



NLIHC's HoUSed Campaign for  
Long-Term Housing Solutions

January 16, 2024

# Agenda

## **Welcome & Updates**

- Sarah Saadian, NLIHC

## **SCOTUS Homelessness Case**

- Jesse Rabinowitz, NHLC

## **Legislative & Administrative Outlook for 2024**

- Kim Johnson, NLIHC

## **Disaster Housing Recovery Update for 2024**

- Noah Patton, NLIHC

## **Field Update**

- Will White, Hawai'i Appleseed

## **Next Steps**

# Welcome & Updates

## **Sarah Saadian**

*Senior Vice President for Public Policy & Field  
Organizing*

National Low Income Housing Coalition

[ssaadian@nlihc.org](mailto:ssaadian@nlihc.org)



# SCOTUS Homelessness Case

**Jesse Rabinowitz**

*Housing Not Handcuffs Campaign & Communications  
Coordinator*

National Homelessness Law Center

[jrabinowitz@homelesslaw.org](mailto:jrabinowitz@homelesslaw.org)

# *Johnson v Grants Pass*

## The Homeless Cruelty Case

January 16, 2024

# How did we get here?

(ORDER LIST: 601 U.S.)

FRIDAY, JANUARY 12, 2024

## CERTIORARI GRANTED

22-1218 SMITH, WENDY, ET AL. V. SPIZZIRRI, KEITH, ET AL.

23-175 GRANTS PASS, OR V. JOHNSON, GLORIA, ET AL.

23-191 WILLIAMS, NANCY, ET AL. V. WASHINGTON, AL SEC. OF LABOR

The petitions for writs of certiorari are granted.

23-334 DEPT. OF STATE, ET AL. V. MUNOZ, SANDRA, ET AL.

The petition for a writ of certiorari is granted limited to Questions 1 and 2 presented by the petition.

23-367 STARBUCKS CORP. V. MCKINNEY, M. KATHLEEN

The petition for a writ of certiorari is granted.

# This is literally about pillows and blankets

The City of Grants Pass maintains ordinances that preclude homeless persons from using a blanket, a pillow, or a cardboard box for protection from the elements while sleeping within the City's limits. Three homeless individuals filed a putative class action complaint against the City, arguing a number of City ordinances were unconstitutional. The district court certified a class of "involuntarily homeless" persons and later granted partial summary judgment in favor of the class. The district court issued a permanent injunction prohibiting enforcement against the class members of some City ordinances, at certain times, in certain places. The City appealed.

# Check out the opposition

“The Supreme Court can now correct course and end the costly delays from lawsuits that have plagued our efforts to clear encampments and deliver services to those in need.”- California Governor Gavin Newsome

- California State Association of Counties
- Goldwater Institute
- District Attorney of Sacramento County
- Speaker of the Arizona House of Representatives Ben Toma
- Pacific Legal Foundation and California Business Properties Association
- California State Sheriffs' Association
- San Diego County District Attorney
- League of Oregon Cities
- City and County of San Francisco
- Los Angeles Area Chamber of Commerce
- City of Phoenix
- City of Los Angeles
- Washington State Association of Sheriffs and Police Chiefs
- Ten California Cities and The County of Orange



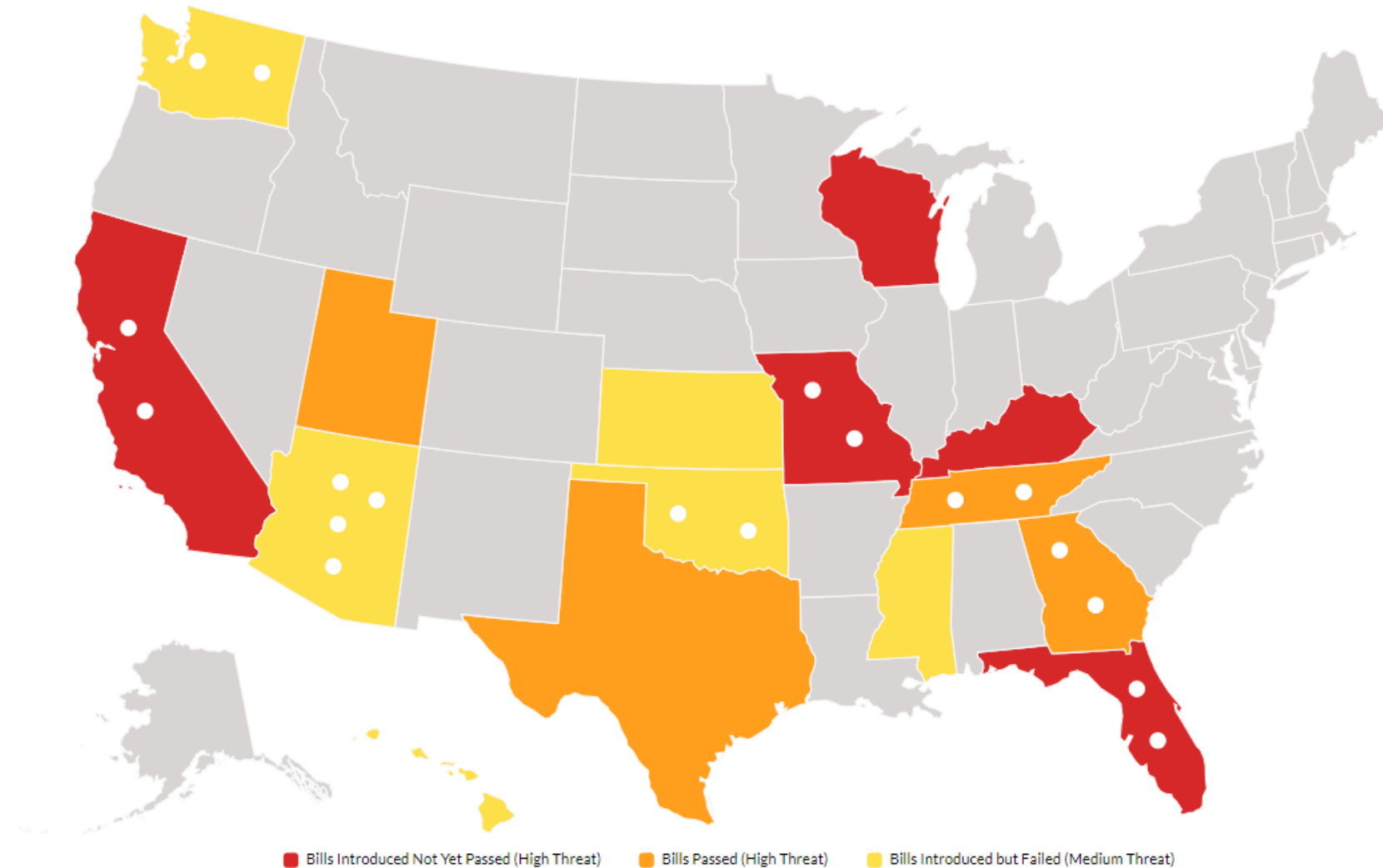
# How you can support

- Join the Housing not Handcuffs Campaign
- Visit [johnsonvgrantsspass.com](http://johnsonvgrantsspass.com) for updates and details
- Follow [@homeless\\_law](https://twitter.com/homeless_law) on twitter
- Connect us with elected officials who do not support criminalization
- Help us with our video collection and storytelling project
- Advocate that their communities, at minimum, do not sign on to harmful briefs
- Email [jrabinowitz@homelesslaw.org](mailto:jrabinowitz@homelesslaw.org) to get more involved

# Top Line Talking Points

- Johnson v Grants Pass is a court case that determined it is cruel and unusual punishment to arrest or ticket people for sleeping outside when they have no other safe place to go.
- This case will decide whether cities are allowed to punish people for things like sleeping outside with a pillow or blanket, even when there are no safe shelter options.
- All this case says is that, unless everybody has access to shelter that meets their needs, they cannot be arrested, ticketed, or otherwise punished for sleeping outside.
- If politicians were truly focused on ending homelessness, they would focus on proven solutions like housing and services
- Grants Pass, Oregon, like many cities in America, is thousands of housing units short of what is needed. The lack of housing and resulting homelessness will not be solved by putting more people in jail or issuing more fines. The solution to homelessness is safe, decent, and affordable housing for everybody.

# This is part of a national push to criminalize homelessness





# 2024 Legislative & Administrative Outlook

**Kim Johnson**

*Policy Manager*

National Low Income Housing Coalition

[kjohnson@nlihc.org](mailto:kjohnson@nlihc.org)

# 2024 Legislative & Administrative Outlook

## **Federal Action to Watch in (Early) 2024:**

- Final FY24 spending bill for HUD
- Tax package

# 2024 Legislative & Administrative Outlook

## **Final FY24 Appropriations Deal**

- Congress working today on CR to move THUD deadline to March 1
- Current CR still expires January 19, but no appetite for a shutdown

# 2024 Legislative & Administrative Outlook

## **Final FY24 Appropriations Deal**

By March 1 CR deadline:

- Decide on topline spending for THUD - "302(b) allocation"
- Reconcile differences in House and Senate draft bills
- Draft and pass final FY24 agreement

# 2024 Legislative & Administrative Outlook

## House FY24 THUD Spending Bill

- Overall HUD funding: \$68.2 billion
  - \$6.4 billion (~10%) increase from FY23
- Proposes deep cuts or elimination of some programs

## Senate FY24 THUD Spending Bill

- Overall HUD funding: \$70.06 billion
  - \$8.26 billion (~13%) increase from FY23
- Few funding cuts under Senate draft, although Public Housing Capital Funds included in proposed cuts

**At current levels, neither bill is expected to provide sufficient funding for HCVs**



## House and Senate Funding Bills Would Deeply Reduce Number of Families with Housing Vouchers

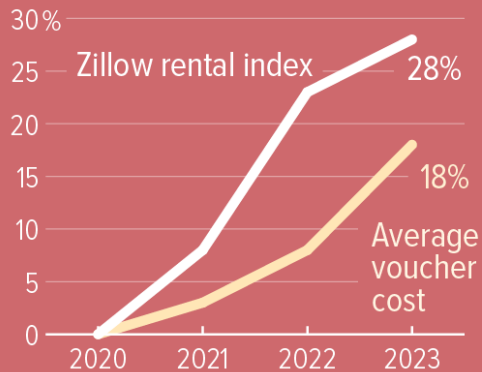
**3/4** of likely eligible households do not receive rental assistance



Families often wait years to receive assistance

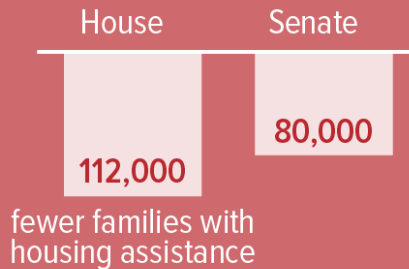
### Voucher costs are still catching up to steep rent increases

Percent change since 2020



### The amount needed to cover voucher costs is about \$900M above HUD's budget request

House and Senate bills increase funding from last year, but not enough to pay for higher rents



Any funding measure should fully fund voucher renewals and prevent cuts to a program that helps millions of people pay rent each month and keep a roof over their heads.

# Proposed Funding Levels Come Up Short

**House:** 112,000 vouchers lost upon turnover

**Senate:** 80,000 vouchers lost upon turnover

# Join CHCDF's National Day of Action January 25

- Urge your members of Congress to fund housing and homelessness programs at the highest level possible in FY24
- Support NLHC's top priorities, including:
  - Full funding to renew all existing HCV contracts
  - Full funding for public housing operations and repairs
  - The Senate's proposed funding for Homeless Assistance Grants
  - Protecting \$20 million in funding for legal assistance to prevent evictions in the Senate bill
  - The House's proposed funding for Native housing

**Take action with NLHC: <https://p2a.co/nliqghj>**

# 2024 Legislative & Administrative Outlook

## **Tax Package**

Final deal struck on bipartisan tax proposal

- Expands Child Tax Credit (CTC) and some corporate tax breaks, plus certain LIHTC provisions

**Does *not* include key reforms to LIHTC to ensure the credit better serves people with the lowest incomes**

# 2024 Legislative & Administrative Outlook

“By failing to include critically needed reforms to our nation’s largest source of financing for affordable rental housing, Congress continues to neglect the housing needs of those experiencing or at risk of homelessness. Increased homelessness is the tragic, yet predictable, consequence of underinvesting in the resources and protections that help people find and maintain safe, affordable housing.”

**Read Diane’s full statement: <https://p2a.co/nliqghj>**

# 2024 Legislative & Administrative Outlook

## **Looking ahead**

- Expanding and preserving affordable, accessible housing
- Expanding housing vouchers and other rental assistance
- Creating a permanent emergency rental assistance program
- Strengthening and enforcing renter protections

**Take Action with NLIHC in 2024:** [nlihc.org/take-action](https://nlihc.org/take-action)

# 2024 Disaster Housing Recovery Outlook



**Noah Patton**

*Manager of Disaster Recovery*

National Low Income Housing Coalition

[npatton@nlihc.org](mailto:npatton@nlihc.org)



NATIONAL LOW INCOME  
HOUSING COALITION

# Disaster Housing Recovery

2023 Legislative Reform Efforts

# Trends in Disaster Recovery Reform for 2023



1. Focus on Equity
2. "Customer Experience"
3. Easing Application Burdens
4. Data Sharing Issues
5. Pushing for Funding



# Authorize CDBG-DR Program: Reforming Disaster Recovery Act of 2023



## Bipartisan support:

- S. 1686 Sponsors: Senators Schatz (D-HI), Collins (R-ME), Wicker (R-MS), Young (R-IN), Cassidy (R-LA), Ron Wyden (D-OR), Van Hollen (D-MD), Tillis (R-NC), Tester (D-MT), Hyde-Smith (R-MS), Lujan (D-NM), Booker (D-N), Padilla (D-CA), Murkowski (R-AK)

Permanently authorizes the CDBG-DR program

Targets resources to those with greatest need

Prioritizes data transparency and oversight

Protects civil rights and fair housing

Encourages mitigation and resiliency

# Disaster Learning and Life Saving Act/National Disaster Safety Board Act of 2023



## Bipartisan support:

- H.R. 6450 Sponsors: Representatives Katie Porter (D-CA) and Nancy Mace (R-SC)
- S. 3338 Sponsors: Senators Brian Schatz (D-HI) and Bill Cassidy (R-LA)

## Creates National Disaster Safety Board

- Reviews of Disasters would look at underlying causes of lost lives and property
- Collaborative process to find facts, not assign blame
- Independent Board selected from academia, federal, state, and local governments

## Streamlines Data Collection and After-Action Review Process

## Prioritizes data transparency and oversight

## Creates an Office for the Protection of Disproportionately Impacted Communities

## Facilitates Technical Assistance and Implementation Recommendations

# “Stay Cool” Act of 2021



## Bipartisan support:

- H.R. 4314 Sponsors: Representatives Bonnie Watson Coleman (D-NJ)
- 14 Democratic Cosponsors

Incentives for Cooling Centers

Temperature Regulations for Subsidized Housing

Expansion of Utility Subsidy to Include Cooling

Studies of Heat Wave Response

Senior Check-In Pilot Program

# Disaster Assistance Simplification Act



## Bipartisan support:

- S.4599 – Introduced by HSGAC Chairman Senator Gary Peters (D-MI) and Senator James Lankford (R-OK)
- Passed by the Senate

Creates Universal Application for Disaster Assistance

Streamlines Data Sharing Between Agencies

# Federal Disaster Housing Stability Act



## Bipartisan support:

- H.R. 3219 – Introduced by Representative Cherfilus-McCormick (D-FL)

Post-Disaster Eviction Moratorium (120 Days)

Post-Disaster Moratorium on Rent Increases (120 Days)

Post-Disaster Foreclosure Moratorium (6 Months)

# Contact

**Noah Patton**

National Low Income  
Housing Coalition

[npatton@nlihc.org](mailto:npatton@nlihc.org)

# Field Update



**Will White**

*Deputy Director*

Hawai'i Appleseed

[willwhite@hibudget.org](mailto:willwhite@hibudget.org)

# Next Steps

## **Sarah Saadian**

*Senior Vice President for Public Policy & Field  
Organizing*

National Low Income Housing Coalition

[ssaadian@nlihc.org](mailto:ssaadian@nlihc.org)





# Resources

NLIHC's HoUsed Campaign  
([nlihc.org/housed](https://nlihc.org/housed)): Campaign Updates