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Budget and Appropriations

FY24 Spending Negotiations Continue as 3/1 Deadline Approaches – Contact Your Members of Congress Today!

Congressional appropriators are continuing negotiations over final fiscal year (FY) 2024 spending bills, including the Transportation, Housing and Urban Development (THUD) bill that funds HUD's vital affordable housing and homelessness programs. Congress has until March 1 — when the continuing resolution (CR) currently maintaining funding for HUD programs expires — to reach a final agreement on an FY24 spending bill, pass another CR, or face a partial government shutdown.

Ongoing negotiations are taking place against a national rise in the number of people experiencing <u>housing instability</u> and <u>homelessness</u>. Households with the lowest incomes are most at-risk and most impacted. The need for sufficient funding in FY24 – and the need for long-term, targeted, sustained investments in the nation's housing safety net – is growing more urgent, as more people struggle to afford the cost of housing. However, appropriators are also working under restrictive caps put in place by the "Fiscal Responsibility Act," a June 2023 agreement to raise the debt ceiling in exchange for capping spending in FY24 and FY25.

With topline funding for each of the 12 spending bills decided, Senate and House THUD Subcommittee leaders – including Senate Subcommittee Chair Brian Schatz (D-HI) and Ranking Member Cindy Hyde-Smith (R-MS), as well as House Subcommittee Chair Tom Cole (R-OK) and Ranking Member Mike Quigley (D-IL) – are deciding how to allocate funding among HUD and U.S. Department of Transportation programs.

Appropriators must reconcile differences between the <u>House</u> and <u>Senate</u> draft spending bills, which propose 10% and 13% increases to HUD's budget, respectively. However, neither bill provides sufficient funding to renew all existing Housing Choice Voucher (HCV) contracts upon turnover. Under the Senate bill, an estimated 80,000 vouchers would be lost, and under the House bill, 112,000 vouchers would be lost. The Center on Budget and Policy Priorities (CBPP) has published a blog post with a <u>state-by-state</u> estimate of the vouchers lost under each proposal.

Your Advocacy is Working - Keep Up the Fight!

Your advocacy makes a difference! It is thanks to the hard work of advocates that – at a time when <u>programs faced cuts of up 25%</u> – HUD received increased funding in both the House and Senate FY24 proposals. But the fight isn't over!

Congress needs to keep hearing from you about the importance of affordable housing and homelessness programs! NLIHC is calling on Congress to provide in this year's budget:

- Full funding to renew all existing contracts for the Housing Choice Voucher (HCV) program.
- Increased funding for public housing operations and repairs.
- At minimum, the Senate's proposed \$3.9 billion in funding for Homeless Assistance Grants.

- The protection of \$20 million in funding for the Eviction Prevention Grant program provided in the Senate bill.
- The House's proposed \$1.1 billion in funding for Native Housing.

Advocates can continue to engage their members of Congress by:

- Emailing or calling members' offices to tell them about the importance of affordable housing, homelessness, and community development resources to you, your family, your community, or your work. You can <u>use NLIHC's Take Action page</u> to look up your member offices, or call/send an email directly!
- Using social media to amplify messages about the country's affordable housing and homelessness crisis, and the continued need for long-term solutions.
- **Sharing stories** of those directly impacted by homelessness and housing instability. Storytelling adds emotional weight to your message, and can help lawmakers see how their policy decisions impact actual people. Learn about how to tell.compelling stories with this resource.

National, state, local, tribal, and territorial organizations can <u>also join over 2,200 organizations</u> on <u>CHCDF's national letter</u> calling on Congress to support the highest level of funding possible for affordable housing, homelessness, and community development resources in FY24.

HoUSed Campaign for Universal, Stable, Affordable Homes

Bipartisan Tax Bill Awaits Senate Action – Urge Congress to Reform LIHTC!

The bipartisan tax bill passed by the U.S. House of Representatives on January 31 (see <u>Memo 2/5</u>) has yet to reach the U.S. Senate or the Senate's Committee on Finance. The bill includes an important benefit for low-income families – an expansion of the Child Tax Credit (CTC) – but does not include key reforms to the Low-Income Housing Tax Credit (LIHTC). <u>Take action</u> to urge your Senators to include reforms to LIHTC in the bill so the credit better serves extremely low-income households, including those experiencing homelessness.

If passed, the "Tax Relief for American Families and Workers Act of 2024" (<u>H.R. 7024</u>) would enhance the Child Tax Credit, expand business tax credits for research and development, support communities impacted by disasters with small business tax credits, end a pandemic-era employee retention tax credit, and expand LIHTC. In the case of LIHTC expansion, the tax bill would restore a temporary 12.5% increase and support the use of private activity bonds to finance affordable housing. However, expanding LIHTC without making key reforms will leave LIHTC-supported homes unaffordable for the people who need them most. NLIHC will continue monitoring the legislation as it moves to the U.S. Senate and keep calling on advocates to <u>urge</u> their Senators to adopt key reforms in any expansion of LIHTC.

LIHTC is the nation's primary source of financing for the construction and preservation of affordable housing. However, on its own, the tax credit rarely suffices to support the building or preservation of homes affordable to households with the greatest needs. LIHTC is targeted to

build homes affordable to households earning up to 50% or 60% of the area median income. As a result, extremely low-income households can generally only afford rent in a LIHTC development if they receive rental assistance. The majority (58%) of extremely low-income renters living in LIHTC developments who do not receive rental assistance are severely cost burdened, paying more than half their limited incomes on rent. One emergency or unexpected expense can send these households into homelessness.

Read the text of the "Tax Relief for American Families and Workers Act of 2024" here.

Read NLIHC's statement on the tax bill here.

Read NLIHC President and CEO Diane Yentel's tweet thread on the bill here.

SAHF Releases Brief for Housing Providers on Effective Resident Communication Strategies

Stewards of Affordable Housing for the Future (SAHF) and SAHF's Housing Stability Cohort (HSC) have released a new resource, "Resident Communication Touchpoints Brief." The brief offers pro-active, trauma-informed methods for housing providers to communicate with tenants at lease-up, throughout tenancy, and in cases of late rent.

In addition to describing each communication touchpoint, the brief provides examples of documents that HSC participants use to communicate clearly and effectively with residents. The sample documents highlight emerging best practices and ways in which housing operators can adjust existing policies and systems to strengthen housing stability for residents.

Read the brief <u>here</u>.

Join Today's (2/12) National HoUSed Campaign Call for Universal, Stable, Affordable Homes!

<u>Join</u> today's (February 12) national HoUSed campaign call from 2:30 to 3:30 pm ET. We will be joined by Whitney Airgood-Obrycki from Harvard's Joint Center for Housing Studies (JCHS), who will share findings from a JCHS <u>report on rental housing</u>. We will also discuss Congress's progress toward enacting a final fiscal year 2024 spending bill, receive news from the field, and more!

Agenda:

- Welcome and Updates
 - o Kim Johnson, NLIHC
- New Report on Rental Housing in 2024
 - Whitney Airgood-Obrycki, JCHS
- Field Updates

- o Laura Harding and Olivia Ildefonso, ERASE Racism (NY)
- Next Steps

Register for the call <u>here</u>.

Homelessness and Housing First

Biden Administration Launches Partnership with States to Address Homelessness

HUD and the U.S. Department of Health and Human Services (HHS) <u>announced</u> on February 9 that eight states and the District of Columbia have been selected to participate in the "<u>Housing and Services Partnership Accelerator</u>" (Accelerator), a new federal initiative to reduce homelessness by addressing health-related social needs, such as housing-related services. Through the initiative, states can improve the coordination and delivery of key services that can help people experiencing or at-risk of homelessness obtain and maintain stable housing, including housing navigation, ongoing case management, and one-time transition assistance.

HHS and HUD selected Arizona, California, D.C., Hawaii, Maryland, Massachusetts, Minnesota, North Carolina, and Washington for the initiative. The Accelerator will help the selected states and D.C. strengthen partnerships across multiple sectors, access available federal resources and programs, and maximize federal flexibilities to help keep people healthy. Over the next year, HUD and HHS will provide intensive technical assistance to states implementing HHS' recently issued guidance on clinically appropriate and evidence-based services that can be covered under Medicaid and the Children's Health Insurance Program. For example, states can support access to healthcare through Medicaid section 1115 demonstrations that provide services to help people avoid lease violations. Additionally, states can provide services that connect individuals to HUD housing programs by covering security deposits and other short-term housing costs.

The initiative seeks to expand access to affordable, accessible housing and the services that help people live successfully and stably in their community. Supportive housing is a proven, cost-effective approach that combines affordable housing with voluntary support services to help people with disabilities and complex health conditions maintain housing stability and improve their health and well-being.

Read HUD's announcement at: http://tinyurl.com/4dbn9cnd

Learn more about the Accelerator and each selected state's focus and goals at: http://tinyurl.com/5fr6mp5k

HUD

HUD Provides Detailed Guidance Regarding HOTMA's Asset Limits Provision

HUD's Office of Multifamily Housing Programs (Multifamily) distributed an <a href="mailto:emai

The Multifamily email also includes a link to a revised <u>List of Discretionary Policies to Implement HOTMA</u> specific to Multifamily properties. (A revised list of discretionary policies applying to public housing and Housing Choice Vouchers (HCVs) was not issued prior to publication of this issue of *Memo*.) Multifamily has revised <u>HOTMA Talking Points and Q&A for Multifamily Programs</u> as well as Federally Mandated Exclusions from Income.

Section 104 of HOTMA established asset limits for households seeking or retaining federal rental assistance. In short, those limits are \$100,000 in net household assets and/or ownership of real property that is suitable for occupancy by a household as a residence. Final HOTMA regulations (see *Memo*, 2/27/23) include a list of required exclusions from the calculation of net household assets, as well as exclusions of necessary and non-necessary personal property. Importantly, the final HOTMA rule also provides Multifamily owners and PHAs the discretion not to enforce the asset limits provisions at the time that a household's income undergoes a periodic income reexamination or an interim income reexamination. It is important to note that a new applicant for rental assistance must meet the asset limits test: Multifamily owners and PHAs do not have the discretion to waive the HOTMA asset limits for households seeking rental assistance for the first time.

The greatly expanded Attachment A is part of HUD's new guidance promised by Multifamily to national organizations after reports from some residents that property owners were planning to evict them due to HOTMA's asset limit provisions – despite the regulatory provision offering property owners the discretion not to enforce the asset limit provision for existing residents. Multifamily officials met with national advocates and provided assurances that – as one official put it – "[t]here should not be any need to evict someone on the basis of the HOTMA asset limitation right now. We don't want anyone to be displaced unnecessarily" (see *Memo*, 12/4/23). This message was reinforced by an email distributed by HUD's Multifamily Asset Management office to Multifamily owners and operators on November 29 that declared that "[u]ntil new guidance is released, please be aware of the following: MFH Owners must not enforce the asset limitation or the real property exemption until both the owner's software is HOTMA compliant (with TRACS 203A), and the family has signed a model lease detailing the new HOTMA provisions" [bold in original].

Highlights of Attachment A

Attachment A was expanded from three sentences to more than 10 pages that are divided into six sections, some with subsections. Section A.3 (page 19), "PHA/MFH Owner Discretion at Annual and Interim Reexamination," provides detailed guidance regarding a Multifamily owner's (MFH Owner) or PHA's discretion to apply HOTMA's asset limits during a resident's annual or interim reexamination. Attachment A now offers four options regarding the application of HOTMA's asset limits: total non-enforcement, full enforcement, limited enforcement, or exception policies along with limited or total non-enforcement. Whatever an MFH Owner or PHA decides, the policy must be included in an MFH Owner's Tenant Selection Plan (TSP) or a PHA's Administrative Plan for HCVs or Admissions and Continued Occupancy Policy (ACOP) for public housing.

Subsection A.3.a (page 19) describes the "Total Non-Enforcement" option, which clearly states that a MFH Owner or PHA has the discretion to choose not to enforce HOTMA's asset limits, meaning that an MFH Owner or PHA will not initiate termination of housing assistance or initiate eviction proceedings if a household is found to be in non-compliance with the asset limits during the household's annual (or interim) reexamination. If a total non-enforcement policy is chosen, it must be applied to all households.

Subsection A.3.b (page 20) describes the "Enforcement" option, which requires an MFH Owner or PHA to initiate termination of housing assistance or initiate eviction proceedings within six months of the reexamination that determined a household was out of compliance with the asset limits. An MFH Owner or PHA may delay initiation of termination or eviction proceedings for up to but no longer than six months.

Subsection A.3.c (page 20) describes the "Limited Enforcement: Option to Cure" choice. Under this option, all households out of compliance with HOTMA's asset limits at reexamination would be provided an opportunity to return to compliance – to "cure" their non-compliance, as it were. Households would have up to six months to cure non-compliance; an MFH Owner or PHA may choose a cure period shorter than six months but cannot extend the time beyond six months. However, if a household can demonstrate that, due to the existence of disability, it needs more time, an MFH Owner or PHA may offer the household more than six months. A.3.c provides several examples of how a household can return to compliance with HOTMA's asset limits.

Subsection A.3.d (page 22) describes "Exception Policies" for household categories specified in an MFH Owner's Tenant Selection Plan or a PHA's ACOP or Administrative Plan. Exception policies may be based on household type and may take into consideration factors such as age, disability, income, the ability of a household to find suitable alternative housing, and whether supportive services are being provided. MFH Owners and PHAs may choose to combine a limited enforcement policy or total non-enforcement policy (both of which would apply to all households) with an exception policy for households in the specified exception categories.

Summary of Other Sections of Attachment A

Section A.1, "Asset Limitation" (page 17), restates the two basic components of the HOTMA asset limits provision in the final HOTMA rule for Section 104 (see *Memo*, 2/6/23): net household assets greater than \$100,000 (adjusted for inflation) and ownership of real property suitable for occupation. Attachment A reminds readers that an MFH Owner or PHA may accept

a declaration from a household ("self-certification") that their net assets do not exceed \$50,000 (adjusted for inflation) without needing to further verify that declaration. Households are out of compliance if they have an ownership interest in, a legal right to reside in, and legal authority to sell a property that is suitable for occupancy by the household as a residence. MFH Owners and PHAs may rely upon a household's self-certification that they do not own real property suitable for occupancy.

Section A.4, "Real Property Determination" (page 23), requires an MFH Owner or PHA to determine whether a household has an ownership interest in real property. If the household does have such an interest, then the MFH Owner or PHA must determine whether either the property qualifies for an exemption (as detailed at Subsection A.4.a); or the household lacks a legal right to reside in the property (as described at Subsection A.4.b); or the household lacks legal authority to sell the property (as described at Subsection A.4.c); or the property is unsuitable for occupancy (as listed at Subsection A.4.d). If any one of these four conditions is satisfied, then the household's ownership interest in the real property does not in itself mean that the household is out of compliance with the asset limits. (The household might still be out of compliance if it has net assets greater than \$100,000 (adjusted for inflation).)

Section A.2, "Compliance at Admission" (page 18), restates the final rule's provision that MFH Owners and PHAs do not have discretion not to enforce or provide limited enforcement of the HOTMA asset limit when a household first applies for housing assistance. Assistance must be denied if the household does not pass the HOTMA maximum asset limits test. This section does include a policy specific to MFH Owners who must enforce the asset limitation at initial certification for households who lost their assistance because they failed to recertify in time or who began to pay market rent, remained in their unit, and then lost income, thus requiring assistance again as a result. Section A.2 clarifies that public housing residents whose development converted to Project-Based Rental Assistance (PBRA) or Project-Based Vouchers (PBVs) due to the Rental Assistance Demonstration (RAD) are not subject to asset limits at the time their public housing converted to RAD. However, at a RAD household's next annual (or interim) reexamination, the household will be subject to the MFH Owner's or PHA's discretionary asset limits policy.

Section A.5, "Special Considerations for Terminating Assistance or Evicting Families for Non-Compliance with the Asset Limitation" (page 25), reiterates that MFH Owners and PHAs may delay for a period of up to six months the initiation of termination of assistance or eviction proceedings. They are not required to initiate termination or eviction immediately upon determining that a household is out of compliance with the asset limitation, nor are they required to begin the proceedings during the six-month period in order to have a termination of assistance or eviction completed at the six-month mark. MFH Owners and PHAs are encouraged to set policies for the initiation of termination or eviction that provide households adequate opportunity to find new housing.

Section A.6, "Required Updates to Administrative Plans, ACOPs, and Tenant Selection Plans" (page 27), merely reiterates that PHAs and MFH Owners must have written screening policies that prohibit admission of applicants to a program who do not meet the HOTMA asset limits test, and that PHAs' and MFH Owners' written policies must be updated to reflect their decision to adopt a total non-enforcement, limited enforcement, exception, or total enforcement policy.

Other Information in Multifamily's Email

Multifamily's email also includes the following additional information:

- MFH Owner enforcement of the asset limits is permitted only to the extent that tenants have signed a new HUD-approved Model Lease. The Multifamily email indicates that a Model Lease will be available "as soon as possible." NLIHC wonders how long this might take because in a separate proposed rule to require owners to provide residents a notice 30 days prior to initiating formal eviction proceedings for nonpayment of rent (see *Memo*, 1/22), Multifamily states that it would need 12 months to devise a Model Lease reflecting a 30-day notice requirement.
- Multifamily strongly recommends that MFH Owners align their HOTMA implementation timeframe with the release of TRACS version 203(A), anticipated sometime during the summer of 2024.
- MFH Owners must update their Tenant Selection Plan and Enterprise Income Verification policies and procedures no later than March 31, 2024.

Read the Office of Multifamily Housing Program email at: http://tinyurl.com/yra9hx94

Find the February 4, 2024, revised version of joint Notice H 2023-10/PIH 2023-27 at: http://tinyurl.com/yrrepm45

Find Multifamily's revised List of Discretionary Policies to Implement HOTMA at: http://tinyurl.com/mua4fe68

HUD's Office of Public and Indian Housing (PIH) has posted the February 4, 2024 revised version of joint Notice H 2023-10/PIH 2023-27 on its <u>HOTMA Resources page</u>.

Multifamily also has a <u>HOTMA Resources page</u>, but the page had not been updated as *Memo* went to press.

Read more about the HUD programs covered by HOTMA in chapter 4 of NLIHC's <u>2023</u> *Advocates' Guide*.

HUD PIH Notice Issued Regarding Eligible Uses of PIH Program Funds for Activities Related to People with Limited English Proficiency

HUD's Office of Public and Indian Housing (PIH) issued Notice PIH 2024-04 on January 31. The Notice provides guidance to public housing agencies (PHAs) regarding the use of various funds for activities that enable them to comply with federal requirements for providing meaningful access to people with Limited English Proficiency (LEP). The guidance in the Notice consolidates and clarifies information regarding the use of funds available in the Public Housing and Housing Choice Voucher (HCV) programs for LEP-related activities.

Background

Title VI of the "Civil Rights Act of 1964" requires all recipients and subrecipients of federal financial assistance to take reasonable steps to ensure that people with Limited English Proficiency have meaningful access to a recipient's programs or activities, including by ensuring meaningful access to information, benefits, services, and other vital aspects of a recipient's programs or activities. Failure may constitute a violation of Title VI's prohibition of discrimination against people based on "national origin" (one of Title VI's seven "protected classes"). Also, Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (issued in 2000), requires federal agencies and recipients of federal financial assistance to provide meaningful access to all programs and services. Finally, HUD released a notice in the Federal Register on January 22, 2007, providing guidance regarding LEP compliance for HUD-funded recipients.

LEP Compliance Requirements

Notice PIH 2024-04 recommends that PHAs conduct a four-factor analysis, develop a Language Access Plan, and provide language access assistance. A four-factor analysis involves reviewing:

- 1. The number or proportion of LEP people served or eligible in a PHA's service population.
- 2. The frequency of LEP people interacting with a PHA's programs.
- 3. The nature and importance of a given program, activity, or service.
- 4. The cost of LEP activities compared to available resources. Would undertaking an LEP activity be a material burden on a PHA?

After conducting a four-factor analysis, the Notice suggests a PHA develop a Language Access Plan for meeting the needs of its LEP population. The Notice offers 10 elements to consider when designing a plan, as well as five standards to consider regarding the content of a Language Access Plan. HUD's own 25-page Language Access Plan for 2021-2026 might be a useful guide.

After developing a Language Access Plan, a PHA should implement it by providing language assistance services to the LEP population it serves. Some language assistance services PHAs can provide include oral interpretation, bilingual staff, telephone service line interpretation, written translation services, notices of availability of LEP services, or referrals to community liaisons proficient in the relevant language.

Using PIH Program Funds

For public housing, PHAs may use their Operating Fund (for example, to fund an eviction proceeding). (NLIHC notes that language assistance pertaining to evictions is very important but wonders whether this example indicates the likelihood of excessive PHA eviction actions.) For an eviction, a PHA can use some of its Operating Fund to provide appropriately translated notices and in-person interpretation. PHAs may also use up to 20% of their Capital Fund for any use allowed by the Operating Fund. In addition, PHAs may use up to 10% of their Capital Fund for Management Improvement activities, such as training their staff to better serve LEP people and upgrading their online systems. PHAs may use HCV Administrative Fees or their unrestricted net position (UNP) to address LEP requirements for HCV and Project-Based Voucher (PBV) program activities. The Notice provides several examples.

Read Notice PIH 2024-04 at: http://tinyurl.com/mrh24r7d

Read Executive Order 13166 at: http://tinyurl.com/mpzxwvjy

Read "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" at: http://tinyurl.com/bdzkvcud

Read HUD's own Language Access Plan 2021-2026 at: http://tinyurl.com/4kn7vxtc

More information about the public housing program is available on <u>page 4-32</u> of NLIHC's 2023 *Advocates' Guide*.

More information about the Housing Choice Voucher program is available on <u>page 4-1</u> of NLIHC's *2023 Advocates' Guide*.

More information about the PBV program is available on <u>page 4-9</u> of NLIHC's 2023 Advocates' Guide.

Opportunity Starts at Home

OSAH Campaign Announces 2024 State Partner Grantees

NLIHC's Opportunity Starts at Home (OSAH) campaign has awarded capacity-building grants to seven state-based organizations that will work to advance the national campaign's goals. Each grantee will use its funding to expand its state's housing coalition to include stakeholders from non-housing sectors, including the health, education, racial equity, labor, food security, climate, faith, and anti-poverty sectors. In so doing, the grantees will join a growing housing movement focused on mobilizing stakeholders from many sectors to generate widespread support for federal policies that correct long-standing racial inequities and economic injustices by ensuring quality housing for people with low incomes.

The new grantees were selected through a competitive proposal process and will be formally recognized as state affiliates of the national campaign. Each grantee demonstrated in its application a strong commitment to advancing federal affordable housing solutions for people with the lowest incomes, amplifying racial equity, and expanding partnerships to different sectors. By joining the OSAH campaign, the new grantees will gain access to resources, multisector networks, and technical assistance.

The grantees are as follows:

- African American Clergy Collective of Tennessee
- Coalition on Homelessness and Housing in Ohio
- Michigan Coalition Against Homelessness
- North Carolina Housing Coalition
- Prosperity Indiana
- South Carolina Association of Community Action Partnerships
- Virginia Housing Alliance

"Today, the campaign celebrates nearly six years of working towards our shared vision of having a multi-sector movement in every state," said Chantelle Wilkinson, national director of the Opportunity Starts at Home campaign. "As state partners continue to join our efforts, new coalitions of doctors, teachers, environmentalists, social workers, faith leaders, housing advocates, and many others are working together to urge policymakers to address a basic need – housing. This work is critical. It is powerful for Congress to hear from national advocates, but it's especially powerful for them to hear from their own constituents in the states they represent."

The OSAH campaign will continue to pursue its efforts to involve partners in all 50 states. To date, the campaign supports partners in Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Colorado, Hawaii, Idaho, Illinois, Indiana, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, North Carolina, New Jersey, Ohio, Oregon, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia, and Wisconsin.

Learn more about OSAH's state partners here.

Housing Policy Forum 2024

Housing Policy Forum 2024 to Feature Keynote Discussion with Civil Rights Attorney and Scholar Sherrilyn Ifill!

Register today for NLIHC's Housing Policy Forum 2024: An Unwavering Path Forward to Housing Justice! Taking place on March 19-21 at the Hilton Washington DC Capitol Hill Hotel in Washington, D.C., the 2024 forum will offer opportunities to engage with and learn from thought-leaders, tenant advocates, policy experts, leaders from Capitol Hill and the Biden-Harris administration, and others about the solutions needed to address the nation's housing and homelessness crisis. This year's forum will feature an opening keynote discussion with acclaimed civil rights attorney and scholar Sherrilyn Ifill, who has played a prominent role in shaping the national conversation about race and civil rights.

Sherrilyn Ifill is currently serving as the 2023-2024 Steven and Maureen Klinsky Visiting Professor of Practice for Leadership and Progress at Harvard Law School. In the fall of 2024, she will become the first Vernon L. Jordan Chair in Civil Rights at Howard Law School, where she will launch the school's new 14th Amendment Center for Law and Democracy. Formerly, Ms. Ifill served as a Senior Fellow with the Ford Foundation, leading a project at New York City's Museum of Modern Art that explored artistic engagement with the 14th Amendment. From 2013-2022, she was president and director-counsel of the Legal Defense and Educational Fund at the NAACP, where she led the organization in conducting groundbreaking litigation in the areas of voting rights, economic justice, and education and took a prominent role in confronting police violence against unarmed Black people.

Ms. Ifill's strategic vision and counsel are highly sought after from leaders in government, business, law, and academia. She continues to publish regularly and is currently completing *Is This America?*, a book examining race and the crisis in American democracy that will be published by Penguin in 2024.

Book Your Discounted Hotel Room for Forum 2024 Before It's Too Late!

NLIHC's Housing Policy Forum 2024 will take place on March 19-21 at the Hilton Washington DC Capitol Hill Hotel in Washington, D.C. Forum attendees booking their room at the Hilton Capitol Hill Hotel between **now and February 22 will receive a discounted group rate.** But don't delay: **rooms available at the discounted rate are nearly sold out!** Reservations made after the discounted rooms have sold out will be at the Hilton's standard rate. We urge all Forum attendees to book your room at the Hilton Capitol Hill today!

Register for 2/29 Webinar to Prepare for NLIHC's Annual Capitol Hill Day

NLIHC will host a prep webinar on Thursday, February 29, from 2 to 3 pm ET to help advocates prepare to participate in Capitol Hill Day on March 21. The prep webinar will cover NLIHC's policy priorities, explore congressional advocacy strategies, and provide ideas about how advocates can effectively convey their experiences and needs to members of Congress during Capitol Hill Day. Register for the webinar today.

Capitol Hill Day is the concluding event of NLIHC's annual Housing Policy Forum, taking place this year on March 19-21 at the Hilton Washington DC Capitol Hill in Washington, D.C. Every year, advocates from around the country attend Capitol Hill to share their policy insights and suggestions with members of Congress and their staffs. To participate in Capitol Hill Day, register for the Forum, and check the "Yes, I will participate" box on the registration page.

Our Homes, Our Votes

Save the Date: Our Homes, Our Votes Webinar Series Launches in April!

NLIHC's *Our Homes, Our Votes* campaign is a nonpartisan initiative to boost voter turnout among low-income renters and elevate housing as an election issue. In major federal election years, the campaign hosts a <u>webinar series</u> to educate housing advocates, tenant leaders, and direct service providers on nonpartisan ways to engage voters in their communities. The *Our Homes, Our Votes:* 2024 webinar series will launch on Monday, April 15, at 2:30 pm ET. Register for the webinar series <u>here!</u>

The webinar dates and topics are listed below. All webinars will be held from 2:30 to 3:30 pm ET. Full descriptions and panelist information will be shared during the week prior to each webinar.

- Our Homes, Our Votes: 2024 Kickoff (Monday, April 15)
- Laying the Groundwork for Your Campaign (Monday, April 29)
- Voter Registration 101 (Monday, May 20)

- Forming Partnerships in Your Community (Monday, June 3)
- Tenant Organizing and Elections: Getting Out the Renter Vote (Monday, June 17)
- Voting While Experiencing Homelessness (Monday, July 1)
- Transportation to the Polls (Monday, July 15)
- Housing Providers and Voter Engagement (Monday, July 29)
- Getting Candidates on the Record about Housing and Homelessness (Monday, August 19)
- Celebrating the Civic Holidays (Tuesday, September 3)
- Voter Education: Elevating Housing as an Election Issue (Monday, September 16)
- Voter Education: Combating Misinformation and Disinformation (Monday, September 30)
- Overcoming Voter Suppression (Monday, October 7)
- Countdown to Election Day: Getting Out the Vote! (Monday, October 21)
- Knowing Your Rights: Voter Protection on Election Day (Monday, November 4)
- A Look Ahead: Next Steps for Civic Engagement and Housing Justice (Monday, November 18)

For more information about the *Our Homes, Our Votes* campaign, visit: https://www.ourhomes-ourvotes.org/

Research

New Study Examines Filtering Dynamics in U.S. Housing Supply

New research published in *Housing Policy Debate*, "Has Housing Filtering Stalled? Heterogeneous Outcomes in the American Housing Survey, 1985–2021," examines long-term trends and dynamics in the filtering of housing units within U.S. housing markets. The author, Jonathan Spader of the Federal Housing Finance Agency, finds significant variation in filtering outcomes across time periods, price points, and metropolitan areas. In some metropolitan areas or time periods, the downward filtering of housing can in fact stall or reverse as housing markets tighten, meaning that housing units in such markets may not become more affordable as they age – a process that has historically increased the overall supply of lower-cost housing. Spader concludes that filtering outcomes are related to local housing market conditions and that the process cannot always be relied upon as a source of affordable housing.

Broadly defined, filtering is the process by which housing comes to serve different residents and uses over time. In some contexts, housing can filter downwards as it ages and can become more affordable to lower-income households. In other contexts, housing can become more expensive as it filters upwards to higher income households. In still other contexts, housing units might be converted for different uses or demolished. Downward filtering is thought to be the most significant source of low-cost housing in the private market.

To analyze filtering dynamics, Spader relied on two panels of the American Housing Survey (AHS): from 1985 to 2013, and from 2015 to 2021. The AHS collects detailed information on a

representative sample of housing units and their occupants every two years, allowing for analysis of changes in housing unit and household characteristics over time. Analyzing the AHS, Spader found that housing units, on average, filtered downward between 1985 and 1993 and between 2005 and 2013, while between 1995 and 2003 and between 2015 and 2021, filtering either stalled or there was significant upward filtering. The period from 2015 to 2021, on average, saw upward filtering of housing units to higher income households across the country. These findings directly contradict prior research that concluded that housing filters down on average.

Spader also found that the direction and magnitude of filtering can vary by metropolitan area. More specifically, Spader observed significant differences in filtering dynamics between high-appreciation metropolitan areas on the West Coast and metropolitan areas with lower appreciation and lower growth in housing units. While filtering in the low-appreciation, low housing-unit-growth metropolitan areas remained relatively constant, the high-appreciation metropolitan areas on the West Coast showed significant shifts between downward and upward filtering over time. Periods of upward filtering appeared to coincide with strong housing demand and rising prices, while a pronounced period of downward filtering appeared to coincide with the Great Recession.

Spader concludes that filtering may not always be a reliable source of lower-cost rental housing and that affordable housing subsidies might be necessary in markets that experience periods of upward filtering. He further concludes that the variation observed in filtering outcomes might warrant federal policies that are more sensitive to local conditions.

Read the article at: https://bit.ly/3HV0Zgc

From the Field

Kansas City Passes Source-of-Income Discrimination Ordinance

Lawmakers in Kansas City, Missouri, passed on January 25 a new <u>ordinance</u> that would prohibit harassment or discrimination against tenants based upon the verifiable source of income they use to pay rent. The law, "<u>Ordinance No. 231019</u>," also prohibits the denial of housing opportunities to a tenant based on information found in the tenant's history during the application process, such as past convictions for non-violent crimes, the tenant's credit rating, or prior eviction. With the passage of "<u>Ordinance No. 231019</u>" – which takes effect in August 2024 – Kansas City joins more than <u>106 localities and 20 states</u> nationwide that have enacted similar protections for renters.

As a source-of-income (SOI) protection, "Ordinance No. 231019" states that a landlord or property owner cannot refuse to rent an available property to a tenant solely based on their income. The ordinance covers renters who receive any form of government subsidy or public assistance funds, such as renters who participate in the Section 8 Housing Choice Voucher program.

In 2024, as rental housing market conditions continue to worsen due to the <u>after-effects</u> of the COVID-19 pandemic, the <u>overall impact</u> of the public health crisis on the housing sector has made it difficult for low-income and extremely low-income renters to access safe, stable, and affordable housing. In this context, SOI laws are an important tool that can be used by cities and states to help such renters find and maintain affordable housing of their choosing.

When SOI laws are passed, the resulting protections can ensure that low-income renters do not face the burden of being denied housing due to social stigmas attached to programs like the Section 8 Housing Choice Voucher program. Such renters are in many cases discriminated against due simply to the presence of a housing voucher on a pending rental application. This evident social bias can trigger a denial by a landlord, with some landlords and property owners refusing to rent their property to public assistance recipients altogether.

Often, SOI laws counteract these biases by ensuring that public assistance recipients are covered under a state or locality's fair housing laws, making them part of a protected renter class and granting them access to housing opportunities that would not have been available to them in the absence of such laws.

As NLIHC's <u>The Gap</u> report makes clear, there is a shortage of more than 7.3 affordable and available rental units for the lowest-income renters across the nation. This shortage, coupled with the fact that <u>rents have risen at rapid rates</u> since the beginning of the COVID-19 pandemic (reaching 7.6% in 2022 before dropping to 3.3% in 2023), has significantly narrowed the housing options available to low-income renters.

As a result, an increasing number of prospective renters are applying for multiple rental properties at a time. In 2022, 59% of prospective renters <u>reported</u> having submitted two or more rental applications during their housing search. The need to submit multiple applications can slow the process markedly. For voucher holders, this poses special challenges: the inability to find housing within a certain time frame, especially in a tight rental market with limited housing options, can put individuals at risk of having to return their voucher, which can in turn force them to rejoin a <u>years-long</u> waiting list to receive assistance.

The SOI ordinance passed in Kansas City was <u>long-awaited</u> by renters and tenant advocates across the city. In 2019, the Kansas City Tenants Union (<u>KC Tenants</u>) began advocating for the inclusion of SOI protections in the city's Tenant Bill of Rights, a document that sought not only to inform tenants of their rights but also ensured that tenants are protected against retaliatory behavior. That bill, which was passed through "<u>Resolution No. 190934</u>," ultimately did not include SOI protections.

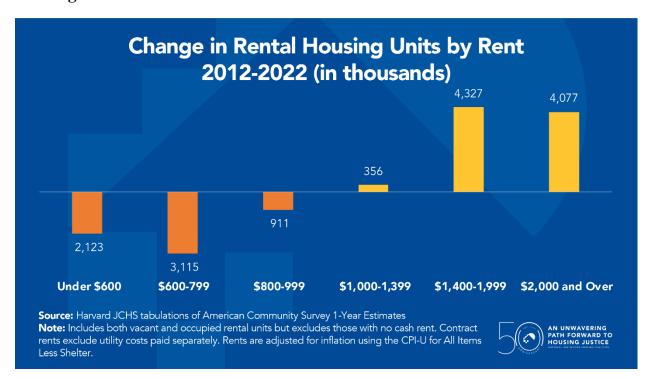
However, tenant leaders and residents continued to advocate for the enactment of protections, highlighting the intersections between gender and discrimination across the city. In December 2023, more than 100 Black women in Kansas City rallied together to speak out against the harm caused by existent discriminatory housing practices in the city and signed a letter urging lawmakers, such as Kansas City Mayor Quinton Lucas (who would later champion the bill), to consider passing SOI protections. In the letter, the group addressed the importance of passing protections for renters to ameliorate existing housing conditions for the most marginalized renter groups in the state.

The group made specific mention of the fact that Black women represent the largest share of voucher holders in Missouri, with Black women who have children most vulnerable to the threat of eviction. Data provided by the Eviction Lab at Princeton University, moreover, <u>notes</u> that in Kansas City, Black renters make up only 34% of renters in the city but account for 50% of all eviction filings reported, showing the true extent of the disproportionate impact of evictions on households of color across the city.

Advocates celebrated the victory following passage of the ordinance. "As homeless rates increase and access to affordable housing is decreasing in Missouri, Empower Missouri congratulates KC Tenants on their incredible win for housing access in Kansas City, Missouri," said Misha Smith of Empower Missouri. "Their work on getting the Source-of-Income Discrimination Ban passed is not only a win for Kansas City tenants, but all tenants across Missouri who now have a model of how to strengthen local housing policies in their own communities."

More information on Kansas City's SOI law can be found here.

Fact of the Week Housing Stock Lost Lower-Cost Rental Units over Past Decade



Source: Harvard JCHS tabulations of American Community Survey 1-Year Estimates

Note: Includes both vacant and occupied rental units but excludes those with no cash rent. Contract rents exclude utility costs paid separately. Rents are adjusted for inflation using the CPI-U for All Items Less Shelter

NLIHC Careers

NLIHC Seeks Housing Advocacy Coordinators/Organizers

NLIHC seeks three housing advocacy coordinators/organizers (depending on experience) who will be responsible for building relationships around the country, mobilizing advocates to take action on NLIHC's federal policy priorities and campaign efforts, and maintaining and expanding NLIHC membership with individuals and organizations. Housing advocacy coordinators/organizers will report to the director of field organizing.

Responsibilities:

- Build and maintain relationships with NLIHC state and tribal partners, members, people
 directly impacted by housing instability and homelessness, and other housing and
 homelessness advocates and service providers.
- Conduct outreach to maintain and expand NLIHC's membership with individuals and organizations through monthly mailings, emails, and phone calls.
- Mobilize NLIHC's network of advocates to take action on federal affordable housing policy issues.
- Present at meetings and conferences in D.C. and around the country to share NLIHC's research, policy priorities, and how advocates can get engaged in NLIHC's work.
- Respond to requests for information from NLIHC state and tribal partners, members, the media, and the public.
- Track field activity in assigned region and promote activities of NLIHC's network, especially state and tribal partners and members, through NLIHC's communication platforms.
- Create and maintain advocacy tools in collaboration with the Policy Team, such as NLIHC's Legislative Action Center, advocacy toolkits, how-to tutorials, sample emails and phone call scripts, and sign-on letters.
- Contribute to field communications, including NLIHC's weekly e-newsletters *Memo to Members and Partners* and *The Connection*, calls to action and other eblasts, website pages and materials, blog posts, social media, and NLIHC's *Tenant Talk* publication.
- Maintain contact database in Salesforce and other platforms. Produce membership reports and lists as needed to support the work of NLIHC.
- Identify and cultivate potential new state and tribal partners in places where NLIHC seeks to build a stronger base of advocates.
- Support planning and implementation of NLIHC's annual Housing Policy Forum, including speaker recruitment and organizing participants of Capitol Hill Day.
- Participate in NLIHC staff meetings, staff training, monthly state and tribal partner Zoom meetings, and other meetings as assigned.
- Other duties as assigned.

Qualifications:

- A housing advocacy coordinator will hold a bachelor's degree (master's degree preferred)
 and have up to two years of experience in policy advocacy, community or macro
 organizing, membership coordination, or direct assistance to low-income communities.
 People with lived experience of housing instability or homelessness who hope to shape
 housing policy at a national level and who have experience in lieu of a degree are
 encouraged to apply.
- A housing advocacy organizer will hold a master's degree and have at least two years of work experience in policy advocacy, community or macro organizing, membership coordination, or direct assistance to low-income communities. Candidates with an additional three years of work experience in lieu of a master's degree will be considered.
- Candidates should have the ability to work in a diverse, fast-paced environment; strong
 organizational skills; oral and interpersonal communication skills; networking skills;
 writing skills; and attention to detail.
- Strong commitment to social, racial, and housing justice and knowledge of the fundamentals of affordable housing or homelessness.
- Demonstrated ability to cultivate positive relationships with marginalized individuals, including those with lived experiences with housing insecurity and homelessness.
- Demonstrated experience and ability to recognize and respond to the ways race, ethnicity, sexual orientation, and gender identity intersect to further promote racial equity and social justice.
- Ability to travel to speaking engagements several times a year.
- Proficiency in the Microsoft Office suite and Zoom. Familiarity with Salesforce, Mailchimp, GiveSmart, or Phone2Action a plus.

An equal opportunity, affirmative action employer, NLIHC offers a competitive benefits package. These are full-time positions located in Washington, D.C. on hybrid work schedules. The housing advocacy coordinator salary range is \$67,000-\$90,000 (depending on experience). The housing advocacy organizer salary range is \$87,000-\$102,000 (depending on experience).

How to Apply:

Interested candidates should submit a resume, cover letter, and two writing samples to Sarah Saadian, senior vice president of public policy and field organizing, and Brooke Schipporeit, director of field organizing, at: ssaadian@nlihc.org and bschipporeit@nlihc.org

NLIHC Seeks Data Systems Coordinator

NLIHC seeks a data systems coordinator to ensure effective and efficient organization-wide use of Salesforce, related data, and integrated platforms to support the organization's fundraising, membership, and advocacy initiatives and boost staff and organization efficiency and productivity. The data systems coordinator reports to the director of operations and works collaboratively with all Salesforce users across the organization.

Responsibilities:

- Manage day-to-day administration of the Salesforce Nonprofit CRM, supporting 10+ users across several teams.
- Strategize with teams about the most effective use of data systems and make database customizations to streamline workflows, making Salesforce the central hub for the organization.
- Oversee integrations between Salesforce and other platforms including Mailchimp, GiveSmart, Phone2Action, and Zoom using declarative API services (like Zapier) and other solutions.
- Customize Salesforce objects, fields, flows, and lists.
- Build custom reports, forms/surveys, and dashboards specific to job functions.
- Generate process maps for workflows related to membership, donations, grants, and events.
- Manage data integrity, data reporting and dashboards, and standard data processes within the system.
- Conduct data audits, update required information, and eliminate duplicate and/or outdated records.
- Maintain control of access rights, security settings, and user privileges.
- Provide organization-wide training on the importance of Salesforce as a central hub for the organization and how staff work is connected, including non-CRM users. Provide additional training to CRM users and meet regularly to discuss best practices and troubleshoot issues.
- Serve as liaison to all vendor solutions.
- Identify opportunities for growth and understand how to make those changes happen.
- Stay abreast of new platform features and determine value to organization, update database, and train staff as appropriate.
- Explore future options for vendors as necessary.
- Coordinate future special projects, including integration of Salesforce with Sage Intacct Accounting software and managing email operations related to building email subscriber lists and segments of contacts.
- Other duties as assigned.

Qualifications:

This is a full-time position in Washington, DC. Applicants must have a strong commitment to social justice and NLIHC's mission. Other requirements include:

- Bachelor's degree, or equivalent combination of education and experience.
- Minimum two years' experience supporting Salesforce, preferably in a non-profit environment, with experience creating and managing flows, donor records, revenue tracking, campaigns, custom objects, and the integration of other platforms.
- Strong project management, data management, and training and support skills.
- Strong written and oral communication skills.
- Strong computer and technical skills, including advanced MS Excel Skills.

- Ability to develop strong relationships and effectively work with individuals across all levels and departments.
- Effective time management, organization, and leadership skills.
- People-oriented person with customer-service approach to supporting colleagues who can work collaboratively to understand/address data-related concerns of various teams.
- Resourceful and willing to learn, constantly thinking and learning about innovation and process.
- Ability to be innovative, identify areas of improvement, and grow and change as the organization changes.

An equal opportunity, affirmative action employer, NLIHC offers a competitive salary and a generous benefits package. The salary range for this position is \$67,000 to \$90,000.

How to Apply:

Send a cover letter and resume to: Director of Operations Lakesha Dawson (NLIHC, 1000 Vermont Avenue, N.W., Suite 500, Washington, DC 20005) at ldawson@nlihc.org. The cover letter should describe the candidate's interest in and relevant experiences for the position and include salary requirements. Please also include names and contact information for at least three people serving as candidate references. (NLIHC will not contact references before consulting with the candidate.)

NLIHC Seeks Disaster Housing Recovery Policy Coordinator

NLIHC seeks a disaster housing recovery policy coordinator responsible for identifying, analyzing, advocating for, and engaging the Coalition's membership and network in actions on federal policy and regulatory activities related to the Coalition's mission and priorities, especially in the realm of disaster housing recovery. The disaster housing recovery policy coordinator will report to the manager of disaster recovery.

Responsibilities:

The disaster housing recovery policy coordinator will:

- Monitor legislative, regulatory, and administrative developments, as well as other
 activities or events of interest on Capitol Hill and at HUD, the Federal Emergency
 Management Agency (FEMA), and other relevant agencies; ensure that local partners and
 the NLIHC-led Disaster Housing Recovery Coalition (DHRC) are apprised of key
 developments and events.
- Monitor disaster housing recovery efforts by maintaining frequent contact with local partners; hold regularly scheduled calls for local partners about implementation issues.
- Advocate for DHRC and Coalition positions before members of Congress and the administration; prepare letters, visits, phone calls, and e-mails to congressional members and their staff.

- Develop materials that translate pending proposals and actions into accessible and understandable formats for DHRC members and partners; respond to requests for information from members and other network participants.
- Help facilitate communications and education with members of Congress and the administration by drafting letters, scheduling, and participating in meetings, and leading conference calls, and preparing and sending communications to members, administration officials, and their staffs.
- Represent NLIHC before selected national partners; participate in the planning and implementation of NLIHC's Disaster Housing Recovery Coalition.
- Assist in coordinating regular DHRC meetings; coordinate and facilitate working group meetings, prepare materials, and make presentations; attend meetings and events of other coalitions.
- Work together with NLIHC field staff and DHRC members in impacted communities to stay abreast of disaster recovery issues and other housing concerns.
- Research and prepare articles for NLIHC's Memo to Members and Partners e-newsletter, including updates on Capitol Hill, HUD, and FEMA, through web-based and other research and attendance at hearings and briefings.
- Represent NLIHC at meetings and conferences in Washington, DC, and across the nation.
- Plan and implement briefings, dialogues, and other informational forums on issues related to DHRC priorities and initiatives.
- Monitor, and provide updates for, the Coalition website. Attend (and report on, as requested) all meetings of the Board of Directors; participate in staff meetings, trainings, and events.
- Participate in the planning and implementation of all aspects of Coalition's annual policy forum, including speaker recruitment.
- Other duties as assigned.

Qualifications:

Requirements include a bachelor's degree (master's degree or law degree preferred). A degree in public policy, public administration, emergency management, or related area is a plus. Applicants should have a commitment to social, racial, and housing justice and some knowledge of the fundamentals of affordable housing, homelessness, disaster recovery, environmental justice, or social service delivery. Candidates should be able to work in a diverse, high-paced environment and have strong writing and editing skills, oral and interpersonal communications skills, organizational skills, and attention to detail. Applicants should be proficient in the Microsoft Office suite and social media platforms.

An equal opportunity, affirmative action employer, NLIHC offers a competitive benefits package. This is a full-time, two-year grant-funded position (with the possibility of extension) located in Washington, DC. The salary range is \$67,000 to \$90,000.

How to Apply:

Interested candidates should submit a resume, cover letter, and two writing samples to Sarah Saadian, senior vice president of public policy and field organizing, and Noah Patton, manager of disaster recovery, at: ssaadian@nlihc.org and npatton@nlihc.org

NLIHC in the News

NLIHC in the News for the Week of February 4

The following are some of the news stories to which NLIHC contributed during the week of February 4:

- "US is not prepared to house a growing number of older Americans" *USA Today*, February 9 at: http://tinyurl.com/cys5kd5d
- "Proposed State 'Social Housing' Authority Would Build Affordable Homes Outside the Private Market" *City Limits*, February 7 at: http://tinyurl.com/34aeyvv9

NLIHC News

Where to Find Us – February 12

- CORES Webinar: Initiatives to Help Support Civic Engagement Virtual, February 14 (Courtney Cooperman)
- Neighborworks Training Institute San Francisco, CA, February 26-27 (Sid Betancourt)
- YIMBYtown 2024 Austin, TX, February 26-28 (Courtney Cooperman)
- Arizona Housing Coalition Conference Mesa, AZ, February 27 (Lindsay Duvall)
- Housing California 2024 Annual Conference Long Beach, CA, March 6-8 (Sarah Saadian)
- Housing CA 45th Annual Conference: Celebrating Successes, Shaping the Future Long Beach, CA, March 7 (Diane Yentel)
- <u>United Native American Housing Association</u> Annual Meeting Denver, CO, March 25-26 (Kayla Laywell)
- "Justice and Housing in America" course, Binghamton University Virtual, April 10 (Lindsay Duvall)
- Columbia Business School New York, NY, April 17 (Diane Yentel)
- The Housing Ohio Conference Columbus, OH, May 7-8 (Diane Yentel)

NLIHC Staff

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Matthew Clarke, Director, Communications, x207

Courtney Cooperman, Project Manager, Our Homes Our Votes, x263

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Ed Gramlich, Senior Advisor, x314

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Kim Johnson, Public Policy Manager, x243

Kayla Laywell, Housing Policy Analyst, x231

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Noah Patton, Manager, Disaster Recovery, x227

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Benja Reilly, Development Specialist, x234

Gabrielle Ross, Project Manager, Diversity, Equity, and Inclusion, x208

Sarah Saadian, Senior Vice President for Public Policy and Field Organizing, x228

Brooke Schipporeit, Director, Field Organizing, x233

Lauren Steimle, Web/Graphic Design Specialist, x246

Julie Walker, OSAH Campaign Coordinator

Chantelle Wilkinson, OSAH Campaign Director, x230

Renee Willis, Senior Vice President for Racial Equity, Diversity, and Inclusion, x247

Diane Yentel, President and CEO, x225