

UNEMPLOYMENT INSURANCE AGENCY FAQs

Below are some of the questions we have received about applying for and receiving unemployment insurance benefits for self-employed and independent contractors. Michigan Realtors® is communicating with Unemployment Insurance Agency (UIA) regarding the most common questions from our members. We will continue to update/supplement these FAQs as we receive additional guidance from the UIA.

1. QUESTION: There appears to be two different applications: one regular unemployment app and a pandemic unemployment app. However, there doesn't appear to be a direct route to the PUA application for independent contractors. MIWAM seems to choose for you. Is there a way to provide people a direct link to the PUA application?

ANSWER: Claimants are asked a series of questions and based on their responses they are sent to the regular claim filing application or Pandemic Unemployment Assistance (PUA) application. For the regular claim filing application, if the claim is ultimately denied, the individual is taken to the PUA claim filing application. The UIA has updated their system so if you were previously unable to access the PUA application, a direct link should now be available in your MiWAM Account.

The UIA has provided this video to assist in accessing the PUA application.

<https://www.youtube.com/watch?v=KVTb1HTJ7Yg>

2. QUESTION: Real estate licensees often have their commissions paid into an LLC upon which they either take an owner's draw or pay themselves a salary. When filling out the information for the FEIN number, do they use the FEIN of the LLC (if it has one), or do they list the FEIN of the brokerage to which they are contracted?

ANSWER: Realtors® should not use an FEIN when applying for unemployment benefits. If asked for an FEIN, you should mark "none."

3. QUESTION: If a real estate closing occurs during the time that I'm drawing PUA benefits, what happens? Do I report the benefits as income on my certification, for benefits to be adjusted for that week? If a purchase agreement was signed before the stay at home order and the closing happens now, will that still affect my benefits since the work was performed before my PUA claim?

ANSWER: If the commission is excessive (more than 1.5x your weekly benefit amount) then you should elect to waive benefits for that week. This will prevent the system from terminating your claim. By choosing to "waive benefits", you are opting out of receiving benefits for that week only. The following week(s) will not be affected.

If the commission is *not excessive* (less than 1.5x your weekly benefit amount) then you should report your sales commission as income for the week you receive it. When the work is done is not relevant for purposes of calculating benefits. You will most likely be ineligible for state benefits for the week you report the commission. However, you should still be eligible for benefits for the following week(s) when you recertify. Your \$600/week allotted under the CARES Act will not be affected as long as you receive at least \$1 in state unemployment benefits. If your commission earnings completely offset your state benefits for that week and your state benefits are \$0 then you will be ineligible for the \$600/week for that week only, but should be eligible for the following weeks(s).

4. QUESTION: I'm a new agent. I've only been working for a few months and have not had a closing. How do I verify income for unemployment insurance benefit?

ANSWER: The UIA has stated that you can use a federal tax return, a 1099, bank statement, or other forms of proof of income.

5. QUESTION: I have been unable to reach the UIA by phone, email or chat. How do I get my questions answered?

ANSWER: The best way to contact the UIA is to send them a web notice through your MiWAM Account.

6. QUESTION: Are there any UIA resources available that will help answer my questions?

ANSWER: Yes. The UIA recently updated their online FAQ. In addition, the UIA has added several helpful videos to their YouTube channel.

UIA FAQ April 19, 2020

<https://www.youtube.com/watch?v=p4bvEHbm6Jg&t=139s>

UIA FAQ April 21, 2020

https://www.youtube.com/watch?v=sJbEx_dZio

UIA FAQ April 22, 2020

<https://www.youtube.com/watch?v=bKHaVRO6tT8>

UIA FAQ April 23, 2020

<https://www.youtube.com/watch?v=rIRkTW0YpSw&feature=youtu.be>

How to File for Pandemic Unemployment Assistance

<https://www.youtube.com/watch?v=6nyM03i1H7w>

How to Set Up Your MiWAM Account

<https://www.youtube.com/watch?v=7xRLSq1VaJs>

7. QUESTION: I've been denied state unemployment insurance benefits. What should I do?
- ANSWER: If you have been denied unemployment benefits, be sure to monitor your MiWAM Account for communications from the UIA. This is where they will reach out for additional information to process your application. If you filed a claim before the PUA application was available, this is likely the reason why you were denied. If you have not yet done so, and even if you have been denied State benefits, you should still file a Pandemic Unemployment Assistance (PUA).
8. QUESTION: My certification status says "payment issued". When can I expect to receive my benefits.
- ANSWER: Typically benefits will be issued within 7-10 business days. If it has been more than 10 days, reach out to the UIA by sending them a Web Notice through MiWAM.
9. QUESTION: The status on my MiWAM Account says that my claim is "processing", but it has said this for weeks. What should I do?
- ANSWER: This means that your claim needs to be reviewed and is pending a decision. You don't have to anything else to do at this point but you should continue to check your MiWAM Account daily for communications from the UIA. The Agency has stated that all resources are being allocated to reviewing and processing claims. Cases are being processed in the order that they were received. Once your claim has been approved, all payments will be backdated so you will not lose out on any benefits.
10. QUESTION: When I certified my claim, I hit the wrong button and accidentally chose to "waive payment" for that week. How can I change this?
- ANSWER: Once the certification response has been submitted, claimants cannot change their answers. If you made a mistake in answering your certification questions, send a Web Notice to the UIA through your MiWAM Account. They can correct your answer. If you receive a determination that says you are ineligible for benefits for that week, you can appeal the determination through MiWAM.
11. QUESTION: I have applied for PUA and started receiving benefits. Does the Governor's Order allowing some real estate activity to resume on May 7th impact an agent's ability to collect PUA benefits?
- ANSWER: Under our reading of the CARES Act, your eligibility for PUA benefits should not be affected. The PUA as passed by Congress does not prevent independent contractors from collecting unemployment just because their state has deemed real estate services as "critical." Realtors® and other self-employed individuals should remain eligible for as long as their work is impacted or until PUA expires on July 31, 2020. If you are currently collecting PUA benefits, you should continue to complete the biweekly certification and report any earned income. The UIA will use this determine your eligibility. See Question #3 for guidance on how to report your sales commission as earned income for unemployment purposes.