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Budget and Appropriations

Congressional Leaders Reach Agreement on Another Two-Tiered CR for Expiring Appropriations Bills and Announce Framework for a Final Tax Bill – Take Action!

Congressional leaders reached an agreement over the weekend on another two-tier, short-term continuing resolution (CR) to extend federal funding. If passed, funding for Transportation, Housing and Urban Development (THUD) – the bill that finances HUD’s vital affordable housing and homelessness assistance programs – and three other federal spending bills will be extended through March 1. Funding for the remaining eight bills will last until March 8.

While the CR has yet to pass, Senate Majority Leader Chuck Schumer (D-NY) is expected to hold a procedural vote tonight (1/16) that will begin the process of enacting the CR. Congress has only until January 19 – just three days – to pass the CR, or face a partial government shutdown.

Congressional leaders have only recently reached a deal on a topline number for defense and non-defense spending (see *Memo*, [1/8](#)) but have yet to finalize topline spending numbers for each of the 12 appropriations bills. The U.S. House of Representatives and Senate must also still reconcile their vastly different spending proposals for HUD programs; however, at current levels, neither the House nor Senate draft proposal adequately funds HUD’s vital Housing Choice Voucher (HCV) program. According to an [updated analysis](#), under the Senate proposal, as many as 80,000 fewer vouchers would be reissued, and under the House proposal, an estimated 112,000 vouchers would be lost upon turnover.

In addition to the CR, Congress worked over the weekend to reach an agreement on a tax package that would expand the Child Tax Credit (CTC) in exchange for extending corporate tax cuts that had been set to expire. The final agreement also includes provisions related to the Low-Income Housing Tax Credit (LIHTC) but unfortunately does not include [key reforms](#) to ensure homes financed by LIHTC are more affordable and accessible to people with the lowest incomes. NLIHC’s President and CEO Diane Yentel released a [statement](#) on the tax bill and the continued need for federal affordable housing investments.

Take Action!

It is critical that advocates keep weighing in with their senators and representatives on the importance of increased funding for vital federal affordable housing and homelessness programs. Tell Congress that it cannot balance the federal budget at the expense of people with the lowest incomes!

- [Contact your senators and representatives](#) to urge them to expand – not cut – investments in affordable, accessible homes through the FY24 spending bill, including for NLIHC’s top priorities:
 - Full funding to renew all existing contracts for the Tenant-Based Rental Assistance (TBRA) and Project-Based Rental Assistance (PBRA) programs.
 - 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.
 - National, state, local, tribal, and territorial organizations can also [join over 2,100 organizations](#) on a national letter calling on Congress to support the highest level of funding possible for affordable housing, homelessness, and community development resources in FY24.
 - **Contact your members of Congress and urge them to include [key reforms](#) to the Low-Income Housing Tax Credit (LIHTC) in any tax legislation** so the nation’s largest source of federal financing for affordable housing can better serve rural and tribal areas, as well as those most at risk of homelessness. These bipartisan reforms – included in the “[Affordable Housing Credit Improvement Act](#),” endorsed by over 200 members of Congress – would:
 - Expand the Extremely Low-Income (ELI) Basis Boost for housing developments that set aside at least 20% of units for households with extremely low incomes or those experiencing homelessness.
 - Designate Tribal and rural communities as “Difficult Development Areas” (DDAs), which would make it more financially feasible for developers to build affordable homes in these areas.
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Homelessness and Housing First

Supreme Court to Hear Most Significant Case About Homelessness in Decades

The U.S. Supreme Court announced on January 12 that it will hear [Johnson v. City of Grants Pass](#), a case that will determine whether people experiencing homelessness have a constitutional right to camp on public property when they do not have a place to sleep. The Supreme Court will decide whether laws regulating camping on public property constitute “cruel and unusual punishment” prohibited by the Eighth Amendment.

A 2018 ruling from the Ninth Circuit – [Martin v. City of Boise](#) – found that, under the Eighth Amendment, cities cannot punish people experiencing homelessness for breaking anti-camping ordinances if there are no available shelter beds. As a result of the ruling, communities in the nine states under the Ninth Circuit’s jurisdiction face legal challenges and greater scrutiny when they clear encampments and are pressured, instead, to focus on long-term housing solutions for people experiencing homelessness.

[Johnson v. Grants Pass](#) is a court case originally filed in 2018 that determined that it is cruel and unusual punishment to ticket or arrest people for sleeping outside when they have no other safe option. A federal judge and Ninth Circuit panel struck down an anti-camping ordinance enacted in Grants Pass, Oregon, because the city did not have adequate shelter. The ruling affirmed the holding of *Martin v. City of Boise*. The city lost an appeal for the full Ninth Circuit to reconsider that ruling and then petitioned the Supreme Court to hear the case.

The Supreme Court may hear arguments in the case in April and issue a ruling by the end of June.

To learn more, visit: <https://johnsonvgrantspass.com/>

Housing Narrative Lab Releases Messaging Guidance for Asylum Seekers and Migrants in Response to Reports of Increased Homelessness

The Housing Narrative Lab, in collaboration with national housing, homelessness, and immigration groups, released a new resource, “Framing/Messaging Guidance,” on how to address the housing needs of asylum seekers and migrants. Available in English and Spanish, the resource was released in response to the *2023 Annual Homeless Assessment Report (AHAR)*, published by HUD last month (see *Memo*, [12/18/2023](#)). The 2023 report estimates that approximately 653,100 people were experiencing homelessness on a single night in 2023 – a 12% increase (or about 70,650 more people) from 2022. The messaging guidance is meant to be used as a guide rather than a script for communities facing an increase in asylum seekers, refugees, or other immigrants while also facing a severe shortage of affordable housing.

The *Annual Homeless Assessment Report* from HUD does not consider immigration status in homelessness data. Advocates created the new messaging guidance to push back against anti-immigrant rhetoric as many communities welcome newcomers while facing a severe shortage of affordable housing. In [a joint press statement](#) addressing the report, NLIHC, the National Alliance to End Homelessness (NAEH), and the Center on Budget and Policy Priorities (CBPP) stated that “[t]he failure to fund deeply affordable housing hurts longtime residents and newcomers alike. Some communities have seen an increase in asylum seekers or other new immigrants this year, and the lack of rental and income assistance has left many newcomers with nowhere to stay while they get on their feet. Homelessness is unacceptable regardless of who experiences it. In such a powerful, wealthy country, we have the resources to ensure everyone an affordable place to live.”

Read the guidance in [English](#).

Read the guidance in [Español](#).

HoUsed Campaign for Universal, Stable, Affordable Homes

Join Today’s (1/16) National HoUsed Campaign Call for Universal, Stable, Affordable Homes!

[Join](#) today’s (January 16) national HoUsed campaign call from 2:30 to 3:30 pm ET. We will be joined by Jesse Rabinowitz, campaign and communications director at the National Homelessness Law Center, who will provide a special update on a legal challenge involving the rights of people experiencing homelessness that will be considered by the U.S. Supreme Court.

We will also discuss Congress’s progress toward enacting a final fiscal year 2024 spending bill, as well as the status of negotiations on Capitol Hill over a potential tax package that could include key reforms to the Low-Income Housing Tax Credit (LIHTC). Kim Johnson of NLIHC will provide updates on the legislative and administrative outlook for 2024, and NLIHC’s Noah Patton will discuss disaster housing recovery efforts for the year ahead. We will also receive news from the field, and more!

Agenda:

- **Welcome and Updates**
 - Sarah Saadian, NLIHC
- **SCOTUS Homelessness Case**
 - Jesse Rabinowitz, National Homelessness Law Center
- **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**

Register for the National HoUSed campaign call [here](#).

HUD

HUD CPD Publishes Proposed CDBG Regulation Changes

HUD’s Office of Community Planning and Development (CPD) published [proposed changes](#) to regulations for the Community Development Block Grant (CDBG) program in the *Federal Register* on January 10. According to CPD, the primary reason for the proposed changes, the first major revisions in more than 20 years, is to make it easier for jurisdictions to promote the use of CDBG for economic development activities. The proposed rule also includes many other changes, including alterations to synchronize the proposed changes with Indian Community Development Block Grant (ICDBG) program regulations. Comments are due by March 11.

In this article, we highlight key proposed changes, including proposed housing-related changes, Consolidated Plan changes, and changes to compliance periods and economic development activities.

Housing-Related Proposed Changes

Mirroring the statute, the regulations require jurisdictions to use CDBG to meet any of the three “national objectives”: benefiting low- and moderate-income people, aiding in preventing or eliminating slums and blight, or meeting an urgent need when conditions pose a serious and

immediate threat to health or welfare and when other financial resources are not available [§200(a)(2)].

In general, use of CDBG for housing activities must meet the Housing Low- and Moderate-Income (LMI) Benefit Test. This means at least 51% of the units in a multifamily property must be occupied by households with incomes of less than 80% of the area median income (AMI) [24 CFR part 570.208(a)(3) for Entitlement Jurisdictions and 570.483(b)(3) for states]. When it is necessary to reduce the development cost of constructing a multifamily, non-elderly rental property, the existing regulation allows for an exception of the 51% test. At least 20% of the units must be occupied by LMI households [§208(a)(3)(i), §483(b)(3)(i)]. CPD proposes an additional exception, adding substantial rehabilitation and conversion of a nonresidential structure to a multifamily, non-elderly rental housing project.

Using CDBG to rehabilitate privately-owned buildings for housing is an eligible activity. In 1996, the statute added reconstruction as an eligible use. CPD proposes clearly identifying reconstruction as an eligible activity related to housing at §202(a).

Although not exclusively pertaining to housing, the current regulation at §201(a) allows jurisdictions to use CDBG to acquire real property using a long-term lease, but it does not specify how long the lease must be. CPD's 1998 guidance defined a long-term lease as one of 15 or more years. The proposed rule would clarify that a long-term lease is one of 15 or more years.

Consolidated Plan Proposed Changes

The Consolidated Plan (ConPlan) regulations require CDBG Entitlement Jurisdictions' (not states) required "citizen" participation plans to identify what they consider would be a "substantial amendment" to their ConPlans [24 CFR part 91.105(c)]. The rule requires an Entitlement Jurisdiction to consider a change in the use of CDBG funds from one eligible activity to another to be a substantial amendment. CPD proposes adding that an activity not previously identified in the ConPlan or an Annual Action Plan to the ConPlan is a substantial amendment.

The ConPlan "citizen" participation regulations require jurisdictions to "publish" a draft ConPlan/Annual Action Plan in general circulation newspapers so that residents can examine the draft and submit comments. It also requires a summary of the draft document and list locations where complete copies can be examined, such as libraries, government offices, and public places [§91.105(b)(2), §91.115(b)(2)]. CPD proposes requiring the drafts to be also posted on a jurisdiction's official website. In addition to a summary, the proposed rule "encourages" jurisdictions to use all available social media and electronic communication, such as emails, text messages, media advertisement, public service announcements, pre-recorded messages delivered via automatic telephone dialing systems, and electronic notices to public and private organizations. The proposed rule offers grocery store bulletin boards and neighborhood centers as examples of public places. The proposed rule explicitly reminds jurisdictions that publications must be accessible to people with disabilities and to people with limited English proficiency.

Compliance Periods

As previously noted, the regulation requires jurisdictions to use CDBG to meet any of the three “national objectives.” However, the rule does not specify a time period for meeting a national objective. CPD proposes requiring CDBG activities to meet a national objective within six years from the date of a jurisdiction’s initial drawdown of funds, or the length of the “period of performance,” whichever is shorter. The proposed rule would define “period of performance” for the first time; a jurisdiction must expend all the CDBG it received for a program year within six years, beginning on the date CPD approves a jurisdiction’s grant agreement and ending six years from that date.

Economic Development Activities

According to CPD, the primary purpose of the proposed rule changes is to make it easier for jurisdictions to promote the use of CDBG for economic development activities as well as the use of the Section 108 Loan Guarantee component of CDBG. CPD asserts that existing regulations are obstacles that prevent the use of CDBG for economic development activities. A presentation of the proposed economic development changes would require lengthy, detailed contextual explanations and is beyond the scope of this article, given NLIHC’s focus on housing available and accessible to extremely low-income people.

In general, for an economic development activity to meet a CDBG LMI national objective, it must meet the Creating or Retaining Jobs Test, meaning the activity is designed to create or retain jobs, at least 51% of which are held by or made available to LMI people [§208(a)(4), §483(b)(4)]. The existing regulations refine this test and provide means for making “presumption” of LMI benefit. Yet CPD asserts that documenting whether a job is held by or made available to an LMI person is a financial and administrative burden on jurisdictions. Therefore, the proposed changes seek to lessen the rigor for meeting the LMI jobs test, potentially making it easier to use CDBG for economic development activities that might fail the statute’s “primary objective” of principally benefiting low- and moderate-income people.

Read the *Federal Register* version of the proposed rule at: <http://tinyurl.com/2wbzeaas>

Find an easier-to-read advance version of the proposed rule at: <http://tinyurl.com/2dryy2hb>

More information about CDBG is on [page 9-4](#) of NLIHC’s *2023 Advocates’ Guide*.

More information about the Consolidated Plan on [page 8-23](#) of NLIHC’s *2023 Advocates’ Guide*.

HUD to Hold Listening Session for Tenants Regarding Proposed Rule to Provide 30-Day Notice before Initiating Eviction Proceedings for Non-Payment of Rent

HUD will hold a listening session for tenants regarding a [proposed rule](#) that would require a public housing agency (PHA) or owner of a property assisted with Project-Based Rental Assistance (PBRA) to provide a 30-day notice to a household before starting a formal judicial eviction procedure to terminate a lease for non-payment of rent. The listening session is scheduled for 12:30 pm ET on January 23. Register for the session [here](#).

The [proposed rule](#) was published on December 1 (see *Memo*, [12/11/23](#)). Comments are due by January 30. For the purpose of the proposed rule, “PBRA” includes the following programs: Section 8 Project-Based Rental Assistance, various Section 202 Supportive Housing for the Elderly programs (Section 202/162 Project Assistance Contract, Section 202 Project Rental Assistance Contract [PRAC] and Senior Preservation Rental Assistance Contract Projects [SPRAC]), and two Section 811 Supportive Housing for Persons with Disabilities programs (Section 811 PRAC and Section 811 Project Rental Assistance Program [811PRA]).

The proposed rule would also require that the 30-day notice include instructions that enable a tenant to clearly understand how to avoid commencement of a formal judicial eviction proceeding for nonpayment of rent. According to the preamble of the proposed rule, the instructions would include the amount of rent owed, any other arrearages allowed by the HUD program, and the date by which the tenant must pay the rent and arrearages to avoid an eviction filing in court. The notice would also include information on how a tenant can recertify their income or request a minimum rent hardship exemption; for public housing residents, the notice would include information on how they can request a switch from flat rent to income-based rent.

The rule would require PHAs and owners to amend all current and future leases to incorporate the 30-day notice requirement for nonpayment of rent, which would also entail PHAs and owners provide tenants with notification of changes to the lease according to the existing regulations of a HUD program.

The preamble to the proposed rule recommends that PHAs and PBRA owners enter into a rental repayment agreement instead of requiring a tenant to provide a lump-sum payment for the past due amount. The preamble also reminds PHAs and owners of their legal obligation to provide the 30-day notice in accessible formats to ensure effective communication for people with disabilities and for people with limited English proficiency (LEP).

The preamble further reminds PHAs and owners that the CARES Act 30-day notice to vacate is still in effect for CARES Act covered properties, which includes additional programs, such as the following: Housing Choice Vouchers, the Low Income Housing Tax Credit (LIHTC) program, HOME Investment Partnerships, Housing Opportunities for Persons with AIDS, the national Housing Trust Fund (HTF), McKinney-Vento homelessness programs, VASH vouchers, Section 236 Multifamily, various Rural Development programs, and other programs. See National Housing Law Project’s “[Enforcing the CARES Act 30-Day Eviction Notice Requirement](#)” for more details.

Read the proposed rule at: <http://tinyurl.com/mwksdcfs>

Find an easier-to read-version of the proposed rule at: <http://tinyurl.com/md7m5vuw>

Congress

HUD Secretary Testifies before Full House Financial Services Committee in Hearing on HUD Oversight

HUD Secretary Marcia L. Fudge served as the sole witness during a U.S. House of Representatives Committee on Financial Services (HFSC) [hearing](#), “Oversight of the Department of Housing and Urban Development and the Federal Housing Administration,” on January 11.

In his opening statement, HFSC Chair Patrick McHenry (R-NC) noted that “a lot had changed” in the years since Secretary Fudge’s last appearance before the committee, citing the growing cost of rent and homeownership and the 12% increase in homelessness reported in HUD’s recent *Annual Homelessness Assessment Report* ([AHAR](#)).

Ranking Member Maxine Waters (D-CA) also highlighted the growing number of people experiencing homelessness, attributing the spike to the severe shortage of affordable, accessible housing available to people with extremely low-incomes and noting that “over the last several decades, housing costs have outpaced wage growth...There is no state, metro area, or county where a minimum wage worker is able to afford the rent on a modest two-bedroom home.” The Ranking Member noted the role critical pandemic-era relief programs and protections played in keeping over 12.4 million people housed at the height of the pandemic.

In her opening remarks, Secretary Fudge noted the department serves more than 9 million people daily, including through rental assistance, public housing, community development, disaster recovery, and other programs, but she also acknowledged the “ever-growing need for the type of assistance HUD provides.” The Secretary also emphasized that, due to her department’s unique role, a “strong HUD” is essential to ending the affordable housing and homelessness crisis in this country.

During the more than five-hour hearing, Secretary Fudge responded to questions posed by members on the effectiveness of HUD programs and mechanisms for oversight of the department. Representative Andy Barr (R-KY) questioned Secretary Fudge about Housing First, an evidence-based practice that prioritizes access to low-barrier housing, plus wrap-around services as needed, for people experiencing homelessness. The Representative falsely claimed that “some [Housing First] advocates have changed their tune,” before misquoting NLIHC President and CEO Diane Yentel from her recently published [op-ed](#) on *MSNBC.com*.

Representative Sylvia Garcia (D-TX) corrected her colleague, stating that she “would like the record to reflect that Ms. Yentel’s actual statement reads, ‘while communities have become even more effective at helping people exit homelessness by using the Housing First approach, homeless systems cannot keep up with increased inflow’.” Representative Garcia noted that the increase in homelessness is due to the affordable housing crisis, which would only get worse without adequate funding for federal housing programs.

Learn more and access resources, including a recording of the hearing and the Committee Memorandum, [here](#).

Senator Rosen Introduces Bill to Address Price Gouging by Corporate Investors

Senator Jacky Rosen (D-NV) [introduced](#) the “Housing Oversight and Mitigating Exploitation (HOME) Act” ([S.3561](#)) in the U.S. Senate on January 9. The bill aims to hold corporate investors

accountable for price gouging and limit investors' ability to purchase housing stock. A companion bill of the same name ([H.R.702](#)) was [introduced](#) in the U.S. House of Representatives by Representative Steven Horsford (D-NV) in February 2023.

The bill would direct HUD to investigate price manipulation and price gouging by corporate investors and prevent renting or selling a unit at an unreasonable price during an affordable housing crisis. Funds collected through fines imposed on corporate investors would be directed to the national Housing Trust Fund, the nation's only federal housing resource dedicated specifically to the construction, preservation, and operation of deeply affordable homes. NLIHC and the Nevada Housing Coalition – an NLIHC state partner – both endorse the bill.

“I applaud Senator Jacky Rosen for introducing critically needed legislation to strengthen and enforce federal renter protections,” said NLIHC President and CEO Diane Yentel in a press release regarding the bill. “There is a tremendous power imbalance in our housing system, tilting heavily in favor of landlords at the expense of the lowest-income and most marginalized renters. The HOME Act would create robust, enforced protections against rent gouging during housing emergencies and other market manipulations. These are important steps to rebalance the market and prevent housing instability and homelessness. I urge Congress to act quickly in advancing and enacting the HOME Act.”

Read the press release for the bill [here](#).

Learn more about the bill [here](#).

Native American Housing

Treasury Releases Tribal Housing Stability Report Highlighting Tribes' Success Using ERA and Other Pandemic-Era Housing Funds

The U.S. Department of the Treasury (Treasury) released a new resource, [Tribal Housing Stability Report: Supporting Tribal Housing Stability with Pandemic Response Funds](#), last month. The report details how funds from several Treasury-administered pandemic relief programs were spent in Native communities and focuses on three funding sources used to support housing stability: the Emergency Rental Assistance program (known as “ERA1”; Tribes were not allocated any of the second tranche of ERA, known as “ERA2”); State and Local Fiscal Recovery Funds (SLFRF), and the Homeowners Assistance Fund (HAF). The report is the latest research revealing how Tribal governments and Tribally Designated Housing Entities (TDHEs) successfully used federal funds to address barriers to housing. The report mentions several Tribes and TDHEs that are members of the United Native American Housing Association – NLIHC's first Tribal partner.

To support Tribal governments' access to Treasury funds, Secretary Janet Yellen created the Office of Tribal and Native Affairs, overseen by the Treasurer of the United States, Chief Marilynn Malerba, the first Native American to hold the position. “The support we have seen for Tribal economies under the Biden-Harris administration has been a lifeline for Native

Americans, who experience a poverty rate twice the national average,” explained Chief Lynn Malerba in a [press statement](#) addressing the new report. “Housing in particular is critical for economic stability, self-determination, and wealth building. [The] report demonstrates the measurable impact federal programs have had on increasing housing supply and security throughout Indian Country.”

The report summarizes Treasury’s role in Tribal economic development, the state of housing on Native lands, and how pandemic recovery funding was used to address needs across the “Tribal Housing Continuum,” including emergency, transitional, and permanent housing. Underscoring the success of pandemic relief programs in Native housing, the report includes examples of how Tribes and TDHEs used ERA1, SLFRF, and HAF to create a solid foundation for Native families in their communities. Nations and TDHEs from the United Native American Housing Association featured in the report include the Chippewa Cree Housing Authority, the Blackfeet Nation, the Winnebago Tribe, the Fort Belknap Indian Community, the Omaha Tribe of Nebraska, the Southern Ute Indian Tribe, and the Rosebud Sioux Tribe.

Read the report [here](#).

Tenant Protections

Los Angeles’s Last Remaining COVID-19 Eviction Protections to Expire on February 1

The last of the longstanding [renter protections](#) implemented by the City of Los Angeles during the COVID-19 pandemic will expire on February 1. Among the protections expiring at the end of this month is the city’s rent freeze, the termination of which will require renters to pay back the full amount of any rental arrears that accumulated between October 1, 2021, and January 31, 2023. Additionally, renters with unauthorized occupants or pets taken on during the pandemic will now be at risk of at-fault eviction. Finally, the city will allow rent increases through its rent stabilization program, enabling landlords of certain rental properties to raise a tenant’s rent for the first time in more than four years.

With the loss of eviction-related protections, tenants in renter-households will be at renewed risk of housing instability brought on by housing unaffordability – an issue that has long plagued renters in Los Angeles. As NLIHC’s [Out of Reach](#) report makes clear, housing prices are considered unaffordable if a tenant pays more than 30% of their monthly income toward rent. Such housing “cost burdens” were commonplace among the city’s residents even before the start of the pandemic. At the city-level, [56% of tenants paid more than 30% of their income](#) towards rent before 2020, while research conducted by the University of California at Los Angeles [reports](#) that in the years preceding the pandemic, about 600,000 people (or about 16% of renter households) in the Los Angeles area paid more than 90% of their income towards their monthly rental payments.

As a result, [when pandemic-related job loss afflicted more than 1 million individuals](#) in the Los Angeles area, it was no surprise that rental arrears accumulated in staggering amounts. Even with

emergency rental assistance grants available to offset some of the rental debt accrued by renters, by the final quarter of 2022, more than 278,000 renters in the City of Los Angeles [owed more than \\$981 million in rent](#) – an average of \$3,500 per household. Rising rental debt allowed landlords to continue to file eviction proceedings against tenants, despite the presence of a citywide eviction moratorium. Between April 2020 and December 2022, 15,000 evictions were [carried out](#) in the city. When the eviction moratorium expired in March 2023, moreover, eviction cases due to nonpayment of rent were filed at historic rates, with eviction filings in June 2023 [reported](#) as being 74% higher than they were at the same time a year prior.

Recognizing the threat of a looming eviction crisis brought on by the official end of the federal, state, and local eviction moratoriums, lawmakers in the City of Los Angeles were [slow](#) to sunset some of the eviction protections enacted at the start of the pandemic in March 2020 and even recognized the importance of enacting more permanent protections once the “[Declaration of Local Emergency for COVID-19](#)” expired after more than three years in place.

In January 2023, for example, the City of Los Angeles passed “[just cause](#)” eviction protections for renters. Under the law, landlords must provide a legal and verifiable cause to evict a tenant from their home, such as the nonpayment of rent or failing to uphold the agreed upon terms of the lease agreement. For tenants that are found to have been evicted due to no-fault reasons, including demolition of the residential structure, a landlord will be required to provide a tenant with relocation assistance (determined by the city’s “[Economic Displacement Assistance Per Bedroom Size](#)” calculator). Finally, tenants residing in certain rental properties covered under the city’s “[Rent Stabilization Ordinance](#)” (RSO) who are subject to a more than 10% rental increase within the first 12 months of their lease may also be eligible to receive relocation assistance from their landlord if they can no longer afford their monthly rental payments. Currently, Los Angeles’ RSO applies to properties constructed prior to 1995. For the 2024 calendar year, rental increases are [capped](#) at 4%, or 6% if a landlord pays for a tenants utilities costs.

Despite the imminent expiration of COVID-19 era protections, housing advocates and lawmakers alike will continue to advocate for permanent protections that keep renters stably housed. In 2024, Los Angeles city and county lawmakers will continue to push for the expansion of the city’s “[Stay Housed L.A.](#)” initiative to include permanent “right to counsel” protections for renters. Under the current “Stay Housed L.A.” program, which launched in 2020, income-eligible tenants living in ZIP codes prioritized for assistance and who are facing eviction will be given legal defense in court. Since its inception, the program has been able to [support](#) more than 7,000 households with legal assistance against harassment, wrongful eviction, habitability issues, and even by offering educational workshops informing tenants of their rights.

For more information on the protections that are set to expire, please visit: <https://cityattorney.lacity.gov/tenant-protections>

For more information about the City of Los Angeles’ existent tenant protections, please visit: <https://housing2.lacity.org/highlights/renter-protections>

For information about Los Angeles County’s efforts to establish a right to counsel ordinance, please visit: <https://mitchell.lacounty.gov/right-to-counsel-ordinance/>

Fair Housing

Partnership for Just Housing Submits Comment on Proposed Rule to Remove Restrictions on Hiring People with Conviction Histories as Fair Housing Testers

The Partnership for Just Housing (PJH) submitted a [comment](#) on a HUD Notice of Proposed Rulemaking (NPRM), “Removing Criminal Conviction Restrictions for Testers in FHIP- and FHAP-Funded Testing Programs,” on January 11. Convened by NLIHC and the Shriver Center on Poverty Law, PJH is a national collaborative of directly impacted leaders and other advocates working to end housing discrimination against people impacted by the criminal-legal system. Together, members of the PJH work to advance economic and racial equity at the intersection of housing and the criminal-legal system.

The [NPRM](#) seeks to remove criminal conviction restrictions for fair housing testers in programs funded by the Fair Housing Initiatives Program (FHIP) and Fair Housing Assistance Program (FHAP). The NPRM is the latest in a series of efforts by HUD to remove barriers to its programs for people impacted by the criminal-legal system. These efforts grew out of HUD Secretary Marcia L. Fudge’s 2022 memo, “Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participating in HUD Programs” (see *Memo*, [4/18/22](#)).

FHIP and FHAP provide funding to private non-profits and government agencies working to enforce the federal “Fair Housing Act of 1968” (FHA) and state and local fair housing protections. Among other eligible uses, both programs fund fair housing “testing” activities, in which testers pose as prospective homebuyers or renters, with the goal of gathering information to help determine whether a housing provider is complying with fair housing laws. Current guidance specifies that fair housing testers “must not have prior felony convictions or convictions of any crimes involving fraud or perjury.”

In the comment, PJH members argue that such an overly broad ban is “antiquated and unnecessary,” acting as a “blanket ban regardless of mitigating factors and failing to consider totality of circumstances surrounding a prior conviction.” Moreover, the ban runs counter to HUD’s own guidance and hinders HUD’s ability to identify and mitigate discriminatory practices against people with conviction histories. For example, the ban makes it impossible to investigate when landlords use “conviction histories” as pretext for discrimination against people based on characteristics protected under the FHA, like race. Because of law enforcement’s targeting of marginalized communities, the prohibition disproportionately impacts Black, Latino, and Native people, as well as people with disabilities and members of the LGBTQ+ community.

Read PJH’s full comment [here](#).

Disaster Housing Recovery

HUD OIG Reviews Disaster Recovery Efforts and Reiterates Need for Permanent Authorization of HUD Long-Term Recovery Programs

HUD's Office of Inspector General (OIG) released conclusions from an [audit](#) of the department's Office of Community Planning and Development (CPD) that revealed the slow delivery of funds distributed through the Community Development Block Grant-Disaster Recovery (CDBG-DR) program. Between 2001 and 2022, CPD's delivery time for providing disaster program funds to grant recipients trended upward. During the same period, CPD also failed to meet publishing and allocation requirements, according to the audit. To improve program delivery time, OIG recommends the creation of new milestones and enhanced documentation requirements.

HUD OIG's report observes that the primary factor driving program delays was the lack of permanent authorization of the CDBG-DR program Congress. Currently, HUD is required to issue new regulations every time funding is provided by Congress, slowing the distribution and utilization of funding and complicating program requirements.

The NLIHC-Led [Disaster Housing Recovery Coalition](#) (DHRC) continues to [advocate](#) for the permanent authorization of the CDBG-DR program through the "[Reforming Disaster Recovery Act of 2023](#)." The bipartisan bill would create a permanent framework for a more efficient and consistent delivery of resources to disaster-impacted communities following a disaster. It would also ensure that the federal government's long-term disaster assistance can effectively reach those most impacted by disasters in an equitable, transparent, and efficient manner. Letters sent by NLIHC and the NLIHC-led Disaster Housing Recovery Coalition were entered during a hearing held by the U.S. Senate Committee on Appropriations' Subcommittee on Transportation, Housing and Urban Development by Chair Brian Schatz (D-HI), who is the primary sponsor of the bill.

Read the report at: <https://bit.ly/3TW9W06>

Disaster Housing Recovery Update – January 16, 2024

Congressional and National Updates

The Florida Housing Coalition will host a webinar to discuss its new disaster dashboard, created in partnership with Texas Appleseed. Register for the webinar [here](#).

At least 15 [tornadoes](#) were reported last week along the Gulf Coast, with additional tornado watches issued from Florida to Virginia. At least four people were killed as powerful storms moved through a large swath of the southern and eastern U.S. In addition to the tornados, severe wind, rain, and snow closed schools, delayed flights, and caused power outages across the country.

Senator Sherrod Brown, chairman of the U.S. Senate’s Committee on Banking, Housing and Urban Affairs, released a [statement and memo](#) on the committee’s accomplishments of the past year, as well as priorities for the final year of the 118th Congress. Lowering housing costs and promoting resilience to disasters were included among the priorities for 2024.

HUD is investing [\\$173.9 million](#) in loans and grants under the Green and Resilient Retrofit Program (GRRP) to enhance climate resilience and energy efficiency in 30 HUD-assisted multifamily properties. The initiative aims to improve the quality of life for residents by promoting energy efficiency, reducing climate pollution, generating renewable energy, using green building materials, improving indoor air quality, and enhancing climate resilience. The awards cover the “comprehensive” category, targeting properties with the highest need for upgrades, and are available to all eligible HUD-assisted property owners, with a focus on those serving low-income and older residents, including properties facing climate and natural hazards.

Despite the temporary success of measures like the 2021 American Rescue Plan in curbing homelessness, [recent data](#) shows a 12% increase in homelessness from 2022 to 2023, affecting over 653,000 people. The root causes, identified as a shortage of affordable homes and high housing costs, necessitate preventive measures and broader access to affordable housing. Among the actions taken by the [Biden-Harris administration](#) to address the situation is the deployment of \$1 million in funds to help people in disaster-stricken areas who are experiencing or at risk of homelessness and cannot access all FEMA services through the Rapid Unsheltered Survivor Housing (RUSH) program.

An [updated](#) Losing Ground dashboard from the Natural Resources Defense Council (NRDC) shows that the number of U.S. properties subject to repeated flooding continues to rise. At least 44,000 structures have repeatedly sustained damage covered by federal flood insurance. Only 24% of severe repetitive loss properties (SRLPs) have been subject to mitigation efforts – a decline from the 27% that had been subject to such efforts in 2018. In flood-prone states like South Carolina, Michigan, and Rhode Island, less than 10% of SRLPs have been mitigated. The data also reveal a growing number of SRLPs and an increase in flood risk in supposedly low-risk areas. Likewise, newer properties are becoming flood-prone, according to the data.

An [article](#) by *Bloomberg* explores how the shortcomings of federal efforts to protect communities from climate disasters have prompted some experts to consider the need for a new department focused on planning and coordinating managed retreat. Existing buyout programs are unpopular and disconnected, though some communities are exploring innovative approaches, including moving entire towns and transforming abandoned lands into public spaces. The first-ever national climate resilience framework, released by the Biden administration, acknowledges the need for greater coordination between agencies but falls short of proposing a national climate strategy.

A [study](#) published in *Nature Communications* reveals that disadvantaged populations will disproportionately face severe burdens of climate change. When sea levels rise above four feet, minority populations will be disproportionately at risk of isolation as flooding disrupts transportation networks and roads, limiting access to essential locations like emergency services and schools. The research highlights the connection between historical drivers of social inequality, such as race and age, and the groups most at risk of climate change impacts. Kelsea

Best, lead author and an assistant professor at Ohio State University, emphasizes the need to reconceptualize how community risk is measured and develop policies to support vulnerable populations.

State and Local

Arizona

Local housing shortages are increasing vulnerability among outdoor workers to worsening heat extremes, according to an [investigation](#) by *The Arizona Republic*. Dire affordable housing shortages in the Yuma area have forced many Mexican and Mexican American farm laborers to choose between staying nearby in overcrowded, overheated, overpriced lodging and making the long trek back to more restful accommodations across the border. The region has failed to meet the need for sustainable housing. Instead, Arizona legislators, city organizations, utility companies, and private interests work to block zoning and building code changes that would facilitate more equitable home construction in some parts of the state.

California

During 2023, the brunt of flooding was borne by poor [rural communities](#), where inadequate maintenance or lagging improvements by local districts, counties, and the U.S. Army Corps of Engineers made flooding worse. In the aftermath of the year's storms, numerous unincorporated communities faced challenges in receiving assistance due to a prolonged history of neglect. Many of their residents are undocumented, making them ineligible for federal assistance. Experts say the situation is likely to get worse as levees deteriorate and weather becomes more extreme.

Hawaii

Governor Josh Green and Maui Mayor Richard Bissen announced a \$500 million [Interim Housing Plan](#) for Maui in response to housing needs arising from the August 2023 wildfires. Partners include the Hawai'i Community Foundation, Council for Native Hawaiian Advancement, FEMA, and the American Red Cross. The plan aims to create over 3,000 stable housing units with 18-month commitments by July 1, 2024, to transition affected individuals from short-term hotels to long-term stable housing. The plan includes various housing options, such as the return by residents to their original unharmed residences, participation in the Host Housing Support Program, direct leasing, short-term rental transitions to long-term rentals, and new permanent developments.

Senator Angus McKelvey said that the Maui Interim Housing Plan would [disrupt](#) the lives of residents and children who work and attend school on the west side of the island. The \$500 million plan to provide long-term stable housing to Maui wildfire survivors still lodged in hotels and other short-term accommodations is the outcome of a joint commitment by the state, Maui County, the Hawaii Community Foundation, Council for Native Hawaiian Advancement, FEMA, and the American Red Cross to create more than 3,000 long-term stable housing units. McKelvey said that the proposed alternative – for families to remain in West Maui – will exacerbate inflation by forcing families to pay day rates for short-term rentals. He also took issue with Green's Ninth Emergency Proclamation on Wildfires, saying that the proclamation should

have addressed “rampant” rental price gouging for residential and commercial properties and hyperinflation in the rental market.

In response to the deadly wildfire in Lahaina, Maui, a project called [Ohana Hope Village](#) is underway, which involves constructing an off-the-grid town with 88 pop-up houses to accommodate over 300 wildfire survivors. The initiative, managed by the Family Life Center, offers rent-free housing for two years and aims to address the housing crisis exacerbated by the disaster. While the state’s emergency housing proclamation faced criticism for suspending environmental safeguards, advocates are emphasizing the need for innovative and equitable solutions. Proposals include converting short-term rentals to long-term housing, implementing a voluntary perpetual deed-restriction program, and addressing the housing shortage with inclusive, long-term solutions. Some survivors currently reside in a temporary shelter, Pu’uhonua o Nēnē, which plans to transition to a permanent shelter with tiny homes, reflecting an Indigenous land-management model for community-run sustainability.

The Council for Native Hawaiian Advancement (CNHA) has [launched](#) HelpingMaui.org, a housing website designed to assist survivors displaced by the Maui wildfires find housing options. It will also serve as a platform for property owners and managers to offer their properties for lease. Additionally, CNHA announced a new leasing program in which property owners can lease directly to CNHA, which will sublet units to survivors and provide guaranteed rent payments to property owners. FEMA also operates a Maui Direct Lease Program, but CNHA is matching FEMA’s rates and works with families that both are and are not eligible for FEMA assistance with the support of the Red Cross. Other plans undertaken by the CNHA involve expanding its Host Housing Support Program and a loan forgiveness program for homeowners who plan to build accessory dwelling units.

Indiana

Indiana Governor Eric J. Holcomb’s 2024 [agenda](#) focuses on enhancing the State Disaster Relief Fund (SDRF) to better support disaster preparation and recovery in Indiana. Proposed changes include streamlining SDRF usage for eligible disaster-related expenses, allocating a portion for mitigation programs, simplifying the public assistance grant formula, raising the maximum individual assistance award to \$25,000, removing restrictions on assistance application timing, and incentivizing counties to develop hazard mitigation plans.

Louisiana

Louisiana witnessed the most significant [decrease](#) in homelessness from 2022 to 2023 among all states, according to HUD. This decline is attributed to the aftermath of Hurricane Ida, which severely impacted the state’s housing stock. The previous years saw a surge in homelessness due to the storm, with a notable increase from 2020 to 2022. The latest figures indicate a leveling off in 2022, but homeless advocates highlight the challenges in capturing the full extent of housing instability, especially in rural areas. The upcoming 2024 count is anticipated to reveal ongoing housing challenges, including rising prices, delayed storm damage repairs, and diminishing federal pandemic relief aid.

Missouri

Stronghold Landing, a [housing project](#) consisting of 40 units in Jefferson City, has received approval for Low-Income Housing Tax Credits (LIHTC) from the Missouri Housing Development Commission (MHDC). Proposed by Central Missouri Community Action (CMCA), the project aims to provide affordable housing in the aftermath of the 2019 tornado. The MHDC approved the tax credits, matching up to 70% of federal credits, to support housing projects that reserve units for lower-income renters.

New Jersey

New Jersey is implementing measures to [protect homebuyers and renters from flood risks](#) following recent widespread flooding. Governor Phil Murphy introduced new regulations, including property disclosure forms and an online tool, to inform prospective buyers and tenants about a property's flood history and risks. The initiative, effective in March 2024, aims to enhance awareness and enable informed decision-making. Previously, there was no obligation to disclose flood history or FEMA Flood Hazard Zone information.

New York

Residents and businesses in Manhattan, Brooklyn, Queens, and Staten Island affected by [flash flooding](#) on September 29, 2023, are eligible to apply for low-interest disaster loans from the U.S. Small Business Administration until February 2, 2024, for physical damage, and September 4, 2024, for economic injury. The available loans include Business Physical Disaster Loans, Economic Injury Disaster Loans, and Home Disaster Loans, with guidelines provided for assessing and repairing flood damage in buildings, outdoor structures, and soil.

The City of Ithaca has secured an [\\$800,000](#) grant from FEMA for the first phase of its flood mitigation project. The project, anticipated to cost nearly \$12 million over three phases, aims to develop flood control measures along Six Mile, Cascadilla, and Fall Creeks. The initial grant will be used for final design and construction documents, as well as obtaining necessary permits. If phase one is completed successfully, FEMA may release approximately \$10.1 million for phase two. The project's overarching goal is to influence FEMA to revise updated flood maps, relieving property owners from mandated flood insurance purchases.

Vermont

Months after summer floods impacted the state, Vermont residents were still rebuilding when another round of flooding came in late December 2023. Vermont Public Radio [talked](#) with some of those who were hit hardest over the summer about how local recovery responses are filling the gaps where state and federal aid have fallen short.

Looking ahead to 2024, Vermont is [expected](#) to find a solution for unhoused Vermonters still finding shelter through the state's pandemic-era motel program, which is set to sunset on April 1. Governor Phil Scott's administration has pitched an ambitious plan to stand up a slate of new emergency shelters by that date to help meet the need. Governor Scott's administration has proposed an ambitious strategy to establish a series of new emergency shelters by April to address the demand. However, the administration says that this plan is a form of triage, and the state must prioritize building more housing to address the underlying problem.

Manufactured homes in Vermont face [disproportionate flood risks](#), as seen in the wake of disasters like Tropical Storm Irene. State-led measures to mitigate risks have faced scrutiny after recent flooding incidents. Vermont is introducing new programs and legislation to improve aid access for affected communities, including removal assistance and funding for insufficient FEMA payouts. Aging infrastructure issues have prompted a multimillion-dollar plan for Tri-Park, entailing eco-friendly homes at a higher elevation. Resident skepticism remains a challenge, but the state's emphasis on resident-owned models aims to offer more security and control over housing decisions. Still, concerns persist over lot rent, aid access, and housing affordability, highlighting the ongoing need for support and intervention.

Bi-weekly Good News

Three hundred families have [returned](#) to their community and to rebuilt homes after the 2022 Marshall Fire in Colorado. Homes were rebuilt in record time – twice as fast as the national post-disaster average. While many families continue to work to return to their communities in Boulder County, Superior, and Louisville, the number of families moving back to rebuilt homes symbolizes significant community support.

Opportunity Starts at Home

OSAH Campaign Partner ZERO TO THREE Releases Application for 2024 Strolling Thunder Families

[ZERO TO THREE](#) – an Opportunity Starts at Home (OSAH) campaign partner – has announced plans to bring one family with a child under age three from every state and the District of Columbia to Capitol Hill on April 30 to participate in Strolling Thunder, an event focused on making babies a national priority. Families selected to participate will have the opportunity to share with their members of Congress their thoughts about the policies needed to help their young children thrive, including the need for safe, stable, and affordable housing. Applications are due by January 26.

ZERO TO THREE invites applications from families who wish to advocate for issues important to all families across the nation. As an OSAH Roundtable member, ZERO TO THREE raises awareness about the intersections of child welfare, poverty, and housing. The group shares the campaign's position that families who cannot afford housing often likewise cannot afford childcare, nutritious food, and other necessities for healthy early childhood development. According to the organization's [State of Babies Yearbook](#), "a safe, stable, affordable home provides more than just shelter; it is the emotional and social center of family life."

ZERO TO THREE will provide selected families with funds to cover travel expenses, as well as training and support in preparation for meetings with members of Congress. Families must be available to participate in preparation activities and be available to travel to Washington, D.C. between April 28 and May 1.

Find more information about Strolling Thunder [here](#).

Housing Policy Forum 2024

A Look Ahead at Housing Policy Forum 2024 Breakout Sessions!

NLIHC's **Housing Policy Forum 2024: An Unwavering Path Forward to Housing Justice** will feature an array of breakout sessions in which attendees can engage with and learn from thought leaders, policy experts, researchers, tenant advocates, affordable housing practitioners, and others! Taking place on March 19-21 at the Hilton Washington DC Capitol Hill Hotel in Washington, D.C., the 2024 Forum will offer breakout sessions like "Leveling the Playing Field: Achieving Permanent Tenant Protections," "Accessible to Whom? Inclusive Housing and the Disability Justice Movement," "Housing Justice for Rural and Native Communities," and "The Power of Storytelling."

The breakout sessions will run the gamut in topic and focus and will include the following:

A Multi-Sector Approach to Achieving Justice and Equity at the Intersections of Housing, Environment, and Health

Changing Lanes: Integrating Housing and Homelessness Best Practices with Disaster Response and Recovery

Our Homes, Our Votes: Building the Political Will for Housing Justice in the 2024 Elections

What Can We Know about Affordable Housing Preservation Needs?

Housing Justice for Rural and Native Communities

The Power of Storytelling: Shaping the Narrative on How to Achieve Housing Justice

Erasure and Climate Gentrification

Building Support for Evidence-Based Homelessness Solutions

Subsidized Tenants: Organizing for Habitability

Accessible to Whom? Inclusive Housing and the Disability Justice Movement

Locked Up, Locked Out: Barriers to Housing for Formerly Incarcerated and Convicted People

Leveling the Playing Field: Achieving Permanent Tenant Protections

In addition to these breakout sessions, the 2024 Forum will feature discussions with **Representative Maxwell Frost** (D-FL) about his plans for promoting housing affordability and

Representative Jimmy Gomez (D-CA) about his support for transformative legislation that would create permanent tools to prevent evictions and establish a new renter's tax credit. The Forum will open with a keynote discussion with acclaimed civil rights attorney and scholar **Sherrilyn Ifill** and close with a keynote address by renowned author and journalist **Jelani Cobb**.

A full schedule and registration information for the breakout sessions will be announced in the coming weeks.

Register today for NLIHC's Housing Policy Forum 2024!

Research

New Research Provides Stronger Evidence That Housing First Leads to Health Care Savings

A paper published in *Housing Policy Debate*, "[Exchanging Housing Dollars for Health Care Savings: The Impact of Housing First on Health Care Costs](#)," examines whether Housing First leads to health care cost savings. Using administrative data on chronically homeless Medicaid enrollees in Massachusetts, the study finds that chronically homeless enrollees who received support from Housing First experienced greater reductions in health care service utilization and incurred significantly lower health care costs than otherwise similar chronically homeless Medicaid enrollees who did not receive support from Housing First. The study concludes that the cost of providing Housing First is significantly offset by the associated health care cost savings.

Most prior studies of health care costs and Housing First have struggled to address a potential "regression to the mean" that might explain the health care cost savings attributed to Housing First. In other words, the health care cost savings observed in many studies of Housing First could be explained by individuals being enrolled in Housing First programs at a point when their health is so poor it only has room to stabilize, regardless of whether they receive Housing First. Their health care utilization and costs could have declined regardless of having received Housing First. Most studies to date have not ruled out this possibility. The authors of the new study accounted for the possibility of a "regression to the mean" by comparing chronically homeless Medicaid enrollees who either did (treatment group) or did not (control group) receive Housing First but were otherwise similar. More specifically, the authors compared utilization of and claims for emergency room visits, inpatient hospitalizations, mental health encounters, medication, and other health care related costs over time for otherwise similar individuals across each group.

While both the Housing First and control groups experienced reductions in health care service utilization and costs, the reductions were significantly greater for the Housing First group, indicating that the health care savings attributed to Housing First are not simply explained by a "regression to the mean." Compared to the control group, individuals who received Housing First had, on average, two fewer emergency room visits, five fewer mental health encounters, and used other health services five fewer times per year. There was no significant difference in in-patient hospitalizations between the groups, though the authors still observed significantly

higher cost reductions for in-patient hospitalization among Housing First recipients compared to the control group. Overall health care costs declined by an average of \$10,470 more per person per year among chronically homeless individuals receiving Housing First compared to otherwise similar chronically homeless individuals who did not receive Housing First.

The authors conclude that Housing First generates significant health care cost savings. They further argue that these cost savings substantially offset the cost of providing Housing First. The authors also identify the need for further research that accounts for jail, prison, and shelter utilization to develop a more comprehensive cost-benefit analysis.

Read the article at: <https://bit.ly/3tQUw2C>

From the Field

Hawai'i Supreme Court Hears Case on Maui County Encampment Sweep

The Hawai'i Supreme Court heard oral arguments on December 14 from a Maui County attorney and a lawyer from the American Civil Liberties Union (ACLU) of Hawai'i representing former residents of Pu'uhonua o Kanahā, a community of people living unhoused in Maui. The residents [sued](#) Maui County for violating their right to due process before their private property was seized and destroyed in an encampment sweep in 2021. If successful, the argument advanced by advocates for the unhoused population in Hawai'i that the County's actions were unconstitutional could serve to limit future encampment sweeps in Hawai'i and help ensure a more compassionate response to the housing crisis, providing stability and a sense of dignity for those living unhoused across the state. The catastrophic wildfires in Maui have exacerbated the state's housing crisis, and advocates, including [NLIHC](#) and other national partners, continue to push for a just recovery for all survivors regardless of their housing status.

According to [Share Your Mana](#), an organization that provides direct services and advocacy for houseless individuals in Maui, generations of Native Hawaiians have lived in and around Kanahā Beach Park, returning to the area on weekends to camp and fish. Before colonial contact, a term for "homelessness" did not exist for those living in Hawai'i. Though they may not have lived inside a mainland-style house, Native Hawaiians were always "home." "Houseless" or "unhoused" have, therefore, been the predominant terms used throughout Hawai'i to describe people without access to permanent physical structure. Due to the legacy of colonization and ongoing discrimination, Native Hawaiians [disproportionately](#) experience houselessness compared to non-Native people. As the houseless community around Kanahā Beach Park grew in recent years, Share Your Mana and other agencies began providing essential care items and connections to community supports. However, when the COVID-19 pandemic hit, all public parks were closed, cutting off access to clean water, restrooms, and the shade the park had provided.

Share Your Mana quickly helped the residents organize and form a leadership team. They named themselves Pu'uhonua o Kanahā, meaning "a place of refuge" in the Wailuku Ahupua'a in the Pū'ali Komohana Moku district. Throughout the pandemic, the Pu'uhonua o Kanahā community

consistently managed around 120 people. A meeting with residents and County officials in March 2020 led to the delivery of several port-o-potties, a handwashing station, a dumpster, and water access from a fire hydrant. But one year later, Maui County removed these supports without warning and conditions within the community began to deteriorate. On September 14, 2021, a Maui police officer delivered a Notice to Vacate letter to residents, indicating a sweep was being planned for the entire community. Share Your Mana collected over 50 signed Contested Case forms from residents opposing the sweep and delivered them to Maui County Corporation Counsel and the Mayor's office, requesting the sweep be halted until the individual cases could be heard. Unfortunately, the County ignored the Contested Cases and proceeded to sweep the encampment. While the County and agencies were able to house a small percentage of the residents, it continued to destroy over 50 tons of personal property, scattering residents and effectively eliminating the self-organized refuge of Pu'u honua o Kanahā.

Following the sweep, the ACLU of Hawai'i stepped up to represent a group of individuals who had lost all their belongings. The group filed a [lawsuit](#) alleging that Maui County and (former) Mayor Mike Victorino violated their constitutional rights by ignoring requests for a contested case hearing before the sweep occurred, which was required under the state's constitution. Maui County subsequently submitted a motion to dismiss the lawsuit, which was later [denied](#). On Dec 14, 2023, more than two years after the sweep occurred, the case was heard by the Hawai'i Supreme Court, and a ruling is expected later this year. Advocates hope the court will uphold rulings from similar cases, such as [Garcia vs. City of Los Angeles](#), which found that a city cannot destroy the publicly stored personal property of unhoused people.

“The prevailing strategy of punishment and finger-pointing is as inhumane as it is ineffective,” says Lisa Seikai Darcy, founder of Share Your Mana. “There is no justification for us to allow our neighbors to struggle and suffer in this manner. It is our responsibility to build bridges with the people being impacted by this crisis; only through relationships and trust can we work in successful partnership with those who need support the most.”

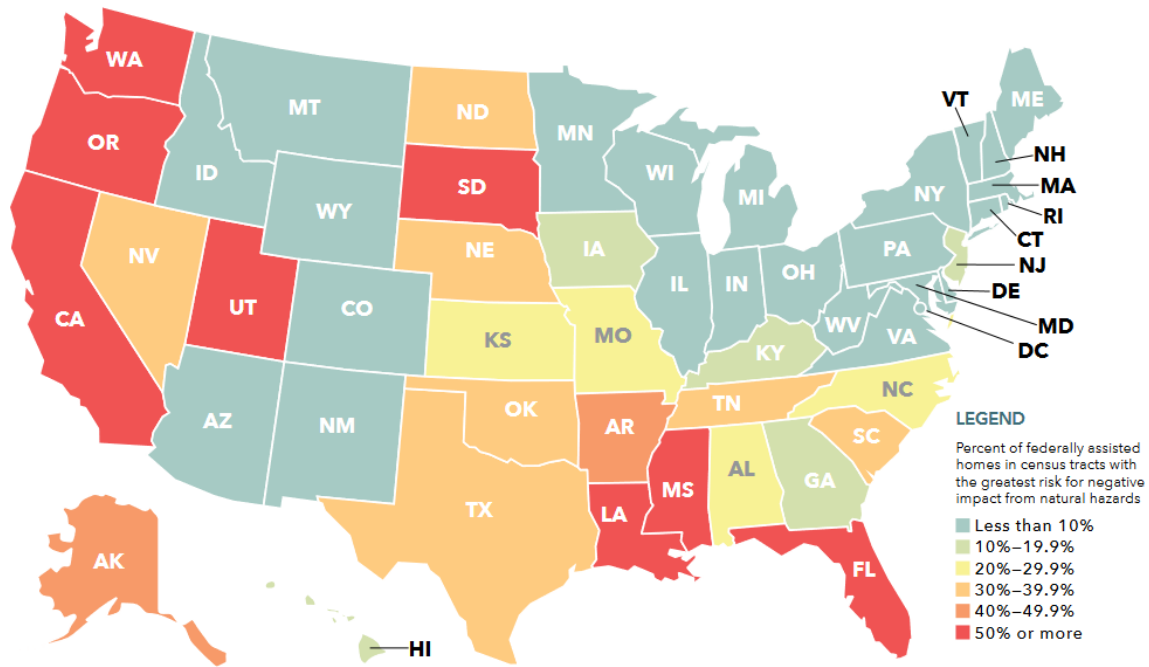
A recording of the oral arguments can be found [here](#). To read updates about ongoing advocacy efforts for Maui's unhoused residents and the Hawai'i Supreme Court ruling, please visit shareyourmana.org.

Fact of the Week

Share of Federally Assisted Housing in Communities with Greatest Risks from Natural Hazards Varies Widely by State

MAP 1

Percent of Federally Assisted Homes in Census Tracts with the Greatest Risk for Negative Impacts from Natural Hazards by State



Sources: National Housing Preservation Database (January 2023), National Risk Index (March 2023)

Source: Aurand, A., Emmanuel, D. McElwain, K., Asp, K. (2023). Natural hazards and federally assisted housing. Retrieved from <https://bit.ly/3QOqvsN>

NLIHC in the News

NLIHC in the News for the Week of January 7

The following are some of the news stories to which NLIHC contributed during the week of January 7:

- “Hochul’s Housing Approach Stirs Questions About Tenant Protections, Developer Incentive” *City Limits*, January 9 at: <http://tinyurl.com/ab4b4hf2>
 - “Budget fight threatens poor families with cuts to housing aid, evictions” *Washington Post*, January 10 at: <http://tinyurl.com/cf9eet7j>
 - “After year of culture wars, states to take up AI, housing and workforce” *Washington Post*, January 11 at: <http://tinyurl.com/ycd9ymww>
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NLIHC Careers

NLIHC Seeks Research Analyst

NLIHC seeks a research analyst to further the coalition's research on the housing needs of low-income renters and policy responses. The analyst will work with other members of the NLIHC research team to initiate and carry out research, including data collection, analysis, and dissemination.

Responsibilities:

- Implement quantitative and/or qualitative research, including data collection and analysis.
- Maintain and expand NLIHC holdings of and access to major datasets that inform NLIHC campaigns and partners.
- Assist other NLIHC staff and interns with data usage.
- Write reports that communicate NLIHC research to the general public.
- Disseminate NLIHC research to the general public, members, and partners through written reports and blogs, visualizations, and other means.
- Participate in other research, as assigned.
- Contribute to NLIHC's weekly e-newsletter *Memo to Members & Partners* by identifying and summarizing new research relevant to NLIHC members.
- Prepare information and position papers as required to meet NLIHC's goals and objectives.
- Represent NLIHC with other partners through participation in working groups and advisory committees.
- Public speaking at meetings and conferences in DC and around the country, with a priority for NLIHC member organizations.
- Respond to requests for information from NLIHC members, members of the media, and the public.
- Participate in NLIHC staff meetings, staff training, working groups, and other events.
- Other duties as assigned.

Qualifications:

Applicants should have a bachelor's degree (master's degree preferred) and at least one year of experience in research and/or public policy (three years of experience for senior research analyst position). Applicants should have a commitment to social justice and some knowledge of affordable housing, homelessness, or fair housing policies. Candidates should have strong analytical, writing, and editing skills, oral and interpersonal communication skills, organizational skills, and attention to detail. Applicants should also be proficient in the Microsoft Office suite and optimally statistical software like SPSS, STATA, or R. GIS experience also a plus.

An equal opportunity, affirmative action employer, NLIHC offers a competitive salary and benefits package. Interested candidates should submit a resume, cover letter with salary requirement, and two writing samples to Millen Asfaha, Operations Coordinator, at: masfaha@nihc.org.

NLIHC Seeks Director of People and Culture

NLIHC seeks a director of people and culture to lead all aspects of human resources, including the fostering of an inclusive culture, talent acquisition/development, compensation and benefits, hiring/onboarding, employee engagement, performance management, change management, organizational and workforce planning, training, and development. Reporting to the vice president of operations and finance, the director of people and culture will be involved in a wide range of internal initiatives, including the creation and implementation of staffing plans, policies, and practices.

ESSENTIAL JOB FUNCTIONS

Culture/Employee Relations

- Collaborate with members of the Operations Team to oversee, support, and distribute internal staff communications.
- Serve as HR contact for all employees; proactively engage employees to maintain and improve working relationships and office culture, build morale, and increase productivity and retention; communicate openly and frequently, keeping staff informed on benefit resources, organizational events, and other pertinent information.
- Provide leadership and partnership with all staff to suggest updates with the Operations Team and communicate and administer human resource policies and procedures.
- Demonstrate understanding, sensitivity, and responsiveness to cultural differences in staff; be a champion for and oversee the creation and implementation of policies and programs that build momentum for diversity, equity, and inclusion.
- Manage and resolve complex employee relations issues; where applicable, conduct effective, thorough, and objective investigations.
- Conceptualize and oversee planning and implementation of employee events and appreciation activities, such as the annual all-staff meeting, social events, and group activities, tracking anniversaries, birthdays, and other milestones.

Strategy

- Collaborate with Operations Team to assess and address staffing requirements and employee needs.
- Review and make recommendations to SLT for improvement of the organization's organizational development policies, procedures, and practices; propose strategies for effective talent management as part of organizational development.
- Provide input on department restructurings, workforce planning, and succession planning.
- Serve as the senior staff liaison to the Racial Equity taskforce.

Professional Development and Performance Management

- Oversee performance management activities including supporting staff growth and improvement through effective feedback and performance management process and training.
- Collaborate with Operations Team, with input from full Senior Leadership Team, to develop and implement new performance management approaches.
- Provide performance management guidance and training to supervisors and support them in carrying out their responsibilities on personnel matters (supervision/coaching, mentoring, professional development, and disciplinary actions); provide supervisors and staff members with coaching and resources to promote and improve interpersonal and team collaboration.
- In collaboration with the Operations Team and full Senior Leadership Team, identify departmental and organizational needs, and assist management with finding appropriate training resources; ensure that relevant training is being offered to all employees across all programs; monitor and evaluate success of training programs, following up to ensure training objectives are met.
- Help identify and coordinate ongoing training for staff members, including annual mandatory trainings (e.g., workplace safety, sexual harassment), skills-based training, diversity and inclusion trainings, organizational compliance, and other trainings as needed; in consultation with Operations Team, design and implement a management training program for supervisory staff.

Recruitment, Hiring, Onboarding, Off Boarding, Succession Planning

- Lead the development of strategies to identify and attract talent, including the creation of a recruitment and hiring process; work closely with supervisors and Operations Team on crafting job descriptions and setting recruitment goals.
- Plan and conduct general organizational onboarding and orientation for new employees; develop and standardize onboarding expectations, schedules, protocols, and procedures across organization.
- Manage and conduct an off-boarding process, including exit interviews; analyze data and make recommendations to Operations Team and full Senior Leadership Team for corrective action and improvement.
- In collaboration with the Operations Team and full Senior Leadership Team, develop, maintain, and update a senior leadership succession plan for the group, and proactively identify and develop new leaders.

Compensation and Benefits Management/Payroll

- Administer a compensation program including salary and benefit surveys and market research to ensure that salary offers remain highly competitive.
- Oversee and implement budgets for recruiting, training/staff development, and benefits programs.
- In collaboration with the Operations Team, manage all HR administration, including the organization's benefits programs, and provide payroll support to the Finance Team; manage relationship with benefit brokers, coordinate annual Open Enrollment, and

address employee benefits questions; propose additional benefit options pertinent to the organization's workforce.

HRIS/Technology

- Select, maintain, and maximize implementation of human resources information systems (HRIS) ensuring integration with other IS systems, as applicable; track and apply relevant organizational/human resources metrics; contribute HR information, analysis, and recommendations; advance use of technology in HR functions and activities to support programmatic and fiscal needs.

Employment Regulatory/Compliance

- Guide management and employee actions by researching, developing, and updating policies, procedures, methods, and guidelines following all applicable laws and regulations.
- Provide leadership and direction to ensure compliance with local, state, and federal employment-related laws and regulations; advise management on necessary actions in alignment with current employment law requirements; provide guidance and training to staff as required.
- Maintain in-depth knowledge of changing employment regulations and implement policies, and procedures by participating in educational opportunities, reading professional publications, maintaining personal networks, and participating in professional organizations/committees, to ensure regulatory compliance and reduce the organization's legal risks.

MINIMUM REQUIREMENTS AND QUALIFICATIONS

Experience and Education

- Bachelor's degree in human resources, business administration or a related field required; advanced degree in human resources, business, public administration, or related field highly desirable; SHRM-SCP, PHR, or SPHR certification a plus.
- Minimum of seven years of relevant professional experience; knowledge of nonprofit organizations; medical/scientific organization knowledge a plus.
- Extensive knowledge of benefit administration, employee relations, performance management, recruitment, HRIS, and training and development.
- Extensive knowledge of and experience with change management, DEI work, and improving organizational culture.

Qualifications

- Ability to connect with all staff, cultivate an environment of openness and empathy and encourage honest, compassionate feedback.

- Knowledge of best practices and experience in building inclusive and engaged workplaces; cultural awareness and sensitivity with lens on racial and gender equity; experience supporting a diverse, multi-generation workforce.
- Capacity to demonstrate leadership skills, with a minimum of five years of supervisory/personnel management experience; experience consulting and educating senior management on HR-related topics.
- Knowledge of local and federal laws and regulations affecting employer practices and compliance requirements; specific knowledge of requirements for 501c3 or 501c6 organizations preferred.
- Experience in revising or developing new HR policies and procedures to meet changing organizational needs, and to support the desired organizational culture.
- Proficient in industry trends and best practices in workplace development and change management.
- Ability to deal with conflict effectively, and to manage difficult situations confidently and calmly; capability to coach and counsel both executive-level management and employees; willingness to make decisions.
- Excellent interpersonal communications skills: ability to partner effectively with internal and external stakeholders, including expectation setting.
- Strong project management skills: ability to effectively plan, implement and manage HR programs and functions; ability to implement, explain, and apply relevant policies, procedures, laws, and regulations.
- Desire to be part of a hardworking, collaborative, fun, and value-driven team.
- Commitment to the NLIHC mission.

Interested candidates may submit an application [here](#).

NLIHC News

NLIHC Welcomes Julie Walker as OSAH Campaign Coordinator

NLIHC is excited to announce that Julie Walker will be our new Opportunity Starts at Home (OSAH) campaign coordinator! Julie worked previously with Baltimore Regional Housing Partnership (BRHP), where she focused initially on rental assistance before shifting to staff and participant program training, managing the Client Advisory Board, and providing technical assistance to housing authorities developing housing mobility programs. Julie holds a master's degree in social work from The Brown School at Washington University in St. Louis and a bachelor's degree in social work from the University of Maryland, Baltimore County. She has followed NLIHC's work throughout her education and career and is excited to be joining the organization. As OSAH campaign coordinator, she will support the OSAH campaign director in all communications, outreach, and advocacy plans.

NLIHC Welcomes Lindsey Armah as Communications Intern

NLIHC welcomes Lindsey Armah as our new communications intern! Lindsey received an associate degree in graphic design from Anne Arundel Community College and a bachelor's degree in education from Towson University. She has experience working as a graphic designer for non-profit organizations and community outreach services and values NLIHC's efforts to advance affordable housing policies and provide essential resources for the lowest-income people. As communications intern, she will support the communications team by creating informational graphics while expanding her knowledge of affordable housing policy.

Where to Find Us – January 16

- [Wisconsin Council on Physical Disabilities Quarterly Meeting](#) – Virtual, January 25 (Courtney Cooperman)
 - [United Way National ALICE Summit](#) – New Orleans, LA, January 30-31 (Andrew Aurand)
 - [Partnership for Strong Communities IForum](#) – Hartford, CT, February 1 (Lindsay Duvall)
 - 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)
 - [Housing California 2024 Annual Conference](#) – Long Beach, CA, March 6-8 (Sarah Saadian)
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NLIHC Staff

Sarah Abdelhadi, Senior Research Analyst

Meredith Abel, Research Intern

Lindsey Armah, Communications Intern

Andrew Aurand, Senior Vice President for Research, x245

Sidney Betancourt, Project Manager, Inclusive Community Engagement, x200

Victoria Bourret, Project Manager, State and Local Innovation, x244

Jen Butler, Vice President, External Affairs, x239

Alayna Calabro, Senior Policy Analyst, x252

Matthew Clarke, Director, Communications, x207

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

Lindsay Duvall, Senior Organizer for Housing Advocacy, x206

Dan Emmanuel, Manager, Research, x316

Ed Gramlich, Senior Advisor, x314

Sarah Gallagher, Vice President, State and Local Policy Innovation, x220

Danita Humphries, Senior Executive Assistant, x226

Nada Hussein, ERASE Project Coordinator, x264

Kim Johnson, Public Policy Manager, x243

Kayla Laywell, Housing Policy Analyst, x231

Mayerline Louis-Juste, Senior Communications Specialist, x201

Steve Moore Sanchez, Development Coordinator, x209
Khara Norris, Vice President of Operations and Finance, x242
Noah Patton, Manager, Disaster Recovery, x227
Mackenzie Pish, Research Analyst
Ikra Rafi, Creative Services Manager, x246
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