**Section 378.103 Definitions**

The following definitions apply to terms used in this Part:

"Administering State agency": An agency or department of the State that will disburse funds and administer all or a portion of ERA1 or ERA2 funds.

"American Rescue Plan Act": The American Rescue Plan Act of 2021, P.L. 117-2 (March 11, 2021).

"Annual Income": The definition established by the U.S. Department of Housing and Urban Development in 24 CFR 5.609, or the definition established by the Internal Revenue Service in 26 U.S.C. 62 for "Adjusted Gross Income", as selected by an Applicant or CBRAP Applicant.

"Applicant" or "program applicant": Any person or, in the case of a landlord or lessor, entity, who is obligated to pay rent on a residential dwelling, or lessee or landlord or lessor that has submitted an application, individually or jointly, to receive ERA1 or ERA2 funds. An applicant must apply for assistance via a web-based application portal accessible at http://www.illinoishousinghelp.org/.

"Area Median Income": The area median income, adjusted for household size, as established by the U.S. Department of Housing and Urban Development.

"Authority": The Illinois Housing Development Authority, in its capacity as an Administering State Agency of ERA1 and ERA2 funded programs.

"Categorical Eligibility": An applicant deemed to be an eligible household as a result of the household income having been verified to be at or below 80 percent of the area median income in connection with another local, state, or federal government assistance program, provided the Authority receives a determination letter from the government agency that verified the applicant's household income.

"CBRAP": the Court-Based Rental Assistance Program, an ERA2-funded program administered by the Authority, which provides emergency rental assistance to eligible litigants in eviction court.

"CBRAP Applicant": Any person or, in the case of a landlord or lessor, entity, who is obligated to pay rent on a residential dwelling, or lessee or landlord or lessor that has submitted an application, individually or jointly, to receive ERA2 funds through CBRAP.

"Consolidated Appropriations Act": The Consolidated Appropriations Act, 2021 P.L. No. 116-260 (Dec. 27, 2020).

"Coverage Period": The portion of an ERA1 or ERA2 program eligibility period applicable to an eligible household.

"COVID-19": Coronavirus Disease 2019, as referenced in the State Gubernatorial Disaster Proclamations.

"DCEO": The ERA1 eligible grantee pursuant to the Consolidated Appropriations Act.

"Eligible Landlord": An owner, or authorized management agent, of one or more units receiving or approved to receive ERA1 or ERA2 grant funds on behalf of an eligible household.

"ERA1": An emergency rental assistance program established by Section 501 of Division N of the Consolidated Appropriations Act, 2021, P.L.116-260 (Dec. 27, 2020).

"ERA1 Award Terms": The terms and conditions set forth in OMB Approved No.: 1505-0266 as executed by DCEO in connection with the receipt of funds under the Consolidated Appropriations Act.

"ERA1 Eligible Household": To be eligible, a household must be obligated to pay rent on a residential dwelling and the Authority must determine that:

one or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the COVID-19 outbreak;

one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and

the household has a household income at or below 80% of area median income.

"ERA1 Eligibility Period": An eligible household may receive up to twelve months of ERA1 assistance (plus an additional three months if necessary to ensure housing stability for the household, subject to the availability of funds).

"ERA1 Grant": A grant funded under ERA1 providing emergency rental assistance funds for an eligible household. The Authority will review applications for an ERA1 Grant on a first-come, first-served basis. The Authority does not guarantee funding of any ERA1 Grant.

"ERA1 Grant Agreement": Any agreement between DCEO and the Authority with respect to the administration of a portion of the funds granted to DCEO pursuant to the Consolidated Appropriations Act and further granted to the Authority.

"ERA2": An emergency rental assistance program established by section 3201 of the American Rescue Plan Act of 2021, P.L. No. 117-2 (March 11, 2021).

"ERA2 Award Terms": The terms and conditions set forth in OMB Approved No.: 1505-0270 as executed by IEMA in connection with the receipt of ERA2 funds under the American Rescue Plan Act.

"ERA2 Eligible Household": To be eligible, a household must be obligated to pay rent on a residential dwelling and the Authority must determine that:

one or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship during or due, directly or indirectly, to the coronavirus outbreak;

one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and

the household is a low-income family (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

"ERA2 Eligibility Period": The maximum period of time covered by an ERA2 grant, not to exceed the time parameters set forth in any applicable law. The aggregate amount of financial assistance an eligible household may receive under ERA2, when combined with financial assistance under ERA1, must not exceed 18 months.

"ERA2 Grant": A grant funded under ERA2 providing emergency rental assistance funds for an eligible household. The Authority will review applications for an ERA2 Grant on a first-come, first-served basis. The Authority does not guarantee funding of any ERA2 Grant. The aggregate amount of financial assistance an eligible household may receive under ERA2, when combined with financial assistance under ERA1, must not exceed $25,000.

"ERA2 Grant Agreement": Any agreement between IEMA and the Authority with respect to the administration of a portion of the funds granted to IEMA pursuant to the American Rescue Plan and further granted to the Authority.

"Housing Stability Service" or "HSS":  Case management and other services related to the COVID-19 outbreak, except with respect to ERA2, which services do not have to be related to the COVID-19 outbreak, as defined by the Secretary, including those that enable eligible households to maintain or obtain housing. Such services may include housing counseling, fair housing counseling, case management related to housing stability, housing related services for survivors of domestic abuse or human trafficking, legal services or attorney's fees related to eviction proceedings and maintaining housing stability, and specialized services for individuals with disabilities or seniors that supports their ability to access or maintain housing, subject to the terms of the agreement executed by the HSS Provider and the Authority.

"HSS Sub-Award": An award of funds from the Authority to an HSS Provider.

"HSS Provider": A recipient of funds from the Authority to provide HSS.

"GATA": The Grant Accountability and Transparency Act [30 ILCS 708].

"GATU": The Grant Accountability and Transparency Unit within the Illinois Governor's Office of Management and Budget.

"Guidance": Guidance, including, but not limited to, "frequently asked questions" released by the U.S. Department of the Treasury or the Secretary in connection with the Consolidated Appropriations Act and, or the American Rescue Plan Act.

"IEMA": The ERA2 eligible grantee pursuant to the American Rescue Plan Act.

"IL ERA Act": The Illinois COVID-19 Federal Emergency Rental Assistance Program Act (P.A. 102-0005).

"Lease": A legal agreement between at least two parties in connection with the occupancy of a residential dwelling unit by someone other than the owner.

"Management Agent": A company or individual authorized, pursuant to a Property Management Agreement, to lease units and collect rent on behalf of an owner.

"Owner": A company or individual that holds fee title to the property where the unit is located and occupied by an eligible household.

"Property Management Agreement": A written document that describes the relationship between the owner and management agent. At a minimum, the agreement will reference the address of the eligible household's property and that the management agent may lease and collect rent on behalf of the owner.

"Secretary": The Secretary of the U.S. Department of the Treasury.

"Uniform Guidance": The abbreviated title for Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR 200), which supersedes OMB Circulars A-21, A-87, A-89, A-102, A-110, A-122, and A-133, and the guidance in Circular A-50.

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