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National Housing Trust Fund

HoUSed Campaign for Universal, Stable, Affordable Housing

Take Action on FY22 Appropriations and Build Back Better!

Members of Congress are making crucial decisions about what to include in the overdue appropriations bill for fiscal year (FY) 2022 and the scaled-back “Build Back Better Act.” Both bills present opportunities to significantly expand affordable housing resources for households with the lowest incomes.

Leadership will make key decisions on the FY22 appropriations bill soon; the bill presents Congress with an immediate opportunity to make significant investments in affordable housing, including by expanding the Housing Choice Vouchers (HCVs) program to an additional 125,000 households with low incomes.

The Build Back Better Act proposes an [historic \\$150 billion investment](#) in affordable housing, including significant funding for NLIHC’s [top priorities](#): \$25 billion to expand rental assistance to an additional [300,000 households](#); \$65 billion to preserve public housing for the nation’s almost 2 million public housing residents; and \$15 billion for the national Housing Trust Fund to construct, preserve and operate [over 150,000 new units of affordable, accessible housing](#) for households with the lowest incomes. If enacted, these provisions would be the largest single investment in our history in quality, affordable, accessible homes for the country’s lowest-income people.

We cannot let Congress pass up these opportunities! Please contact your senators and representatives today and urge them to:

1. [Quickly enact an FY2022 spending bill](#) with the highest possible funding for affordable housing and community development programs, including the expansion of HCVs to an additional 125,000 households.
2. [Ensure critical housing resources remain](#) in any budget reconciliation bill.

Background

Members of Congress are working to enact an overdue FY22 appropriations bill. Appropriations leaders in the House and Senate announced on February 9 they had reached a bipartisan agreement on a “framework” for the spending package, but decisions are still being made about how to divvy up funding among the 12 appropriations subcommittees. The House appropriations subcommittee bill includes a significant expansion of the HCV program to an additional 125,000 households and would provide an additional \$7 billion for HUD programs over FY21 enacted levels. The Senate appropriations subcommittee bill would provide almost \$1 billion less to HUD and would not include an HCV expansion.

It is critical that advocates continue to [urge members of Congress](#) to protect and advance the [historic affordable housing investments](#) in the Build Back Better Act and the FY22 appropriations bill. As homelessness increases and millions of the lowest-income renters struggle to stay housed, we cannot let Congress miss these opportunities.

Take Action!

- [Contact your members of Congress and urge them](#) to quickly enact a final FY22 spending package with the highest possible funding for affordable housing and community development programs and to include the House’s proposal to expand Housing Choice Vouchers.
- [Your members of Congress need to hear from you](#) about why investments in rental assistance, public housing, and the Housing Trust Fund are critical to your community and why they must remain in any budget reconciliation package. Breaking housing investments off into a separate bill is unacceptable.

Thank you for your advocacy!

Join Today’s National HoUsed Campaign Call for Universal, Stable, Affordable Housing!

Join today’s (February 22) national HoUsed campaign call from 2:30-4 pm ET. We will discuss the importance of enacting a fiscal year (FY) 2022 spending bill with the most possible funding for affordable housing and community development and the need for ensuring that critical housing investments remain in any final budget reconciliation bill. Sam Joel from the U.S. Interagency Council on Homelessness (USICH) will join the call to discuss a new USICH guide for homeless service providers. Danny Navarro from Nonprofit VOTE will share a new report: “[America’s Nonprofits Get Out the Vote](#).” We will also share findings from NLIHC’s new ERASE project report on the use of fact-specific proxy to determine eligibility for emergency rental assistance, receive updates from the field, and more.

Register for the call at: <https://tinyurl.com/ru73qan>

Recording of February 14 National HoUsed Campaign Call Now Available

In our [most recent \(February 14\) national call](#) for the “HoUsed: Universal, Stable, and Affordable Housing” campaign, we were joined by U.S. House Committee on Financial Services Chair Maxine Waters (D-CA). Chair Waters and NLIHC President and CEO Diane Yentel discussed the status of the historic housing provisions in the “Build Back Better Act,” as well as the advocacy needed to ensure that vital affordable housing investments are retained in any final reconciliation package.

“We need focused, loud advocacy now more than ever,” said Diane. “Every day until [the bill] passes is about reminding members of Congress how essential these investments are.”

“Without you, we would not be able to get the \$150 billion...We have had to fight hard, but you were right there,” said Chair Waters. “Keep your voices up.”

Sarah Hassmer of the National Women’s Law Center (NWLC) then shared NWLC’s [analysis](#) of the most recent data from the U.S. Census Bureau’s Household Pulse Survey. Researchers found that women of color are still bearing the economic brunt of the pandemic and were more likely to report being behind on rent or mortgage payments, struggling with food insecurity, and losing employment income.

Next, Helen Renfrew from the Anchorage Coalition to End Homelessness provided updates on her organization’s emergency rental assistance (ERA) program. Rebecca Hollenbach and Deborah Payne of the Louisville Metro Department of Public Health and Wellness, as well as Tiffany Marthaler of the Kentucky Affordable Housing Coalition, discussed the health impacts of Louisville’s affordable housing tax credit.

Kim Johnson, senior policy analyst at NLIHC, provided updates on the appropriations process and the “Build Back Better Act,” and Jen Butler, senior director of media relations at NLIHC, concluded the call by presenting the results of NLIHC’s “Valentine’s Day of Action,” during which more than 20 members of Congress tweeted their support for the robust affordable housing investments in the Build Back Better Act.

NLIHC hosts national calls every week. Our next call will be today, February 22, at 2:30 pm ET. Register for the call at: tinyurl.com/ru73qan

Watch a recording of the February 14 call at: tinyurl.com/4avpuy8p

View presentation slides from the February 14 call at: tinyurl.com/27jbj466

Budget and Appropriations

Senate Passes and President Signs Continuing Resolution to Extend Government Funding Through March 11

The Senate passed a continuing resolution (CR) by a vote of 65-27 on February 17 to extend funding for the federal government through March 11, buying Congress an additional three weeks to reach an agreement on federal funding for the current fiscal year.

This CR is the third that has been enacted to extend government funding as congressional appropriators continue working on a funding agreement for fiscal year (FY) 2022, which began on October 1, 2021. The House passed the CR last week (see *Memo*, [2/14](#)) and the measure briefly stalled in the Senate after several conservative Republicans, led by Senators Mike Lee (R-UT) and Ted Cruz (R-TX), insisted on holding votes on amendments that would withhold federal funding for the enforcement of COVID-19 vaccine mandates. The amendments of neither Senator ultimately passed.

Appropriators have been locked in a months-long stalemate over an FY22 funding agreement, with Democrats pushing for significant increases to social spending programs and Republicans insisting that spending be divided equally between defense and non-defense programs. Appropriations leaders in the House and Senate reportedly reached an agreement on February 9 on a “framework” for the FY22 appropriations bill, but details of the agreement – including details about funding for vital HUD and U.S. Department of Agriculture (USDA) affordable housing programs – have yet to be released, even as negotiations continue.

The FY22 spending bill presents Congress with an opportunity to move the nation towards universal, stable, and affordable homes for all by making significant investments in affordable housing, including by expanding the Housing Choice Vouchers program to an additional 125,000 households with low incomes. The House spending bill would provide HUD programs with almost \$7 billion more than was provided in fiscal year 2021 and guarantee significant funding increases for nearly all HUD programs, including an expansion of rental assistance through the Tenant-Based Rental Assistance program to an additional 125,000 households. The Senate proposal, however, would provide HUD with over \$1 billion less than the House proposal and would not include any major expansion of rental assistance.

Take Action!

Advocates should continue to urge members of Congress to enact a final spending bill that provides the most possible funding for affordable housing and community development programs and that includes the House proposal to expand rental assistance to an additional 125,000 households.

[Contact your members of Congress today](#) and urge them to enact an FY22 spending bill that contains the major expansion of housing vouchers included in the House bill.

Emergency Rental Assistance

NLIHC Releases New Report on Fact-Specific Proxy Implementation in ERA Programs

NLIHC released a new report, [Implementing Fact-Specific Proxy in ERA Programs: Key Considerations and Lessons Learned](#), on February 17. The report examines the use of fact-specific proxies in U.S. Department of the Treasury (Treasury) Emergency Rental Assistance (ERA) programs. Fact-specific proxies reduce documentation barriers to ERA by allowing programs to infer an applicant's income using facts such as the median income of the applicant's census tract. Instead of being required to provide documentation proving their income, applicants meeting proxy eligibility criteria need only to self-attest to their household income. Focusing on nine programs that utilize fact-specific proxies, the report discusses federal guidelines regarding fact-specific proxies, considerations for implementing them, the impacts of fact-specific proxies on program progress, and lessons that can be learned from recent implementation efforts.

ERA guidance did not include fact-specific proxy as an allowable form of income verification until May 7, 2021, five months after Treasury released its initial guidance. The [May 7 guidance](#) stated that grantees could use a reasonable proxy, such as average incomes in a neighborhood, in conjunction with self-attestation – a written attestation of an applicant's income without additional documentation – to determine household incomes. According to NLIHC research, by the end of 2021, 26 programs were using fact-specific proxy for income determination.

The report finds that programs were motivated to implement fact-specific proxies in order to increase application accessibility, enhance program equity, and balance program flexibility and oversight. Fact-specific proxies also helped programs decrease application processing times, increase fund disbursement, and decrease administrative burden for applicants.

The report highlights several lessons learned for programs considering using fact-specific proxy in the future. For example, programs should offer proxies as the initial option for income-eligibility determination to decrease the documentation burden for applicants and reduce staff time spent processing income documentation. Programs should also test potential proxies on a sample of applications or with administrative data prior to full implementation. By testing multiple proxies, programs can choose the most effective method for maximizing coverage of potentially eligible households.

The report also found that program administrators who championed their innovations helped more risk-adverse programs feel comfortable implementing fact-specific proxy. By promoting innovations like fact-specific proxy, programs can help shift long-held beliefs about standard social service practices. The introduction of fact-specific proxy, for example, has already begun to shift perceptions about what level of participant documentation should be required when administering social service programs.

To learn more, read the report at: <https://bit.ly/34H9jk0>

Coronavirus, Disasters, Housing, and Homelessness

Transportation and Infrastructure Committee Holds Hearing on FEMA Priorities; Disaster Recovery Advocates Submit Statement for the Record

The U.S. House Committee on Transportation and Infrastructure’s Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing, “[FEMA Priorities for 2022: Stakeholder Perspectives](#),” on February 16. The hearing focused on reform priorities for FEMA in the coming year, including making assistance easier to access for disaster survivors, ensuring that FEMA’s workforce can meet the agency’s needs, and guaranteeing that city and state governments can receive timely reimbursements for disaster and mitigation activities. NLIHC submitted a [statement for the record](#) on behalf of the Disaster Housing Recovery Coalition (DHRC), an NLIHC-led group of more than 850 local, state, and national organizations working to ensure that all disaster survivors receive the assistance they need to fully recover.

Witnesses at the hearing represented the emergency management community and the Government Accountability Office (GAO) and included Erica Bornemann, director of Vermont Emergency Management, who represented the National Emergency Management Association (NEMA); Carolyn Harshman, president of the International Association of Emergency Managers (IAEM); and Chris Currie, director of Homeland Security and Justice at the GAO. The witnesses representing NEMA and [IAEM](#) focused their comments on several FEMA grant programs that benefit state and local governments and emergency management agencies, although the [written testimony](#) submitted by NEMA also called for a streamlined application process for disaster survivors. Chris Currie pushed forcefully for reforms [called for by the GAO in recent reports](#) and explained that the GAO had “found that survivors face a number of challenges applying for and obtaining FEMA assistance [and that] confusion doesn’t just lead to frustration but to disaster survivors not pursuing assistance when they may have been eligible to get it.”

The questions asked by subcommittee members indicated a general interest in increasing access to FEMA programs. Representative Eleanor Holmes Norton (D-DC) asked witnesses about disparities in assistance received by Black communities compared to majority white communities. In response, Mr. Currie explained that his office had [found](#) that FEMA did not collect the data necessary to answer the question. In one of his questions, Representative Doug LaMalfa (R-CA) referred to the housing problems experienced by members of his district after the catastrophic Camp Fire in 2017, and Mr. Currie responded that FEMA’s suite of post-disaster housing solutions had not been designed with wildfires in mind. Representative Troy Carter (D-LA) asked what FEMA could do to immediately remove obstacles to assistance, a question the GAO itself had examined in its reports last year, according to Mr. Currie.

Watch a recording of the hearing at: <https://bit.ly/3JBKPY1>

Read the statement for the record submitted by NLIHC at: <https://bit.ly/34NaFcI>

DHS Office of Inspector General Releases Report on FEMA’s Hurricane Maria Sheltering Program

The U.S. Department of Homeland Security’s (DHS) Office of the Inspector General (OIG) released a [report](#) on February 4 detailing the need for FEMA to learn from its attempts to implement the Sheltering and Temporary Essential Power (STEP) program in Puerto Rico following Hurricane Maria. A pilot program meant to enable the government of Puerto Rico to perform minor emergency repairs on disaster-damaged and owner-occupied single-family homes, STEP was intended to provide quick repairs to homes, allowing owners to reside in them while working through the often-complicated FEMA application process. Though the program had already been implemented in Houston, TX, following Hurricane Harvey, Puerto Rico’s STEP program was the largest of its kind undertaken by FEMA in terms of cost and the number of homes eligible to be covered by the program.

Yet even with some accountability measures already in place, the overwhelming need for shelter on the island following the hurricane meant that the territorial government was quickly overwhelmed by the volume of applicants for the STEP program. The report details how FEMA failed to ensure that the program (which was

run by the territory) met initial or extended deadlines or that home repairs were completed within six months as required by regulation. Instead, as the report explains, repairs continued for over 16 months following Hurricane Maria. In the report, the DHS OIG also shows that FEMA failed to establish periodic performance goals for the program, adequately record complaints from homeowners, or validate information on program progress provided by the territorial government. In addition, the report finds that the various FEMA offices tasked with monitoring the program failed to coordinate program oversight effectively.

Authorities in Puerto Rico who were interviewed for the report told the DHS OIG that they did not believe implementation had been delayed, given the number of successful applicants to the program (108,000). The amount of damage, the remote location of many damaged homes, and local supply and construction limitations combined to slow program implementation.

The STEP program was later cancelled by FEMA, and the agency has relied increasingly on state and local officials to administer short-term disaster housing recovery and sheltering programs. This reliance is currently evident in Louisiana, where the state has been administering temporary housing programs and distributing campers and travel trailers (an effort that has involved similar delays). In the report, the DHS OIG recommends establishing specific performance goals and better coordinating oversight regarding programs of these types. In response, FEMA has indicated it will seek to implement the recommendations made in the report.

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

Coronavirus Updates – February 22, 2022

Reporting

The [Associated Press](#) has reported that a growing number of landlords are accepting federal emergency rental assistance (ERA) to cover back rent while still moving to evict tenants. The article cites [NLIHC's tenant protections research](#), which found that only 29 states and localities in 2021 had adopted policies prohibiting landlords who receive ERA from evicting tenants for a period of time. According to NLIHC President and CEO Diane Yentel, who is quoted in the article, the situation is illustrative of a larger problem. “We are in the middle of a severe affordable housing crisis with gaping holes in our social safety net,” she explains. “We have a systemic power imbalance that favors landlords at the expense of low-income tenants. Emergency rental assistance and eviction moratoriums were a temporary patch for those holes.”

State and Local News

Alabama

The [Huntsville City Council](#) voted to approve a much-needed second round of federal [emergency rental assistance](#) (ERA) on February 10. The council approved \$4.7 million, which will be distributed by both public and private sources. The city has exhausted its first allocation of \$6 million in ERA.

Connecticut

After Connecticut's eviction moratorium expired on September 30, 2021, Governor Ned Lamont enacted an order requiring landlords to apply for UniteCT emergency rental assistance (ERA) before filing nonpayment eviction cases and to provide 30-day notices for most types of evictions. However, Governor Lamont's eviction protections expired on February 15. The [CT Examiner](#) highlights a [new report](#) on Connecticut's eviction crisis and calls attention to the long-term impacts of eviction filings on the ability of renters to obtain future housing.

Florida

The [Orlando Sentinel](#) reports that more than \$40 million of federal emergency rental assistance (ERA) remains available in Central Florida through local programs. More than 12,000 households in the region have received payments from local ERA programs, but many more households remain in need of assistance.

Indiana

The [City of Fort Wayne](#) announced on February 11 that the city's [emergency rental assistance \(ERA\) program](#) would reopen on Monday, February 21. Fort Wayne, which has distributed more than \$13.6 million in ERA, received an additional \$6.3 million for its ERA program.

Massachusetts

[Nearly 60% of emergency rental assistance \(ERA\) applications](#) submitted to Massachusetts's statewide ERA program have not yet been approved. Of the over 151,000 applications submitted between November 2020 and January 2022, 58,525 were approved and 1,107 were denied by the Massachusetts Department of Housing and Community Development, leaving about 91,000 applications unapproved. Tens of thousands of applications may have "timed out" because of language barriers, missing documentation, or human error.

Nebraska

Housing advocates are [urging Governor Pete Ricketts](#) to apply for \$120 million in federal emergency rental assistance (ERA), arguing that Nebraskans are in desperate need of the funding. Nebraska is one of only two states to reject the federal rent relief funds. State Senator Matt Hansen recently [introduced legislation](#) that would force the state to apply for ERA.

North Carolina

In a recent article, the [Charlotte Observer](#) highlights potential efforts to make Mecklenburg County's emergency rent relief program permanent. The county will [reopen applications](#) for its emergency rental assistance (ERA) program on March 1 after receiving an additional round of federal funding, but advocates worry about what will happen when the funds run out. Motivated by the understanding that housing instability is an entrenched problem, DreamKey Partners, the nonprofit administering the county's ERA program, is working to pivot the focus of the program "from emergency to sustainability."

Texas

Texas Housers released the first edition of its "Last Month in Texas Evictions" [newsletter](#). The newsletter will highlight the most important eviction updates every month.

Washington

The [Seattle Times](#) reports that Seattle's eviction moratorium will be extended through the end of February and will then be allowed to expire. In addition to [announcing](#) a final two-month extension of the moratorium, Mayor Bruce Harrell directed the city's Office of Housing to distribute \$25 million to renters and small landlords to supplement the emergency rental assistance being distributed by King County.

With thousands of renters still awaiting help and federal funds running out, [King County will stop accepting](#) emergency rental assistance (ERA) applications after February 28. The county expects about 7,000-8,000 tenants will be left without assistance after the ERA funds are spent.

Guidance

[COVID-19 Homeless System Response: Identifying Sources of Operating Funds to Support Affordable and Permanent Supportive Housing Projects](#)

[COVID-19 Homeless System Response: Shelter Renovation to Address Infection Control and Improve Shelter Quality](#)

National Alliance to End Homelessness (NAEH)

[Exploring the Potential Impacts of COVID-19 Emergency Housing Resources](#) – January 2022

[Blog: What Are the Latest Insights on Vaccination for People Experiencing Homelessness?](#)

Disaster Housing Recovery Updates – February 22, 2022

FEMA

NLIHC is circulating a sign-on letter to congressional leadership in support of the “Housing Survivors of Major Disasters Act” ([H.R. 3037](#)). If enacted, this legislation would codify and expand [FEMA’s recent policy changes](#) addressing the significant [title-documentation challenges](#) that have resulted in thousands of eligible disaster survivors being wrongfully denied FEMA assistance. Sign your organization on to the letter [here](#).

FEMA is urging stakeholders, community groups, and the public to comment on its proposal to collect demographic information from applicants participating in certain FEMA programs. The deadline to submit comments is March 28. Learn more and submit your comments on the [Federal Register website](#).

HUD

HUD is hosting a virtual Community Development Block Grant-Disaster Recovery (CDBG-DR) [Problem Solving Clinic](#) to educate CDBG-DR and CDBG-Mitigation (CDBG-MIT) grantees on how to successfully and compliantly implement their programs. [Register today](#).

National Oceanic and Atmospheric Administration (NOAA)

NOAA released its [2022 Sea Level Rise Technical Report](#) on February 15. The report provides the most up-to-date sea level rise projections for all U.S. states and territories to help communities assess potential changes in sea levels. NOAA projects that sea level rise will create a [profound shift in coastal flooding](#) over the next 30 years by causing tide and storm surge heights to increase and reach further inland. By 2050, “moderate” flooding, which is “typically damaging,” is expected to occur, on average, more than 10 times as often as it does today and may be intensified by local factors. Without additional risk reduction measures, U.S. coastal infrastructure, communities, and ecosystems will face increased impacts.

Reporting

The [Washington Post](#) reports sea levels are expected to rise one foot along U.S. coastlines by 2050, according to a [report](#) released by the National Oceanic and Atmospheric Administration on February 15. Research from the Union of Concerned Scientists suggests that 10 to 12 inches of sea-level rise by 2050 would put roughly 140,000 homes at risk of “chronic inundation,” or flooding every other week on average.

An article in the [Conversation](#) states that low-income households are more likely to suffer damage from disasters and are often the least able to recover from them. The author argues that communities must plan to ensure that their most marginalized and at-risk residents can rebuild after a disaster. Disaster housing recovery planning can result in greater resilience and community vitality.

Flooding

The [Advocate](#) analyzed data from FEMA’s National Flood Insurance Program and found that many Louisianans would face crippling rate increases under the new “Risk Rating 2.0” system. Roughly half of Louisiana policyholders will see their rates jump by more than 129% over the next decade, and about one in 10 could see premiums increase by more than four times their current amount. The editorial board of the [Advocate](#) urges Louisianans to follow the issue closely and notes that compound premium increases would have significant impacts on housing markets.

Hurricanes

According to the [Advocate](#), volunteers have been critical in rebuilding efforts in Louisiana’s Lake Charles since Hurricane Laura devastated the area nearly a year and a half ago. The COVID-19 pandemic and a lack of federal aid have hampered recovery efforts in southwest Louisiana, and nearly 2,000 families remain in temporary housing provided by FEMA.

Around [700 temporary housing trailers](#) have arrived in St. John the Baptist Parish in Louisiana, but strict FEMA requirements are making it difficult to identify places to site the trailers. Parish residents report that Hurricane Ida recovery is being hampered by insurance problems and supply chain issues.

Tornadoes

Kentucky homeowners and renters who suffered damages from storms and tornadoes in December 2021 have until [Monday, March 14](#), to apply for federal disaster assistance.

Some residents of 16 Kentucky counties who received initial FEMA rental assistance because of damage to their homes from storms and tornadoes in December 2021 may be eligible for continued rental assistance. Learn more [here](#).

Survivors of the severe storms and tornadoes that hit Tennessee in December 2021 have until [Tuesday, March 15](#), to apply for FEMA assistance. Residents of Cheatham, Davidson, Dickson, Gibson, Henderson, Henry, Lake, Obion, Stewart, Sumner, Weakley, and Wilson counties may apply for FEMA Individual Assistance, which can cover expenses related to temporary housing, such as rental assistance or reimbursement for hotel costs.

HUD

NHLP and PRRAC Urge HUD to Support HCV Resident Organizing

The National Housing Law Project (NHLP) and the Poverty & Race Research Action Council (PRRAC) issued a [policy brief](#) urging HUD to create a right to organize for residents with Housing Choice Vouchers (HCVs). The brief also urges HUD to request that the Biden administration and Congress provide funds for HCV resident organizing activities in the same manner as they provide funds for public housing resident councils. The brief follows a [letter](#) sent by the two organizations to HUD Secretary Marcia L. Fudge on December 2,

2021, urging HUD and the Biden administration to include funding for HCV tenant organizing in the fiscal year (FY) 2023 budget request submitted to Congress.

The brief notes that Section 8 Housing Choice Voucher residents do not have the same right to organize and do not receive the same funding as public housing and private housing residents who are assisted with Section 8 Project-Based Rental Assistance (PBRA) by HUD's Office of Multifamily Programs.

The brief summarizes the federal protections for resident organizing for residents in public housing (these regulations can be found at [24 CFR Part 964](#)), in private HUD-assisted PBRA properties (these regulations can be found at [24 CFR Part 245](#)), and in public housing converted under the Rental Assistance Demonstration (RAD) to housing supported by Project-Based Vouchers (PBVs) or PBRA ([RAD Notice Revision 4: H 2019-09 PIH 2019-23](#)). The brief also discusses the \$25-per-unit funding provided for public housing resident organizations and the \$10 million available (but never fully awarded) every year for resident-organization capacity building for residents in private, HUD-assisted housing.

The policy brief suggests that four general principles be included in any regulations used to formulate an organizing right for HCV residents. According to these principles, HUD should create regulations that:

- Define HCV resident organizations in a manner similar to the provisions in 24 CFR Part 245 and include an enforcement process enabling residents or resident organizations to submit allegations of owner interference or retaliation.
- Suggest a variety of roles for an HCV resident organization.
- Provide a flexible, inclusive structure for resident organizations that does not disqualify an otherwise eligible group because it has just been created or has a limited number of members who can serve as officers.

The fourth principle encourages HUD to urge the Biden administration and Congress to create two forms of funding for HCV resident organizing:

- Annual, per-unit funding for resident organizations similar to the \$25-per-unit funding provided for public housing resident organizations (but augmented, just as the \$25-per-unit should be augmented to \$37-per-unit to adjust for inflation).
- Separate funding for resident capacity building throughout the country similar to the annual \$10 million Section 514 provision for HUD-assisted Multifamily Housing (though the brief notes that only \$13 million has been provided out of the \$190 million that could have been used for this purpose).

Read the NHLP/PRRAC policy brief at: <https://bit.ly/3oX89rd>

Read the NHLP/PRRAC letter to Secretary Fudge at: <https://bit.ly/3JzUIWd>

Read more about resident participation and organizing in federally assisted housing on [page 2-52](#) of NLIHC's *2021 Advocates' Guide*.

Read more about the Housing Choice Voucher program on [page 4-1](#) of NLIHC's *2021 Advocates' Guide*.

Read more about public housing on [page 4-30](#) of NLIHC's *2021 Advocates' Guide*.

Read more about the Rental Assistance Demonstration (RAD) on [page 4-40](#) of NLIHC's *2021 Advocates' Guide*.

Read more about HUD-assisted Multifamily Housing on [page 4-64](#) of NLIHC's *2021 Advocates' Guide*.

HUD Posts Seven New RAD Factsheets for Residents

HUD's Office of Recapitalization (Recap) posted [an additional seven fact sheets](#) addressing the Rental Assistance Demonstration (RAD) and designed for public housing residents. The new fact sheets complement eight fact sheets posted earlier this month by Recap (see *Memo*, [2/7](#)).

The seven new fact sheets, #9-#15, are: "[RAD and Relocation](#)," "[Resident Grievance and Termination Rights](#)," "[Family Self-Sufficiency and Resident Opportunities and Self-Sufficiency](#)," "[Choice Mobility](#)," "[RAD and the Low Income Housing Tax Credit](#)," "[RAD and Section 18 Disposition Blends](#)," and "[RAD and Resident Employment \(Section 3\)](#)."

The previous eight fact sheets are: "[RAD Overview](#)," "[Overview of Resident Rights after RAD Conversion](#)," "[The RAD Conversion Process](#)," "[The Difference Between Project-Based Vouchers \(PBV\) and Project-Based Rental Assistance \(PBRA\)](#)," "[Resident Engagement and Consultation](#)," "[Rent](#)," "[Your Lease](#)," and "[Resident Organizing and Funding](#)."

As part of the "FY12 HUD Appropriations Act," Congress authorized the Rental Assistance Demonstration (RAD) to help preserve and improve public housing and other HUD-assisted housing. RAD allows public housing agencies (PHAs) and owners of private, HUD-assisted housing to leverage Section 8 rental assistance contracts to raise private debt and equity for capital improvements. RAD has two components, the first of which pertains to public housing, the subject of the new Recap fact sheets.

Like the previous fact sheets, the new fact sheets provide well-formatted, easy-to-read overviews of RAD features with which residents should be acquainted.

NLIHC is particularly pleased to observe that the "[RAD and Relocation](#)" fact sheet includes information that was left out of earlier RAD fact sheets but that is included in "[RAD Notice Revision 4: H 2019-09 PIH 2019-23](#)." Drawing on the notice, which provides what is essentially a RAD regulation, the fact sheet states the following: "If the public housing authority (PHA) proposes a plan for the property that would mean you could not return to the property (this scenario is rare), you must be given an opportunity to comment and/or object. The housing authority may offer you another affordable housing option, but you are not required to accept one of these other options. If you object because you want to return to the property, the plans must be changed."

NLIHC also reminds readers of the "[RAD and Resident Employment \(Section 3\)](#)" fact sheet that while the information included in the sheet is accurate, employment opportunities for jobs previously held by PHA staff – such as central office employee, janitor, maintenance crew employee, painter, grounds crew employee, etc. – are lost after conversion.

Read the new fact sheets at: <https://www.hud.gov/RAD/impact>

View a basic five-minute video intended to explain RAD to residents whose PHA is considering converting their public housing development under RAD at: <https://bit.ly/3rkHKFo>

Find HUD's RAD website at: <https://www.hud.gov/RAD>

Read more about RAD and RAD/Section 18 Blends on NLIHC's [public housing webpage](#) at [RAD: Key Features for Public Housing Residents](#) and on [page 4-40](#) of NLIHC's *2021 Advocates' Guide*.

Read more about Section 18 Disposition on NLIHC's [public housing webpage](#), at [Demolition and Disposition](#), and on [page 4-54](#) of NLIHC's *2021 Advocates' Guide*.

Read more about Section 3 on NLIHC's [public housing webpage](#) at "Final Section 3 Rule, 2020" and [on page 7-45](#) of NLIHC's *2021 Advocates' Guide*.

Read more about the Low Income Housing Tax Credit on [page 5-17](#) of NLIHC's *2021 Advocates' Guide*.

Learn more about RAD from the National Housing Law Project at: <https://bit.ly/3ujEvAb>

Fair Housing

DHS Posts Advance Version of Proposed "Public Charge" Rule

The U.S. Citizenship and Immigration Services (USCIS), a division of the Department of Homeland Security (DHS), posted on February 19 an [advance version](#) of a Notice of Proposed Rulemaking (NPRM) that would regulate how DHS applies the "public charge" test to deny temporary admission into the U.S. or deny requests to change one's status to lawful permanent resident (i.e., green card holder). A formal version of the proposed rule will be published in the *Federal Register* in the coming days.

A quick review of the 291-page document and prior statements from DHS suggest that the proposed rule does not include harmful provisions introduced by the Trump administration. Those provisions would judge a non-U.S. citizen or legal resident a public charge if they receive or might receive housing assistance in the form of public housing, a Section 8 Housing Choice Voucher, or Section 8 Project-Based Rental Assistance (PBRA). NLIHC will provide further details after immigration experts have more thoroughly reviewed the proposed rule.

The "public charge" test has been part of federal immigration law for more than one hundred years. The test is designed to identify people who might depend on the government as their main source of support in the future. A "public charge" is a non-citizen seeking admission into the U.S. or an adjustment of their existing legal status to legal permanent resident (LPR) and who is or who is likely to become "primarily dependent on the government for subsistence, as demonstrated by either (i) the receipt of public cash assistance for income maintenance or (ii) institutionalization for long-term care at government expense."

USCIS long relied on a [1999 Interim Field Guidance](#) document to assess public charge status. The 1999 guide considered only cash assistance for income maintenance and institutionalization for long-term care at government expense when weighing whether someone was or might become a public charge. In effect, the 1999 guidance meant that public charge mainly applied if more than 50% of someone's income was (or would be) from Temporary Assistance for Needy Families (TANF) or Supplemental Security Income (SSI).

The Trump administration proposed radical changes to the public charge rule on October 10, 2018 (see *Memo, 10/15/18*). After a court order on March 9, 2021, vacated the harmful Trump administration amendments, DHS under the Biden administration [announced](#) that DHS and USCIS would follow the policy in the 1999 Interim Field Guidance (see *Memo, 3/22/21*). Consequently, neither utility assistance, nor assistance provided through the Supplemental Nutrition Assistance Program (SNAP) or Medicaid, nor federal, state, or local housing assistance will be considered when assessing whether someone might be a public charge; nor will other detrimental provisions proposed by the previous administration be considered.

Read the advance version of the proposed rule at: <https://bit.ly/3IbG72I>

Find the USCIC Public Charge website at: <https://www.uscis.gov/public-charge>

Read about public charge on [page 6-55](#) of NLIHC's *2021 Advocates' Guide*.

Follow public charge updates and read more about public charge on the Protecting Immigrant Families (PIF) website at: <https://protectingimmigrantfamilies.org>

Opportunity Starts at Home

New Study Finds Achievement Gap Has Widened during the Pandemic Due to Growing Segregation

A recent [study](#) links growing segregation between low-income Latino families and middle-class white families to a widening achievement gap. The study investigates whether the rising number of Latino students in the U.S. reduces or exacerbates racial and economic segregation over time. The study finds that Latino children were less likely to attend elementary schools with white students in 2015 than they were in 2000 (in part because of growing Latino enrollment) and that only 13% of the nation’s school districts enroll enough Latino and white children to advance integration in schools.

“This is not a school issue or necessarily an educational issue,” said Ana Ponce of Los Angeles advocacy group Great Public Schools Now in a recent article published in the *Los Angeles Times*. “This is an economic issue. This is a systemic issue around living wages, around affordable housing, around access and opportunity for families to be able to live where they would like to live as opposed to where they have to live because of the economic constraints.”

Segregation in schools bears significantly on housing access. According to Gary Orfield, a UCLA professor quoted in the same article, public housing and subsidized housing are “overwhelmingly concentrated in segregated school locations. People are living where they’re living because there was a decision made about where to enable the rental of subsidized housing to happen.”

Read the study [here](#).

Read the *Los Angeles Times* article [here](#).

Research

Report Highlights Discrimination against Black and Latina Women with Children in Online Rental Housing Market

A report published by *Housing Policy Debate*, “[Multidimensional Discrimination in the Online Rental Housing Market: Implications for Families with Young Children](#),” uses an intersectional approach to examine the combined effects of race and ethnicity, family structure, and income source on housing discrimination. The report finds that while each factor on its own can contribute to housing discrimination, a combination of these factors can increase the likelihood of discrimination. For example, Black women and Latinas were less likely to receive positive responses to rental ad inquiries than white women, and single motherhood further decreased the likelihood of receiving a positive response for Black women and Latinas, despite having no effect on response rates for white women.

To conduct their study, the researchers responded to rental ads posted on Craigslist across 31 U.S. cities from October 2017 to May 2019. They posed as prospective female renters and responded to posts for rental units in a manner that signaled their race and ethnicity, parental and marital status, and source of income. Using data

from 4,058 email inquiries to landlords, they evaluated two primary outcomes: the receipt of any response at all from the landlord and the indication of a positive response based on the landlord's willingness to show the unit.

Of the email inquiries sent, 44.8% received a response and 34.1% received a positive response, with differential rates based on race and ethnicity, family structure, and income. Emails that signaled the sender was in possession of a housing choice voucher, for example, received a 40.1% response rate. Of the voucher-related inquiries that received a response, only 23.4% were positive responses while 39% were explicit refusals to rent to the household. The overall response rate for white women was 46.8% and the positive response rate was 35.4%, whereas for Black women the overall response rate was 42.6% and the positive response rate was 34.4%. The response rate for Latinas was not significantly different from white women or Black women.

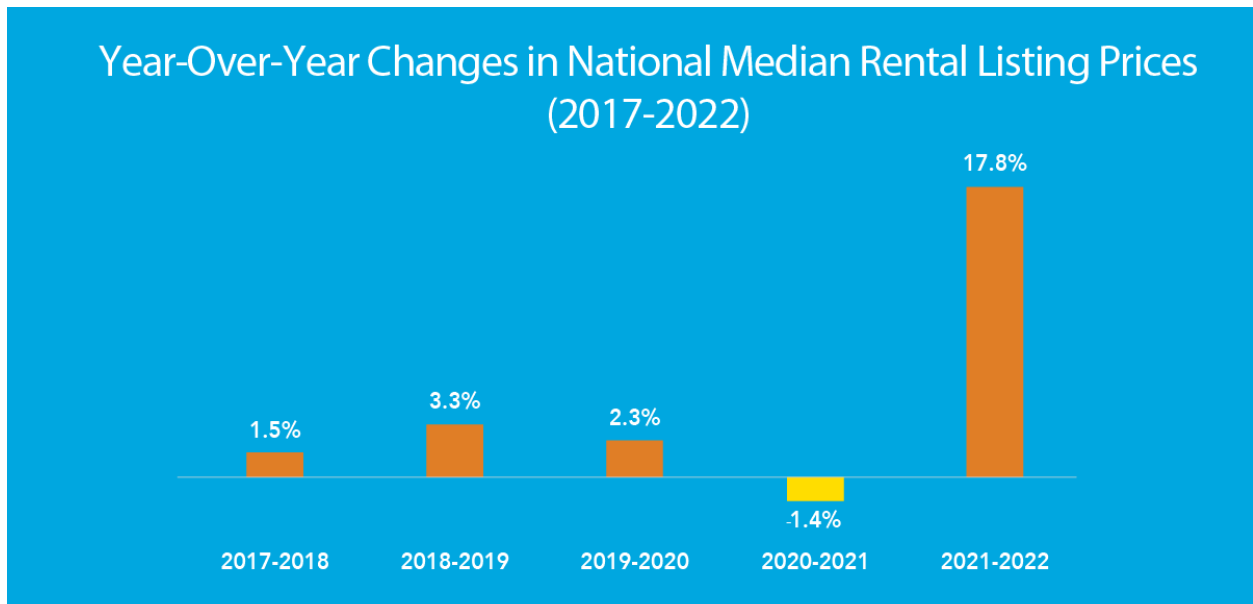
In some cases, belonging to multiple disadvantaged groups further decreased the likelihood of receiving a positive response. For example, mentioning the presence of a child in a household had no impact on the likelihood of receiving a response or a positive response on its own. However, Black women and Latinas who mentioned the presence of a child in their household were less likely to receive a positive response compared to Black and Latina women who did not mention the presence of a child. This held true for Black women and Latinas who signaled they were single mothers, while response rates for white women who signaled they were single mothers were unaffected. The authors note that these findings could have resulted from landlords' negative stereotypes about single motherhood among Black women and Latinas.

The results of the study provide important insights into the challenges faced by women seeking rental housing online. Even so, it should be noted that the results are qualified by significant limitations to the study. Not all sources of disadvantage and advantage were measured, for example, and the researchers were unable to measure the impact of gender bias because they used only female names in their inquiries. Likewise, the study was unable to assess the connections between neighborhoods and discriminatory patterns or whether discrimination differed from one online platform to another.

The report can be accessed at: <https://bit.ly/33wMNcN>

Fact of the Week

Median Rental Prices Jumped Nearly 18% in Last Year



Note: Changes are calculated for median prices in January of each year.
 Source: Apartment List Rent Estimates (2022)
 Data available: <https://www.apartmentlist.com/research/category/data-rent-estimates>



Note: Changes are calculated for median prices in January of each year.
 Source: Apartment List Rent Estimates (2022)
 Data available: <https://www.apartmentlist.com/research/category/data-rent-estimates>

NLIHC Virtual Housing Policy Forum 2022

Join Interactive Session on Anti-Racism, Equity, Diversity, and Inclusion at NLIHC Virtual Housing Policy Forum 2022, March 22-23!

[NLIHC’s Virtual Housing Policy Forum 2022: Achieving Housing Justice](#) – taking place March 22-23 – will feature a variety of interactive sessions with NLIHC experts, including one on **Anti-Racism, Equity, Diversity, and Inclusion**. During this session, led by NLIHC Senior Vice President for Racial Equity, Diversity, and Inclusion Renee Willis, participants will have a unique opportunity to go behind the scenes with NLIHC and our partners to see how we are centering inclusion, diversity, equity, anti-racism, and systems thinking (“IDEAS”) in our work. Attendees will also be introduced to the Rise-Home Stories Project, a group of multimedia storytellers and housing, land, and racial justice advocates who came together to reimagine the future of our communities. The session will explore how the Rise-Home Stories Project used IDEAS to create a body of work made by and for Black and Brown organizers, artists, and audiences. [Register today to attend the Forum here.](#)



Renee Willis, NLIHC

NLIHC experts will offer other interactive sessions on Our Homes, Our Votes 2022; Effective Media/Social Media Strategies and Practices; and Disaster Housing Recovery. The forum will also feature a special address by U.S. Secretary of Housing and Urban Development Marcia L. Fudge, as well as keynote speakers and panels on: Racial Equity and Housing Justice (featuring MacArthur “Genius” award-winning photographer LaToya Ruby Frazier); the HoUsed Campaign for Universal, Stable, Affordable Housing – Progress To-Date and the Road Ahead; Capitol Hill Insiders Panel; Ending Rental Arrears to Stop Evictions; Achieving Renter Protections; Expanding the Multi-Sector Affordable Housing Movement; Best Practices in Organizing; and Discussions with Senior Administration Officials and Members of Congress, including an in-depth conversation between Representative Ritchie Torres (D-NY) and NLIHC President and CEO Diane Yentel.

Forum attendees will also have an opportunity to connect and network with other attendees during a special virtual speed-networking session.

[Register today](#) for the March 22-23, 2022, Virtual Housing Policy Forum!

Leadership Awards Celebration

Donate to NLIHC in Honor of the Congressional Progressive Caucus, Ann O’Hara, & Rep. Ritchie Torres, the 2022 Housing Leadership Awards Honorees

Please contribute to NLIHC in honor of **the Congressional Progressive Caucus, Ann O’Hara, and Representative Ritchie Torres (D-NY)**, NLIHC’s 2022 Housing Leadership Awards honorees. These exceptional leaders will be recognized at NLIHC’s 40th Annual Housing Leadership Awards Celebration, held virtually on Thursday, April 28, for their outstanding contributions to affordable housing for those most in need. Donate to NLIHC in these leaders’ honor as an [individual](#) or as an [organization](#).

2022 HOUSING LEADERSHIP AWARDS CELEBRATION

HONOREES



**CONGRESSIONAL
PROGRESSIVE CAUCUS**
EDWARD W. BROOKE HOUSING
LEADERSHIP AWARD



ANN O'HARA
CUSHING NILES DOLBEARE
LIFETIME SERVICE AWARD



**REPRESENTATIVE
RITCHIE TORRES (D-NY)**
SHEILA CROWLEY
HOUSING JUSTICE AWARD



The 2022 Edward W. Brooke Housing Leadership Award will be presented to the **Congressional Progressive Caucus** for its exceptional commitment to advancing historic affordable housing investments to address homelessness and housing poverty in the U.S. This award is named for Senator Edward Brooke (R-MA), who as a U.S. senator and later as chair of the NLIHC board of directors championed low-income housing. Representative Pramila Jayapal (D-WA), chair of the caucus, is invited to accept the award on behalf of the entire caucus.



The Congressional Progressive Caucus

The Dolbeare Lifetime Service Award, named for NLIHC's founder Cushing Niles Dolbeare, a pioneer of the affordable housing movement, will be awarded to **Ann O'Hara** for her decades of advocacy for quality, accessible, affordable homes for extremely low-income households as a public housing authority director, Section 8 administrator, state housing official, founder and associate director of the Technical Assistance Collaborative (TAC), and NLIHC board member.



Ann O'Hara

Representative Ritchie Torres (D-NY) will receive the Sheila Crowley Housing Justice Award for his outstanding leadership in elevating the need for historic affordable housing investments for people with the lowest incomes in 2021. This award is named after former NLIHC President and CEO Sheila Crowley, who led NLIHC for more than 17 years.



Representative Ritchie Torres (D-NY)

Recognize these outstanding leaders by donating to NLIHC in their honor!

Donate and learn more about the event at: <https://bit.ly/LEADERS22>

Or text LEADERSHIP to 41444 to donate in honor of the awardees.

Your donation will be recognized in the Leadership Awards Celebration program, and your contribution will support NLIHC's mission to achieve racially and socially equitable public policy that ensures people with the lowest incomes have quality homes that are accessible and affordable in communities of their choice. Information about registering for the Housing Leadership Awards Celebration will be forthcoming.

Updates will be posted on the event page at: <https://bit.ly/LEADERS22>

NLIHC Careers

NLIHC in the News

NLIHC in the News for the Week of February 13

The following are some of the news stories that NLIHC contributed to during the week of February 13:

- “Housing crisis: Some lawmakers want rent control, others argue it's not the right solution” *CBS News*, February 14 at: <https://bit.ly/33vWTur>
 - “How COVID-19 keeps a tight grip on the working poor” *ABC News*, February 18 at: <https://abcn.ws/3I226sV>
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NLIHC News

Where to Find Us – February 22

NLIHC President and CEO Diane Yentel and other NLIHC staff will be speaking at the following events in the coming months:

- [Brookings Institution Panel, “The Path Forward for Housing Finance,”](#) Virtual, February 23
 - [Georgia ACT Virtual Housing Day at the Capitol,](#) Virtual, February 23
 - [National Organization for Women \(NOW\) Racial Justice Summit,](#) Virtual, February 23
 - ORIX Corporation Black History Month Event, Virtual, February 24
 - [USC Price Center Social Innovation Summit on Housing Stability,](#) Virtual, April 13
 - [Connecticut Coalition to End Homelessness 19th Annual Training Institute,](#) Virtual, May 11
 - [St. Ambrose University School of Social Work 24th Annual Social Justice Conference,](#) Davenport, IA, May 19
 - [Princeton Community Housing Gala,](#) Princeton, NJ, September 24
-

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Sidney Betancourt, Housing Advocacy Organizer, x200
Jordan Brown, Research Intern
Victoria Bourret, ERASE Project Coordinator x244
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Dan Emmanuel, Senior Research Analyst, x316
Ed Gramlich, Senior Advisor, x314
Sarah Gallagher, Senior Project Director, ERASE, x220

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Paul Kealey, Chief Operating Officer, x232
Mike Koprowski, Director, Multisector Housing Campaign, x317
Joseph Lindstrom, Director, Field Organizing, x222
Mayerline Louis-Juste, Senior Communications Specialist, x201
Steve Moore Sanchez, Development Coordinator
Khara Norris, Senior Director of Administration, x242
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Ikra Rafi, Creative Services Manager, x246
Betty Ramirez, Research Analyst, x202
Gabrielle Ross, Housing Advocacy Organizer
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Brooke Schipporeit, Housing Advocacy Organizer, x233
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Jade Vasquez, ERASE Project Coordinator, x264
Maya Ward-Caldwell, Fund Development Intern
Chantelle Wilkinson, Housing Campaign Manager, x230
Renee Willis, SVP for Racial Equity, Diversity, and Inclusion, x247
Rebecca Yae, Senior Research Analyst–COVID-19 Response, x256
Diane Yentel, President and CEO, x225