

913 AG/JA - COVID-19 RESOURCES

April 2020

The global pandemic of 2020, COVID-19 (Coronavirus), caused the shutdown of many businesses, loss of income, and other negative economic effects. Airmen and their dependents may be in need of assistance and education as to the resources available to them during this time. This brief will help educate members of the 913 AG on some of those resources. Given the fast moving nature of the situation, please be aware that the laws can change quickly. This is **not** an exhaustive list, it is merely a quick synopsis of some of the legal protections/services available to you.

Evictions & Housing Issues

- During the COVID-19 pandemic, some eviction proceedings are on hold. Federal law (the Coronavirus Aid, Relief, and Economic Security Act, or “CARES Act”) dictates that eviction proceedings are to be suspended for—at a minimum—the length of this pandemic on certain properties backed by federal mortgages. This protection does not every cover every property, however, as has been mistakenly reported.
- The state of Arkansas has not, as of the time of this writing, suspended eviction proceedings. However, several neighboring states have. For example, the Texas Supreme Court has temporarily halted eviction proceedings across the state until April 30th with Dallas County extending that moratorium through May 18.
- As eviction moratoriums are changing on a daily basis and can vary county-to-county, please check with a local attorney if you are facing eviction and need particular support.
- **CARES ACT - §4024 (the law)**
 - The CARES Act creates protections for renters by forbidding evictions related to non-payment based upon COVID-19 financial hardship. Specifically, §4024 provides that for 120 days from enactment of the CARES Act (27 March 2020) lessors/landlords cannot:
 - a) Begin the process of eviction
 - b) Charge fees, penalties, or the like for nonpayment of rent
 - c) Require the tenant to vacate early
 - d) Issue a notice to vacate until after 120 days beyond 27 March 2020
 - Please keep in mind: this does not mean that you do not have to pay rent despite being able to do so. It means that if you experience financial hardship due to

COVID-19 such that you are unable to pay rent, you cannot be evicted for nonpayment during this emergency.

Unemployment Assistance

- The State of Arkansas has expanded and extended its unemployment insurance benefits to those adversely affected by COVID-19. The state of Arkansas has set up a hotline number, 844-908-2178, to make unemployment requests. Information is also available at <https://www.arkansasedc.com/covid19>. The state is advising citizens to not go to workforce centers to sign up for unemployment benefits if they can apply over the phone.
- **CARES ACT - §2102 (the law)**
 - (The CARES Act expands Unemployment Insurance benefits and adjusts eligibility requirements. Section 2102 provides that covered individuals may receive unemployment benefits based on “partial unemployment or inability to work caused by COVID-19” through the end of 2020, so long as unemployment is related to COVID-19.⁹ The term “covered individual” has also expanded. It now includes any person who would not normally be eligible under State and Federal law, including those who have exhausted all rights to benefits and self-employed individuals.

Supplemental Nutrition Assistance Program (SNAP)

- Some Airmen and their dependents/extended family members may already qualify for the Supplemental Nutrition Assistance Program (SNAP). This is a federally-funded and state-administered program designed to help low-income individuals and families buy food. The state of Arkansas is working to fast track applications for those affected by the current situation. The USDA has also authorized emergency allotments of benefits for those who did not previously qualify for assistance.

Special Supplemental Program for Women, Infants and Children (WIC)

- WIC, much like SNAP, is a federally-funded and state-administered program. This program is designed specifically for mothers and young children (as opposed to the opportunity for eligibility for adults without dependents with SNAP).
- Per the USDA website, all nutrition assistance programs have certain flexibilities to respond to pandemics such as COVID-19 which do not require further federal approval. For WIC, those flexibilities include:
 - Extending certification periods (for those already receiving benefits) for up to 30 days;
 - Provide up to three months of benefits in advance;
 - In limited circumstances, conduct certification by phone.

Internal Revenue Service (IRS)

- The IRS has established a special section on their website focused on steps to help taxpayers, businesses, and others affected by the COVID-19 pandemic at <https://irs.gov/coronavirus>.
- On 21 March 2020, the IRS extended the federal income tax filing due date from 15 April 2020 to 15 July 2020. This also means that, for individuals who owe taxes to the IRS, they will not incur any penalties or interest as long as they payment is made by 15 July 2020. Taxpayers can still request a tax filing extension, if needed, by filing IRS Form 4868.

Guidance on CARES Act Protections

- The CARES Act provides many financial protections to those put in a position of need due to the COVID-19 health emergency. Much of this relief comes in the form of barring debt holders to penalize debtors for being out of work due to the social distancing requirements of the emergency. This portion of the pamphlet will outline generally these protections. Please be aware that this is not an exhaustive examination of the protections.

Mortgages - §4022

- Section 4022 of the CARES Act provides that individuals with a federally backed mortgage who experience “a financial hardship due, directly or indirectly, to the COVID-19 emergency may request forbearance... regardless of delinquency status.” This means that if you have a federally backed home loan and cannot pay your mortgage payment due to hardship created by the COVID-19 health emergency, you can ask your mortgage company to suspend your requirement to make payments. This forbearance will remain in place for 180 days and can be extended for an additional 180 days. In addition, fees, penalties and interest (beyond what is assessed as if they borrower had made proper payments) can accrue. The method for doing this is as follows:
 - Submit a request to the loan servicer/mortgage company;
 - Affirm that you are experiencing a financial hardship due to COVID-19. The loan servicer/mortgage company cannot require additional documentation for attest to financial hardship.
- Section 4022 also delineates that no federally backed mortgage may be foreclosed upon for a period of no less than 60 days from 18 March 2020.

Small Business Owners

- Airmen, retirees and dependents often also small business owners. The CARES Act provides protections for these businesses through the Paycheck Protection Program. Section 1102 of the act outlines the program: loans are available to cover the cost of small businesses’ payroll expenses. Payroll expenses include but are not limited to: employee paychecks, costs for group healthcare and paid leave programs, interest on mortgage obligations for the business, rent and utilities.⁸

- The Small Business Association website provides the application form for Paycheck Protection Program loans. The website also provides a list of links and content for additional small business resources during this health emergency at <https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources>.

Family & Domestic Issues:

- **FAMILY CARE PLANS** Some military members are required to have, and all other members with dependents are urged to have, an up to date family care plan, documented on an AF Form 357. In order to ensure these family care plans can be quickly implemented, consider the following:
 - Talk to your spouse/other biological parent about who will take care of your children if the primary caregiver is unable to do so.
 - Obtain applicable special powers of attorney (SPOAs) to ensure the FCP can be executed: **IN LOCO PARENTIS; MEDICAL CARE; TRANSPORT CHILD.** These SPOAs, signed by both you and the other parent and notarized, designate an individual or a couple to have temporary custody, or to be able to make medical decisions, or to accompany the children as they move from Point A to Point B.
- On-line Schooling Aids:** You and your dependents can register on MWR digital library at <https://www.militaryonesource.mil/family-relationships/family-life/preparing-your-family-for-emergencies/online-learning-resources-while-schools-are-closed>. This site provides multiple accounts that can be accessed while children are away from school, and includes Ancestry Library, BrainHQ games, EBSCO scholar projects, and National Geographic for Kids.
- Non-medical counseling:** You and your family are going to feel stressed. Provide your family members, including minor children who are facing difficulties with COVID-19 related stress, contacts for Military One Source non-medical counseling. They offer counseling via telephone and online. The instructions can be found at: <https://www.militaryonesource.mil/confidential-help/non-medical-counseling>.
- Incidents of domestic violence and abuse are pervasive in society and such incidents may increase due to the self-quarantine conditions required during this emergency. The Arkansas Legal Services organization (<https://www.arlegalservices.org>) can provide online assistance to those in need at this time. In addition, you can find many forms on its website if you elect to handle your matter on your own.

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