19,673,217	9%	$0	0%	$9,501,343	5%
Maine	$104,937,518	$30,392,822	29%	$4,867,314	5%	$145,058,012	138%
Maryland	$477,512,468	$111,808,946	23%	$42,786,157	9%	$8,569,735	2%
Massachusetts	$957,963,205	$197,095,710	21%	$106,279,586	11%	$0	0%
Michigan	$1,317,976,594	$99,325,503	8%	$65,738,794	5%	$56,129,398	4%
Minnesota	$519,928,610	$85,568,844	16%	$24,677,916	5%	$58,031,309	11%
Mississippi	$126,148,768	$7,283,266	6%	$0	0%	$8,415,640	7%
Missouri	$399,149,717	$35,600,387	9%	$76,644,403	19%	$5,317,646	1%

Montana	$49,103,719	$25,091,374	51%	$216,068	0%	$15,626,610	32%
Nebraska	$87,980,891	$26,056,953	30%	$145,575	0%	$70,399,341	80%
Nevada	$103,134,774	$38,178,148	37%	$2,721,290	3%	$32,769,013	32%
New Hampshire	$83,448,667	$28,362,064	34%	$6,043,382	7%	$55,395,629	66%
New Jersey	$1,279,736,324	$80,011,928	6%	$8,250,538	1%	$22,025,332	2%
New Mexico	$215,388,997	$55,419,066	26%	$2,919,126	1%	$88,702,001	41%
New York	$4,733,886,777	$1,489,959,121	31%	$299,114,653	6%	$547,417,948	12%
North Carolina	$512,608,922	$36,847,046	7%	$5,420,927	1%	$51,128,408	10%
North Dakota	$43,127,222	$3,502,118	8%	$19,489	0%	$1,922,443	4%
Ohio	$1,067,803,988	$236,818,580	22%	$54,605,143	5%	$542,861,494	51%
Oklahoma	$108,222,339	$18,709,136	17%	$884,108	1%	$134,494,654	124%
Oregon	$276,434,880	$83,385,085	30%	$29,298,535	11%	$13,842,944	5%
Pennsylvania	$939,670,072	$167,238,924	18%	$13,787,906	1%	$508,149,307	54%
Rhode Island	$141,364,990	$25,472,033	18%	$24,854,811	18%	$16,804,062	12%
South Carolina	$164,761,498	$33,411,262	20%	$0	0%	$0	0%
South Dakota	$30,518,076	$15,093,654	49%	$0	0%	$19,606,056	64%
Tennessee	$138,426,177	$18,416,847	13%	$0	0%	$570,718,889	412%
Texas	$831,160,307	$52,003,768	6%	$3,801,921	0%	$328,382,931	40%
Utah	$96,255,273	$18,920,011	20%	$2,962,906	3%	$60,575,439	63%
Vermont	$79,398,534	$14,147,720	18%	$1,317,249	2%	$0	0%
Virginia	$247,816,190	$67,732,679	27%	$4,727,247	2%	$140,874,589	57%
Washington	$946,253,763	$135,806,978	14%	$49,245,018	5%	$48,355,130	5%
West Virginia	$116,092,445	$26,205,913	23%	$11,858,728	10%	$74,561,406	64%
Wisconsin	$503,868,216	$82,281,803	16%	$38,639,988	8%	$175,646,493	35%
Wyoming	$23,628,191	$9,075,196	38%	$3,175,468	13%	$29,821,422	126%

Sources: TANF financial data for fiscal year 2018 from the US Department of Health and Human Services' Office of Family Assistance.

Notes: NRST = nonrecurrent, short-term benefits; TANF = Temporary Assistance for Needy Families. This table shows the total expenditures by state and TANF activity in fiscal year 2018. It also reports expenditures on specific activities as a share of total TANF expenditures. Total reserves equal the sum of federal unliquidated obligations and the unobligated balance, based on calculations by Ashley Burnside and Liz Schott, *States Should Invest More of Their TANF Dollars in Basic Assistance for Families* (Washington, DC: Center on Budget and Policy Priorities, 2020).

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