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Coronavirus: Take Action

Renters Can’t Wait! Tell Congress to Fund #RentReliefNow in Next COVID-19 Relief Package!

We need #RentReliefNow! Between 19 and 23 million renters may be evicted due to the pandemic and its economic fallout. The eviction moratoriums on federally backed apartments expired on July 24, statewide protections are quickly ending, and the August rent is already past-due. Additionally, people experiencing homelessness are at high risk of contracting the virus, becoming very ill or dying, and potentially spreading COVID-19. Renters and people experiencing homelessness cannot wait. Contact your members of Congress TODAY and tell them that it is unconscionable and unacceptable to allow people to remain unhoused or to lose their homes during this pandemic!

Take Action Today

1. **Contact your senators and representative today** and tell them that the Senate proposal is unacceptable and that Congress must pass the essential housing provisions of the HEROES Act. Find the phone numbers of your members of Congress [here](#) or [send an email](#)!
2. Use NLIHC’s *Advocacy Toolkit* to urge Congress to take immediate action to ensure housing stability.
3. Call out the need for #RentReliefNow on social media, using our sample [social media posts and images](#). Tag your member of Congress and demand action!
4. Publish op-eds and letters to the editor in your local papers using NLIHC’s [media toolkit](#).

Background

While the Senate Republican [proposal](#) for the next coronavirus relief package would do next to nothing to stem the tide of evictions that has already begun, your advocacy is having an impact. Democratic leaders are continuing to focus on the threat of evictions and prioritize solutions to keep people housed, and in our meetings with Hill staff we are hearing from more Republican members of Congress about the need for emergency rental assistance. President Trump even called for a short-term extension of the federal eviction moratoriums, and while this is insufficient, his statement marks the first time the president has acknowledged the looming eviction crisis. Policymakers are feeling pressure to act.

We are making progress, but much work still lies ahead of us to ensure that renters with the lowest incomes and people experiencing homelessness are protected!

Congress must pass essential housing and homelessness protections in the HEROES Act, including NLIHC’s top priorities: a national, uniform moratorium on all evictions for nonpayment of rent; $100 billion in emergency rental assistance through the “Emergency Rental Assistance and Rental Market Stabilization Act;” $11.5 billion to help address the health and housing needs of people experiencing homelessness; and at least $13 billion in additional resources to ensure housing stability.

**Contact your members of Congress now!**

Thank you for your essential advocacy.
Coronavirus, Homelessness, and Housing

Hear the Latest on Next COVID-19 Relief Package on Today’s National Call on Coronavirus, Housing, and Homelessness

Join today’s (August 3) national call on coronavirus, housing, and homelessness at 2:30-4 pm ET to hear Senator Mazie Hirono (D-HI) discuss the state of play in Congress on the next coronavirus relief package and what advocates need to do now to ensure the essential housing and homelessness components in the House-passed “HEROES Act” and “Emergency Housing Protections and Relief Act” are included. We will also hear what national advocacy leaders are doing to mobilize and influence members of Congress for #RentReliefNow, receive updates from the field, and more.

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

See the full agenda here.

Join Today’s Tenant Talk Live Webinar on Leveraging Resident Management Councils

Join resident leaders and NLIHC staff for today’s Tenant Talk Live webinar to discuss how residents can leverage the power of Resident Management Councils (RMCs). The webinar will also provide updates on the impacts of the coronavirus pandemic and how residents can advocate for needed resources and other protections for people experiencing homelessness and low-income renters. This Tenant Talk Live—a bimonthly call/webinar with resident leaders from across the country—will take place today (August 3) 6 pm ET (5 pm CT, 4 pm MT, 3 pm PT). Register at: https://bit.ly/3dNekGP

Motivation, Inc.’s Keith Swiney will discuss how RMCs can leverage their power toward fee management of the new rehabbed properties and beyond. Mr. Swiney believes the RMC is the single most powerful resident tool for controlling activities, and, when married with the 24 CFR 963 Alternative Procurement Method, residents are unstoppable.

J. Keith Swiney

The most recent episode of Tenant Talk Live included a presentation by NLIHC staff on how to enhance your advocacy through social media and better engage with other low-income resident leaders. Here is the recording: https://youtu.be/beQ51S4zQ3Q
Tenant Talk Live provides opportunities for residents to connect with NLIHC and one another, share best practices, and learn how to be more involved in influencing federal housing policies and to lead in their community.

NLIHC is committed to connecting and engaging with resident leaders in new, more robust ways. If you are a low-income resident and have a topic you would like to propose for peer-sharing or if you want to be a speaker on an upcoming call/webinar, please email us at: karbuckle@nlihc.org

Register for Tenant Talk Live at: https://bit.ly/3dNekGP

Negotiations Over COVID-19 Relief Package Continue

After Senate Republicans released on July 27 a coronavirus relief package that would do “next to nothing” to avoid the increased threat of evictions and homelessness during the pandemic, congressional leaders and Trump administration officials began formal meetings to negotiate a final bill. After several days of impasse, Treasury Secretary Steven Mnuchin, White House Chief of Staff Mark Meadows, House Speaker Nancy Pelosi (D-CA) and Senate Minority Leader Chuck Schumer (D-NY) reported weekend meetings had resulted in limited, but promising, progress.

Congress may reach an agreement on the COVID-19 relief package as soon as this week, as both House and Senate leadership have expressed interest in reaching a deal before members of Congress may leave for August Recess. While Republicans and Democrats are far apart on the contours of the relief package, there is widespread interest in reaching a bipartisan agreement. Advocates should contact their members of Congress today and continue to press them to include robust housing and homelessness protections in the final package.

Adding to the pressure to reach a deal is the expiration of the expanded unemployment benefits on July 31 and the federal eviction moratorium on July 24, which has left millions of renters at risk of eviction and, in worst cases, homelessness. Evictions risk lives, further burden overstretched hospital systems, and make it much more difficult for the country to contain the virus. The stakes couldn’t be higher during this public health crisis: Ensuring that everyone is stably housed during and after the COVID-19 pandemic is not only a moral imperative – it is a public health necessity.

NLIHC is already seeing that your advocacy is having an impact. Democratic leaders are continuing to focus on the threat of evictions, and in our meetings with Hill staff, we are hearing from more Republican members of Congress about the need for emergency rental assistance. President Trump even called for a short-term extension of the federal eviction moratoriums, and while this is insufficient, his statement marks the first time the president has acknowledged the looming eviction crisis.

Congress must critical housing and homelessness resources and protections in the HEROES Act, including NLIHC’s top priorities: a national, uniform moratorium on all evictions for nonpayment of rent; $100 billion in emergency rental assistance through the “Emergency Rental Assistance and Rental Market Stabilization Act;” $11.5 billion to help address the health and housing needs of people experiencing homelessness; and at least $13 billion in additional resources to ensure housing stability.

Coronavirus – HUD

HUD’s Office of Community Planning and Development Posts Additional Guidance on Duplication of Benefits
HUD’s Office of Community Planning and Development (CPD) posted on July 29 a Memorandum and two attachments providing additional guidance on preventing “Duplication of Benefits” (DOB) when using the $5 billion supplemental Community Development Block Grant funds (CDBG-CV) provided by the CARES Act. The Memorandum from CPD Acting Assistant Secretary John Gibbs dated July 13, indicates that it is the first in a series of resources that CPD intends to make available to help CDBG grantees (cities, counties, and states) prevent DOB. CPD had previously posted “CDBG COVID-19 Fact Sheet” on July 16 that contained significant DOB guidance (see Memo, 7/20).

One of the attachments, “CARES Act Programs through SBA, FEMA, IRS, Treasury, USDA, and HHS for CDBG Grantee Awareness for Duplication of Benefits,” summarizes other federal coronavirus-related resources (primarily those funded under the CARES Act), such as Federal Emergency Management Agency (FEMA) funds and the $150 billion Coronavirus Relief Fund (CRF) administered by the Department of the Treasury. The other attachment, “Summary of Primary CDBG Activity Categories to Support Coronavirus,” is designed primarily for entities and individuals unfamiliar with the CDBG program. The summary explains the range of possible uses of CDBG-CV funds. Absent from this summary is an indication that CDBG may be used to make emergency rent, utilities, and mortgage payments for up to three consecutive months. CPD has known from the earliest days of the pandemic that advocates and many grantees have wanted to use CDBG-CV for emergency rental assistance. Q13 of the “CDBG COVID-19 Fact Sheet,” however, reaffirms that using CDBG-CV as well as FY19 and FY20 regular CDBG funds for emergency rental assistance is an eligible activity (see Memo, 7/20).

The CARES Act requires HUD to ensure adequate procedures are in place to prevent any DOB as required by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Consequently, CPD requires grantees to have procedures to prevent duplication of benefits when it provides financial assistance with CDBG-CV funds. In short, DOB means that the federal assistance has not or will not be paid by another source and that the assistance does not exceed the need for assistance. The Memorandum clarifies that private, unsubsidized loans are not generally considered when assessing DOB.

Because a grantee may need more than one funding source for an activity to meet all local needs, CPD writes that grantees may provide CDBG-CV assistance to meet needs that remain after considering other financial assistance for an activity. CPD urges grantees to strategically consider the appropriate uses of available funding sources as well as the timing of the availability of various sources for the same or similar purposes.

The Memorandum closes by stating that CPD will provide more specific information about how to comply with DOB, beginning with a webinar for all CDBG-CV grantees covering the resources in the attachments. Following this webinar, CPD will release additional technical assistance in the form of Frequently Asked Questions (FAQs), follow-up webinars, and other resources covering the process of preventing DOB. One planned resource will be for grantee decision-makers and staff. NLIHC has requested to be added to the webinars for grantees so that NLIHC can pass along to Memo readers and other advocates the guidance provided to grantees.

The CPD Memorandum is at: https://bit.ly/311Ez7c

“CARES Act Programs through SBA, FEMA, IRS, Treasury, USDA, and HHS for CDBG Grantee Awareness for Duplication of Benefits” is at: https://bit.ly/2CToUz0

“Summary of Primary CDBG Activity Categories to Support Coronavirus” is at: https://bit.ly/308pm5c

“CDBG COVID-19 Fact Sheet” is at: https://bit.ly/30dezqt

More information about CDBG is on page 8-3 of NLIHC’s 2020 Advocates’ Guide.
HUD’s Office of Multifamily Housing Announces Availability of CARES Act Funds to Offset Coronavirus Expenditures

HUD’s Office of Multifamily Housing Programs (Multifamily) posted Notice H 20-08 on July 23, announcing the availability of “COVID-19 Supplemental Payments” (CSP) for Section 8, Section 202, and Section 811 properties to prevent, prepare for, and respond to the coronavirus. Multifamily is making up to $190 million available for Section 8 properties, $25 million for Section 202 Housing for the Elderly properties, and $9 million for Section 811 Housing for Persons with Disabilities properties. The supplemental funding is from the supplemental funding Congress appropriated through the CARES Act, $1 billion for the Project-Based Rental Assistance program (PBRA), $50 million for Section 202, and $15 million for Section 811 (see Memo, 3/30).

Property owners only have until August 5 to apply for CSP funds.

A majority of CARES Act funding for Section 8 PBRA (see Memo, 6/8), along with smaller portions of Section 202 and Section 811 CARES Act funding, are being used to offset decreased tenant rent payments as tenants have experienced reduced or lost income due to the coronavirus pandemic. As a tenant’s income decreases the tenant may request an interim income recertification which lowers the tenant’s rent obligation.

Multifamily is making CSP available to offset the additional costs property owners are incurring to maintain their properties in decent, safe, and sanitary condition when they have reason to believe that COVID-19, the disease resulting from coronavirus, is or may be present in the property. Notice H 20-08 lists examples of eligible activities and purchases for which costs may be reimbursed by CSP:

- Increased cleaning and disinfecting common areas and property management offices as a preventative measure.
- Intensive deep cleaning and sanitization services in response to the presence of COVID-19 cases at a property, which may include treatment in units being prepared for re-occupancy.
- Office technology and other equipment needs to facilitate social distancing.
- Personal protective equipment (PPE) such as face masks and goggles, gloves, hand hygiene products for use by staff and for residents entering leasing offices or using common areas.
- Facility and equipment related to maintaining adequate social distancing, such as installing cough/sneeze barriers or modifying or limiting access to communal spaces.
- Site control measures to enforce orders to shelter-in-place, stay-at-home orders, or visitor-restriction policies.
- Temporary staffing, contract services, and/or supply expenditures to maintain or improve on-going service coordination in properties designated to serve elderly people or people with disabilities.
- Temporary staffing increases to process higher-than-normal volumes of interim income recertifications requested by tenants due to loss of income.

Multifamily will reimburse costs incurred between March 27 and July 31. Costs for purchases of bulk supplies (such as PPE and sanitizer) may, however, reflect inventory purchased during the eligible timeframe that can reasonably be expected to be used by September 30.

Multifamily will have two categories of CSP payments, each with separate pools of CSP funds. Tier I Standard Payments will reimburse costs up to a capped amount, based on a formula that considers property size, whether the property has a service coordinator funded from HUD rent receipts, and whether the property’s rental assistance contract or other controlling documents specify that the property house elderly residents.

Owners may request larger sums under Tier II Exceptional Cost Payments to address cost increases associated with responding to reported COVID-19 outbreaks among property residents or in response to extensive community exposure that creates a greater threat to residents’ health and safety within the property. There is no cap on Tier II payments.
Coronavirus – Resources

New Matrix Released to Accompany Framework for an Equitable COVID-19 Homelessness Response

Partners leading the work on the Framework for an Equitable COVID-19 Homelessness Response released the At-A-Glance Matrix to provide guidance on how communities can prioritize their use of CARES Act resources to address the needs of people experiencing homelessness during the coronavirus pandemic.

The At-a-Glance Matrix and accompanying video builds on the Framework by helping communities decide how to strategically sequence CARES Act resources to meet the urgent needs of people experiencing homelessness and prioritize racial equity in their decision making. The Matrix is organized around a set of questions to help identify the most urgent needs of people experiencing homelessness and how CARES Act resources can be strategically layered to meet those needs. The guidance also suggests ways funding can be used to address longer-term solutions to homelessness and homelessness prevention for extremely low-income households.

Partners will continue releasing new resources to help communities build an equitable response to the coronavirus pandemic.

View the At-a-Glance Matrix at: https://tinyurl.com/y5mx7kga

Watch the accompanying video at: https://tinyurl.com/y5p7wt77

Download the Framework for an Equitable COVID-19 Homelessness Response at: https://tinyurl.com/y93zhpow

Coronavirus – Other

Additional Coronavirus Updates - Monday, August 3, 2020

National Updates

Congress

Representatives Adriano Espaillat (D-NY) and Jesús “Chuy” García (D-IL), along with 41 of their colleagues sent a letter to Congressional leaders urging them to include $100 billion for emergency rental assistance in the next coronavirus relief package.
Representatives Rosa DeLauro (D-CT) and Joe Kennedy III (D-MA) on July 23 introduced the “We Need Eviction Data Now Act of 2020” (H.R. 7743), which would create a national database to standardize data and track evictions. “Our nation is on the cusp of a tsunami of evictions and homelessness unless Congress acts to provide emergency rental assistance and other protections” said NLIHC President and CEO Diane Yentel. “This impending eviction crisis underscores the critical need for the ‘We Need Eviction Now Act.”

Congresswoman Maxine Waters (D-CA), Chairwoman of the House Committee on Financial Services, released a statement on the Senate Republicans’ HEALS Act: “I remain focused on the emergency need to provide housing relief...Any legislative compromise with the Senate on coronavirus legislation must make housing relief a priority and must not include giveaways to Wall Street.”

FEMA

FEMA announced on July 26 that federal disaster assistance has been made available to Texas to supplement state and local recovery efforts in the areas affected by Hurricane Hanna. The agency had announced on July 25 that assistance has been made available to Hawaii in the areas affected by Hurricane Douglas.

Advocacy

The NLIHC-led Disaster Housing Recovery Coalition continues to advocate for a broad array of resources and protections, including emergency rental assistance and eviction prevention assistance, a national moratorium on evictions and foreclosures, and emergency funds for homelessness service providers, housing authorities, and housing providers, among other recommendations. For more information, see DHRC’s full list of recommendations.

The Opportunity Starts at Home campaign released a statement on Senate Republicans’ proposed relief package.

NLIHC Vice President of Public Policy Sarah Saadian joined Shamus Roller, executive director of the National Housing Law Project, and Representatives Rosa DeLauro (D-CT) and Joe Kennedy III (D-MA) for a Facebook Live discussion on what actions are needed to prevent a wave of evictions.

The Terner Center partnered with the National Association of Hispanic Real Estate Professionals to conduct a survey of its membership, which disproportionately owns or manages small, often more affordable rental properties. The survey findings highlight the impact of the pandemic on small landlords. The majority of respondents, more than 80% of who own or manage buildings with fewer than 20 units, reported a decrease in rental income compared to the first quarter of the year. One in four landlords have borrowed funds to make ends meet, and almost 40% lack confidence in their ability to make ends meet over the next 90 days.

The Center for American Progress released a report examining how the premature lifting of pandemic restrictions strains emergency housing and homelessness efforts and will exacerbate evictions, foreclosures, and the country’s decades-old housing and homelessness crises.

The Center on Budget and Policy Priorities released a report on the severe consequences the COVID-19 pandemic and subsequent economic fallout are having on those with the fewest resources. Policymakers must include comprehensive housing assistance in the next relief package, prioritizing aid for people with the most severe housing needs.

Reporting

NLIHC President and CEO Diane Yentel discussed the urgent need for emergency rental assistance and a national, uniform eviction moratorium on ABC7 News. Watch a clip here.
Politico reports on how cities across the country are bracing for a surge of evictions as the federal eviction moratorium expired on July 24 at midnight. “If the federal ban is not extended,” said NLIHC’s Diane Yentel, “if the state and local eviction moratoriums that are scheduled to expire in the coming weeks do, and if no emergency rental assistance is provided, then from the end of August through fall, millions of Americans will be evicted from their homes.”

Marketplace examines harmful long-term outcomes of eviction filings. “There’s this spiraling down into poverty that can happen from just one eviction filing,” said Diane Yentel.

Diane Yentel spoke with CBS News about the expected wave of evictions in the coming months. About 13 million people could face eviction as a result of the expiration of the federal eviction moratorium.

CNBC reports on the Senate Republican proposal for the next relief package, noting that it does not include an extension of the federal eviction moratorium or adequate housing relief. The article cited Diane Yentel’s statement about the proposal: “This funding is a drop in an ocean of need among unsubsidized renters and people experiencing homelessness.”

HuffPost calls attention to the millions of people in America who will be unable to pay rent this Saturday, August 1. If Congress does not intervene, millions of Americans will be evicted in the coming months. “The looming eviction crisis is both completely predictable and entirely preventable,” said Diane Yentel.

“We’re going to work on the eviction, so that people don’t get evicted...We ought to stop evictions because that expires very soon,” said President Trump, according to Jeff Stein of the Washington Post. The federal eviction moratorium expired last Friday, July 24. Then, White House economic adviser Larry Kudlow on July 26 unexpectedly told CNN’s Jake Tapper that the Trump administration will extend the federal eviction moratorium that expired on July 24. Time also reported on Kudlow’s announcement that the administration would extend the moratorium.

CNBC posted an article outlining what people can do if they are facing eviction now that the federal eviction moratorium has expired.

The Washington Post reports that President Trump called for an extension of the eviction moratorium, despite the Senate Republicans excluding it from their proposal.

Reuters reports that U.S. renters owe $21.5 billion in back rent. Making matters worse, the federal eviction moratorium expired on July 24, and the supplemental unemployment benefits expire on July 31. Senate Republicans proposed a plan on July 27 that did not mention housing, evictions, or reinstating the eviction moratorium.

CNBC reports that 40 million Americans may be evicted as a result of the pandemic - four times the amount seen during the Great Recession. Despite record high unemployment levels and growing coronavirus cases, the federal eviction moratorium expired and statewide eviction moratoriums in more than 30 states have lifted.

The New York Times editorial board writes about Senate Republicans’ failure to intervene and protect millions of Americans from losing critical federal aid. Almost 40 million people in America expect not to be able to pay their next rent or mortgage payment, and nearly 30 million people reported that they did not have enough to eat during the week ending July 21.

An article in the Conversation examines why our country’s landlord-leaning eviction court process will exacerbate the impending COVID-19 eviction crisis.

An opinion piece in the Washington Post examines the adverse impacts that eviction has on children’s educational outcomes, cognitive development, and health. The author makes the case that if we are concerned about keeping students safe and educational equity, we must prioritize eviction prevention.
CNBC examines how the impending eviction crisis will harm some states more than others and highlighted that Black and Latino tenants are especially at risk of eviction.

The coronavirus pandemic is exacerbating inequities across the country, especially in housing. According to the Washington Post, the affluent are taking advantage of the least expensive mortgage rates in history to buy bigger homes, while renters are facing significant job losses and growing threats of eviction.

Forbes reports that after the federal eviction moratorium expired on July 24, mass evictions are set to begin, and communities of color will be most impacted. Senate Republicans are expected to unveil their proposal for the next COVID-19 relief package, and if eviction and housing protections are not included, a surge of evictions and rise in homelessness will shatter communities across the country.

An op-ed in the Hill makes a case for why the Senate and the president must immediately enact the rental assistance and nationwide eviction moratorium included in the House-passed HEROES Act.

24/7 Wall St. used U.S. Census Survey data to track which areas in the country are most struggling to pay rent or mortgage during the coronavirus pandemic. The analysis found that in some parts of the country, less than 15% of adults are missing, or will likely soon miss, a rent or mortgage payment. In other parts of the country, more than one-third of adults cannot afford their housing payments.

USA Today discusses 24/7 Wall St.’s report on which states have the largest share of the population struggling to pay rent or mortgage, and highlighted the finding that many of the states where the largest portions of adults cannot afford to make housing payments are also some of the poorest states.

CBS News reports on the millions of Americans that are facing homelessness after the federal eviction moratorium expired on July 24 at midnight.

**State and Local News**

A list of state and local emergency rental assistance programs is available here from NLIHC.

**Alabama**

After Governor Kay Ivey allowed the statewide eviction moratorium to expire on June 1, up to 48% of Alabama renters are in danger of losing their homes due to the pandemic’s economic fallout.

Alabama Arise released a statement on the Senate Republicans’ proposal for the next COVID-19 relief package. The statement outlines why the plan falls short of meeting the needs of low-income renters and urges Congress to include emergency rent and mortgage assistance in the next package.

**Arizona**

Researchers with the University of Arizona are urging the state to prepare for a sharp rise in homelessness. If unemployment continues to rise in Arizona, the state will have to take drastic steps to prevent a massive rise in homelessness. The report estimates that if unemployment rises to 25%, homelessness will increase by 42%.

**California**

Despite state and federal eviction protections, some California tenants have faced increasingly aggressive eviction tactics over the last month. The state’s judiciary council announced that it is considering rescinding its eviction ban. Advocates continue to urge officials to intervene to prevent hundreds of thousands of California renters from being evicted.

San Francisco Mayor London Breed extended the city’s eviction moratorium through August 31.
In an attempt to close a $1.5 billion deficit, San Francisco Mayor London Breed is expected to present a two-year city budget. Budgets for the Department of Homelessness and Supportive Housing and the Mayor’s Office of Housing and Community Development are expected to decrease by 10-15%. A group of San Francisco homeless service providers asked Mayor Breed on July 27 for more than $42.5 million to fund housing subsidies, a job training program, and other programs for people experiencing homelessness.

As its eviction moratorium end, San Diego County faces a looming eviction crisis. The Legal Aid Society of San Diego warns that the $15.1 million in CARES Act funds that the San Diego City Council allocated to emergency rental assistance in June is insufficient to meet the needs of San Diego’s renters.

Approximately 365,000 Los Angeles households could be at risk of eviction if California’s eviction moratorium expires next month. California Supreme Court Chief Justice Tani Cantil-Sakauye announced on July 24 that the Council will soon consider rescinding the current tenant protections put in place during the COVID-19 pandemic. The decree could expire as soon as August 14.

Colorado

Governor Jared Polis allowed Colorado’s temporary eviction ban to expire. Since July 1, the Denver Sheriff Department has received 139 eviction orders from the court, and about 65 of those have been carried out so far.

Colorado State Patrol troopers, Denver police, and other city workers swept a large encampment out of Lincoln Park on July 29. The sweep occurred less than a week after the city permitted the Colorado State Patrol to enforce several ordinances, including the urban camping ban, on state property in Denver. The encampment in Lincoln Park is one of several around Denver that have grown during the pandemic, and an estimated 1,350 people are now camping out in the city.

The Denver Post spoke with Colorado tenants facing eviction as federal unemployment benefits ended, unemployment is at near-record levels, and Governor Jared Polis let the state eviction moratorium lapse.

Connecticut

Connecticut housing advocates say that $10 million allocated for a temporary rental assistance program is insufficient to meet the overwhelming need. The Connecticut Fair Housing Center estimates that the state will need between $100-150 million to assist everyone facing eviction and homelessness.

Florida

Governor Ron DeSantis on July 29 extended the statewide eviction moratorium through September 1.

The Sun Sentinel reports that 749,000 million Florida households could be at risk of eviction over the next four months. The state’s eviction laws significantly favor landlords, meaning that tenants who attempt to fight their evictions face an uphill battle.

Advocates are preparing for a potential tsunami of evictions in the coming weeks if Governor Ron DeSantis allows Florida’s eviction moratorium to expire on August 1.

Hawaii

Governor David Ige vetoed a spending plan that would have added $100 in state weekly unemployment benefits and a $100 million spending plan for housing and rental assistance, arguing that $50 million is enough to launch a rent relief program by the end of the year.

Idaho
A letter to the editor in the *Idaho Statesman* urges Senators James Risch (R-ID) and Mike Crapo (R-ID) to support $100 billion in emergency rental assistance and a national eviction moratorium in the next coronavirus relief package.

**Illinois**

Chicago Mayor Lori Lightfoot on July 27 announced an expanded Housing Assistance Grant program and a new online portal to help people adversely impacted by the pandemic’s economic fallout. The new round of aid includes more than $33 million in rental assistance and eviction counseling. Of the total amount, $20 million will be from the state’s allocation of the Coronavirus Relief Fund.

Connections for the Homeless has placed more than 200 individuals experiencing homelessness, including about 50 children, in an Evanston hotel during the pandemic. The organization has added a 27-person Coronavirus Response Team to provide critical services, such as moving people temporarily residing in the hotel into permanent housing. Connections for the Homeless has helped move 30 people into permanent housing since March.

**Indiana**

Governor Eric Holcomb on July 29 extended the eviction and foreclosure moratorium until August 14. The moratorium had been set to expire on July 31.

Indiana has received over 20,000 applications for the state’s CARES Act Rental Assistance Program, maxing out the current capacity. Indiana has allocated $25 million in CARES Act funding, which is expected to assist approximately 12,000 households.

Indianapolis’ rental assistance program has distributed $3.5 million so far. The program launched on July 13 and suspended applications one week later after receiving more than 10,000 requests. The program and its partners are processing between 400 and 500 completed applications per day.

A group of Indiana landlords filed a lawsuit against Governor Eric Holcomb regarding the state’s eviction ban, which is set to expire at the end of July. Prosperity Indiana, an NLIHC state partner, says that if Governor Holcomb does not extend the moratorium, the state would undo the progress it has made to provide a measure of housing stability to over 258,000 Hoosiers impacted by the pandemic.

Indiana advocates are concerned about a rise in homelessness as a result of the pandemic and are calling on city leaders to provide shelter and services to people experiencing homelessness. On July 27, the City of Indianapolis announced a plan to provide housing and health services to residents experiencing homelessness.

**Iowa**

The *Des Moines Register* reports that as COVID-19 cases rise, so does the number of Iowans facing eviction—sometimes in violation of federal eviction protections. According to Iowa Legal Aid, 22 eviction judgments issued in Polk County small claims court from July 13-17 included filings that violated either the CARES Act or Iowa’s statewide eviction moratorium.

**Kentucky**

Advocates warn that Kentucky will face a surge of evictions if Governor Andy Beshear’s protections expire. The pre-pandemic affordable housing shortage is exacerbating the eviction crisis for low-income renters in Kentucky. “Before, they were one financial crisis or financial shock away from falling behind on their rent and being evicted from their homes,” said Sarah Saadian, NLIHC’s vice president of public policy. “For many people, this pandemic is going to be that precipitating event because they’re seeing the decline in their wages or they lose their job.”
Housing advocates in Kentucky are urging Governor Andy Beshear to extend the eviction moratorium, pointing to data that suggests more than 1,500 renters in Lexington—and more than 220,000 renters statewide—are at risk of eviction.

A court-ordered mediation on July 30 involving Governor Andy Beshear might determine when evictions resume in Kentucky. In March, Governor Beshear implemented an indefinite suspension of evictions for nonpayment of rent. On July 27, however, the Kentucky Supreme Court issued an order saying that courts will accept eviction filings once again on August 1.

Louisiana

Hundreds of protesters demanding a halt to evictions blocked the entrances to the building that houses the main eviction court for the East Bank of New Orleans on July 30. The protest, organized by the New Orleans Renters Rights Assembly, called on officials to stop all court evictions or provide adequate rental assistance.

Louisiana faced a significant affordable housing crisis before the pandemic, and advocates are concerned about a potential wave of evictions and rise in homelessness. The Louisiana Housing Corporation’s rental assistance program was suspended after four days due to receiving an overwhelming number of applications. Housing Louisiana estimates that at least $250 million is needed to help tenants stay stably housed.

New Orleans' COVID-19 Rental Assistance Program began accepting applications on July 27. Funding is limited and will only be available for members of the Centers for Disease Control and Prevention designated vulnerable populations.

Maryland

ABC7 News interviewed NLIHC President and CEO Diane Yentel about the looming eviction crisis and the steps Congress must take to prevent this catastrophe. Nearly 300,000 Maryland households cannot pay rent right now and are at risk of eviction. Fair housing advocates and lawmakers have urged Governor Larry Hogan to extend the state’s eviction moratorium.

The Maryland Senate Judicial Proceedings Committee’s workgroup on COVID-19 and housing released a report with their findings and recommendations to prevent evictions. The recommendations include extending the moratoriums on evictions and utility shutoffs, providing robust funding for rental assistance, and supporting the right to legal counsel in eviction cases.

According to recent estimates from Stout, approximately 292,000 Maryland households are unable to pay rent and at risk of eviction. This could translate into about 192,000 eviction filings into Maryland courts over the next four months.

Maryland Attorney General Brian Frosh asked the state’s chief judges to extend the statewide eviction moratorium, which expired on July 25, until January 31. “Many Marylanders were struggling to pay housing and other expenses before the COVID-19 crisis, and the pandemic has exacerbated these difficulties exponentially,” wrote Attorney General Frosh.

The Montgomery County Council approved on July 28, Montgomery County Executive Marc Elrich’s proposal to provide an additional $20 million in Coronavirus Relief Funds for rental assistance.

Massachusetts

After Massachusetts’ eviction moratorium was extended through mid-October, Superior Court Judge Paul Wilson heard arguments on July 30 in a lawsuit filed by two Massachusetts landlords to end the moratorium.
A coalition of 10 housing advocacy groups in Boston made a final effort on July 27 to urge lawmakers to lift the ban on rent control, extend the COVID-19 eviction moratorium, and approve four other progressive housing amendments.

Missouri

Housing advocates in Kansas City are bracing for a massive eviction and homelessness crisis after the federal eviction moratorium expired and the expanded unemployment benefits expire on July 31. A statewide survey found that at least 48% of Missouri renters are at risk of losing their homes.

Nebraska

The Nebraska legislature rejected an attempt by Lincoln Senator Adam Morfeld to enact an eviction moratorium. Morfield attempted to attach an amendment to a housing bill that would enact an eviction moratorium during a public health emergency, such as COVID-19, but it failed on a largely partisan vote.

Nevada

Since Nevada’s CARES Housing Assistance Program launched on July 25, a total of 3,085 statewide applications have been submitted. The program is expected to cover a total of 25,000 months of missed rent payments.

New Hampshire

Concord city officials discussed removing homeless encampments at a Public Safety Board meeting on July 27. One councilor suggested that Concord develop temporary housing options to address homelessness in the area, particularly given the potential rise in homelessness as a result of the pandemic.

New Jersey

The New Jersey Assembly on July 30 approved legislation to provide eviction and foreclosure protections for tenants and homeowners impacted by the pandemic. The bill was approved with bipartisan support. Advocates applauded the Assembly for passing the People’s Bill (A4266/A4034) and urged the Senate to pass companion legislation (S2340).

New York

Curbed reports that technology and linguistic barriers are making New York’s emergency rent relief program inaccessible to those who need it most. Efforts to make the application accessible and inclusive do little to make up for the program’s strict eligibility requirements and convoluted application process.

New York City Mayor Bill de Blasio launched the Landlord-Tenant Mediation Project on July 21 to help workers impacted by the pandemic avoid eviction. The city will partner with community dispute resolution centers to offer free case intake and mediation sessions between landlords and tenants.

Since Governor Andrew Cuomo’s initial eviction moratorium expired on June 20, 719 eviction petitions have been filed. This is just a fraction of the petitions the court typically received in a five-week period in previous years.

Bloomberg reports that the COVID-19 pandemic is pushing New York City’s affordable housing crisis to a breaking point. According to the Community Housing Improvement Program, a quarter of the city’s renters have not paid their rent since March.

North Carolina
Physical evictions and eviction hearings resumed last week in Mecklenburg County, with magistrates working their way through 600 eviction cases in just one week. Federal and local COVID-19 rent relief programs have helped the county stave off evictions in about half of the eviction cases.

Evictions have resumed in Mecklenburg County and millions of workers will lose the supplemental federal unemployment benefits at the end of this month, creating the potential for widespread financial hardship and inability to pay rent across Charlotte.

Oregon

Street Roots published an FAQ to help Oregon renters and homeowners understand the steps they can take to protect themselves from eviction and foreclosure.

Pennsylvania

The Philadelphia Inquirer investigates how, by outsourcing critical stages of the eviction process to a private entity with little transparency, Philadelphia’s eviction system leaves some tenants blindsided.

Puerto Rico

Join Ayuda Legal Puerto Rico on August 12-13 for its Second Annual Towards a Just Recovery Summit: The Right to Decide, Stay, and Return. The event will be held in a remote format and will bring together people from communities, grassroots organizations, activists and advocates for housing, racial justice, and dignified recovery in and outside of Puerto Rico. NLIHC Vice President of Public Policy Sarah Saadian will speak at the event. Here are links to the agenda and registration form.

Rhode Island

Rhode Island launched its Safe Harbor Housing Program, an eviction diversion initiative designed to help landlords and tenants resolve disputes over late or unpaid rent without having to go through the traditional court process.

South Carolina

Eviction filings in South Carolina have been rising since the end of May, when the state’s eviction moratorium expired. Now that the federal eviction moratorium expired on July 24, advocates are preparing for an avalanche of eviction filings.

The Eastern Carolina Housing Organization will use funding from the CARES Act to help people facing eviction in the 13 counties it serves. Applications are available online at: www.echousing.org/get-help.

Texas

On the day after the federal eviction moratorium expired, Lone Star Legal Aid received 1,358 applications for eviction assistance—a 36% increase from the number of applications received on the same day last year.

Hurricane Hanna weakened to a tropical depression after making landfall as a hurricane along the Texas Gulf Coast on Saturday evening. It brought heavy rains and threats of flooding to parts of Texas already reeling from COVID-19. “Any hurricane is an enormous challenge,” said Governor Greg Abbott. This challenge is complicated and made even more severe, seeing that it is sweeping through an area that is the most challenged area in the state for COVID-19.”

The Dallas Observer reports that renters in North Texas fear evictions now that the federal eviction moratorium has expired.
Housing advocates in Houston have urged Mayor Sylvester Turner to enact an eviction grace period, but he refuses to put the ordinance on the city council agenda. The potential grace period ordinance, drafted by the city-county Housing Stability Task Force, would significantly slow Texas’ speedy eviction process by giving tenants facing eviction more time to work with their landlords and pay their back rent. Mayor Turner has reportedly been more focused on advocating rental relief in the next congressional COVID-19 relief package.

Utah

Officials with the Bear River Association of Governments (BRAG) are concerned that an impending wave of evictions could overwhelm overstretched housing assistance programs. BRAG received 1,200 calls in June from Cache County residents in need of rent or utility assistance. This sharp increase in need came after Governor Gary Herbert allowed the state’s eviction moratorium to expire.

The Salt Lake Valley Coalition to End Homelessness is preparing for the coming winter by working on overflow shelters and other solutions to protect people experiencing homelessness during the coldest months. The coalition is considering using federal coronavirus relief funding to pursue solutions, such as hotel vouchers, acquiring a facility for long-term beds, leasing existing buildings, and continuing operating a hotel. The coalition has already secured 80 hotel vouchers for women experiencing homelessness.

Vermont

An estimated 1,400 households applied for rental assistance in the first two weeks of Vermont’s $25 million rental assistance program. Advocates expect that applications will increase as the federal supplemental insurance benefit expires.

Virginia

As eviction cases rise in Virginia, Governor Ralph Northam is again asking the state’s courts to delay eviction hearings until September 7. The governor said that the additional time will provide relief to renters and allow the administration time to develop a legislative package focused on eviction prevention once the General Assembly convenes for a special session on August 18.

Washington, DC

The Brookings Institute released a report examining what it would cost to prevent Washington, D.C.’s renters from COVID-19 eviction.

Despite warnings from economists and advocates who say that cutting federal coronavirus relief will have harmful, long-lasting impacts on vulnerable residents, Senate Republicans are preparing to release a fifth bill with reduced unemployment benefits and limited or no additional state aid. More than 600,000 laid-off workers in D.C., Maryland, and Virginia have been relying on federal unemployment benefits that will expire, and courts in the D.C. region are beginning to hear eviction cases.

Washington

Federal CARES Act assistance, including the supplemental $600 unemployment assistance, has helped thousands of Washington residents from falling under the federal poverty level. “If we hadn’t had that $600, we’d be homeless,” said one Washington resident. The supplemental unemployment benefit expires July 31, and the Senate Republican proposal released this week would reduce the extra benefit.

Urge your legislators to enact the critical housing and homelessness priorities in the HEROES Act and the “Emergency Housing Protections Relief Act of 2020” in the next coronavirus relief package through the Washington Housing Alliance’s action portal.

Guidance
Opportunity Starts at Home

Opportunity Starts at Home Statement on Senate Republicans’ Proposed Relief Package

Opportunity Starts at Home, a multisector affordable homes campaign, issued a statement addressing the inadequate and unacceptable COVID-19 relief package proposed by Senate Republicans. Prominent national leaders from various sectors (e.g., education, health, civil rights, food security, municipal governance, faith, domestic violence, social work, and more) offered remarks about why the Senate Republicans’ proposal is unacceptable and why Congress must include critical housing resources and protections in the next relief package.

“After months of inaction to further respond to the struggles working families are facing due to COVID-19, Leader McConnell’s proposal is an embarrassment,” said Vanita Gupta, president and CEO of the Leadership Conference on Civil and Human Rights. “It is a morally deficient response that will cost additional lives, increase evictions, and delay our economic recovery. Congress needs to drastically step up for the people working on the frontlines and bearing the brunt of this crisis. Having a place to call home is a human right, and no one should have to worry about keeping a roof over their heads during a global pandemic.”

Read the full statement here.

Follow the Opportunity Starts at Home campaign on social media: Twitter, Instagram, Facebook, and LinkedIn. Be sure to sign up for our e-newsletter to get the latest updates about the campaign, including new multi-sector partners, calls to action, events, and research.
Celebrate Jennifer Ho, 2020 Housing Leadership Award Honoree, on Aug. 26!

Join a live-stream celebration of 2020 Housing Leadership Award honoree Jennifer Leimaile Ho, the commissioner of Minnesota Housing. Jennifer will be honored for her outstanding efforts to address homelessness and housing poverty at NLIHC’s 38th Annual Housing Leadership Awards Celebration being live-streamed on August 26 at 4-5 pm ET. This year’s other honorees are Bill Faith and Shauna Sorrells. Attendance is free to the public. Register today at: https://bit.ly/NLIHCAwards2020

Jennifer Ho, a former senior advisor at HUD and deputy director of the U.S. Interagency Council on Homelessness (USICH) before she became commissioner of Minnesota Housing, will receive the Sheila Crowley Housing Justice Award, named after the former NLIHC president and CEO who led the Coalition for 17 years.

Jennifer has worked to end housing poverty and homelessness since 1999. As executive director of Hearth Connection, a Minnesota non-profit, she managed a nationally recognized demonstration project on supportive housing and long-term homelessness for single adults, youth, and families in two counties and oversaw its replication in 34 additional counties in partnership with the Fond du Lac, Bois Fort, and Grand Portage Tribal Bands. Jennifer served as a senior policy advisor for housing and services at HUD in the Obama administration and as deputy director at USICH, shepherding the creation of “Opening Doors,” the nation’s first-ever comprehensive federal plan to prevent and end homelessness. She worked with First Lady Michelle Obama to launch the “Mayors Challenge to End Veteran Homelessness” that reduced the number of veterans experiencing homelessness on any night by nearly half. Jennifer has served on the boards of directors for West Side Community Health Services in St. Paul, the Corporation for Supportive Housing, and the Melville Charitable Trust. As commissioner of Minnesota Housing, Jennifer is leading state-wide efforts to provide access to safe, decent and affordable housing and to build stronger communities.

The Dolbeare Lifetime Service Award will be bestowed to Bill Faith, executive director of the Coalition on Homelessness and Housing in Ohio and former NLIHC board member and chair, for his many years of leadership, dedication and tireless work to secure decent, safe, and affordable homes for the lowest-income people in Ohio and across the U.S. The award is named for NLIHC’s founder Cushing Niles Dolbeare, a pioneer of the affordable housing movement.
The third award is named for Senator Edward Brooke (R-MA), who championed low-income housing as a U.S. senator and later as chair of the NLIHC board of directors. **Shauna Sorrells**, former NLIHC executive-committee board member, director of the Office of Public Housing Programs at HUD, and chief operating officer at the Housing Opportunities Commission of Montgomery County (HOCMC), will receive the 2020 Edward W. Brooke Housing Leadership Award posthumously for her outstanding commitment to ending homelessness and housing poverty in the U.S. over many years at HUD, at HOCMC, and on the NLIHC board of directors.

Recognize these outstanding individuals by making a donation to NLIHC in their honor!

Donate as an individual at: [https://bit.ly/34ng1FP](https://bit.ly/34ng1FP)

Your donation will be recognized in the Leadership Awards program. The contribution will support NLIHC’s mission to achieve socially just public policy to ensure the lowest-income people have decent, accessible, and affordable homes.


**Learn more about the event & honorees at:** [https://bit.ly/3hWkX1u](https://bit.ly/3hWkX1u)
Disaster Housing Recovery

NLIHC Testifies to Congress on Equitable Disaster Recovery

NLIHC President and CEO Diane Yentel testified before the House Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings, and Emergency Management during a July 28 hearing on equitable disaster recovery. The “Experiences of Vulnerable Populations During Disaster” hearing focused on how historically marginalized populations – specifically low-income households, communities of color, and individuals living with disabilities – are impacted by disasters and what can be done to ensure the national disaster response and recovery system is equitable.

Other witnesses included Curtis Brown, state coordinator of emergency management at the Virginia Department of Emergency Management, testifying on behalf of the Institute for Diversity and Inclusion in Emergency Management; Chad Higdon, CEO of Second Harvest Community Food Bank; and Marcie Roth, executive director and CEO of the World Institute on Disability.

In her opening statement, Diane called attention to FEMA’s continued failure to address the housing needs of the lowest-income and most marginalized disaster survivors: “NLIHC has worked on disaster housing recovery for 15 years since Hurricane Katrina, and from this experience, we have reached a simple conclusion: America’s disaster housing recovery system is fundamentally broken. It consistently exacerbates the housing crisis, solidifies segregation and racial inequities, and deepens inequality.”

In her opening remarks, Subcommittee Chair Dina Titus (D-NV) called attention to how FEMA continues to neglect the needs of vulnerable populations who are the most adversely impacted during times of hardship. Representative Titus concluded her opening statements by stating the need to reform our nation’s disaster response to be more inclusive, right, fair, and just.

Representative Debbie Mucarsel-Powell (D-FL) asked how the expiration of the eviction moratoriums could impact people’s access to FEMA assistance, particularly in areas threatened or impacted by a hurricane. Diane explained that it could be catastrophic if a hurricane hits at the same time as a surge of evictions and a rise in homelessness occurs as a result of the pandemic, describing the need for immediate Congressional action to prevent a wave of evictions. She also urged Congress to ensure that individuals experiencing homelessness who are residing in FEMA-funded hotels can move into permanent housing rather than being forced back into homelessness.

Representative Eleanor Holmes Norton (D-DC) asked what happens to people experiencing homelessness during a disaster, citing a regulation that allows FEMA to withhold assistance to people who were experiencing homelessness before a declared disaster. Diane explained that in past disasters, FEMA has interpreted current law to deny assistance to people experiencing homelessness prior to a disaster. During the COVID-19 pandemic, however, FEMA has interpreted the law much more broadly, determining that people who were homeless prior to the disaster are eligible for non-congregate shelter. This demonstrates that FEMA could interpret the law more broadly to serve people experiencing homelessness, but it chooses not to.

When Representative Gary Palmer (R-AL) asked about the role of faith-based groups in disaster recovery, Diane responded that faith-based groups can play an important role, but that these organizations should not limit or put conditions on assistance. “I certainly have no animus toward faith-based organizations and their value in disaster assistance and recovery…but assistance has to be available to everybody who needs it without requirements put on that assistance. There have been cases, especially when it comes to people experiencing homelessness, where faith-based organizations may want to put additional requirements on the assistance. In our view, that’s not acceptable.”
Representative Salud Carbajal (D-CA) described the many barriers faced by Latinos, other communities of color, people with disabilities, and other marginalized groups when trying to access FEMA assistance. In response to Representative Carbajal’s question about what actions the Committee can take to address equity issues and reform FEMA’s practices, Diane explained that Congress must require FEMA to provide full transparency on program eligibility, the aid application process, and reasons for denials of assistance. She urged the Committee to address FEMA’s rigid title documentation requirements, which have resulted in tens of thousands of eligible disaster survivors being wrongfully denied FEMA assistance in Puerto Rico alone. Diane also recommended that the Committee and Congress require FEMA to implement the Disaster Housing Assistance Program (DHAP). Past Republican and Democratic administrations have upheld DHAP as a best practice for meeting the longer-term housing needs of low-income renters. Under the Trump administration, however, FEMA has refused to activate this program, to the detriment of low-income survivors.

When Representative Mike Garcia (R-CA) asked panelists if they are documenting lessons learned from the COVID-19 pandemic, Diane explained that while NLIHC continues to document the evidence of what is working and what is not, FEMA rarely implements these lessons learned and best practices. Because of this, Congress must take action to immediately address some of the most significant challenges facing survivors.

On July 28, NLIHC released “Fixing America’s Broken Disaster Housing Recovery System Part Two: Policy Framework Reform Recommendations.” Part 1 of the two-part report series identified how America’s disaster housing recovery framework exacerbates and reinforces racial, income, and accessibility inequities at each stage of response and recovery. Part 2 of the report identifies specific local, state, and national policy recommendations to redesign our national disaster housing response and recovery system to center the needs of the lowest-income survivors and their communities. Both reports were written by NLIHC and the Fair Share Housing Center of New Jersey with critical input from DHRC members, including many with first-hand experience recovering after disasters.

Watch a recording of the Transportation and Infrastructure hearing at: https://bit.ly/3hzpalq

Read Diane Yentel’s testimony at: https://tinyurl.com/y6gs4sq4

Read Part 1 of “Fixing America’s Broken Disaster Housing Recovery System” at: https://bit.ly/301ALDX

Read Part 2 of “Fixing America’s Broken Disaster Housing Recovery System” at: https://tinyurl.com/y2gaj4tw

HUD

HUD’s Office of Public and Indian Housing Posts Notice Making $25 Million Available to Cover Funding Shortfalls at Public Housing Agencies

HUD’s Office of Public and Indian Housing (PIH) posted Notice PIH-2020-16 implementing the FY20 Appropriations Act $25 million set-aside of Public Housing Operating Funds to assist public housing agencies (PHAs) experiencing financial insolvency. The notice complies with the Senate Appropriations Committee Report (S. 116-109) requiring the set-aside funds to be allocated first to PHAs with 249 or fewer public housing units that have less than one month of reserves.

For the purposes of the notice, PIH defines a PHA that has less than the equivalent of one month of operating expenses held in reserve as experiencing current insolvency, while a PHA with one month or more but less than two months of reserves as experiencing near insolvency. Any PHA that has fewer than two months of operating expenses held in reserve (Months of Operating Reserve, or MOR) will be eligible to receive Shortfall funding.
The notice has a link to an Operating Shortfall Funding webpage that includes a list of PHAs eligible for Shortfall funding and the amount they are eligible to receive. The site also has a list of ineligible PHAs.

Because only $25 million is available, PIH has established two tiers of eligible PHAs, Tier I PHAs have a MOR less than zero and Tier 2 PHAs have a MOR less than 2. Tier 2 PHAs are sub-divided into three cohorts based on the number of units they have: Very Small PHAs (0-49 units), Small PHAs (50-249 units), and Non-Small PHAs (over 249 units). Very Small and Small PHAs have higher priority. Tier 1 PHAs will be fully funded first, and 50% of available Tier 2 funding will be provided to Tier 2 PHAs. Subsequently, Tier 2 PHAs with immediate needs that have an MOR of no less than 1 will receive funding.

To ensure PHAs that receive Shortfall funding take appropriate steps toward long-term financial solvency, the award letter for PHAs will contain the following list of improvements that PIH has historically recommended to insolvent PHAs:

- Reduce costs/increase revenue
- Increase program rent revenue by improving occupancy and evaluating rent collection policies and actions
- Consider selling property/assets in accordance with PIH’s disposition regulations
- Convert properties through the Rental Assistance Demonstration (RAD), possibly with Low-Income Housing Tax Credits
- Reposition capital assets that are beyond their useful life
- Seek additional financing (e.g., debt, equity, cash flow, forgiveness) through a municipality, finance authority, and housing trust fund
- Renegotiate contracts with PHA workforce and/or vendors
- Restructure the PHA’s organization and staff
- Consider implementing energy conservation measures and agreements to reduce energy costs

PHAs that receive Shortfall funding will be required to collaborate with PIH Field Offices to identify specific issues at the PHA and develop a plan identifying actions that the PHA can take to improve their financial performance. The Field Office will document a PHA’s efforts to improve based on the PHA’s implementation plan. Shortfall funding will be recaptured from PHAs that do not sufficiently collaborate with their Field Office to develop an improvement plan.

Notice PIH-2020-16 is at: https://bit.ly/2XaxvUO

The list of PHAs eligible for Shortfall funding is at: https://bit.ly/3hSeKgT

More information about public housing is on page 4-30 of NLIHC’s 2020 Advocates’ Guide.

Members of Congress Send Bicameral Letter Opposing HUD’s Anti-Transgender Rule Change

Representatives Jennifer Wexton (D-VA), Frank Pallone (D-NJ), and Joe Kennedy III (D-MA) and Senator Brian Schatz (D-HI) submitted a public comment letter to HUD on July 30. The letter urges Secretary Ben Carson to rescind the proposed rule change to the Equal Access Rule that would allow federally funded emergency and temporary shelter providers to turn away transgender Americans. This letter is signed by 23 Senators and 122 Representatives, demonstrating significant outrage from lawmakers and affirming that anti-discrimination policy for the LGBTQ community will continue to be fought for. This bicameral letter is the latest instance of Members of Congress voicing their opposition to the anti-transgender rule and other
regulations, policies, and executive orders from this administration that permit discrimination against LGBTQ people (see Memo, 7/13).

The letter details the history of the Equal Access Rule and changes made in 2016 that further clarified protections for transgender and gender-nonconforming people by granting equal access to services in accordance to an individual’s self-expressed gender identity. It discusses the implications of the HUD’s anti-transgender proposal as well as its dangers for these groups who have disproportionally suffered from homelessness and discrimination. This letter also directly addresses HUD’s justification for its anti-transgender rule change proposal (see Memo, 7/27).

Members of Congress conclude the letter by stating:

“This type of discriminatory policy is always inappropriate and unjust. Proposing a rule that targets an already marginalized group is especially egregious as we are amidst a global pandemic, where economic, health, and housing insecurity are at an all-time high. This effort is clearly inconsistent with HUD’s mission to “build inclusive and sustainable communities free from discrimination. Instead of disrupting access to safe shelter and emergency services for transgender people, we urge you to immediately rescind the proposal. We suggest you instead focus your efforts on ensuring adequate and equitable solutions to mitigate the effects that COVID-19 has had on housing stability and shelter access for not only the transgender community, but for all individuals in need”

In recent weeks, the administration has removed anti-discrimination policies and regulations that have protected historically disenfranchised groups. HUD published proposed anti-transgender changes to the Equal Access Rule in the Federal Register on July 23. The proposed rule will now enter a 60-day public comment period ending on September 22, after which HUD is required to consider comments before making the rule final.

This letter, and many more that NLIHC will work closely with Members of Congress to craft, shows that advocacy groups must continue to tell the administration that bigotry and discrimination will not be tolerated.

NLIHC, True Colors United, National LGBTQ Task Force, National Housing Law Project, and other national organizations have launched the Housing Saves Lives campaign to oppose this anti-transgender rule. Together, we are calling for individuals and organizations to submit public comments opposing this rule and telling HUD that everyone has a right to access federally funded emergency shelters and services free from discrimination. Advocacy tools, resources to help craft your comment, and a direct portal to submit your comment are available at HousingSavesLives.org.


Read the Bicameral Letter at: https://bit.ly/2EtnKdl

Read the proposed rule at: https://bit.ly/3fVo5DL

Read the joint press statement from NLIHC and other Housing Saves Lives partners on HUD’s announcement of the proposed rule at: https://bit.ly/2CWWWBS

NLIHC urges advocates to oppose this rule by going to www.housingsaveslives.org

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USDA

USDA Mixed Status Rule Clears OIRA
The Office of Information and Regulatory Affairs (OIRA) at the Office of Management and Budget (OMB) cleared USDA’s proposed rule that prohibits mixed-immigration status families from living in federally subsidized housing. The proposed rule, “Implementation of the Multi-Family Housing U.S. Citizenship Requirements,” has been under OIRA review since April 2.

USDA’s anti-immigrant proposal will likely prohibit mixed-immigration status families from receiving housing assistance from some Rural Housing Services programs covered by Section 214 of the Housing and Community Development act of 1980. This includes the Rural Development (RD) Voucher program and rental assistance for the Section 515 and Section 514/516 programs. The proposed RHS rule could lead to families splitting up, forgoing assistance, or being evicted from their homes.

Currently, under section 214, undocumented immigrants cannot receive federal housing assistance, but families of mixed-immigration status can live in subsidized housing if at least one member of the household is eligible to receive assistance. U.S. citizens, lawful permanent residents, refugees and asylum seekers are eligible to receive housing assistance. Residents who declare themselves ineligible are not required to reveal their immigration status. When a family of mixed-immigration status receives housing assistance, the family’s subsidy is prorated to account for only legally eligible residents.

The coronavirus pandemic has caused significant economic, health, and housing insecurity for families across the United States, and many have been able to receive critical relief from the CARES Act. However, mixed-immigration status families were excluded from many of the CARES Act’s vital supports (see FAQ on “Eligibility For Assistance based on Immigration Status”).

Previously, HUD’s proposed rule on mixed-immigration status (see Memo, 05/13) received 30,000 comments with an overwhelming number of individuals, organizations, and elected officials, opposing it. NLIHC and the National Housing Law Project have been leading the effort to oppose both the HUD and the USDA proposed rules as part of the Keep Families Together campaign, and will continue to mobilize individuals and organizations urging them to submit comments in opposition to the USDA’s anti-immigrant proposed rule when it becomes available.

For more information about the proposed rules, the latest news, and to be informed when the public comment period for the USDA proposed rule is open, please visit: www.keep-families-together.org


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**Department of Homeland Security**

**District Court Issues Two Temporary Injunctions against Public Charge Rule**

The United States District Court for the Southern District of New York on July 29 issued two nationwide injunctions temporarily blocking the Trump administration’s “public charge” rules. One is a temporary injunction against the Department of Homeland Security (DHS) public charge rule. This order bars the implementation, application, and enforcement of the rule nationwide so long as there is a declared national emergency related to the COVID-19 pandemic. The second, a parallel nationwide injunction, was issued in a separate case challenging the Department of State’s (DOS’s) own public charge rule as well as the president’s Health Care Proclamation requiring visa applicants to show proof of private health insurance.
Last year, DHS published its final “public charge” rule, meaning that any non-U.S. citizen or legal resident who receives government assistance—including public housing, Housing Choice Vouchers, and Section 8 Project-Based Rental Assistance—could lead an immigrant to be considered a potential public charge and therefore can be denied a green card or visa (see Memo, 08/19).

The District Court ruling would allow immigrant communities across the United States to access public assistance safely. While the long-term impact of the ruling is unclear, and an appeal by federal authorities is likely, it represents a victory for immigrant communities across the United States who have disproportionately been impacted by the effects of the pandemic. As long as the court injunction remains in place, the public charge rule will continue to be blocked nationwide, removing some fear for immigrant families to pursue the care and services they need during this crisis.

Marielena Hincapié, executive director of the National Immigration Law Center, issued a statement: “Today the federal courts have once again blocked the Trump administration’s anti-immigrant measures. The court rightly recognized that in the midst of the COVID-19 pandemic, we must take care of everyone in our country, and that Trump’s public charge regulation was not just cruel but also dangerous to the health and well-being of our nation. We stand with our courageous plaintiffs in their victory before the court and will continue our work to ensure that everyone — regardless of their race or birthplace — has access to the testing, health care, and economic relief they need. We will only get through this crisis if we come together and take care of everyone in our communities.”

NLIHC will continue to provide updates regarding this injunction and its long-term implications.

Read the temporary injunction to the DHS Public Charge Rule at: https://bit.ly/2XfEuMl

Read the temporary injunction to the DOS Public Charge Rule at: https://bit.ly/3k0OdQk

Read the press releases from litigators at: https://bit.ly/31cNlj4

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**Budget and Appropriations**

**House Passes FY21 Spending Bill with Significant Increases for Affordable Housing and Community Development Programs**

The House passed by a vote of 217-197 a package of six spending bills for fiscal year (FY) 2021 on July 31, including the Transportation, Housing, and Urban Development (THUD) appropriations bill. Despite limited budget caps, the bill (H.R. 7617) provides a significant increase in funding for housing programs that serve low-income people and communities. The House also adopted two amendments to block implementation of harmful HUD proposals.

The bill provides an additional $4.6 billion for HUD programs above FY20 enacted levels and prevents HUD from advancing its proposed anti-transgender change to the Equal Access Rule – a proposal that would put at risk the lives and safety of transgender people seeking shelter. The bill also bars HUD from finalizing its proposed rule to force mixed-status immigrant families – including 55,000 U.S. citizen children – to separate or face eviction from HUD housing, and takes important steps to prevent the undermining of Housing First, a proven model for addressing homelessness.

In addition, House lawmakers voted to adopt two amendments offered by Representatives Alexandria Ocasio-Cortez (D-NY), Ayanna Pressley (D-MA), and their Democratic colleagues (see Memo, 7/27). The first blocks HUD from implementing its proposed changes to the Disparate Impact Rule of 2013 which, if implemented,
would make it far more difficult for people experiencing discrimination to challenge the practices of businesses, governments, and other large entities engaging in discriminatory behavior. The second would stop HUD’s rollback of the Affirmatively Furthering Fair Housing (AFFH) Rule of 2015. HUD’s proposed changes would undo years of efforts to rectify historic, government-driven patterns of housing discrimination and segregation by allowing communities to ignore the essential racial desegregation obligations of fair housing laws.

The House rejected two amendments offered by Representative Debbie Lesko (R-AZ) that would rescind the bill’s prohibition on implementing HUD’s proposed anti-transgender changes to the Equal Access Rule. HUD’s proposal would weaken enforcement of the Equal Access Rule of 2016, which provides protections for LGBTQ people experiencing homelessness and seeking emergency shelter and services.

View the text of H.R. 7617 at: https://tinyurl.com/y6y6ezs7

Read NLIHC’s analysis of the House’s FY21 THUD spending bill at: https://tinyurl.com/y4dl7yr7

See NLIHC’s updated budget chart at: https://tinyurl.com/y6tnabuo

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**Our Homes, Our Votes: 2020**

**Get Out the Vote! “Early Voting & Vote-by-Mail” Voter Mobilization Webinar on August 20**

Join a webinar on “Voter Mobilization – Early Voting and Vote-By-Mail,” the next in NLIHC’s *Our Homes, Our Votes* 2020 series of nonpartisan voter and candidate engagement webinars, on August 20 at 3 pm ET. Vote-by-mail will be extremely important this year as voters are provided an unprecedented opportunity vote this way during the pandemic. This early voting option will provide voter engagement campaigns with a longer window to get out the vote (GOTV). This webinar will review how to maximize early voting opportunities and increase voter turnout in states with expanded vote-by-mail and other early voting options. Register for this webinar and NLIHC’s entire 15-month “Third Thursdays at Three” webinar and podcast series on nonpartisan voter and candidate engagement, free to the public, at: https://bit.ly/2Luj0F3

NLIHC’s *Our Homes, Our Votes: 2020* project provides training and resources to resident leaders, housing providers, social service professionals, community organizers, and others on key aspects of effective voter engagement. The “Third Thursdays at Three” webinar series is a 15-part effort to explore best practices, new ideas, and legal considerations for 501(c)(3) nonpartisan election engagement on issues such as voter registration, candidate engagement, election education, and getting out the vote. View recordings of previous sessions (1-11) on our website.

Register here for the “Third Thursdays at Three” series!

Upcoming topics in the “Third Thursdays at Three” series include:

**Session 12**

*Voter Mobilization Part 1 – Early Voting and Vote-by-Mail*

Thursday, August 20 at 3 pm ET

**Session 13**

*Voter Mobilization Part 2 – Protecting Low-Income People from Voter Intimidation and Voter Caging Tactics*
Thursday, September 17 at 3 pm ET

Presenters will explore community efforts to staff polling locations with well-trained volunteers to protect against intimidation efforts. Ultimately, educating voters in advance about going to the polls even if they have been told their registration is not current is the best practice, along with ensuring that everyone casts at least a provisional ballot. The discussion will also highlight the importance of establishing relationships with election officials who monitor polling locations in advance of Election Day.

Session 14

Election Day! Getting Out the Vote

Thursday, October 15, 2020 at 3 pm ET

Presenters will review the most effective Election Day get-out-the-vote practices such as coordinating rides to the polls, hosting “walk to the polls” groups in low-income housing communities with nearby polling locations, using snacks and music to keeping people in line at busy polling locations, and using Election Day visibility volunteers with signs reminding people to vote. The discussion will also explore effective “knock-and-drag” efforts throughout Election Day for identifying who has not yet voted and sending volunteers to their doors.

Session 15

After the Vote—Holding Candidates to their Promises

Thursday, November 19, 2020 at 3 pm ET

Once the election is over, it is important to hold candidates to their promises. Learn how to track the success of your voter turnout efforts to demonstrate to newly elected officials that low-income renters are an important and active constituency. Presenters will discuss the best ways to constructively remind elected officials of their campaign promises while establishing relationships with new legislative staff members.

Don’t miss these important training opportunities. Put “Third Thursdays at Three” in your calendar and register for the presentation series today.

Research

New Research Shows Eviction Record Inaccuracies Can Skew Eviction Rates and Harm Renters

Researchers with Princeton University’s Eviction Lab published an article in Housing Policy Debate, “Inaccuracies in Eviction Records: Implications for Renters and Researchers,” which explores the prevalence of inaccuracies within court record eviction data. The article identifies distinct types of administrative errors and ambiguities that occur in eviction court records. The researchers use data from 12 states to assess how often these errors occur, how they impact eviction rates, and how errors can affect eviction research and renters themselves. The authors report that more than one-fifth of eviction records contain ambiguous or inaccurate information and that accuracy varies widely by state.

Inaccurate eviction data can have far-reaching implications for renters, eviction research, and eviction prevention policy. Research findings, for example, can be skewed if analysis does not account for eviction record inaccuracy. Additionally, because landlords are less likely to rent to individuals who have been evicted
or have a history of involvement with housing court, inaccurate eviction records can make it harder for affected renters to find housing.

To assess the quality of state housing court record data, the researchers gathered 3.6 million court records from 12 states. Cases were coded for errors and ambiguity. Cases were marked unresolved if the outcome of the case was missing, opaque if the outcome of the case was ambiguous or unclear, duplicate if multiple instances of the same case occurred in the dataset, and serial if a defendant had been filed against multiple times at the same property. Unresolved and opaque cases are instances of ambiguity, whereas duplicate and serial cases incorrectly indicate that a tenant was filed against or evicted.

The authors found that 22% of records were either false or ambiguous, with inaccuracy varying by state. Connecticut’s records had the lowest inaccuracy rate at 7.4%, while South Carolina had the highest at 46.6%. The authors found that the structure of state court systems influenced the prevalence of specific types of errors. Four states had no unresolved cases, suggesting they purge unresolved cases from their system, do not release them to outside parties, or ensure that all cases are formally closed. Only 4% of cases in Hawaii were serial cases, while these made up 31%, 36%, and 43% of Pennsylvania, Virginia, and South Carolina records, respectively.

The researchers assessed how these errors affected each state’s case filing rate (the number of eviction filings divided by the number of renter households) and eviction filing rate (the number of eviction judgments divided by the number of renter households). Once state data were adjusted for false or ambiguous filings, the state eviction rates fell, on average, by 14%. The eviction rate fell most dramatically in states with a high number of false or ambiguous cases. In South Carolina, the unadjusted eviction rate is 21.3%, while the adjusted rate falls to 11.5%.

A growing body of eviction research aims to inform policy interventions and eviction prevention programs. The authors note that eviction research findings can be affected by how researchers treat false and ambiguous data. Inaccurate eviction data can also harm renters. Unadjudicated or ambiguous case outcomes may result in and eviction record for a person who has in fact never been evicted, and duplicate/serial records can make it seem as if tenants have been evicted far more times than they have.

The authors propose solutions to improve accuracy of housing court record data. They suggest that states adopt a policy of not releasing eviction data to tenant screening companies for unresolved cases. This can ensure that a housing court record does not appear for a tenant who was never actually brought to court. States can also standardize case outcome codes so that court decisions are obvious and clear. Finally, states should perform regular audits to remove or combine duplicate and serial cases.

Read the article at: https://bit.ly/2EsHApE

New Survey Shows Small-Scale Landlords Feel Financial Impact of COVID-19 Pandemic

Thirty-nine percent of small-scale landlords surveyed by the Terner Center for Housing Innovation lacked confidence they could cover their costs over the next 90 days. Small-scale landlords, who own and manage fewer than 20 units, have largely been left out of previous data-collection efforts like rent payment trackers.

The Terner Center, in partnership with the National Association of Hispanic Real Estate Professionals (NAHREP), administered the survey in late June and early July and received responses from 380 rental property owners and managers, 83% of whom managed smaller buildings with fewer than 20 rental units. Among respondents, 58% own or manage one to four units. Nearly half of the properties represented in the results were in California, Texas, and Illinois.
The majority of landlords reported a decline in rental income from the first quarter of the year, and one in four landlords had borrowed funds to make ends meet. Almost two in five are not confident they can cover their costs through September.

Whether small-scale landlords can continue to operate their properties impacts housing options for low-income renters, since apartments in smaller multifamily buildings typically have more affordable rents. The Joint Center for Housing Studies has estimated that over half of renters with at-risk wages due to the pandemic live in single-family and multifamily rentals with two to four units, which are more likely to be owned by small, individual investors (see JCHS, 2020). Financial trouble may affect how well such buildings can be maintained. Small-scale landlords selling or converting such buildings can lead to a loss in the stock of affordable housing.

The survey factsheet can be found here: https://bit.ly/39OuIpz

The accompanying blog post can be found here: https://bit.ly/30b4CcZ

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Fact of the Week

Renters with No Confidence in Paying Next Month’s Rent Borrow from Family, Friends to Meet

![Graph: Methods Renters Used to Meet Spending Needs, by Level of Confidence to Pay Next Month's Rent](image)

Source: U.S. Census Bureau, Household Pulse Survey Week 12 (July 16-21).

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From the Field

NLIHC State and Local Partners Conduct More than 80 Virtual Lobby Day Meetings to Advocate for #RentReliefNow!

NLIHC state and local partners mobilized for a nationwide advocacy effort on July 21 in response to Congressional consideration of the next coronavirus relief package. Housing advocates across the country participated in more than 80 virtual meetings with their senators and representatives, emphasizing NLIHC’s
legislative priorities including $100 billion in emergency rental assistance, $11.5 billion in emergency solutions grant (ESG) funding, and a comprehensive, nationwide eviction moratorium. The virtual meetings yielded positive results: many members expressed support for these #RentReliefNow priorities and a willingness to speak to congressional leadership about the importance including them in any final coronavirus relief package.

At 84 virtual meetings with 72 distinct congressional offices, advocates warned members of Congress and staff about the forthcoming tsunami of evictions, calling for urgent congressional action. NLIHC organizers encouraged partners to prioritize meetings with Senate Republicans, who have been unwilling to move quickly to provide relief to those impacted by the pandemic, including low-income renters and people experiencing homelessness. Advocates met with 38 Republican offices, including 22 Senate Republican offices.

Most congressional offices acknowledged the severity of the nation’s current housing crisis, with members of Congress on both sides of the aisle clear about the burden faced by low-income renters throughout the country. Too many Republican members of Congress, however, have yet to voice support for robust resources and protections for low-income renters and people experiencing homelessness. NLIHC urges advocates to continue pushing lawmakers to include these housing provisions in the next coronavirus relief package before members leave for August recess.

### NLIHC in the News

#### NLIHC in the News for the Week of July 26

The following are some of the news stories that NLIHC contributed to during the week of July 26:

- “August rent is due. Here's what to do if you can't pay it,” CNN, July 31 at: [https://tinyurl.com/yxrk2a8d](https://tinyurl.com/yxrk2a8d)
- “Covid-19 is killing affordable housing, just as it’s needed most,” Bloomberg City Lab, July 30 at: [https://tinyurl.com/yy4he9v4](https://tinyurl.com/yy4he9v4)
- “Trump tweets that people living the 'Suburban Lifestyle Dream' won't have to worry about having low-income neighbors anymore,” Business Insider, July 29 at: [https://tinyurl.com/y29wxmjs](https://tinyurl.com/y29wxmjs)
- “Senate HEALS Act does not extend federal eviction moratorium—here’s what to know,” CNBC, July 28 at: [https://tinyurl.com/y4aaw4os](https://tinyurl.com/y4aaw4os)
- “U.S. eviction bans are ending. That could worsen the spread of coronavirus,” Yahoo, July 25 at: [https://tinyurl.com/yxzn2b7j](https://tinyurl.com/yxzn2b7j)
- “24 million Americans fear missing next rent payment as benefits dry up,” USA Today, July 24 at: [https://tinyurl.com/y2lx9obd](https://tinyurl.com/y2lx9obd)

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