NLIHC’s HoUSed Campaign for Long-Term Housing Solutions

March 14, 2022
Agenda

Welcome & Updates
• Paul Kealey, NLIHC

FY22 Spending Bill & Budget Reconciliation Updates
• Kim Johnson, NLIHC

Conclusions from Preliminary Analysis of Eviction Filing Patterns in 2021
• Anne Kat Alexander, Emily Lemmerman, & Joe Fish, Eviction Lab at Princeton University

Findings from HUD’s 2021 Annual Homelessness Assessment Report
• Meghan Henry, Tanya de Sousa, Anna Robinson, Abt Associates

Lessons from New NLIHC/UPenn Report on ERA
• Rebecca Yae, NLIHC
• Claudia Aiken, Housing Initiative at Penn

Latest ERA Spending Numbers Through January
• Sophie Siebach-Glover, NLIHC

Field Updates
• Robyn Powell, New Mexico Mortgage Finance Authority
• Brad Hirn, Housing Rights Committee of San Francisco
• Kim McCarthy, Community Alliance of Tenants

Next Steps
Welcome & Updates

Paul Kealey
Chief Operating Officer
National Low Income Housing Coalition
pkealey@nlihc.org
Kim Johnson
Senior Policy Analyst
National Low Income Housing Coalition
kjohnson@nlihc.org
Conclusions from Preliminary Analysis of Eviction Filing Patterns in 2021

Joe Fish
Research Specialist
Eviction Lab
jf42@princeton.edu

Emily Lemmerman
Research Specialist
Eviction Lab
emilyhl@princeton.edu

Anne Kat Alexander
Program Coordinator & Research Staff
Eviction Lab
akalexander@princeton.edu
U.S. Eviction Filing Patterns in 2021
March 14, 2022

Anne Kat Alexander, Joe Fish, Emily Lemmerman
Eviction Lab at Princeton University
Eviction Tracking System (ETS)

- 31 cities and 6 states
- 1 in 4 renters lives in an ETS site
- weekly eviction filings
- compares volume to "historical average": # of filings for that period in one or more typical years
U.S. Eviction Filing Patterns in 2020

Peter Hepburn, Renee Louis, Joe Fish, Emily Lemmerman, Anne Kat Alexander, Timothy A. Thomas, Robert Koehler, Emily Benfer, and Matthew Desmond
The Eviction Lab

Preliminary Analysis: 11 months of the CDC Moratorium

Jasmine Rangel, Jacob Haas, Emily Lemmerman, Joe Fish, and Peter Hepburn
The Eviction Lab

Preliminary Analysis: Eviction Filing Trends After the CDC Moratorium Expiration

Jacob Haas, Jasmine Rangel, Juan Pablo Garnham, and Peter Hepburn
Princeton University
Findings preview

• Estimated **1.36 million eviction cases** averted nationwide
  • Conservative estimate based on typical year eviction volume - does not account for increased financial stress during the pandemic
  • Over **3 million cases averted during the pandemic**

• Greatest reductions in low-income and majority-Black neighborhoods

• Reductions vary by jurisdiction, over the course of the year, and depending on neighborhood demographics

** not a causal analysis, formal evictions only
Policy context: emergency expansion of safety net
Filings remain down but are trending up

[Bar chart showing the share of filings in 2021 relative to historical average, with a shaded area indicating the CDC moratorium in effect.]
Where you live matters for whether you're evicted
Demographics of filings in 2021

[Bar chart showing the distribution of defendants and renters by race in 2021]
Greatest reductions in majority-Black neighborhoods
Greatest reductions in lower-income neighborhoods

- **<$50k:** 35.9% of tracts
- **$50-$70k:** 28.4% of tracts
- **$70-$90k:** 16.7% of tracts
- **$90k+** : 16.7% of tracts
Final thoughts

• Causal analysis: Which policies helped the most?
  • Why were the same policies more effective in certain areas?

• How to transition from emergency policies to long-term structural change?
  • HIP+NLIHC brief later this call

• In 2022, cases are rising across the country and some areas are returning to normal volume.
Preliminary Analysis: Eviction Filing Patterns in 2021

Over the last two years, the federal government intervened in the eviction crisis in a serious and unprecedented way. Our data show that that intervention has paid off.

Preliminary Analysis: Eviction Filing Trends After the CDC Moratorium Expiration

Eviction Depressed Voter Turnout in the 2016 Presidential Election

Eviction Diversion: Preventing Eviction Before Going to Court

Preliminary Analysis: 11 months of the CDC Moratorium

Questions and answers about evictions as the CDC moratorium ends

evictionlab.org
Olivia Jin, Joe Fish, Emily Lemmerman, Anne Kat Alexander, and Matthew Desmond

Eviction Lab at Princeton University

Peter Hepburn

Rutgers University

akalexander@princeton.edu
emilyhl@princeton.edu
jf42@princeton.edu

The Eviction Lab is funded by the Russell Sage, JPB, and Gates Foundations, C3.ai Digital Transformation Institute, the Pew Charitable Trusts, and the Chan Zuckerberg Initiative
Findings from HUD’s 2021 Annual Homelessness Assessment Report (AHAR)

Meghan Henry
Associate
Abt Associates
meghan_henry@abtassoc.com

Anna Robinson
Analyst
Abt Associates
anna_robinson@abtassoc.com

Tanya de Sousa
Social & Economic Policy Researcher
Abt Associates
tanya_desousa@abtassoc.com
2021 AHAR Part 1: Results in Brief
AHAR Overview

Annual Homeless Assessment Report to Congress (AHAR)

- Prepared by Abt Associates each year on behalf of HUD
- Nearly 400 communities participate each year
- AHAR has three data sources (see below)

Point-in-Time Data
- Point-in-Time (PIT) count
- Housing Inventory Count (HIC)

Year-Round Data
- Longitudinal Systems Analysis (LSA)
## Point-in-Time (PIT) Background

<table>
<thead>
<tr>
<th>What is the PIT?</th>
<th>A count of all persons experiencing homelessness in a Continuum of Care (CoC) on a single night in the last 10 days of January.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Who conducts the PIT?</td>
<td>CoCs - cities, counties, groups of counties, or states that receive HUD funding for homeless programs.</td>
</tr>
<tr>
<td>How often is the PIT conducted?</td>
<td>CoCs are required to conduct a “sheltered” PIT count every year and an “unsheltered” count every other year (in odd years); many choose to conduct both counts annually. <strong>Due to COVID-19, not all CoCs had to conduct an unsheltered PIT count in 2021.</strong></td>
</tr>
</tbody>
</table>
## Housing Inventory Count (HIC) 

### Background

**What is the HIC?**
A national inventory of beds for homeless (and formerly homeless) individuals and families. The HIC measures community capacity to house homeless people (and previously homeless people) on the night it performed its count.

**Who conducts the HIC?**
CoCs - cities, counties, groups of counties, or states that receive HUD funding for homeless programs.

**How often is the HIC conducted?**
CoCs are required each year to conduct a HIC during the last 10 days of January (on the same night as the PIT count).
How is the 2021 AHAR different from prior years?

- Focuses primarily on sheltered homelessness across all populations
- Includes additional information throughout report on inventory and occupancy rates
- Provides more context than prior reports
- Includes qualitative review of narrative information provided by communities
- Appendix provides information on those communities that did conduct an unsheltered count
Which CoCs Conducted Unsheltered Counts?
### 2021 AHAR: Point-in-Time Topline Estimates

<table>
<thead>
<tr>
<th>Population</th>
<th>2021 Estimate</th>
<th>Change 2020-2021 #</th>
<th>Change 2020-2021 %</th>
<th>Change 2007-2021 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>All People in Sheltered Programs</td>
<td>326,126</td>
<td>-28,260</td>
<td>-8%</td>
<td>-16.7%</td>
</tr>
<tr>
<td>Sheltered Individuals</td>
<td>194,749</td>
<td>-4,729</td>
<td>-2.4%</td>
<td>-8.6%</td>
</tr>
<tr>
<td>Sheltered People in Families with Children</td>
<td>131,377</td>
<td>-23,531</td>
<td>-15.2%</td>
<td>-26.3</td>
</tr>
<tr>
<td>Sheltered Unaccompanied Youth</td>
<td>15,763</td>
<td>-1,508</td>
<td>-8.7%</td>
<td>N/A</td>
</tr>
<tr>
<td>Sheltered Veterans</td>
<td>19,750</td>
<td>-2,298</td>
<td>-10.4%</td>
<td>-54.5%*</td>
</tr>
<tr>
<td>Sheltered Individuals with Chronic Patterns of Homelessness</td>
<td>44,346</td>
<td>7,235</td>
<td>19.5%</td>
<td>6.2%</td>
</tr>
</tbody>
</table>
Overall capacity increased slightly

<table>
<thead>
<tr>
<th>Bed Inventory and Occupancy Rates by Bed Type</th>
<th>Emergency Shelter Beds</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2020</td>
</tr>
<tr>
<td>Total ES Beds</td>
<td>336,618</td>
</tr>
<tr>
<td>Facility-based beds</td>
<td>304,561</td>
</tr>
<tr>
<td>Other beds</td>
<td>17,825</td>
</tr>
<tr>
<td>Voucher beds</td>
<td>14,232</td>
</tr>
</tbody>
</table>
Occupancy rates declined

| Occupancy Rates of Programs for People in Sheltered Locations, 2020 and 2021 |
|--------------------------------------------------|----------------|
|                                                  | 2020 | 2021 |
| **Total**                                         | 82.1%| 73.2%|
| **ES**                                            | 83.2%| 73.7%|
| **SH**                                            | 85.9%| 68.3%|
| **TH**                                            | 78.2%| 71.5%|
Why did sheltered homelessness decline?

- Changes to shelter capacity to comply with social distancing requirements;
- Hesitancy in seeking shelter;
- Prioritizing Rapid Rehousing (RRH) and Permanent Supportive Housing (PSH); and
- Stemmed inflow into the homeless system
  - Eviction moratoria
  - CARES Act funding/Economic Impact Payments
  - Other homelessness prevention and shelter diversion efforts
What else?

• Communities that conducted unsheltered counts in both 2020 and 2021 show no change in unsheltered numbers.

• The 210 communities that conducted at least a head count accounted for only 22% of the unsheltered population in 2020.

• Data suggest increased vulnerability of those who were sheltered in 2021
  – Increase in individuals with chronic patterns of homelessness
  – Increase in transgender and gender non-conforming unaccompanied youth and individuals
  – Increase in Native American unaccompanied youth and individuals;
  – First time since data collection began that PSH beds for CH declined.
Questions?
Lessons from New NLIHC/UPenn Report on ERA

Rebecca Yae
Senior Research Analyst
National Low Income Housing Coalition
ryae@nlihc.org

Claudia Aiken
Director
Housing Initiative at Penn
claudf@design.upenn.edu
Emergency Rental Assistance (ERA) During the Pandemic: Implications for the Design of Permanent ERA Programs
A Critical Moment

- Some state & local Treasury ERA programs are no longer accepting applicants as funding runs out
- The infrastructure & knowledge developed by these programs is at risk of being lost
- As of February, 11 million renter households still had low confidence in their ability to pay rent
- Simply returning to the status quo means millions of renters will continue to live on the edge of severe housing instability

We have an opportunity to build on the lessons learned in ERA to stabilize renters going forward
Methods

<table>
<thead>
<tr>
<th>Survey 1</th>
<th>Survey 2</th>
<th>Survey 3</th>
<th>Survey 4</th>
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<tr>
<td>August-October 2020</td>
<td>April 2021</td>
<td>July 2021</td>
<td>October-December 2021</td>
</tr>
<tr>
<td>220 Early ERA Programs</td>
<td>64 Treasury ERA1 Programs</td>
<td>105 Treasury ERA1 Programs</td>
<td>100 Treasury ERA1/ERA2 Programs</td>
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- Compare responses from **full sample** of administrators who responded to the 2020 and late 2021 surveys
- Focus on **28 programs** that completed both surveys
- Use final survey to understand **transition from ERA1 to ERA2**
- Use **retrospective question** in final survey to understand what aspects of their programs administrators would have changed given what they now know
Challenges
Change in Challenges Over the Course of 2021 (Oct-Dec 2021, N=95)

- Increased: 37%
- Decreased: 46%
- No Change or Fluctuated: 17%
Common Challenges Faced by ERA Programs

- **Staff Capacity**:
  - Aug-Oct 2020 (N = 139): 68%
  - April 2021 (N = 45): 60%
  - July 2021 (N = 39): 61%
  - Oct-Dec 2021 (N = 98): 60%

- **Technology**:
  - Aug-Oct 2020 (N = 139): 64%
  - April 2021 (N = 45): 41%
  - July 2021 (N = 39): 35%
  - Oct-Dec 2021 (N = 98): 47%

- **Tenant Responsiveness**:
  - Aug-Oct 2020 (N = 139): 74%
  - April 2021 (N = 45): 62%
  - July 2021 (N = 39): 56%
  - Oct-Dec 2021 (N = 98): 74%

- **Landlord Responsiveness**:
  - Aug-Oct 2020 (N = 139): 67%
  - April 2021 (N = 45): 44%
  - July 2021 (N = 39): 44%
  - Oct-Dec 2021 (N = 98): 74%
Key Strategies
Building Capacity

• More programs worked with nonprofits in 2021 than in 2020 (68%, N=163 to 81%, N=99); all but one program that had not worked with nonprofits in 2020 were doing so in 2021

• In retrospect, program admins wished they had partnered sooner, with a greater number of orgs, had assigned greater responsibility, or had coordinated better

• Several admins reported that they would have made different decisions around staffing in retrospect, and 27% would have invested in better technology from the start
Improving tenant responsiveness

• Programs introduced flexible alternatives to source documentation, including:

  • **Self-attestation** of income (75%, N=53 in April; 81% N=99 by December 2021)

  • **Categorical eligibility** (71%, N=99 in late 2021) or **fact-specific proxies** (29%)

• ERA programs also adopted more **flexible definitions** of COVID-19-related hardship and **reduced** the number of documents required

• The transition to ERA2 further expanded these flexibilities
Improving tenant responsiveness

OUTREACH STRATEGIES ADOPTED BY ERA PROGRAMS

Early ERA Programs (Aug-Oct 2020, N = 163) • Treasury ERA Programs (July 2021, N = 73)

- Social Media: 88% (Early), 92% (Treasury)
- Community-based Organizations: 77% (Early), 89% (Treasury)
- Newspapers: 60% (Early), 68% (Treasury)
- Housing Counselors: 45% (Early), 63% (Treasury)
- Housing Court: 27% (Early), 47% (Treasury)
Addressing landlord responsiveness

- Treasury ERA programs overwhelmingly continued to send payments to landlords, but by late 2021, many allowed direct-to-tenant payment in some capacity
  - 71% allow direct-to-tenant payment if landlords didn’t participate
  - 7% assist tenants directly without landlord participation
- The number and stringency of landlord requirements have shifted – increasing in some respects, decreasing in others
- Overall, they likely decreased. Of the 17 programs surveyed in 2020 and again in late 2021, all but one had decreased the number of landlord requirements
Implications for Future Policy
Implications

• There are **current proposals** to make ERA a more permanent component of our housing safety net, e.g., the bipartisan Eviction Crisis Act

• Future programs can **learn from COVID-19 ERA programs**

  - Sufficient and sustained funding
  - Flexibility in eligibility and documentation + targeted outreach
  - Direct-to-tenant assistance
  - Clear and timely program parameters
Responding to federal oversight

• Treasury ERA program admins (18%, N=70) expressed frustration about delayed guidance from Treasury concerning reporting requirements and program design, or found the early guidance overly restrictive

• Some program administrators have continually adapted their programs as guidance has evolved

• Over three-quarters (77%, N=84) planned to make at least one adjustment as they transitioned from ERA1 to ERA2, most often to increase the duration of assistance
Thank you!

The Annie E. Casey Foundation, the Charles and Lynn Schusterman Family Philanthropies, the JPB Foundation, the Robert Wood Johnson Foundation, and the Stoneleigh Foundation generously supported this research. We thank them for their support but acknowledge that the findings and conclusions presented in this report are those of the authors alone, and do not necessarily reflect the opinions of these funders.

Rebecca Yae  
ryae@nlihc.org

Claudia Aiken  
claudf@upenn.edu
Latest ERA Spending Numbers Through January

Sophie Siebach-Glover
Research Specialist
National Low Income Housing Coalition
ssiebach-glover@nlihc.org
Emergency Rental Assistance and ERASE

Updates on Treasury Spending Data
March 14, 2022

Sophie Siebach-Glover (she/her)
Research Specialist
ssiebach-glover@nlihc.org
January Spending Progress

Overall
• $20.5 billion disbursed to households
• 4.3 million payments made

ERA1
• $763 million disbursed to households in January
• $15.64 billion spent on household assistance (63% of $25 billion)

ERA2
• $1.19 billion disbursed to households in January
• $4.88 billion spent on household assistance (23% of $21.6 billion)
## State Grantees That Expended Over 90% ERA1

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**ERA1 Reallocation Timeline**

**Sept 2021:** 1\textsuperscript{st} Round of ERA1 Reallocation, data released

**Nov 2021:** 2\textsuperscript{nd} Round of ERA1 Reallocation, data forthcoming

**Jan 2022:** 3\textsuperscript{rd} Round of ERA1 Reallocation

**Mar 2022:** Final Round of ERA1 Reallocation
NLIHC ERA Spending Resources

1. Treasury January Spending Data
   https://bit.ly/3l9xJ3g

2. Spending Tracker

3. ERA Dashboard
   https://bit.ly/3CohcqY

For questions regarding ERA spending, email research@nlihc.org
Field Updates

Robyn Powell
Research & Development Manager
New Mexico Mortgage Finance Authority
rpowell@housingnm.org
Field Updates

Brad Hirn
Lead Organizer
Housing Rights Committee of San Francisco
brad@hrcsf.org
Legal Requirements for Landlord to Meet With Tenants:

● First time in the country, a landlord whose tenants form a tenant association has the legal obligation to “meet and confer” with the tenant association

● This means that tenant associations can request a meeting, decide their own attendees and representatives (including non-resident advocates like HRCSF staff), raise issues to the landlord, and present proposals to resolve those issues
  ○ Landlord has the obligation to negotiate and, when requested, put agreements into writing with the association
Organizing Activities Become Housing Services:

- For a building to form an association under this law, the tenants need to get a 50% + 1 majority of the occupied units in the building to sign a petition.
  - Not all tenants in an unit, just the leaseholder / primary tenant
- Once the tenant have the signatures, they need to send a copy of the petition to the landlord.
- If a landlord ignores the request to meet with the tenant or interferes with outreach, the tenants could win rent reductions for all members of the association.
New Protection for Outreach:

- San Francisco tenants have had the right to flyer their own buildings, but now tenants have expanded rights to door-knock their own buildings, hold tenant meetings in common areas and in their units, and allow non-resident advocates to enter and do outreach in their buildings as well.

- Residents managers and landlords cannot interfere with this outreach nor can they tamper with posted flyers or pamphlets in common areas.
If Landlord Violates These Rights and Protections:

- When the association requests a meeting with the landlord, and if the landlord refuses to meet or negotiate, the association can file a petition at the SF Rent Board for rent reductions.
  - This applies to all “organizing activities,” including flyering, door-knocking, having tenant meetings, and inviting non-resident advocates into the building.
Field Updates

Kim McCarthy
Executive Director
Community Alliance of Tenants
kmccarty@oregoncaf.org
Next Steps

Paul Kealey
Chief Operating Officer
National Low Income Housing Coalition
pkealey@nlihc.org
Resources

NLIHC’s HoUSed Campaign (nlihc.org/housed): Campaign Updates