



## Property Owner Preservation (POP) Program Guidelines

### Purpose:

House Bill 20-1410 provided funds to the Division of Housing for housing assistance from the CARES Act Coronavirus Relief Fund. The bill includes a provision that allows landlords and/or property owners to seek rental assistance on behalf of their tenants who have experienced financial need on or after March 1, 2020 due to the first or second order effects of the COVID-19 pandemic. Pursuant to the availability of these funds and the Property Owner Preservation (POP) guidelines, landlords and/or property owners<sup>1</sup> may seek payment in arrears for tenants unable to pay their rental obligations.

### Tenant Eligibility:

Tenant must have experienced financial need due to the first or second order effects of the COVID-19 pandemic. In order for the property owner to submit a request for payment on the tenant's behalf, tenant must attest in writing to the following:

- The household was unable to pay all or part of our rent because they experienced financial need on or after March 1, 2020 due to the direct or indirect impacts of the COVID-19 pandemic
- The household did not receive rental assistance from any other local, state or federal program to pay rent for the months assistance is needed.

Tenant must affirm that they are requesting that their property owner request rental assistance on their behalf. [Tenant application can be found here.](#)

### Property Eligibility

- Property must be located in the State of Colorado.
- The property is not in foreclosure or, if it is, a receivership has been established by the courts.
- State or local real estate taxes owed to date have been paid.

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<sup>1</sup> Landlord and property owner are used interchangeably in this document. These terms refer to the owner of the rental property or mobile home park, or their contracted agent



Rental unit (apartments, townhomes, single family homes, mobile home plus lot rental)	Mobile home lot rental only
<ul style="list-style-type: none"> <li>• Monthly rental amount for the unit for which assistance is requested is set at or below the affordability level for a household making 100% AMI (100% AMI Rents) for the county where the unit is located and for the number of bedrooms. <a href="#">These rates can be found here.</a></li> <li>• The unit and property meet basic health and safety requirements. <a href="#">Self certification can be found here.</a></li> </ul>	<ul style="list-style-type: none"> <li>• The mobile home park must meet basic health and safety requirements. <a href="#">Self certification can be found here.</a></li> <li>• If applicable, mobile home parks must be registered with the Mobile Home Park Oversight Program.</li> </ul>

**Property Owner Eligibility**

- Property owner does not have a pending administrative or judicial action for violation of the Fair Housing Act or other federal equal opportunity requirements.
- Property owner has not been determined by a court or administrative agency to have violated the Fair Housing Act or other federal equal opportunity requirements.
- Property owner agrees that they will not commence eviction proceedings related to non-payment of rent or fees for tenants and months for which rent was paid by the State.
- Property owner agrees that they will stop any eviction proceedings related to non-payment of rent or fees for tenants and months for which rent was paid by the State.
- For the month following that for which rent was paid by the POP program, property owner agrees to provide the tenant with at least thirty (30) days' notice of any default for non payment of rent or fees before initiating or filing action for forcible entry and detainer.



- Property owner agrees to release any judgments or credit findings for tenants and months for which rent was paid by the State
- Property owner agrees to waive any late fees incurred for tenants and months for which rent was paid by the State.
- Property owner will provide the tenant with a receipt acknowledging the payment of rent for the months for which rent was paid by the State.
- Not accept any payment for rent for the lease premises in addition to the amount paid by the State
- Property owner must sign the HAP agreement and agree to terms in that agreement.
- Property owner must provide a signed W-9.

### **Registering for the Program**

Property owners must register for the program online or through the mail.

Online registration can be found here: <https://cdola.colorado.gov/rental-assistance>

Paper applications can be requested by emailing: [DOLA\\_POP@state.co.us](mailto:DOLA_POP@state.co.us).

Registration requires the following:

- Owner information
- Payee information, if different from owner
- Signed W-9
- Signed POP Housing Assistance Payment (HAP) contract
- HQS or MHPQS self-certification

### **Requesting Rental Assistance**

Once a property owner is registered they may request rental assistance on behalf of their tenants who have experienced financial need due to the first or second order impacts of COVID-19.

Property Owners must submit the following information:

#### *Tenant information*

- Names of all tenants 18 years or older in the unit for which assistance is requested
- Number of youth and children under 18



- Documentation that tenant has financial need and has requested assistance ([tenant application](#)).

*Unit information for which rent is being requested*

- Number of bedrooms
- Monthly rent

*Rent arrears being requested*

- Months and amounts being requested for each tenant (arrears only)
- DOH will not accept requests for rent increases for the duration of the program. (For example, the unit rent requested in August may not be higher than the unit rent requested in July).

*Documents required*

- Rent rolls indicating unit number, monthly rent, name of occupant, rent paid by month indicating the shortfall requested
- Sample lease or other written agreement for tenants at the property (provide one sample). DOH may request additional leases or agreements for tenants assisted in the program.
- Tenant applications for assistance.

**Payment**

Checks will be cut two times per month for approved requests.

**Duplication of Benefits**

Property owner or tenant may not receive a duplication of benefit from local, state or federal resources. Tenants must disclose whether they have received other local (including churches, Red Cross, etc), state and federal rental assistance. Property owners who receive rent from tenant or another assistance provider for the same unit and month will be required to repay funds to the State of Colorado.

**Auditing and Monitoring**

The State reserves the right to audit the veracity of information provided by the property owner and tenant in order to meet the qualifications of this program. Participating property owners must provide information in a timely manner or the State may pursue return of funds. The State reserves the right to monitor the property owner's performance of its obligations under this program. The State may pursue return of funds



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if property owner is not performing their obligations under this program or if funds were obtained through the submission of false statements or misrepresented information.