



NATIONAL LOW INCOME  
HOUSING COALITION

# ADVANCING HOUSING JUSTICE IN THE 118TH CONGRESS

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Authors:

Sarah Saadian

*Senior Vice President of Public Policy and Field Organizing*

Kim Johnson

*Manager of Public Policy*



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# EXECUTIVE SUMMARY

**T**he National Low Income Housing Coalition (NLIHC) looks forward to working with the 118th Congress to address one of the most critical issues facing America's lowest-income and most marginalized households today: the lack of safe, decent, affordable, and accessible housing.

NLIHC is dedicated to achieving racially and socially equitable public policy that ensures people with the lowest incomes have quality homes that are accessible and affordable in communities of their choice. NLIHC's members include residents of public and assisted housing, people experiencing homelessness and other low-income people in need of affordable homes, housing providers, homeless services providers, fair housing organizations, state and local housing coalitions, public housing agencies, faith-based organizations, concerned citizens, and others. While our members include a spectrum of housing interests, we do not represent any one segment of the housing field. Rather, NLIHC works on behalf of and with low-income people who receive or need federal housing assistance, especially extremely low-income people and people who are homeless.

Even before the pandemic, millions of extremely low-income households – disproportionately people of color and people with disabilities – struggled to remain housed, always one financial shock away from falling behind on rent and being threatened with eviction and, in the worst cases, homelessness. On any given night, more than half a million people experienced homelessness, and millions more were at risk.

The underlying cause of America's housing and homelessness crisis is the severe shortage of homes affordable and available to people with the lowest incomes and the widening gap between incomes and housing costs. Nationally, there is a shortage of 7 million homes affordable and available to renters with the lowest incomes, and rents are far higher than what these households can afford. This is a crisis impacting every state and nearly every community in the country, and one that only the federal government can address.

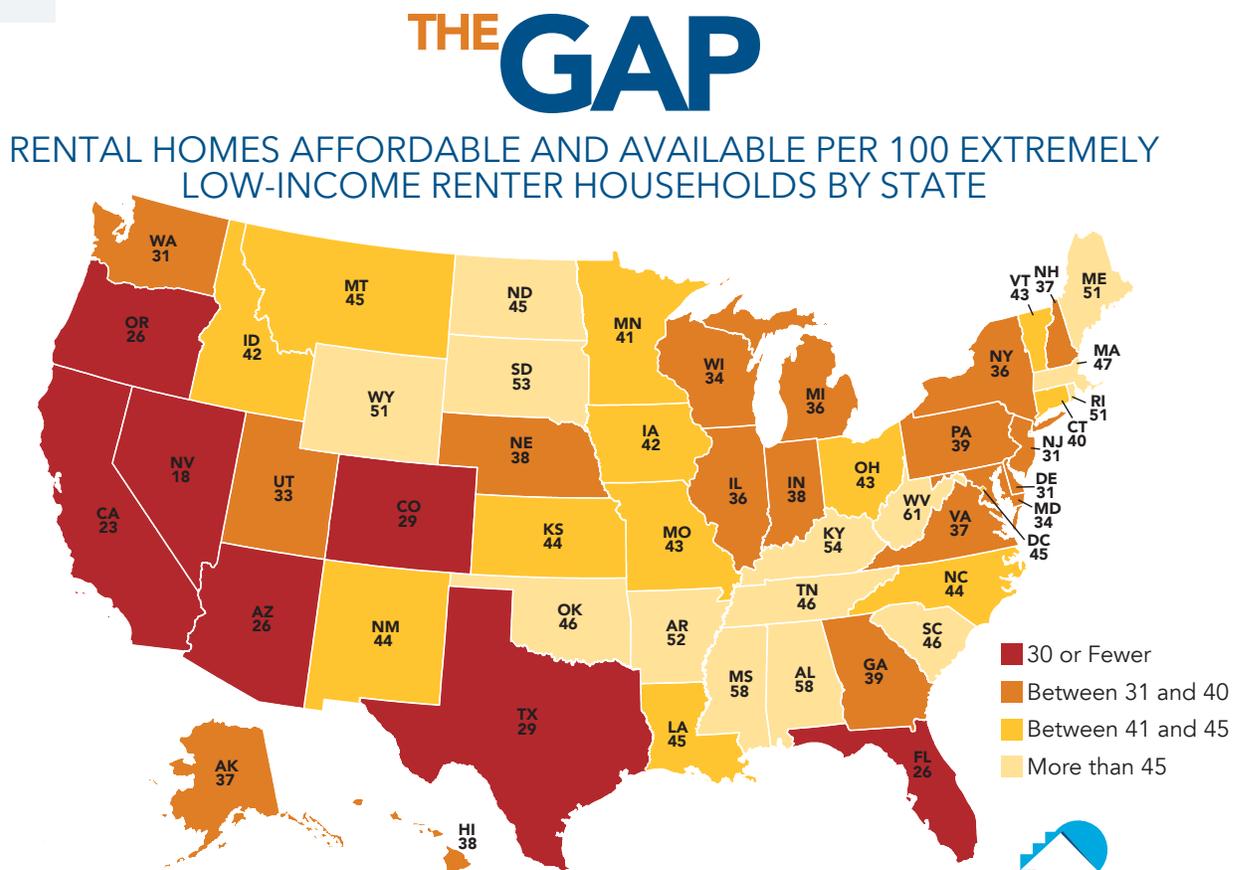
Addressing the affordable housing and homelessness crisis must be squarely on the agenda for every member of Congress. NLIHC stands ready to work with all members of the 118th Congress to seize every opportunity to address the full scope of the affordable housing challenges for households with the clearest and most urgent needs. In the following memorandum, we provide our recommendations on steps Congress can take to make critical investments in the affordable housing our nation needs to ensure all people have the housing stability needed to thrive.

# THE NEED FOR AFFORDABLE HOUSING

Even before the COVID-19 pandemic, the country was in the grips of a pervasive affordable housing crisis, impacting rural, suburban, and urban communities alike. An underlying cause of America's housing crisis is a market failure that results in a severe shortage of rental homes affordable to people with the lowest incomes. NLIHC's annual report, *The Gap: A Shortage of Affordable Rental Homes*, finds a nationwide shortage of 7 million homes affordable and available to extremely low-income renters, whose household incomes are at or below either the poverty guideline or 30% of their area median income, whichever is greater. For every 10 extremely low-income renter households, there are fewer than four homes affordable and available to them.<sup>1</sup>

While the shortage of affordable and available rental homes for extremely low-income renters ranges from six units for every 10 extremely low-income renters in West Virginia to fewer than two units for every 10 extremely low-income renters in Nevada, no state or congressional district in the country has enough deeply affordable, available homes to meet demand (see Figure 1). Without significant, sustained federal investments in deeply affordable housing, the affordable housing shortage will continue to worsen as the demand for affordable rental housing grows.<sup>2</sup>

**FIGURE 1**



Note: Extremely low-income (ELI) renter households have incomes at or below the poverty level or 30% of the area median income. Source: NLIHC tabulations of 2020 5-Year ACS PUMS Data. ©2022 National Low Income Housing Coalition

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1 Aurand, A., Emmanuel, D., Clarke, M., Rafi, I., & Yentel, D. (2022). *The Gap: A Shortage of Affordable Rental Homes*. National Low Income Housing Coalition. Retrieved from: <https://nlihc.org/gap>

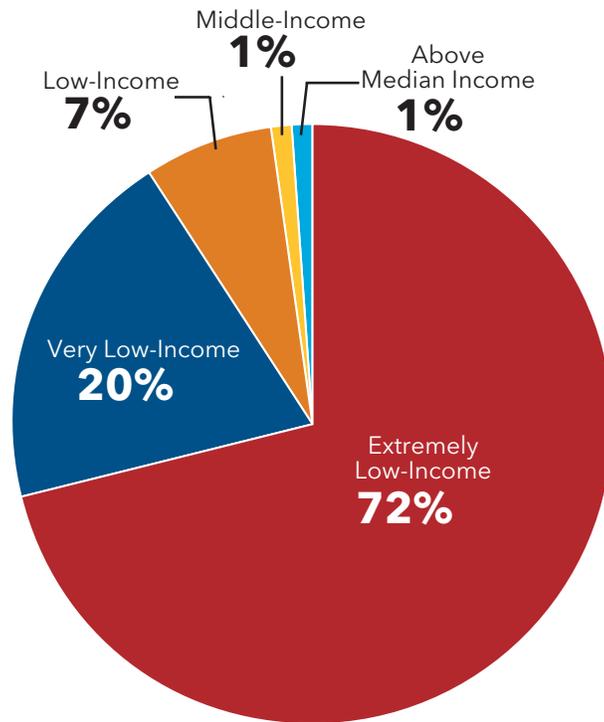
2 Aurand, A., Emmanuel, D., Clarke, M., Rafi, I., & Yentel, D. (2022). *The Gap: A Shortage of Affordable Rental Homes*. National Low Income Housing Coalition. Retrieved from: <https://nlihc.org/gap>

As a result of the severe shortage of affordable housing, 10 million of the lowest-income renters are severely housing cost burdened nationwide, spending at least half of their income on rent every month. Severe housing cost burdens are concentrated among extremely low-income renters. Seventy-one percent of extremely low-income renters are severely housing cost-burdened, accounting for nearly 72% of all severely cost-burdened renters in the U.S. (see Figure 2).<sup>3</sup>

**FIGURE 2**

# THE GAP

## SEVERELY HOUSING COST-BURDENED RENTERS BY INCOME



Source: NLIHC tabulations of 2020 5-Year ACS PUMS data. ©2022 National Low Income Housing Coalition

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With so much income going towards rent alone, these households do not have the resources needed to make ends meet. Research indicates that the lowest-income households spend significantly less on other necessities – such as food, clothing, transportation, and healthcare – when they are forced to spend more than half of their income on rent and utilities.<sup>4</sup>

Systemic racism, past and present, has led to significant racial disparities in both renter demographics and adverse outcomes experienced by renters, such as cost burdens, evictions, and homelessness. The unaffordability of the rental market disproportionately harms Black and Latino households because they are more likely at all income levels to be renters: 30% of white households are renters, compared with 58% of Black households and 46% of Latino households.<sup>5</sup>

Moreover, renters of color are much more likely than white households to be extremely low-income renters. Thirty-four percent of Black renter households, 37% of American Indian or Alaska Native (AIAN) renter households, 28% of Latino renter households, and 24% of Asian households are extremely low-income renters, compared to 21% of white non-Latino renter households (see Figure 3). Renters of color are also

<sup>3</sup> Aurand, A., Emmanuel, D., Clarke, M., Rafi, I., & Yentel, D. (2022). *The Gap: A Shortage of Affordable Rental Homes*. National Low Income Housing Coalition. Retrieved from: <https://nlihc.org/gap>

<sup>4</sup> Joint Center for Housing Studies of Harvard University. (2022). *America's rental housing 2022*. Cambridge, MA. Retrieved from: [https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard\\_JCHS\\_Americas\\_Rental\\_Housing\\_2\\_022.pdf](https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_Americas_Rental_Housing_2_022.pdf)

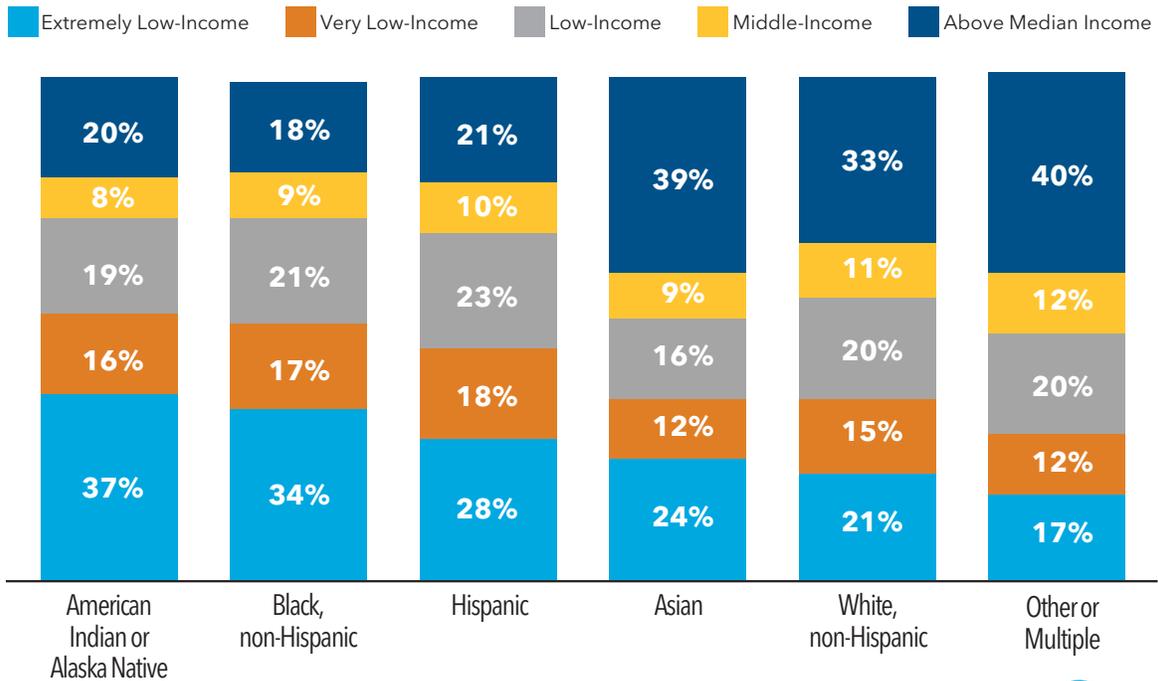
<sup>5</sup> U.S. Census Bureau. (2022). 2020 American Community Survey 5-year Subject Tables [Data set]. Retrieved from: <https://data.census.gov/cedsci/table?q=United%20States>

more likely to experience housing cost burdens than white, non-Latino renters. While 43% of white renters are cost-burdened, 53% of Latino renters and 55% of Black, non-Latino renters are cost-burdened. Thirty-one percent of Black, non-Latino renters and 28% of Latino renters are severely cost-burdened, compared to 22% of white, non-Latino renters.<sup>6</sup>

**FIGURE 3**

# THE GAP

## INCOME DISTRIBUTION OF RENTERS BY RACE AND ETHNICITY



Source: NLIHC tabulations of 2020 5-Year ACS PUMS data. Some columns do not sum to 100% due to rounding. ©2022 National Low Income Housing Coalition

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The majority (90%) of extremely low-income renters are in the labor force (37%), seniors (27%), people with a disability (19%), or single-adult caregivers to a young child or household member with a disability (7%) (see Figure 4).<sup>7</sup> Despite the fact that the majority of renters with the lowest incomes work more than 20 hours per week, they are still not able to reasonably afford the cost of rent.

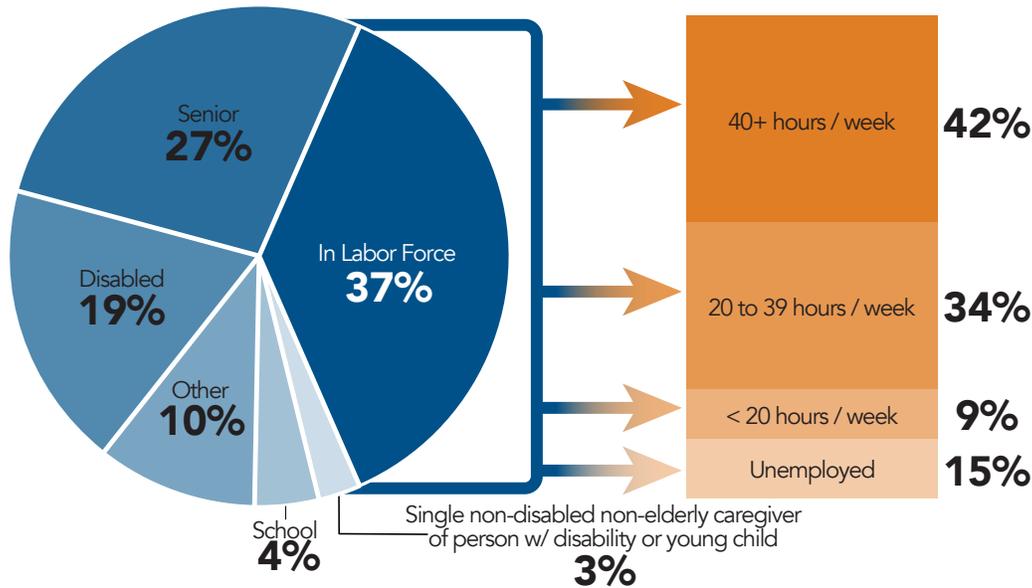
<sup>6</sup> Aurand, A., Emmanuel, D., Clarke, M., Rafi, I., & Yentel, D. (2022). *The Gap: A Shortage of Affordable Rental Homes*. National Low Income Housing Coalition. Retrieved from: <https://nlihc.org/gap>

<sup>7</sup> Aurand, A., Emmanuel, D., Clarke, M., Rafi, I., & Yentel, D. (2022). *The Gap: A Shortage of Affordable Rental Homes*. National Low Income Housing Coalition. Retrieved from: <https://nlihc.org/gap>

FIGURE 4

# THE GAP

## EXTREMELY LOW-INCOME RENTER HOUSEHOLDS



Note: Mutually exclusive categories applied in the following order: senior, disabled, in labor force, enrolled in school, single adult caregiver of a child under 7 or of a household member with a disability, and other. "Senior" means householder or householder's spouse (if applicable) is at least 62 years of age. "Disabled" means householder and householder's spouse (if applicable) are younger than 62 and at least one of them has a disability. "Working hours" is usual number of hours worked by householder and householder's spouse (if applicable). "School" means householder and householder's spouse (if applicable) are enrolled in school. Fifteen percent of extremely low-income renter households include a single adult caregiver, 55% of whom usually work more than 20 hours per week. Eleven percent of extremely low-income renter households are enrolled in school, 48% of whom usually work more than 20 hours per week. Source: NLIHC tabulation of 2020 5-Year ACS PUMS data.

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NLIHC's annual report *Out of Reach: The High Cost of Housing* shows the difference between wages and the cost of rent by estimating every state's and county's "housing wage," the hourly wage a full-time worker needs to earn in order to afford a modest apartment without spending more than 30% of their income on housing. In 2022, the national housing wage was \$25.82 per hour for a modest two-bedroom rental home and \$21.25 per hour for a modest one-bedroom rental home (see Figure 5).<sup>8</sup> The average minimum wage worker must work 96 hours per week - nearly two and a half full-time jobs - to afford a two-bedroom rental home, or 79 hours per week to afford a one-bedroom rental home. People who work 96 hours per week and need eight hours per day of sleep have around two hours per day left for everything else - commuting, cooking, cleaning, spending time with loved ones, self-care, and serving their communities.

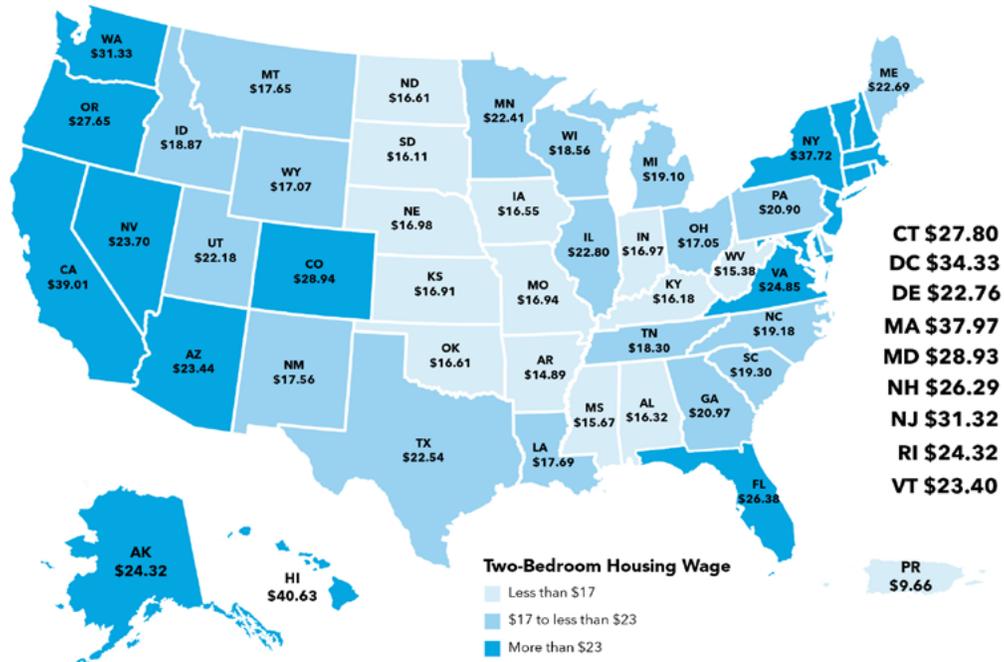
The increases in rent prices over the last year have exacerbated these problems, making the process of finding and maintaining affordable, accessible housing even more difficult for tenants with the lowest incomes. Between the first quarter of 2021 and the first quarter of 2022, median rents for two-bedroom apartments in metropolitan counties increased 15%, or \$179 - an increase more than four and a half times greater than the previous four years (see Figure 6).<sup>9</sup>

8 Aurand, A., Emmanuel, D., Foley, E., Clarke, M., Rafi, I., & Yentel, D. (2022). *Out of Reach: The High Cost of Housing*. National Low Income Housing Coalition. Retrieved from: <https://nlihc.org/oor>

9 Aurand, A., Emmanuel, D., Foley, E., Clarke, M., Rafi, I., & Yentel, D. (2022). *Out of Reach: The High Cost of Housing*. National Low Income Housing Coalition. Retrieved from: <https://nlihc.org/oor>

FIGURE 5

# 2022 TWO-BEDROOM RENTAL HOUSING WAGES

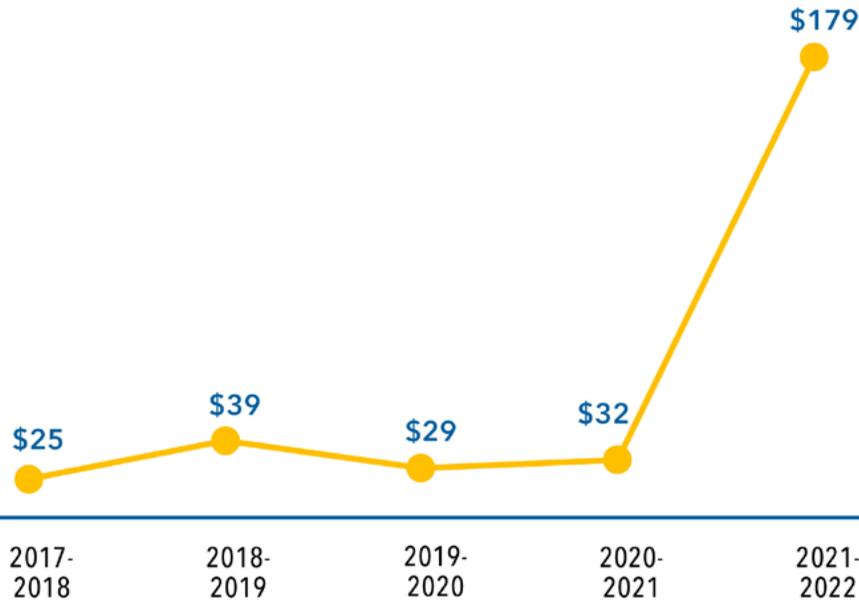


\*Note: New England states are displayed with HUD Fair Market Rent Areas. All other states are displayed at the county level. This map does not account for sub-county jurisdictions with minimum wages higher than the prevailing county, state, or federal minimum wage. No local minimum wages are sufficient to afford a one-bedroom rental home at the Fair Market Rent with a 40 hour work week. The geographic variation of Oregon and New York's state minimum wages are reflected at the county level.



FIGURE 6

# ANNUAL CHANGE IN FIRST QUARTER MEDIAN RENTAL PRICES



Source: Apartment List County Rent Estimates. Calculations are based on data for 345 metropolitan counties.



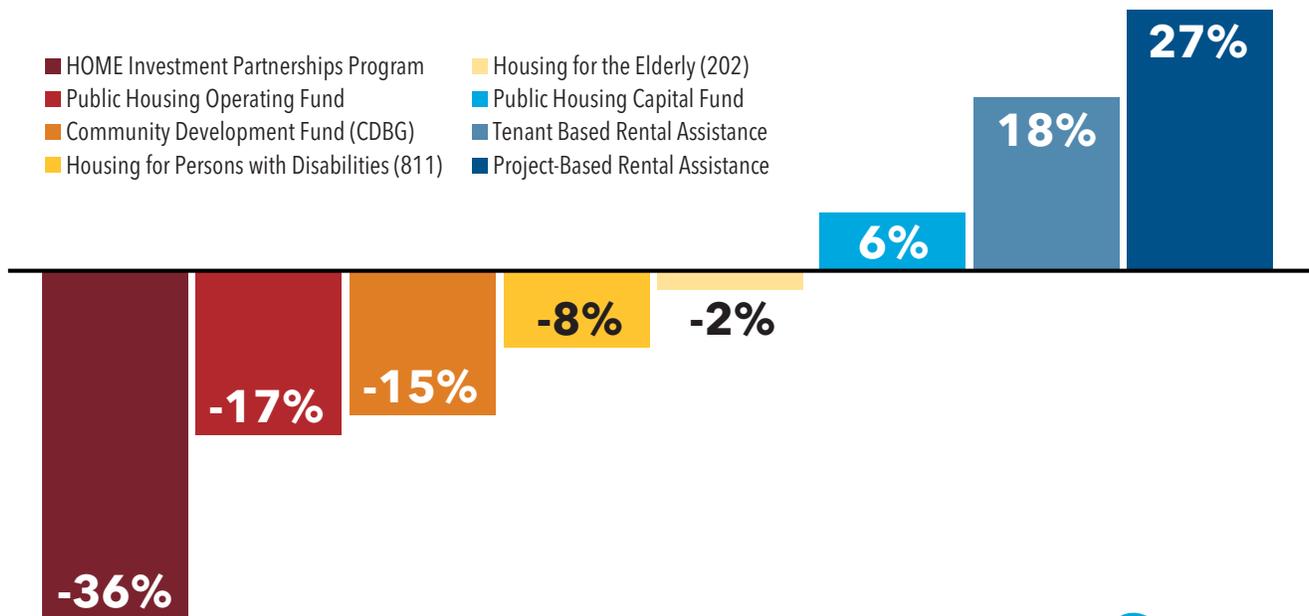
On its own, the private market cannot and will not build and operate homes deeply affordable to extremely low-income families; only a sustained public commitment can ensure people with the lowest incomes have stable, accessible, and affordable homes.

Despite the clear need for investments, however, Congress does not invest in proven housing solutions at the scale needed. In fact, appropriations for most key U.S. Department of Housing and Urban Development (HUD) programs remained lower in FY2022 than they were in FY2010, before the “Budget Control Act of 2011” was enacted (see Figure 7).

**FIGURE 7**

# THE GAP

## CHANGES IN FUNDING LEVELS FOR KEY HUD PROGRAMS (FY 2010 TO FY 2022)



Source: NLIHC federal housing appropriations data.  
Note: Adjusted for inflation. ©2022 National Low Income Housing Coalition

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The public is looking to Congress for solutions. According to a survey commissioned by NLIHC’s Opportunity Starts at Home campaign:<sup>10</sup>

- 84% of respondents believe the federal government should be doing more to prevent homelessness.
- 74% of respondents supported policies expanding federal investments in housing development programs that would build more affordable, accessible housing units.
- 68% of respondents supported policies that would expand funding for housing vouchers to extend access to the program and ensure the approximately 17 million households that currently qualify for a voucher receive the assistance they need.
- 73% of respondents supported creating a permanent emergency rental assistance program that would provide financial assistance to households with the lowest incomes facing a sudden economic hardship that puts them at risk of losing their home.

These findings hold across political ideologies, with majorities of Democrats, Republicans, and Independents supporting additional federal investments in affordable housing.<sup>11</sup>

<sup>10</sup> Opportunity Starts at Home Campaign. (2022). “Fact Sheet: Public Opinion Polling on Housing Affordability and Policy in June/July 2021.” Retrieved from: <https://www.opportunityhome.org/wp-content/uploads/2021/09/Tarrance-NLIHC-Poll-Fact-Sheet.pdf>

<sup>11</sup> Opportunity Starts at Home Campaign. (2022). “Fact Sheet: Public Opinion Polling on Housing Affordability and Policy in June/July 2021.” Retrieved from: <https://www.opportunityhome.org/wp-content/uploads/2021/09/Tarrance-NLIHC-Poll-Fact-Sheet.pdf>

# LONG-TERM SOLUTIONS

It is more important than ever to make meaningful and long-lasting structural changes to ensure people with the lowest incomes have quality, stable, affordable, and accessible homes. A stronger housing safety net is needed to prevent evictions and homelessness and to reduce housing instability among the lowest-income renters.

NLIHC launched the [HoUSed campaign](#) in March 2021 to advance anti-racist policies and achieve the large-scale, sustained investments and reforms necessary to ensure renters with the lowest incomes have a safe, quality, affordable, and accessible place to call home. With the help of congressional champions, national, state, and local partners, and advocates around the country, the HoUSed campaign advocates for solutions to America's housing crisis that address the roots of the housing affordability crisis, including:

1. Bridging the gap between incomes and housing costs by expanding rental assistance to every eligible household.
2. Expanding and preserving the supply of affordable, accessible rental homes for people with the lowest incomes.
3. Providing emergency rental assistance to help stabilize families in crisis.
4. Strengthening and enforcing robust renter protections.

## BRIDGE THE GAP BETWEEN INCOMES AND HOUSING COSTS

Congress should expand rental assistance to make it universally available to all eligible households in need. Expanding rental assistance is central to any successful strategy for solving the housing crisis.<sup>12</sup> Rental assistance is a critical tool for helping people with the lowest incomes afford safe, stable, and accessible homes, and the program has a proven track record for reducing homelessness and housing poverty.<sup>13</sup>

The COVID-19 pandemic accelerated the existing housing crisis and exposed the inadequacies of the federal housing safety net. If universal housing assistance had been in place before the pandemic, the U.S. could have more quickly and easily protected renters with the lowest incomes from housing instability, eviction, and homelessness using an existing infrastructure. Universally available housing assistance would have ensured families had money to use for other necessities, like food and medical care, in the wake of the pandemic.

In the near term, Congress should enact the "[Family Stability and Opportunity Vouchers Act](#)," introduced with bipartisan support in the 117th Congress by Senators Chris Van Hollen (D-MD) and Todd Young (R-IN). The bill would provide 500,000 new housing vouchers and housing counseling services to families with young children, helping them move to safe, affordable housing connected to well-performing schools, well-paying jobs, healthcare services, and transit.

Congress should also enact the "[Ending Homelessness Act](#)," introduced in the previous Congress by Representatives Maxine Waters (D-CA), Emanuel Cleaver (D-MO), and Ritchie Torres (D-NY). If enacted, the bill would create universal rental assistance for every eligible household, ensuring rental assistance – like other parts of the nation's safety net – would receive mandatory full funding each year to cover the needs of all eligible households. The bill would also expand resources to increase the supply of housing affordable to those with the greatest needs through the national Housing Trust Fund and prohibit housing discrimination based on source of income.

Proposals to establish a renter's tax credit program, like that included in the "[Rent Relief Act](#)" introduced by

<sup>12</sup> Center on Budget and Policy Priorities. (2017). "Housing Choice Voucher Fact Sheets." Retrieved from: <https://www.cbpp.org/housing-choice-voucher-fact-sheets>

<sup>13</sup> Opportunity Starts at Home Campaign. (2022). "Housing Influences Outcomes across Many Sectors and the Research Shows It." Retrieved from: <https://www.opportunityhome.org/related-sectors/>

Senator Raphael Warnock (D-GA) and Representative Danny Davis (D-IL), provide an innovative approach to universal rental assistance. The bill would create a refundable monthly tax credit for renters spending over 30% of their income on the cost of rent that would cover the excess cost of rent.

## **EXPAND AND PRESERVE THE SUPPLY OF AFFORDABLE, ACCESSIBLE RENTAL HOMES FOR PEOPLE WITH THE LOWEST INCOMES**

Addressing the shortage of affordable, accessible, and available housing for the lowest-income households requires both preserving existing affordable housing stock and increasing the supply of deeply affordable, accessible housing.

Efforts to expand the federally assisted housing stock and close the affordability gap hinge on preservation. Preservation stops displacement and housing instability for current tenants, prevents the loss of difficult-to-replace housing in well-resourced neighborhoods, mitigates further disinvestment from distressed communities, presents an opportunity to reduce greenhouse gas emissions through energy retrofitting, and prevents the further decline of the already limited federally subsidized housing stock. Congress must provide robust resources to preserve the roughly 900,000 public housing units that are currently home to over 2 million residents, the majority of whom are people of color. Public housing is critical to ensuring people with the greatest needs have an affordable and accessible place to call home, and the preservation of this community asset is key to any strategy to address America's housing crisis.

To increase the supply of deeply affordable and accessible housing, Congress should expand funding for the national Housing Trust Fund (HTF) to at least \$40 billion annually. The HTF is the only federal housing production program exclusively focused on serving households with the lowest incomes and most acute housing needs. The "[American Housing and Economic Mobility Act](#)," introduced in the previous Congress by Senator Elizabeth Warren (D-MA) and Representative Emanuel Cleaver (D-MO), would address the shortage of affordable rental homes for people with the lowest incomes through a robust investment of nearly \$45 billion annually in the national Housing Trust Fund. The bill also includes resources to repair public housing, build or rehabilitate housing in tribal and Native Hawaiian communities, and create and preserve affordable homes in rural areas.

In addition, the federal government should incentivize or require state and local governments that receive federal transportation and infrastructure funding to eliminate restrictive zoning rules that increase the cost of development, limit housing supply for all renters, and reinforce segregation and structural racism in housing and other systems.

## **PROVIDE EMERGENCY RENTAL ASSISTANCE TO HELP STABILIZE FAMILIES IN CRISIS**

The COVID-19 crisis highlighted a reality that has long been true: many households are only one missed paycheck or unexpected expense away from not being able to afford their homes. Permanent solutions are needed to combat the evictions and homelessness that can occur when low-income renters experience income loss or unexpected financial shocks. Congress should build on the lessons learned from and successes of the emergency rental assistance (ERA) program created during the pandemic by enacting a permanent program at HUD to help stabilize families before they face eviction, displacement, and, in the worst cases, homelessness.

The "[Eviction Crisis Act](#)," introduced in the 117th Congress with bipartisan support from Senators Michael Bennet (D-CO) and Rob Portman (R-OH), and the "[Stable Families Act](#)," introduced in the 117th Congress by Representative Ritchie Torres (D-NY), would establish a permanent version of the pandemic ERA program by creating a national housing stabilization fund for renters facing temporary financial setbacks. Providing temporary assistance for households would help prevent the many negative consequences associated with evictions and homelessness, including physical and mental health challenges, loss of

possessions, instability for children, and increased difficulty finding a new home.<sup>14</sup>

## STRENGTHEN AND ENFORCE ROBUST RENTER PROTECTIONS

During the pandemic, state and local jurisdictions across the country recognized the crucial role tenant protections play in preventing evictions and ensuring housing stability for the most marginalized households. NLIHC has been tracking the passage of tenant protections in jurisdictions across the country.<sup>15</sup> In 2021 alone, states and localities passed or implemented more than 150 new laws or policies to protect tenants from eviction and keep them stably housed.

Jurisdictions passed short-term protections to support renters during the pandemic, including eviction moratoriums, pauses on evictions while ERA applications were under review, and efforts to coordinate the eviction process with ERA. State and local governments also enacted long-term protections, such as right-to-counsel legislation, source-of-income discrimination laws, legal defense appropriations, and sealed eviction records legislation.<sup>16</sup> While ERA programs and the short-term protections tied to them are expiring, long-term tenant protections will outlast the pandemic and can guide policymakers looking to pass similar local or federal protections.

To ensure the safety and just treatment of renter households across all jurisdictions, Congress should similarly enact legislation to establish vital national protections for renters. Congress should prohibit source-of-income discrimination to help ensure that landlords do not discriminate against renters who receive rental assistance or other similar sources of income. Current federal law does not prevent landlords from rejecting all housing vouchers, with limited exceptions.<sup>17</sup>

A growing number of states and localities have enacted source-of-income protection laws that would increase voucher acceptance.<sup>18</sup> Several studies indicate that voucher non-discrimination laws are associated with substantial reductions in the number of landlords that refuse to accept vouchers.<sup>19</sup> <sup>20</sup> Despite the growing evidence suggesting that source-of-income protection laws increase the effectiveness of the Housing Choice Voucher program, only one in three voucher holders is protected by non-discrimination laws.<sup>21</sup> Congress should enact the “[Fair Housing Improvement Act](#),” introduced in the previous session by Senator Tim Kaine (D-VA) and Representative Scott Peters (D-CA). The bill would expand the “Fair Housing Act” to prohibit housing discrimination based on source of income and military and veteran status.

Additionally, Congress should establish and fund a national right to counsel to help more renters stay in their homes and mitigate harm when eviction is avoidable. In eviction cases, access to legal representation can make the difference between a tenant remaining safely, stably housed and facing eviction or even homelessness. With legal representation, tenants may be more informed of their rights, better positioned to navigate the complicated eviction process, and more able to access tenant protections that reduce fees

14 Himmelstein, G. and Desmond, M. (2021). “Eviction and health: A vicious cycle exacerbated by a pandemic.” *Health Affairs*. Retrieved from: <https://www.healthaffairs.org/doi/10.1377/hpb20210315.747908/>

15 National Low Income Housing Coalition. (2022). ERASE Project: Tenant Protections Resources. Retrieved from: <https://nlihc.org/tenant-protections>

16 Vasquez, J., Calabro, A., Johnson, K., and Gallagher, S. (2022). *Tenant protections and emergency rental assistance during and beyond the COVID-19 pandemic*. National Low Income Housing Coalition. Retrieved from: [https://nlihc.org/sites/default/files/Tenant-Protections\\_Emergency-Rental-Assistanceduring\\_beyond\\_COVID-19\\_Pandemic.pdf](https://nlihc.org/sites/default/files/Tenant-Protections_Emergency-Rental-Assistanceduring_beyond_COVID-19_Pandemic.pdf)

17 Poverty & Race Research Action Council. (2018). “Appendix B: State, local, and federal laws barring source-of-income discrimination.” *Expanding choice: Practical strategies for building a successful housing mobility program*. Updated June 2022. Retrieved from: <https://www.prrac.org/pdf/AppendixB.pdf>

18 Poverty & Race Research Action Council. (2018). “Appendix B: State, local, and federal laws barring source-of-income discrimination.” *Expanding choice: Practical strategies for building a successful housing mobility program*. Updated June 2022. Retrieved from: <https://www.prrac.org/pdf/AppendixB.pdf>

19 Bell, A., Sard, B., and Keopnick, B. (2018). *Prohibiting discrimination against renters using housing vouchers improves results*. Retrieved from: <https://www.cbpp.org/research/housing/prohibitingdiscrimination-against-renters-using-housing-vouchers-improves-results>

20 Finkel, M. and Buron, L. (2001). *Study on Section 8 voucher success rates: Volume I Quantitative study of success rates in metropolitan areas*. Abt Associates for HUD. Retrieved from: <https://www.huduser.gov/publications/pdf/sec8success.pdf>

21 Bell, A., Sard, B., and Keopnick, B. (2018). *Prohibiting discrimination against renters using housing vouchers improves results*. Retrieved from: <https://www.cbpp.org/research/housing/prohibitingdiscrimination-against-renters-using-housing-vouchers-improves-results>

or rent owed and allow them to stay in their homes.

Further, NLIHC supports legislation to create federal “just cause” eviction standards to ensure greater housing stability and prevent arbitrary and harmful actions by landlords. Legal protections extended through just cause legislation make the lease renewal process more predictable, protect renters from excessive rent increases, empower tenants to advocate for better living conditions without fear of retaliation, and promote long-term housing stability for the lowest-income and most marginalized renters. Congress should pass just cause eviction legislation to provide stability and predictability at the end of a lease term and mitigate the harms resulting from unprecedented rental increases in cities and states across the country.<sup>22</sup>

Congress should enact additional measures to protect renters nationwide, including expanding the “Fair Housing Act” to ban discrimination based on sexual orientation, gender identity, marital status, and source of income; establishing anti-rent gouging protections for renters; ending arbitrary screening and eviction policies to ensure access for people exiting the criminal legal system; and supporting tenant organizing.<sup>23</sup>

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22 Vasquez, J. and Gallagher, S. (2022). *Promoting housing stability through just cause legislation*. National Low Income Housing Coalition. Retrieved from: <https://nlihc.org/sites/default/files/Promoting-HousingStability-Through-Just-Cause-Eviction-Legislation.pdf>

23 National Low Income Housing Coalition. (2022). “Expand renter protections.” Retrieved from: [https://nlihc.org/sites/default/files/Solution\\_Renter-Protections.pdf](https://nlihc.org/sites/default/files/Solution_Renter-Protections.pdf)

# LEGISLATIVE THREATS AND OPPORTUNITIES

## LEGISLATIVE THREATS

### Dramatic Budget Cuts

**A**n effort by House Republicans to dramatically cut domestic spending, including investments in affordable housing and homelessness, is the biggest legislative threat facing the millions of low-income and marginalized households who struggle to afford rent and make ends meet. With rents rising, eviction filings increasing, and more homelessness in many communities, federal housing investments are more critical than ever to sustain our communities and help low-income people thrive. Balancing the national budget should not be done on the backs of our nation's lowest-income and most marginalized people and families.

To invest in affordable housing at the scale needed, Congress should reject any proposal to impose arbitrary and austere caps on domestic spending, such as those established through the "Budget Control Act of 2011." Passed by a bipartisan Congress and signed into law by President Barack Obama, the Budget Control Act created very low spending caps, limiting federal funding for discretionary programs. While Congress and the White House reached short-term agreements to provide limited budgetary relief for defense and nondefense programs, the low spending caps led to disinvestment in key affordable housing and homelessness programs for a full decade, preventing our nation from making the investments needed to address America's housing and homelessness crisis.

Because of the Budget Control Act, investments in affordable housing have not kept pace with growing demand. As a result, millions of people do not have an affordable place to call home. Half a million people are living on the street, in shelters, or in their cars on any given night. In fact, only one out of every four families in need receives housing assistance. Every state and congressional district is impacted.

Our nation cannot afford further cuts to these critical investments. Federal funding for HUD and U.S. Department of Agriculture (USDA) Rural Housing Service programs provides essential resources to promote strong and healthy communities and help more than 5 million of America's lowest-income and most marginalized seniors, people with disabilities, veterans, parents with children, and others afford stable and safe housing.

When people have safe, decent, and accessible homes that they can afford, they are better able to find and maintain employment, achieve economic mobility, and stay in good health. A stable place to call home gives children more opportunities to succeed in school and life and offers seniors a chance to live and grow with independence and dignity. Towns, neighborhoods, and schools benefit from the improved sense of community that results from residents having stable and affordable homes.

Dramatic cuts to housing investments will make it more difficult for struggling families to afford a roof over their head and will lead to increased homelessness and housing poverty. Instead of dramatically cutting housing and other domestic spending, Congress should provide the highest level of investment possible for federal housing and homelessness programs through the annual appropriations process. NLIHC's top appropriations priorities for FY2024 include:

- Renewing all rental assistance and expanding resources to at least 200,000 additional households.
- Fully funding public housing operations and repairs.
- Fully funding homeless assistance grants.
- Providing \$100 million for legal assistance to prevent evictions.

- Providing \$3 billion for a permanent Emergency Rental Assistance program.
- Increasing funding for competitive tribal housing grants for tribes with the greatest needs.

### Cuts to Housing Assistance

Congress must [reject](#) any attempts to cut housing assistance or impose harmful barriers to receiving or maintaining housing assistance, including placing time limits on assistance or imposing work requirements. Proposals to slash federal housing benefits would leave even more low-income people without a stable home, making it harder for them to climb the economic ladder and live with dignity. If enacted, these harmful proposals would undermine housing stability, increase evictions, and lead to more homelessness.

In 2018, President Trump and some members of Congress proposed legislation that would have harmed renters already struggling to pay rent and make ends meet. The Trump administration proposed to increase rents on most non-elderly, non-disabled families receiving housing assistance by requiring that they pay 35% of their gross income toward rent, compared to 30% of their adjusted income. The very poorest elderly and disabled families would also have seen their rents increase to as much as 30% of their gross income, or by \$50, whichever was higher. The Trump administration's proposal would have eliminated income deductions for medical or childcare expenses for all households, which would have primarily impacted seniors, people with disabilities, and families with children. The proposal sought to triple the mandatory minimum rent to \$150 for households assumed to be able to work and would have allowed housing providers to impose broad work requirements, without offering any resources to help people gain the skills they need for well-paying jobs.

Cutting housing benefits does not address the underlying causes of America's housing and homelessness crisis: the widening gap between wages and housing costs, and a severe shortage of homes affordable to people with the lowest incomes. Imposing arbitrary restrictions on housing benefits will not create the well-paying jobs and opportunities needed to lift households out of poverty. In fact, these restrictions will make it more difficult for households to maintain employment and economic security.

Congress should reject proposals to take away housing benefits and instead enact proven solutions to help struggling families earn more and get ahead. This requires expanding - not slashing - investments in affordable homes.

## LEGISLATIVE OPPORTUNITIES

### Bipartisan Legislation

In the 118th Congress, there is an opportunity to advance bipartisan legislation to help address homelessness and housing poverty. NLIHC's top priorities for bipartisan legislation include:

- Permanently authorizing HUD's long-term disaster recovery program to provide greater oversight and deeper targeting of resources. Congress should enact the bipartisan "Reforming Disaster Recovery Act," introduced in the last session by Senator Susan Collins (R-ME), Senator Brian Schatz (D-HI), Senator Todd Young (R-IN), Senator Patrick Leahy (D-VT), and Senator Bill Cassidy (R-LA), and Representative Al Green (D-TX), to permanently authorize the Community Development Block Grant-Disaster Recovery (CDBG-DR) program and provide important safeguards and tools to help ensure that federal disaster recovery efforts reach the lowest-income and most marginalized disaster survivors.
- Enacting the "Family Stability and Opportunity Vouchers Act" to connect low-income families to economic and educational opportunities. The bill, introduced by Senator Todd Young (R-IN) and Senator Chris Van Hollen (D-MD) in the last session, creates 500,000 housing vouchers specifically targeted to low-income families with young children and provides mobility counseling services to help families move to communities of their choice, including communities with high-performing schools, strong job prospects, and other resources. The legislation would largely eliminate homelessness among families with young children, as well as substantially reduce the number of children growing up in areas of concentrated poverty.

- Enacting the “Eviction Crisis Act,” introduced in the last session by Senator Rob Portman (R-OH) and Senator Michael Bennet (D-CO) in the Senate and Representative Ritchie Torres (D-NY) in the House, to provide emergency, short-term assistance to help stabilize households in crisis, building on lessons learned from and the infrastructure developed during the pandemic to keep families stably housed.
- Streamlining and improving the Section 8 Housing Choice Voucher program. Congress should consolidate the more than 2,400 public housing authorities that administer the Housing Choice Voucher program to reduce costs and improve the experience for households. Congress should also enact the “Choice in Affordable Housing Act,” introduced in the last session by Senator Kevin Cramer (R-ND) and Senator Chris Coons (D-DE) in the Senate and Representative John Katko (R-NY) and Representative Emanuel Cleaver (D-MO) in the House, to reduce inspection delays, create landlord incentives, and facilitate recruitment efforts with local property owners.
- Incentivizing state and local governments to reduce or eliminate restrictive zoning and land use requirements that drive up housing costs and constrict the supply of housing, especially in markets with significant growth in demand for housing. Congress can incentivize these reforms by tying federal transportation and infrastructure funds to better zoning outcomes. Congress should also enact the “Yes In My Backyard Act,” introduced in the last session by Senator Todd Young (R-IN) and Senator Brian Schatz (D-HI) in the Senate and Representative Derek Kilmer (D-WA) and Representative Trey Hollingsworth (R-IN) in the House, to require HUD CDBG grantees to report on actions taken to address zoning and land use barriers.

### Other Critical Legislation

With a new Congress comes a new opportunity to advance critical legislation endorsed by NLIHC’s HoUsed campaign to make a meaningful difference in the lives of millions of Americans. A full list of legislation endorsed by the campaign is available [here](#).

NLIHC’s top priorities include:

- Enacting the “[American Housing and Economic Mobility Act](#),” introduced in the previous Congress by Senator Elizabeth Warren (D-MA) and Representative Emanuel Cleaver (D-MO). If enacted, this ambitious proposal would help end housing poverty and homelessness in America by directly addressing the underlying cause of the affordable housing crisis - the severe shortage of affordable rental homes for people with the lowest incomes - through a robust investment of nearly \$45 billion annually in the national Housing Trust Fund.
- Passing the “[Ending Homelessness Act](#),” introduced last session by Representatives Maxine Waters (D-CA), Emanuel Cleaver (D-MO), and Ritchie Torres (D-NY). The bill proposes to establish a universal voucher program to ensure every eligible household can receive rental assistance, bans source-of-income discrimination, increases housing choice, and invests \$5 billion over five years in the national Housing Trust Fund to address the shortage of affordable housing and to combat homelessness.
- Enacting the “[Rent Relief Act](#),” introduced by Senator Raphael Warnock (D-GA) and Representative Danny Davis (D-IL). The bill would help bridge the widening gap between incomes and housing costs by providing a refundable tax credit for millions of housing cost-burdened renters who face impossible choices between paying rent and meeting their other basic needs. The bill would create a refundable monthly tax credit for renters spending over 30% of their income on the cost of rent that would cover the excess cost of rent. NLIHC also supports similar legislation - the “Housing, Opportunity, Mobility, and Equity (HOME) Act” - introduced in the last session by Senator Cory Booker (D-NJ) and Representative Emanuel Cleaver (D-SC).
- Passing the “[Fair Housing Improvement Act](#),” introduced last session by Senator Tim Kaine (D-VA) and Representative Scott Peters (D-CA). If enacted, the bill would protect veterans and low-income families from housing discrimination by expanding the Fair Housing Act to prohibit housing discrimination based on source of income and military or veteran status.

# THE CASE FOR AFFORDABLE HOUSING SOLUTIONS

## THE IMPACT OF HOUSING INSTABILITY

**W**ithout affordable housing options, 10 million of the nation's lowest-income renter households pay at least half of their income on rent, leaving them without the resources needed to put food on the table, purchase needed medications, or otherwise make ends meet.<sup>24</sup> Severely housing cost-burdened families spend on average 75% less on healthcare and 40% less on food than similarly low-income households who are not severely housing cost-burdened.<sup>25</sup> These households forgo healthy food and delay healthcare or medications to pay the rent.

With so much money going towards rent and other necessities, families with the lowest incomes often do not have the resources to save money, leaving them one financial shock – resulting, for example, from a broken-down car, unreimbursed medical bill, or sudden job loss – away from facing eviction and, in the worst cases, homelessness. For millions of these households, the COVID-19 pandemic was that financial shock.

The pandemic and its accompanying economic fallout put as many as 40 million people at risk of losing their homes,<sup>26</sup> during a time when our collective safety relied on our ability to stay inside. However, federal, state, and local governments responded to the warnings from housing advocates about impending mass evictions with unprecedented resources and protections to keep renters housed, including a federal eviction moratorium and \$46.6 billion for emergency rental assistance (ERA). While a vitally important response to the immediate threats posed by the pandemic, these measures were temporary and cannot solve the longstanding causes of the affordable housing crisis.

## HOUSING AND RACIAL EQUITY

The legacy of housing discrimination in the U.S. impacts access to safe, affordable, accessible housing to this day. Because of this legacy and ongoing discrimination, people of color – and particularly Black, Native, and Latino people – are disproportionately impacted by the nation's affordable housing crisis. Households of color are more likely than white households to be extremely low-income renters, who face the most severe shortage of affordable housing and experience severe housing cost-burdens.<sup>27</sup> For example, Native households living in tribal areas face significant housing challenges due to overcrowding and low-quality housing stock. Sixteen percent of Native households in tribal areas report living in overcrowded housing, compared to 2% of U.S. households overall, and 34% of Native households living in tribal areas report at least one physical problem with their housing, compared to 7% of U.S. households overall.<sup>28</sup>

Black renters also face a disproportionate risk of eviction and experience the highest average eviction filing rates and eviction rates: the eviction filing rate for Black renters is 6.2%, compared to 3.4% for white

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27 Aurand, A., Emmanuel, D., Clarke, M., Rafi, I., & Yentel, D. (2022). *The Gap: A Shortage of Affordable Rental Homes*. National Low Income Housing Coalition. Retrieved from: <https://nlihc.org/gap>

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renters, and the eviction rate for Black renters is 3.4%, compared to 2% for white renters.<sup>29</sup> Increased rates of housing cost burden, eviction, and over-crowding also put Black and Native renters, and to a lesser extent Latino renters, at an increased risk for homelessness.<sup>30</sup>

Inequitable access to quality housing in well-resourced neighborhoods is a significant driver of school segregation, perpetuating racial and socioeconomic achievement gaps<sup>31</sup>. During the COVID-19 pandemic, Black and Latino workers were also more likely to lose income or employment during the pandemic, widening the racial wealth gap and exacerbating disparities.<sup>32</sup>

## HOUSING AND HEALTHCARE

The COVID-19 pandemic underscored the inextricable link between housing and health. Housing instability and homelessness are linked with both short- and long-term adverse health outcomes across the lifespan. Children who experienced prenatal or postnatal homelessness within the first six months of life are significantly more likely to have developmental delays and poor health and to experience hospitalization than children who did not experience homelessness.<sup>33</sup>

As children age, safe, stable housing provides the foundation needed to help them learn and grow. Young children who move frequently are at an increased risk of poor health, developmental delays, and being underweight for their age, compared to peers in families with stable homes.<sup>34</sup> Children and teenagers experiencing housing instability are more likely to report psychological distress, including self-harm and suicidal ideation.<sup>35</sup>

From elementary school to young adulthood, living in poor-quality housing is associated with greater symptoms of anxiety, depression, aggression, and worse overall psychological health.<sup>36</sup> <sup>37</sup> Conversely, housing assistance has been linked to positive health outcomes for children:<sup>38</sup> by helping families afford the cost of rent, housing assistance ensures children have a safe, stable home and parents can afford the cost of other necessities, like nutritious food, medical care, and school supplies.

In adulthood, housing instability is associated with poorer mental and physical health, including higher rates of depression, anxiety, and substance use than experienced by adults with stable housing.<sup>39</sup> Homelessness is particularly harmful and can create new healthcare problems while exacerbating existing

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39 Sandel, M. et al. (2018). "Unstable Housing and Caregiver and Child Health in Renter Families." *American Academy of Pediatrics*. Retrieved from: <https://publications.aap.org/pediatrics/article/141/2/e20172199/38056/Unstable-Housing-and-Caregiver-and-Child-Health-in?autologincheck=redirected>

conditions.<sup>40</sup> Homelessness makes it more difficult to access medical care and recover from a condition, and living on the street or in overcrowded, low-quality shelters exposes people to communicable diseases, including COVID-19, as well as violence and trauma.<sup>41 42</sup> As a result, people experiencing homelessness die on average 12 years sooner than people in the general population in the U.S.<sup>43</sup>

Conversely, adults with low incomes who receive housing assistance report better health outcomes and psychological well-being, compared to individuals who are not receiving assistance.<sup>44</sup> Research shows that providing housing-insecure people with stable, affordable housing increases primary care visits, decreases Emergency Room visits, and lowers Medicaid costs.<sup>45</sup> During the pandemic, unprecedented resources from the federal government went towards providing people experiencing homelessness with non-congregate sheltering, resulting not only in a decrease of COVID-19 transmission among people experiencing homelessness but reduced use of emergency health services as well.<sup>46</sup>

## HOUSING AND EDUCATION

Student achievement is maximized when students leave school and return to safe, stable homes in well-resourced communities of opportunity. However, the legacy of housing discrimination in the U.S. has resulted in highly segregated communities that lock low-income students – and particularly low-income Black, Latino, and Native students – out of the educational opportunities afforded to their higher-income peers. Because schools are largely funded by local property taxes, schools in higher-poverty districts serving primarily Black, Latino, and Native students receive as much as \$2,700 less per student in state and local funding than districts serving primarily white students.<sup>47</sup>

Children in families with low incomes experiencing housing instability tend to switch schools frequently, which disrupts education and has been linked to lower test scores and an increased prevalence of learning disabilities and behavioral problems.<sup>48</sup> Children who experience frequent moves due to housing instability are also less likely to graduate from high school and typically end up in lower-paying jobs as adults.<sup>49</sup>

Access to safe, stable, affordable housing makes a huge difference in educational outcomes for students. Children in low-income families living in affordable housing score better on cognitive development tests than children in housing cost-burdened families, in part because parents have additional income to invest in resources that support their children's educational development.<sup>50</sup>

Economically and racially diverse schools rooted in economically and racially diverse neighborhoods

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41 National Health Care for the Homeless Council. (2019). "Homelessness and Health: What's the Connection?" Retrieved from: <https://nhchc.org/wp-content/uploads/2019/08/homelessness-and-health.pdf>

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43 Schmitt, T. et al. (2017). "Traumatic Brain Injury in a Community-Based Cohort of Homeless and Vulnerably Housed Individuals." *Journal of Neurotrauma*. Retrieved from: <https://pubmed.ncbi.nlm.nih.gov/28741437/>

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49 Opportunity Starts at Home Campaign. (2018). "Stable, Affordable Housing Drives Stronger Student Outcomes." Retrieved from: <https://www.opportunityhome.org/resources/stable-affordable-housing-drives-stronger-student-outcomes/>

50 Newman, S. and Holupka, C. (2016). "Housing Affordability and Children's Cognitive Achievement." *Health Affairs*. Retrieved from: <https://www.healthaffairs.org/doi/10.1377/hlthaff.2016.0718>

have broad, positive impacts for all students. Students in integrated schools have higher average test scores, are less likely to drop out, and are more likely to go to college.<sup>51</sup> Integrated schools help reduce racial achievement gaps in education and reduce prejudicial and stereotypical thinking among students, preparing them to succeed in a diverse workforce.<sup>52</sup>

## HOUSING AND ECONOMIC MOBILITY

Safe, affordable housing is essential for climbing the income ladder and achieving economic stability. A landmark study by Harvard economist Raj Chetty demonstrates the enormous positive impact that affordable housing can have on upward economic mobility for children in low-income families. The study followed low-income families who used a Housing Choice Voucher to move to lower-poverty, well-resourced neighborhoods with access to well-performing schools, reliable public transit, and higher paying jobs.

The results of the study and subsequent follow-up research showed that, on average, children whose families used housing vouchers to move into well-resourced, low-poverty areas earned 31% more as adults than their lower-income peers and had increased total lifetime earnings of \$302,000.<sup>53</sup> <sup>54</sup> These students were also 32% more likely to attend college and 26% less likely to become single parents.<sup>55</sup>

## CONCLUSION

The United States has a severe shortage of millions of rental homes affordable, available, and accessible to renters with the lowest incomes. As a result, these renters are forced to endure severe housing cost burdens, leaving them with few resources after paying rent for other necessities. Too often, these households are one emergency away from facing housing instability, eviction, and in the worst cases, homelessness.

The pandemic has exacerbated housing problems faced by these renters. Unprecedented emergency actions by the federal government shielded many renters from the worst outcomes, but most of these actions were not designed to provide the long-term solutions needed to address our nation's affordable housing and homelessness crisis.

More than ever, significant and sustained federal investments are needed to ensure that people with the lowest incomes and those who are most marginalized have stable, accessible, and affordable homes.

NLIHC looks forward to a continued partnership with Congress to advance the large-scale investments and anti-racist reforms needed to repair the gaping holes in our nation's social safety net and ensure that every renter has an affordable place to call home.

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