

# TENANT

SUMMER 2023 | VOLUME 14, ISSUE 2



NTO OUR WORK • TAKING PRIDE INTO OUR WORK • TAKING PRIDE INTO OUR WORK



TAKING PRIDE INTO OUR WORK • TAKING PRIDE INTO OUR WORK



## BOARD MEMBERS

Cathy Alderman  
 Dara Baldwin  
 Russell "Rusty" Bennett | EC At-Large  
 Staci Berger  
 Andrew Bradley  
 Loraine Brown  
 Geraldine Collins  
 Lisa J. D'Souza  
 Colleen Echohawk  
 Dora Leong Gallo | Chair  
 Aaron Gornstein | Secretary  
 Bambie Hayes-Brown  
 Zella Knight  
 Moises Loza | Treasurer  
 Anne Mavity  
 Kathryn Monet  
 Chrishelle Palay  
 Eric Price | 1st Vice Chair  
 Hasson Rashid  
 Shalonda Rivers | EC At-Large  
 Nan Roman | 2nd Vice Chair  
 Megan Sandel  
 Marie Claire Tran-Leung  
 Sharon Vogel  
 Mindy Woods

**EDITORS** Sidney Betancourt     Matthew Clarke  
 sbetancourt@nlihc.org     mclarke@nlihc.org  
 202-662-1530x200

## TENANT TALK

Tenant Talk is published by the National Low Income Housing Coalition. No portion of this publication may be reprinted without the permission of NLIHC except where otherwise noted.

## ABOUT NLIHC

The National Low Income Housing Coalition 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.

A key part of our work is public education and engagement. NLIHC is committed to sharing resources and tools that help individuals become informed advocates. Tenant Talk is one of the many resources we provide to the public.

## BECOME A MEMBER

NLIHC relies heavily on the support of our members to fund our work and to guide our policy decisions. Members are our strength! Hundreds of low-income residents and resident organizations have joined the NLIHC community by becoming members.

We suggest an annual membership rate of only \$5 for a low-income individual membership, and \$15 for a low-income resident organization. Please consider becoming a member of NLIHC today at [nlihc.org/membership](http://nlihc.org/membership).

## NLIHC STAFF

Sarah Abdelhadi, Senior Research Analyst  
 Meredith Abel, Research Intern  
 Andrew Aurand, Senior Vice President for Research  
 Sidney Betancourt, Housing Advocacy Organizer  
 Victoria Bourret, ERASE Senior Project Coordinator  
 Jen Butler, Vice President, External Affairs  
 Alayna Calabro, Senior Policy Analyst  
 Matthew Clarke, Writer/Editor  
 Courtney Cooperman, Housing Advocacy Organizer  
 Lindsay Duvall, Senior Organizer for Housing Advocacy  
 Dan Emmanuel, Senior Research Analyst  
 Sarah Gallagher, Senior Director, ERASE Project  
 Jordan Goldstein, Communications/Graphic Design Intern  
 Ed Gramlich, Senior Advisor  
 Danita Humphries, Executive Assistant  
 Nada Hussein, ERASE Project Coordinator  
 Kim Johnson, Public Policy Manager  
 Mike Koprowski, OSAH Campaign Director  
 Kayla Laywell, Housing Policy Analyst  
 Mayerline Louis-Juste, Senior Communications Specialist  
 Evan Martinez, Field Intern  
 Steve Moore Sanchez, Development Coordinator  
 Khara Norris, Senior Director of Administration  
 Noah Patton, Senior Policy Analyst, Disaster Recovery  
 Mackenzie Pish, Research Analyst  
 Ikra Rafi, Creative Services Manager  
 Benja Reilly, Development Specialist  
 Gabrielle Ross, Housing Advocacy Organizer  
 Sarah Saadian, Senior Vice President for Public Policy and Field Organizing  
 Brooke Schipporeit, Manager of Field Organizing  
 Sophie Siebach-Glover, Research Analyst  
 Lauren Steimle, Web/Graphic Design Specialist  
 Chantelle Wilkinson, OSAH Campaign Manager  
 Renee Willis, Senior Vice President for Racial Equity, Diversity, and Inclusion  
 Diane Yentel, President and CEO

Cover design: Lauren Steimle  
 Cover photo: Adobe Stock



# Table of Contents

Message from the Editorial Board .....iv

## TAKING PRIDE INTO OUR WORK:

The Intersections of LGBTQ+ Issues and Housing Advocacy: An Introduction ..... 1

Innovating to Increase Inclusive and Safe Housing Opportunities for LGBTQ+ Elders ..... 3

LGBTQ+ Youth Homelessness: Towards Safety and Acceptance..... 5

The Value of Being Counted: Housing, Data Collection, and LGBTQ+ Communities..... 7

Celebration and Community Power: Colorado Advocates Encourage Voting at Pride Parade ..... 9

Tenant Perspective: A Multiracial Community of Love ..... 10

Federal Protections for LGBTQ+ Renters ..... 11

The Road to Housing Equality: A Timeline of Fair Housing Milestones for the LGBTQ+ Community ..... 13

POLICY UPDATE ..... 15

RESEARCH UPDATE ..... 17



Scan this QR code to access an audio recording of Tenant Talk



GERALDINE COLLINS



ZELLA KNIGHT



SHALONDA RIVERS



MINDY WOODS



HASSON RASHID



LORAIN BROWN

# Dear Readers

On behalf of NLIHC's board and staff, we would like to thank you for taking the time to read this edition of *Tenant Talk: Taking Pride into Our Work*. Over the last two decades, members of the LGBTQ+ community in the U.S. have achieved tremendous successes in securing their rights, including through the legalization of same-sex marriage. Even so, the community continues to face obstacles to equality, like the more than [80 new pieces of anti-LGBTQ+ legislation passed in 2023 alone](#). It is essential for tenant advocates everywhere to stand in solidarity with the LGBTQ+ community, and particularly those members of the community who are disproportionately affected by discrimination, such as Black and Indigenous people and people of color. This issue of *Tenant Talk* focuses on the intersections of the fight for LGBTQ+ rights and housing advocacy by celebrating recent achievements, revealing new challenges, and offering policy recommendations.

Like other marginalized groups in the U.S., members of the LGBTQ+ community face unique barriers accessing affordable housing. Due to the additional stigma experienced by LGBTQ+ individuals, some community members are at higher risk of becoming homeless, as studies focusing on both LGBTQ+ [youth](#) and [adults](#) have shown. Certain groups – like transgender adults, bisexual women, and people who are also members of racial minorities – are at even greater risk of experiencing housing discrimination.

The Editorial Board hopes that you approach this edition of *Tenant Talk* with an open heart and a willingness to learn about a community whose members continue to experience extraordinary harms. In this edition, you will learn about the history of the LGBTQ+ movement, the ongoing advocacy for LGBTQ+ rights, and the various barriers faced by LGBTQ+ people trying to access safe and affordable housing. As always, readers will hear directly from individuals with lived experience of housing insecurity, including housing advocates who identify as LGBTQ+. Our goal in this issue of *Tenant Talk* is to educate readers about the importance of uplifting different communities, especially members of the LGBTQ+ community, as they navigate new challenges during an unprecedented era in our country's history.

We hope that you find this edition of *Tenant Talk* useful as you continue the fight to guarantee housing justice for all renters.

In Solidarity,

The Editorial Board



Scan this QR code to access an audio recording of this article.

# The Intersections of LGBTQ+ Issues and Housing Advocacy: An Introduction

By Lindsay Duvall, NLIHC

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. While our research and policy priorities focus on the housing needs of all extremely low-income people, we cannot ignore the fact that certain groups, including the LGBTQ+ community, experience higher rates of poverty, housing discrimination, and homelessness.

When various forms of discrimination interact, they can generate extreme forms of social oppression. We can better understand these interactions through the concept of intersectionality, an idea first developed by Professor Kimberlé Crenshaw. As Professor Crenshaw explains, “intersectionality is a lens through which you can see where power comes and collides, where it interlocks and intersects. It’s not simply that there’s a race problem here, a gender problem here, and a class or LBGTQ problem there.”

At NLIHC, we believe it is essential to adopt an intersectional framework in our advocacy, one that centers the voices of the most marginalized members of our society to achieve policy solutions that respond

comprehensively to the complexities of our nation’s housing crisis. NLIHC has already led many efforts to address the intersections of housing and LGBTQ+ rights, including the Housing Saves Lives Campaign to push back against anti-transgender proposals,

the Opportunity Starts at Home campaign to highlight research and talking points, and the tracking of and advocating for HUD regulations that advance equal access to housing for LGBTQ+ people.

In addition to intersectionality, the articles in this edition of *Tenant Talk* employ several other key terms. The remainder of this article provides definitions for these key terms, courtesy of the Human Rights Campaign. A longer list of terms and definitions can be found on its website:

[www.hrc.org/resources/glossary-of-terms](http://www.hrc.org/resources/glossary-of-terms). Please

note that different people use different terms and definitions to

describe their own identities, and the meanings of these terms evolve along with our understanding of gender and sexuality.

At NLIHC, we believe it is essential to adopt an intersectional framework in our advocacy, one that centers the voices of the most marginalized members of our society to achieve policy solutions that respond comprehensively to the complexities of our nation’s housing crisis.

 **LGBTQ+:** An acronym for “lesbian, gay, bisexual, transgender, and queer,” with an additional “+” sign to recognize the limitless sexual orientations and gender identities used.

 **Ally:** Someone who is actively supportive of LGBTQ+ people. It encompasses straight and cisgender allies, as well as those within the LGBTQ+ community who support each other.

 **Bisexual:** A person emotionally, romantically, or sexually attracted to more than one sex, gender, or gender identity, though not necessarily simultaneously, in the same way, or to the same degree.

 **Cisgender:** A person whose gender identity aligns with those typically associated with the same sex assigned to them at birth.

 **Gay:** A person who is emotionally, romantically, or sexually attracted to members of the same gender. Men, women, and non-binary people may use this term to describe themselves.

 **Gender identity:** One’s innermost concept of self as male, female, a blend of both, or neither – how individuals perceive themselves and what they call themselves. One’s gender identity can be the same or different from the sex they were assigned at birth.

 **Gender expression:** External appearance of one’s gender identity, usually expressed through behavior, clothing, body characteristics, or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.

 **Lesbian:** A woman who is emotionally, romantically, or sexually attracted to other women. Women and non-binary people may use this term to describe themselves.

 **Non-binary:** An adjective describing a person who does not identify exclusively as a man or woman. Non-binary people may identify as being both a man and a woman, somewhere in between, or falling completely outside these categories. While many non-binary people also identify as transgender, not all do.

 **Queer:** A term people often use to express a spectrum of identities and orientations that are counter to the mainstream.

 **Questioning:** A term used to describe people who are in the process of exploring their sexual orientation or gender identity.

 **Sexual orientation:** An inherent or immutable and enduring emotional, romantic, or sexual attraction to other people. Note: an individual’s sexual orientation is independent of their gender identity.

 **Transgender:** An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply a specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.

 **Transitioning:** A series of processes that some transgender people may undergo in order to live more fully as their true gender.



Scan this QR code to access an audio recording of this article.

# Innovating to Increase Inclusive and Safe Housing Opportunities for LGBTQ+ Elders

By Sydney Kopp-Richardson, Director of National LGBTQ+ Elder Housing Initiative, SAGE USA



Scan this QR code to access an audio recording of this article.

Housing concerns impact many older people, but for LGBTQ+ elders, there are added challenges that have built up over a lifetime. Despite progress, LGBTQ+ elders continue to experience the effects of decades of oppression, which have led to elevated rates of poverty and housing discrimination compared to their heterosexual and cisgender counterparts. LGBTQ+ elders are often disconnected from their families of origin and face challenges earning a living wage, accumulating wealth, and achieving social and economic security.

The Biden administration took an important step when it expanded protections against housing discrimination under the “Fair Housing Act” to cover sexual orientation and gender identity. However, challenges remain. According to [research](#) by the Equal Rights Center, 48% of older LGBTQ+ same-sex couples have experienced housing discrimination, and nearly 23% of transgender individuals report experiences with housing discrimination. As the LGBTQ+ elder population grows, it is evident that innovative housing solutions are necessary. To that end, SAGE USA launched the [National LGBTQ+ Elder Housing Initiative \(NHI\)](#) in 2015. As part of this initiative, SAGE set out to develop and provide complete access to a comprehensive collection of innovative housing strategies.

One such strategy is the creation of LGBTQ+ elder-affirming housing. This model is a form of housing intervention that is fully inclusive for anyone meeting the housing community’s criteria, regardless of sexual orientation and gender identity, but the affordable developments designed according to the model are specifically meant to meet the needs of LGBTQ+ elders. The goal of the model is to create inclusive communities where every sexual orientation and gender identity is embraced and an emphasis is placed on creating LGBTQ+-affirming and inclusive environments with LGBTQ+ culturally competent staff and LGBTQ+-focused programming.

SAGE can provide firsthand knowledge about how to make these models work, insofar as it has seen success providing LGBTQ+-competent services in New York City’s first LGBTQ+-affirming elder housing developments. Through that experience, and with the support of the NHI, SAGE aims to replicate affirming developments in communities across the country. The NHI also aims to center intersectionality, racial justice, and justice for transgender communities in this work, considering especially the significant barriers faced historically by elders of color and transgender elders, as well as all other LGBTQ+ elders in the current political climate.

The need for affirming housing developments will only grow, as current estimates [predict](#) that the LGBTQ+ elder population will reach between 4 million and 8 million by 2030. How service providers and policymakers choose to engage the community and address its needs will help determine how LGBTQ+ elders live, access services, and develop community supports for generations to come. SAGE is committed to serving as a convener in this work and will remain dedicated to the housing and service needs of LGBTQ+ elders.

## ABOUT SAGE:

*SAGE is the world’s largest and oldest organization dedicated to improving the lives of lesbian, gay, bisexual, transgender, and queer/questioning (LGBTQ+) older people. Founded in 1978 and headquartered in New York City, SAGE offers supportive services and consumer resources to LGBTQ+ older people and their caregivers. SAGE also advocates for public policy changes that address the needs of LGBTQ+ elders, provides education and technical assistance for aging providers and LGBTQ+ community organizations through its National Resource Center on LGBTQ+ Aging, and offers cultural competency training through SAGECare. Learn more at [sageusa.org](https://www.sageusa.org).*

## LGBTQ+ Youth Homelessness: Towards Safety and Acceptance

By Courtney Cooperman, NLIHC

All LGBTQ+ people deserve to be accepted and embraced for their authentic selves, and no one should ever be forced to sacrifice their housing stability for the freedom to live proudly in their own identity. Many LGBTQ+ youth, however, are confronted with this tradeoff when they come out. According to the [National Network for Youth](#), LGBTQ+ youth are 120 percent more likely to experience homelessness than their cisgender and heterosexual peers. Up to 40 percent of youth experiencing homelessness identify as LGBTQ+, and a disproportionate share are youth of color. [More than half](#) of LGBTQ+ youth experiencing homelessness have faced family rejection—some are directly forced out of their homes, while others choose to flee unsafe environments rather than endure the trauma of constant homophobic or transphobic treatment.

LGBTQ+ youth are disproportionately likely to enter into the juvenile justice system, which puts them at even greater risk of housing discrimination, and are often treated poorly in the foster care system, with minimal support to find housing once they exit from foster care. LGBTQ+ youth experiencing homelessness are also [three times likelier](#) to be victims of physical or sexual assault than their cisgender and heterosexual peers.

To address the unique challenges that LGBTQ+ youth face, it is critical for homeless services and housing providers to create

supportive and affirming environments. Programs that serve youth experiencing homelessness should ensure that their staff are nondiscriminatory, welcoming, and culturally competent. Mental health services, mentorship for LGBTQ+ youth, and other specialized resources can provide the support and positive affirmation that many LGBTQ+ youth may not receive from their families.

As part of the Biden administration's overall strategy to end and prevent homelessness, HUD launched a new [LGBTQ+ Youth Homelessness Initiative](#) in June 2023. Through this initiative, HUD will partner with local communities, service providers, and directly affected youth to address barriers to shelter and housing access. HUD will encourage communities to implement innovative solutions that specifically meet the needs of youth experiencing homelessness and housing instability. The initiative will include listening sessions with LGBTQ+ youth across the country, technical assistance for shelter and service providers, trainings for providers committed to improving their care for LGBTQ+ youth, and a suite of resources to promote best practices for serving LGBTQ+ youth and to ensure that directly affected youth are aware of their rights.

Unfortunately, chronic underfunding of HUD's housing and homelessness programs limits the capacity of homeless services providers to help all LGBTQ+ youth in need of support.

Full funding for housing and homelessness programs—including those that provide housing subsidies and resources specifically for youth experiencing homelessness—must be expanded to meet the scale of the need.

If you are an LGBTQ+ teen or young adult experiencing homelessness or at risk of homelessness, or if you know someone in need of support, the following organizations may connect you to the appropriate resources:



**The Trevor Project** offers a national 24-hour, toll-free confidential suicide hotline for LGBTQ+ youth. Individuals can call 1-866-488-7386 to reach a counselor or text "START" to 678-678. The Trevor Project also compiles a directory of resources for LGBTQ+ youth experiencing homelessness: <https://www.thetrevorproject.org/resources/article/resources-for-lgbtq-youth-experiencing-homelessness/>



**The Ali Forney Center** is the nation's largest organization dedicated to LGBTQ+ youth experiencing homelessness. The organization provides direct services in New York City and compiles a list of organizations offering services in other areas of the country: <https://www.aliforneycenter.org/get-help>



**True Colors United** is a national leader in developing and implementing innovative solutions to LGBTQ+ youth homelessness. Although the organization does not provide direct services, it maintains a directory of resources: <https://truecolorsunited.org/support/>



Scan this QR code to access an audio recording of this article.

# The Value of Being Counted: Housing, Data Collection, and LGBTQ+ Communities

By Luis Vasquez, Senior Legal Writer,  
Human Rights Campaign



Scan this QR code to access an audio recording of this article.

Whether as renters or homebuyers, LGBTQ+ people are often subjected to discrimination and harassment because of their sexual orientation and gender identity. Despite HUD maintaining legal protections and accepting complaints alleging that such conduct violates the Fair Housing Act, these incidents continue around the country and can impact the ability of LGBTQ+ people to remain in stable housing. In fact, HUD data from 2022 showed that a greater number of transgender individuals experiencing homelessness were living without shelter, surpassing the combined total of those living in emergency shelters or transitional housing.

To fully understand the prevalence of discrimination and how to address its impacts, there needs to be better collection of data about sexual orientation and gender identity in LGBTQ+ communities. It can sometimes be difficult for individuals to know they are experiencing discrimination even when it occurs. Data collection can help us understand this issue and create solutions that the government can implement nationwide. For instance, a [recent study](#) of government data found evidence of widespread discrimination against same-sex couples seeking federally backed mortgage loans, with impacts on approval rates and fees mirroring the sorts of impacts [HUD-funded studies](#) have [long suggested](#) LGBTQ+ renters experience.

Earlier this year, a National Science and Technology Council subcommittee published a [Federal Evidence Agenda on LGBTQ+ Equity](#) outlining ongoing data needs from the federal government's perspective, as well as various recommendations. With the help of this new roadmap, agencies like HUD can continue diving deeper into the disparities

LGBTQ+ people experience in comparison to their non-LGBTQ+ peers in order to develop interventions mindful of lived experiences and intersecting issues. HUD and other agencies have also been expanding their collection of data on sexual orientation and gender identity consistent with best practices identified over decades of research and testing and [recently summarized](#) by the Office of Management and Budget and in a [consensus report](#) by a subcommittee of the National Academies of Science, Engineering, and Medicine. We know that data about LGBTQ+ people can be reliably collected by the government, and that efforts are ongoing to make surveys and other instruments even more inclusive through response options and questions reflecting the evolving language used by members of the growing LGBTQ+ population.

The tools and resources on which HUD relies as it expands its data collection, including the landmark American Housing Survey, show clearly that robust privacy protections are critical in ensuring successful, high-quality data collection from LGBTQ+ communities. Fortunately, years of data collection, including in more potentially sensitive settings like congregate shelters, have shown that data can be gathered safely when the right protections and protocols are in place. LGBTQ+ people and others should always have the option to provide—or not provide—data related to their demographic characteristics, like sexual orientation and gender identity. However, the government should be consistent in asking about those characteristics when it surveys other demographics, and LGBTQ+ people and our allies should support these developing efforts to make data more inclusive whenever possible.

## Celebration and Community Power: Colorado Advocates Encourage Voting at Pride Parade

By Courtney Cooperman, NLIHC



Each year, the LGBTQ+ community and allies recognize Pride Month in June. Pride Month is a time for joyful celebration and offers an opportunity to build community power so that all LGBTQ+ individuals can gain the rights and resources they need to thrive.

The [Colorado Cross-Disability Coalition \(CCDC\)](#), Colorado's premier statewide disability advocacy organization, brought the spirit of civic engagement to Denver's Pride Fest in June 2022. The event took place just days before Colorado's primary election. CCDC is an affiliate of NLIHC's nonpartisan Our Homes, Our Votes campaign, which aims to boost voter turnout among low-income renters and educate candidates about housing solutions. The parade was put together by [Center on Colfax](#), the local LGBTQ+ resource center. The local ABC 7 news channel reported that 100,000 people attended the parade.

CCDC's float encouraged voter participation and celebrated the essential

role of people with disabilities in the LGBTQ+ community. Staff and volunteers at CCDC collaborated to create a float that would represent the important crossover between Pride and voting. CCDC's float was accessible for its members, volunteers, and clients with disabilities, and for those who used both manual and automatic wheelchairs. Members of the LGBTQ+ community, allies, and people from all socioeconomic backgrounds joined the float.

CCDC initially planned to pass out paper handouts at the parade but ultimately decided to create voting and Pride merchandise instead, which was all distributed before the end of the parade. To celebrate the diversity of the LGBTQ+ community, the float flew both the Disability Pride flag and the traditional LGBTQ+ Pride flag. Colorado Governor Jared Polis even stopped by to take pictures with CCDC's float and crew! As CCDC's float demonstrates, Pride is an exciting opportunity to build the political power of LGBTQ+ advocates and allies, while bringing together community members in a joyful and accessible way.



Scan this QR code to access an audio recording of this article.

## Tenant Perspective: A Multiracial Community of Love

By Tyrone Hanley, Director of Racial and Economic Justice Initiatives, National Center for Lesbian Rights

I grew up in a multiracial Section 8 housing complex outside of Chicago. While I feel pride today about where I grew up, it was not always this way. When I was young, I felt the stigma of being poor. In fact, I was so ashamed about it that I came out in college as gay before coming out as poor to my upper-class friends.

I learned in my college sociology courses that poverty is a condition that people are forced into by an economy that cares more about profit than people. The housing system is no different. Landlords keep raising rents at rates faster than wage increases, and other costs of living continue to go up. Across the country, people are struggling to get by and being pushed out of the communities they love.

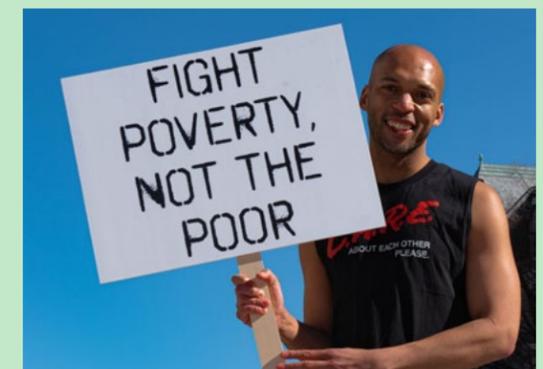
Since we lived in Section 8 housing, my family was one of the lucky poor families whose rent was based on household income and not market rates. This meant my family didn't have to worry about rent if my mom lost her job, and my mom could be a stay-at-home mother for my brothers and me during our early years to ensure we had a good foundation before she reentered the paid workforce. I can't overstate how this stability supported my well-being growing up and set me up for success in adulthood. I am so deeply grateful for it.

Recently, I spoke with my mom about growing up in our Section 8 community. She said that while we were cash poor, we had a community that looked out for each other. Adults in the community watched out for everyone's kids, not just their own. They provided childcare, made sure we didn't act up, and helped with food when a family's food stamps ran out. I am grateful that those in our apartment complex didn't tease me for having an openly lesbian mother or being a boy who liked playing with so-called girl toys. I

witnessed people being welcomed regardless of their race, sexuality, or gender expression. In essence, we were a multiracial community of love. Love is something money simply cannot buy.

My personal experiences with housing have greatly contributed to my belief that we cannot address the housing crisis in this country until we start understanding housing as a human right. We must stop making profit the priority. The current system pits people against each other in the endless pursuit of increasing property value. Housing should be about supporting individuals and families and fostering community. At the end of the day, I believe we all just want a place to call home and to be a part of a loving community. Building that world is something to give us all pride!

Let's build together!



Tyrone with a sign saying "Fight poverty, not the poor."



Scan this QR code to access an audio recording of this article.

# Federal Protections for LGBTQ+ Renters

By Gabby Ross, NLIHC

In April 2023, the U.S. Department of Housing and Urban Development's (HUD) Office of Fair Housing and Equal Opportunity (FHEO) released an [LGBTQIA+ Fair Housing Toolkit](#). This toolkit was designed to educate housing providers, tenants, applicants, and other housing consumers on LGBTQIA+ fair housing protections to advance housing equity for the LGBTQIA+ community. The toolkit was created in response to [President Biden's January 2021 executive order](#) requiring federal agencies to assess measures taken to prohibit sex discrimination and fully enforce statutes combatting such discrimination. Prior to the President's executive order, a U.S. Supreme Court decision determined that "sex" discrimination, as outlined in the ["Fair Housing Act,"](#) also includes sexual orientation and gender identity.

The toolkit is separated into five modules: LGBTQIA+ Protections, Inclusive Communication, Fair Housing in Your Daily Operations as a Housing Provider, Developing Inclusive Housing Practices that Support LGBTQIA+ Individuals, and Reporting Discrimination. The five

sections are meant to provide broad training on rights, best practices, and policies that support the implementation of non-discrimination policies and practices relating to LGBTQ+ people.

Across the U.S., support for harmful anti-LGBTQ+ legislation has grown rapidly, [with over 80 bills](#) having been passed this year alone, and 45 of these already becoming law. These pieces of legislation aim to strip away legal protections, leading to more state-sanctioned discrimination and violence against people in the LGBTQ+ community. Organizations like the [Human Rights Campaign](#), the [National LGBTQ Task Force](#), and [SAGE USA](#) are doing vital advocacy work and providing important resources to the community. As states continue to introduce anti-LGBTQ+ legislation, it is especially important that additional federal protections are put in place to prevent people in the LGBTQ+ community from experiencing discrimination when accessing resources, especially when trying to access housing. FHEO's toolkit is one step forward in ensuring these protections are enforced.



Scan this QR code to access an audio recording of this article.

## HUD's LGBTQIA+ Fair Housing Toolkit:

Discusses ways housing providers can prevent housing discrimination in their daily operations.

Introduces housing providers to culturally competent definitions and terminology used when discussing sexual orientation and gender identity.

Describes the specific protected housing rights of LGBTQ+ individuals.

Summarizes HUD's Equal Access rule.

Provides an overview of key fair housing laws, regulations, and executive orders related to LGBTQIA+ protections.

Provides detailed information on how and when an individual can report housing discrimination.

# The Road to Housing Equality: A Timeline of Fair Housing Milestones for the LGBTQ+ Community

By Courtney Cooperman, NLIHC

For decades, the LGBTQ+ community has advocated for civil rights protections to guarantee equal treatment under the law. Despite ongoing discrimination, which puts LGBTQ+ individuals at greater risk of housing insecurity and homelessness, the LGBTQ+ community has made immense progress toward achieving fair and equal housing. However, a recent and alarming wave of state laws targeting the LGBTQ+ community demonstrates the need for stronger civil rights protections. This timeline presents a selection of milestones and setbacks in the movement towards fair housing for the LGBTQ+ community.

## 1969 The Stonewall Uprising Mobilizes LGBTQ+ Activists

The Stonewall Uprising is often considered the starting point of the LGBTQ+ liberation movement. Police raided the Stonewall Inn, a popular gay bar in New York City's Greenwich Village, on June 28, 1969. Protestors fought back against police violence for six days. The Stonewall Uprising was not the first uprising against homophobic and transphobic police brutality, but it marked a turning point for LGBTQ+ visibility and activism. The first Pride marches were held one year later to commemorate the anniversary of Stonewall.



## 1979 National March on Washington for Lesbian and Gay Rights

Between 75,000 and 125,000 LGBTQ+ individuals and allies marched on Washington on October 14, 1979, the first national demonstration to demand federal LGBTQ+ civil rights protections. While activists had previously focused on local issues, this event

marked the first time that the LGBTQ+ liberation movement turned its attention towards the federal government.

## 1982 Beginning of State-Level Anti-Discrimination Laws

Some municipalities and counties adopted anti-discrimination protections in the 1970s. In 1982, Wisconsin became the first state to outlaw housing discrimination based on sexual orientation. Today, according to the Movement Advancement Project, 23 states, one territory, and the District of Columbia explicitly prohibit housing discrimination based on both sexual orientation and gender identity. An additional seven states interpret their prohibition on sex discrimination in housing to include sexual orientation and/or gender identity.

## 1990 Federal Housing Resources and Protections for People With HIV/AIDS

The HIV/AIDS epidemic took a devastating toll on the LGBTQ+ community in the 1980s. Following nearly a decade of inaction, Congress passed the "AIDS Housing Opportunities Act," a part of the "Cranston-Gonzales National Affordable Housing Act of 1990." This legislation established the Housing Opportunities for Persons with AIDS (HOPWA) program, which funds housing assistance and supportive services for low-income people living with HIV/AIDS and their families. Congress also passed the "Americans with Disabilities Act" in 1990, which outlawed discrimination against people with HIV/AIDS.

## 2012 HUD Finalizes "Equal Access Rule"

Under the Obama administration, HUD took action to protect LGBTQ+ individuals' access to housing. A rule finalized in February 2012,

"Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity," prohibited HUD programs from discriminating based on sexual orientation, gender identity, or marital status, or from inquiring about an applicant's sexual orientation or gender identity when determining eligibility.

## 2016 HUD Addresses Barriers for Transgender and Gender Non-Conforming Individuals

The 2012 "Equal Access" rule did not set policy regarding accommodation of transgender individuals in single-sex shelters. Upon reviewing its programs to determine whether further protections were needed, HUD determined that transgender individuals were facing severe discrimination and safety risks in the shelter system. To strengthen the 2012 rule, HUD finalized a new "Equal Access" rule in 2016, which requires HUD-funded programs with shared facilities to provide services based on an individual's gender identity, rather than the sex assigned at birth or listed in official documents. The rule also prohibits intrusive questioning about gender identity.

## 2020 HUD Proposes Anti-Transgender Rule

Under the Trump administration, HUD proposed to weaken the "Equal Access" rule and allow shelter providers to discriminate against transgender and gender non-conforming individuals. The new rule would have allowed shelter providers to place individuals based on their own policies for determining the person's sex, and to deny services based on the "good faith belief" that an individual's biological sex or sex reflected in official documents was different from the sex that the shelter serves. The rule was never finalized, and the Biden administration officially withdrew it in April 2021.

## 2020 Supreme Court Issues Landmark Ruling for LGBTQ+ Civil Rights

The Supreme Court ruled in *Bostock v. Clayton County* that the Civil Rights Act's protections against sex discrimination in employment also cover discrimination based on sexual orientation and gender identity. President Biden built on this transformative ruling with an executive order on Day One of his presidency, which clarified that all laws outlawing sex discrimination also prohibit discrimination based on sexual orientation and gender identity. President Biden directed all federal agencies to

ensure that their policies were consistent with this interpretation of *Bostock*.

## 2021 HUD Affirms Anti-Discrimination Protections for LGBTQ+ Individuals

HUD was the first agency to implement President Biden's executive order. In February 2021, HUD clarified that the Fair Housing Act's protections against sex discrimination also cover discrimination based on LGBTQ+ status. People who believe they have experienced discrimination based on their sexual orientation or gender identity can now file claims with the Office of Fair Housing & Equal Opportunity.



## 2023 2023: Human Rights Campaign Declares State of Emergency for LGBTQ+ Americans

The Human Rights Campaign, which is the nation's largest LGBTQ+ civil rights organization, declared an official [state of emergency](#) for LGBTQ+ Americans on June 6. The declaration follows an alarming spike in state-level anti-LGBTQ+ legislation, with more discriminatory bills signed into law in 2023 than any previous year on record. Many of the bills specifically threaten the safety and dignity of transgender and gender non-conforming people. The Human Rights Campaign released an LGBTQ+ [Guidebook for Action](#) to help LGBTQ+ Americans navigate the dangerous climate, file civil rights complaints, and advocate to oppose discriminatory legislation.



Scan this QR code to access an audio recording of this article.

## Policy Update

By Kim Johnson, NLIHC

Note: Given the fast-changing nature of the legislative process, some information in this article may be outdated by the time of publication.

### The Debt Ceiling and the “Fiscal Responsibility Act”

Members of the U.S. House of Representatives and Senate left their offices on Capitol Hill on July 27 for August recess, a period when federal elected officials return to their home states and districts to hear from constituents about their needs and priorities. The break came after months of tense negotiations over the federal debt ceiling and the federal budget.

The debt ceiling, or the “debt limit,” is the legal limit on how much the federal government can borrow to pay for already-approved spending. The debt ceiling is a political and accounting obligation, not a reflection of economic stability or well-being, and most countries do not have a debt ceiling.

When the federal debt begins approaching the debt ceiling, it is necessary for Congress to vote to raise the debt ceiling to ensure the federal government can continue paying its bills. Congress has voted to raise the debt ceiling almost 80 times since 1960, to ensure the U.S. government has the money it needs to pay its bills on time. However, this once routine practice has become politicized. This year, House Speaker Kevin McCarthy (R-CA) refused to agree to raise the debt ceiling without steep cuts to domestic spending programs.

After weeks of negotiations, Congress passed and on June 3 President Joe Biden signed into law the “Fiscal Responsibility Act of 2023,” a compromise proposal that lifts the debt ceiling until 2025 in exchange for capping fiscal year (FY) 2024 spending at FY23 levels and limiting spending increases to just 1% in 2025. The bill also rescinds unspent funds from COVID-19 relief legislation; imposes additional burdensome work reporting requirements on recipients of the Supplemental Nutrition Assistance Program (SNAP) and the Temporary Assistance for Needy Families (TANF) program; and rescinds funding previously allocated to the IRS to help audit higher-income households, among other provisions.

### Impact of the “Fiscal Responsibility Act” on HUD Appropriations

Unsatisfied with the terms of the Fiscal Responsibility Act, far-right members of the House Freedom Caucus pushed their Republican colleagues to enact even steeper cuts to FY24 spending, with some pushing for cuts to vital federal anti-poverty programs as high as 30%, which would result in reductions that HUD Secretary Marcia L.

Fudge [noted](#) would make it “impossible [for HUD] to stave off mass evictions.”

In response to the immediate threat to HUD’s affordable housing and homelessness assistance programs, advocates across the nation mobilized to make clear to Congress the impact of budget cuts and caps on their homes, families, and communities. Thanks to this advocacy, both the House and Senate draft FY24 spending bills for HUD proposed overall increases of 10% and 13%, respectively, for the department. While still insufficient to make up for decades of underfunding or meet the level of need, such increases in overall funding for HUD – at a time when most programs were facing the prospect of deep cuts – is a testament to the strength, determination, and effectiveness of affordable housing and homelessness advocates.

Overall, the House bill would provide a 10%, or \$6.4 billion, increase to HUD in FY24, totaling \$68.2 billion in proposed funding. The bill proposes deep cuts to – and in some cases the elimination of – some HUD programs but does provide increased funding to most rental assistance programs, and to the Homeless Assistance Grants (HAG) program, which is vital to helping communities respond to the needs of people experiencing homelessness. However, due to steep increases in the cost of rent over the last year, it is not clear whether the funding for rental assistance provided in the House bill would be sufficient to renew all existing contracts. Read NLIHC’s full analysis of the House bill [here](#).

The House bill also includes a provision that would ban funds from being used to implement, administer, or enforce HUD’s “Affirmatively Furthering Fair Housing” (AFFH) rule. The AFFH rule mandates that recipients of HUD funding not only not discriminate but actively work to undo historic patterns of discrimination and segregation. The language would make it more difficult for HUD to help grantees comply with the AFFH rule and more difficult to ensure that recipients of HUD funding not discriminate against individuals protected under the “Fair Housing Act of 1968,” which protects people from housing discrimination on the basis of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability.

The Senate’s draft FY24 funding bill would provide an \$8.26 billion – or roughly 13% – increase to HUD’s budget, for a total of \$70.06 billion. Appropriations leaders in the Senate drafted their bills according to parameters agreed to in the Fiscal

Responsibility Act, but despite these tight topline, the Senate bill proposes increased funding for key HUD programs.

The bill proposes funding rental assistance programs at levels expected to be enough to renew all existing rental assistance contracts and provides funding to expand vouchers to an additional 4,000 people, targeted to veterans at risk of or experiencing homelessness and youth aging out of foster care. The bill also proposes increased funding for the HAG program, Public Housing Operating Funds, and the Native American Housing Block Grant program and preserves \$20 million for legal assistance to prevent evictions – all NLIHC priorities. Read NLIHC’s fully analysis of the Senate bill [here](#).

### House Appropriators Vote to Strip Three LGBTQ Resource Centers of Funding

During the House Committee on Appropriations’ review of its HUD spending bill, Subcommittee on Transportation, Housing and Urban Development (THUD) Chair Tom Cole (R-OK) offered an amendment to strip three previously approved community development projects of funding because they serve members of the lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities.

Committee Democrats banded together in outcry at the amendment, with Ranking Member Rosa DeLauro (D-CT) accusing Republican appropriators of “negotiating with terrorists” for bending to the will of the party’s far-right wing. The Ranking Member also pointed out that, historically, neither Republicans nor Democrats have attempted to strip funding from community development projects because of ideology.

“This is below the dignity of this committee,” said Representative Mark Pocan (D-WI), an openly gay man, during the amendment debate. “There is absolutely no excuse; the fact is that, for too many people, unless they’re personally affected, they don’t give a damn.” Representative Pocan went on to tell his colleagues about the harassment and violence he has faced as a gay man, including receiving death threats when he ran for Congress and being followed and violently beaten after leaving a gay bar.

“This is what you guys do by introducing amendments like this, taking away from peoples’ earmarks, taking away from your colleagues, who want to protect people on housing,” continued the representative. “This is below where we all are. We have to have more respect and dignity for our constituents.” Despite the outcry, the amendment was adopted along a party-line vote of 32-26.

### Looking Ahead

The differences between the House and Senate bills will have to be resolved when Congress returns to Capitol Hill in September, in what will likely be a turbulent, difficult negotiations process. While the road to enacting a robust FY24 spending bill for

HUD’s vital affordable housing and homelessness resources is steep, together we have achieved historic resources and protections for renters, and together we can continue pushing Congress to ensure HUD’s programs and the people they serve are protected in the FY24 budget.

### Bipartisan Affordable Housing Legislation Is Introduced

So far in the 118th Congress, several of NLIHC’s priority affordable housing bills have been introduced with bipartisan support. Given the divided Congress – with Republicans controlling the House and Democrats in control of the Senate – any piece of legislation will require bipartisan support to be enacted.

The “Family Stability and Opportunity Vouchers Act” ([S.1257](#)) was introduced in the Senate by Senators Todd Young (R-IN) and Chris Van Hollen (D-MD). The bill would fund 250,000 new housing vouchers and housing mobility services to help low-income families with young children move to communities of their choice, including neighborhoods with high-performing schools, quality childcare, and economic opportunities.

The “Reforming Disaster Recovery Act” ([S.1686](#)) was introduced in the Senate by Senators Brian Schatz (D-HI) and Susan Collins (R-ME), along with 12 of their colleagues from both parties. The bill would permanently authorize the Community Development Block Grant-Disaster Recovery (CDBG-DR) program and ensure program resources better reach disaster survivors in communities with the lowest incomes.

The “Affordable Housing Credit Improvement Act” ([S.1557](#)) was introduced in the Senate by Senators Maria Cantwell (D-WA), Todd Young (R-IN), Ron Wyden (R-OR), and Marsha Blackburn (R-TN). The bill would expand and reform the Low-Income Housing Tax Credit (LIHTC) program, the largest national affordable housing program in the U.S. While an important resource for affordable housing development, LIHTC alone does not typically build housing affordable enough to people with the lowest incomes, who are also most impacted by the affordable housing crisis. If enacted, the bill would reform the tax credit to provide additional incentives to developers to build homes affordable to extremely low-income households and to construct housing in underserved rural and Native communities.

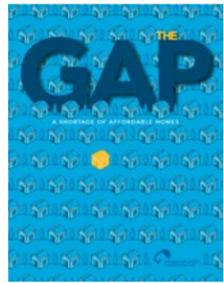


Scan this QR code to access an audio recording of this article.

## Research Update

By Dan Emmanuel, Sophie Siebach-Glover, and Mackenzie Pish, NLIHC

### The Gap



NLIHC published its annual report *The Gap* on March 16. The report finds that the lowest-income renters in the U.S. face a shortage of 7.3 million affordable and available rental homes. The shortage increased by more than 500,000 rental homes from 2019 to 2021, as the number of renters with extremely low incomes increased while the supply of housing affordable to them declined during the pandemic. Only 33 affordable and available homes exist for every 100 renter households with extremely low incomes. This shortage impacts every state and the District of Columbia, resulting in widespread housing cost burdens for renters with the lowest incomes. Seventy-three percent of extremely low-income renter households are severely housing cost-burdened, spending more than half of their limited incomes on housing. These renters account for more than 70% of severely housing cost-burdened renters in the U.S.

While the report addresses the need for local zoning and land use reform, these efforts, on their own, are not enough to address the nation's housing affordability challenges. The report emphasizes that significant federal investments are also needed to assist the lowest-income renters. Specifically, the report argues that Congress must make deeply targeted, sustained investments to preserve and expand the affordable housing stock, increase Housing Choice Vouchers, and create a national housing stabilization fund for renters who experience an unexpected short-term financial shock. Federal protections are also needed to protect tenants from predatory landlords and ensure housing stability. Visit [www.nlihc.org/gap](http://www.nlihc.org/gap) to learn more and find data for your community.

### Out of Reach



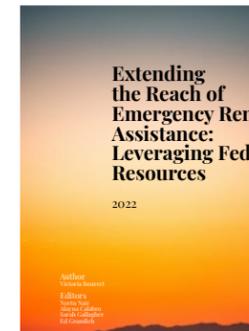
On June 14, NLIHC released its annual *Out of Reach* report, which compares the wages people earn and the price of modest rental housing in every state, metropolitan area, and county in the U.S. The report shows that affordable rental homes are out of reach for millions of low-wage workers and other families. The report's "Housing Wage" is an estimate of the hourly wage full-time workers must earn to afford a rental home at fair market rent without spending more than 30% of their incomes. Nationally, the 2023 Housing Wage is \$28.58 per hour for a modest two-bedroom rental home and \$23.67 for a modest one-bedroom rental home.

Housing is out of reach for workers across a range of occupations and wage levels. Sixty percent of all workers earn an hourly wage that is less than the two-bedroom Housing Wage, and nearly 50% of workers earn an hourly wage that is less than the one-bedroom Housing Wage. Thirteen of the 20 most common occupations in the U.S. pay median wages that are lower than the two-bedroom Housing Wage, and 10 of these occupations, which account for more than one-third of the workforce, pay median wages that are lower than the national

one-bedroom Housing Wage. The problem is acute and widespread for the lowest-wage workers: in no state, metropolitan area, or county can a full-time minimum-wage worker afford a modest two-bedroom rental home. A full-time minimum-wage worker also cannot afford a modest one-bedroom rental home in over 92% of U.S. counties.

This year's report cautions that rent inflation and the end of many pandemic-era benefit programs are combining to exacerbate the financial insecurity of low-income renters, leading to higher eviction filing rates and increased homelessness in some communities. The report calls for substantial, long-term federal investment in affordable housing solutions, including an expansion of rental assistance provided by the Housing Choice Voucher program, a significant increase in resources for the national Housing Trust Fund, adequate federal funds to renew Project-Based Rental Assistance and to repair public housing, a national emergency rent stabilization fund, and strengthened renter protections. Visit [www.nlihc.org/oor](http://www.nlihc.org/oor) to read the report and access data for your community.

### Emergency Rental Assistance



The research team continues to track and study the emergency rental assistance (ERA) programs established during the pandemic. In May and June of this year, NLIHC surveyed more than 150 jurisdictions whose Treasury-funded emergency rental assistance programs had distributed all or nearly all their money to learn whether they planned to close or to continue any part of their programs with other resources. NLIHC, in partnership with the Housing Initiative at Penn (HIP), also conducted in-depth interviews with 10 program administrators about their decisions. Overall, interviewees felt that ERA accomplished what it was meant to: namely, preventing a wave of evictions and keeping people stably housed during the pandemic. Many administrators are still grappling with how to continue this valuable program but face difficult challenges like a lack of funding and staff capacity. The research team is also in the process of updating NLIHC's Rental Housing Programs Database, which is a database of affordable rental housing programs funded by states and large cities rather than by federal resources. The database serves as a resource for state and local advocates. A report summarizing whom these programs serve and how they are funded will be published later this year.

The Gap



Scan this QR code to access an audio recording of this article.

Out of Reach



Scan this QR code to access an audio recording of this article.

Emergency Rental Assistance



Scan this QR code to access an audio recording of this article.

We asked NLIHC staff:  
“Why is LGBTQ+ equality important to you?”

As a proud member of the LGBTQ+ community, I will continue to advocate for explicit federal non-discrimination protections for LGBTQ+ individuals to ensure that everyone – no matter who they are or who they love – can access housing and other essential services.

**ALAYNA CALABRO**  
NLIHC Senior Policy Analyst

LGBTQ+ equality matters because LGBTQ+ people matter. We all deserve to feel safe, valued, and loved for exactly who we are.

**KIM JOHNSON**  
NLIHC Public Policy Manager

When our LGBTQ+ friends and neighbors are under attack, we are all collectively less safe and less free. Our world is more joyful, compassionate, and whole when our LGBTQ+ community members can live as their authentic selves and be treated with full equality in every aspect of life.

**COURTNEY COOPERMAN**  
NLIHC Advocacy Housing Organizer

So I can fully embrace all aspects of my identity without fear or shame.

**VICTORIA BOURRET**  
NLIHC ERASE Senior Project Coordinator

Just like housing and food, we need love to survive. Everyone deserves to love who they want, and to love who they are fully and freely.

**GABRIELLE ROSS**  
NLIHC Housing Advocacy Organizer

LGBTQ+ equality is important to me because it means not just liberation for the queer community, but liberation for all. We all deserve freedom to love whomever we choose and identify in the way that feels right for us!

**SID BETANCOURT**  
NLIHC Housing Advocacy Organizer

Everyone deserves to be their true self openly and proudly, especially without fear of harm or discrimination, and it breaks my heart that this is not yet a reality for the LGBTQ+ community. I'm a proud sister, friend, and colleague, and I will continue to stand up for LGBTQ+ equality until love wins!

**BROOKE SCHIPPOREIT**  
NLIHC Manager of Field Organizing

**JUST BECAUSE.** Because as human beings all people are equal.

**ED GRAMLICH**  
NLIHC Senior Advisor

We all deserve love and connection. It is a human right, just like housing.

**LAUREN STEIMLE**  
NLIHC Website & Graphic Design Specialist

