Memo To Members & Partners
A weekly newsletter from the National Low Income Housing Coalition

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Coronavirus Relief Package

As Negotiations Continue, House Democrats Pass Revised COVID-19 Relief Proposal

Negotiations over a coronavirus relief package restarted last week, with House Speaker Nancy Pelosi and Treasury Secretary Steven Mnuchin reporting critical progress in these discussions. According to the press, Mnuchin's $1.6 trillion counteroffer to Democrats included significant funds for rental and mortgage relief, expanded unemployment benefits, and an additional round of stimulus checks. While there are still significant differences to be addressed, the week-long negotiations are a positive step forward. NLIHC is closely monitoring developments and will keep NLIHC members and partners informed.

During the negotiations, the House passed a revised $2.2 trillion coronavirus relief package by a vote of 214-207 on October 1. Introduced by House Democrats on September 28, the revised COVID-19 relief package includes essential housing and homelessness resources, including NLIHC's top priorities: emergency rental assistance; a national, uniform moratorium to prevent evictions; and resources to prevent and respond to outbreaks among people experiencing homelessness.

The overall relief package is intended to provide states and communities with critical resources for four months to February 2020, rather than the full 12-month period on which NLIHC's priorities and estimates are based. As a result, funding for these priorities are scaled back in the revised proposal to about half of what was included in the House-passed HEROES Act, including $50 billion in emergency rental assistance and $5 billion to address the housing and health needs of people experiencing homelessness. The bill also provides more than $13 billion in additional funds to ensure housing stability through HUD and USDA. The shorter timeframe allows advocates and congressional champions another opportunity to push for the full amount of resources needed early next year.

Communities are struggling to meet the urgent needs of people experiencing homelessness who are at greater risk of severe illness, hospitalizations, and death due to coronavirus. NLIHC and other experts estimate that without federal intervention, 30 to 40 million renters are at risk of losing their homes when the federal eviction moratorium expires at the end of the year. In the meantime, small landlords who rely on rental income to maintain and operate their properties will increasingly struggle to pay their bills.

The time for political games and brinkmanship has long passed. Every day of inaction puts more low-income renters at risk of losing their homes.

The White House and Congress should continue to negotiate and enact a relief package that includes critical resources to keep renters stably housed and address the housing and health needs of people experiencing homelessness.

Read the text of the revised HEROES Act at: https://bit.ly/30mF9wW

Read a section-by-section summary of the revised relief package at: https://bit.ly/36rtwZc

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Racial Equity, Housing Justice

Movement for Black Lives Releases "BREATHE Act" with Strong Housing Provisions

The Movement for Black Lives released the "BREATHE Act" on September 24, a sweeping proposal to divest resources from policing and incarceration and invest in a new vision of community safety focused on noncarceral approaches and building sustainable, equitable communities. The bill includes strong housing provisions, on which NLIHC advised the "BREATHE Act" authors.

The bill proposes allocating money to build healthy, sustainable, and equitable communities for people of color, enhancing the self-determination of Black communities, and expanding public housing, the national Housing Trust Fund (HTF), Housing Choice Vouchers, and fair housing protections.

The "BREATHE Act" proposes creating a reentry housing voucher program for people exiting the criminal legal system, barring public housing agencies from denying assistance to people exiting the criminal legal system, fully funding Housing Choice Vouchers, and expanding fair housing protections to include gender identity, sexual orientation, source of income, immigration status, marital status, and veteran status. It would provide $44.5 billion annually to the HTF for 10 years and $30 billion annually to the Public Housing Capital Fund for five years. The bill would also create state and local grant programs for communities working to end racial segregation, ensure housing for formerly incarcerated people, secure affordable housing, combat gentrification, and stop racially discriminatory zoning policies.

Additionally, the "BREATHE Act" would provide $1 trillion over 10 years for the creation of 12 million units of social housing that would be permanently affordable. Of these units, at least 600,000 would be set aside for permanent supportive housing to provide free, voluntary onsite supportive services for people experiencing chronic homelessness. The bill proposes a $200 billion grant program to combat gentrification and neighborhood destabilization.

Further, the bill would reauthorize the Native American Housing Assistance and Self-Determination Reauthorization Act of 2019 (NAHASDA), provide down payment assistance for historically redlined communities, and establish a new program to purchase abandoned properties and give them to local residents impacted by redlining or racial segregation. The bill also advocates for greater enforcement of fair housing laws and proposes the creation of an Office of Racial and Economic Equity at HUD to help combat housing discrimination.

See an outline of the "BREATHE Act" at: https://tinyurl.com/y3kh9np7

Learn more about the "BREATHE Act" at: https://breatheact.org/

Ta-Nehisi Coates to Address "Racial Equity and Housing Justice During and After COVID-19" on October 6!

[Join](https://bit.ly/32yRqi6) NLIHC President and CEO Diane Yentel and Ta-Nehisi Coates, National Book Award winner and distinguished writer in residence at NYU's Arthur L. Carter Journalism Institute, for a conversation on "Racial Equity and Housing Justice during and after COVID-19" on October 6, at 1 pm ET. Register today for this live-stream event at: https://bit.ly/32yRqi6. Be sure to submit questions for Ta-Nehisi through the registration page or via social media using #RacialEquityandCOVID.

Ta-Nehisi Coates is a distinguished writer in residence at NYU's Arthur L. Carter Journalism Institute. He is the author of the bestselling books *The Beautiful Struggle*, *We Were Eight Years in Power*, and *Between the World and Me*, which won the National Book Award in 2015. Ta-Nehisi is a recipient of a MacArthur Fellowship. He is also the current author of the Marvel comics *The Black Panther* and *Captain America*.

As an author and thought leader, Ta-Nehisi has been a vital voice in shaping the discourse on race in the United States and globally. His seminal article in *The Atlantic*, "The Case for Reparations," discusses thirty-five years of racist housing policy that led to the inequities still plaguing housing in the U.S. Please join us for this conversation with Ta-Nehisi Coates on "Racial Equity and Housing Justice During and After COVID-19" on October 6 at 1 pm ET. Register at: https://bit.ly/32yRqi6

(Please note: A video recording of this live-stream event will be available for viewing for two weeks after the livestreamed event.)

Coronavirus, Disasters, Homelessness, and Housing

Unpaid Rent May Be as High as $34 Billion by End of the Year

A report from Stout, "Analysis of Current and Expected Rental Shortfall and Potential Evictions in the U.S.," finds that between 9.7 and 14.2 million households, accounting for 23.3 to 34 million individual renters, are currently unable to pay rent. The report, prepared for the National Council of State Housing Agencies (NHSHA), estimates that by January 2021, unpaid rents by renters unable to pay could total as much as $25.1 to $34.4 billion. Though a national eviction moratorium is in place through December 31, Stout notes that the slow economic recovery could lead to growing debt accumulation and risk of eviction, particularly among low-income households.

Stout's estimates were generated using data from two primary sources: 1) the U.S. Census Bureau's *Household Pulse Survey* (HPS) and 2) income and rent data from the 2019 *American Community Survey*.

Stout estimates that as of September, the country's rent shortfall is between $12.2 and $16.7 billion. By January 2021, however, this figure may balloon to as high as $34.3 billion. This estimate accounts for the fact that some renters will continue to make partial payments and does not include late fees or other charges. Stout estimates the income group with the *highest* amount of debt shortfall is those making between $50,000 and $74,999 annually.

Stout predicts that by January, up to 8.4 million households comprised of 20.1 individual renters could have an eviction filed against them. The authors note, however, that the actual number of eviction filings will be largely dependent on renter awareness of the CDC's eviction moratorium, as well as court enforcement. For example, not all renters are aware of the moratorium, and may not complete the required affidavit. Courts are also handling the moratorium differently. Maryland District Court, for example, will continue hearing eviction cases even if a renter has signed the affidavit, and will automatically enter a judgement as soon as the moratorium expires.

The analysis found that low-income households are at a significantly higher risk of eviction, with those making less than $50,000 accounting for 71% of estimated eviction filings. By January 2021, an estimated 2.7 million evictions will be filed against households with annual incomes of less than $20,000, and an estimated 3.3 million will be filed against those with incomes between $20,000 and $49,999.

The report acknowledges that the speed and patterns of economic recovery will greatly influence whether renters will be able to pay their rent and avoid eviction. Given the current slow pace of recovery, it is likely that rent burden, debt accumulation, and risk of eviction will continue to plague low-income renters past January 2021.

The report can be found at: https://bit.ly/3n5LZ3G

New Survey Finds COVID-19 Economic Impact Most Severe for Low-Income Adults and People of Color

A report from Pew Research Center, "Economic Fallout From COVID-19 Continues to Hit Lower-Income Americans the Hardest," examines the economic toll that COVID-19 continues to take on U.S. households. The report finds that half of adults who lost jobs due to COVID-19 are still unemployed and that financial hardship is much more severe for those who lost their jobs. Those facing the highest rates of financial hardship include lower-income households and Black and Hispanic households.

The report includes data collected from Pew's American Trends Panel (ATP), a randomly selected, nationally representative sample of adults in the United States. The current report contains data from 13,200 adults, collected in August 2020. Pew defines "lower-income" as two-thirds of the median annual family income among all survey respondents. For a family of three, lower-income households are those making less than $39,800 per year.

Approximately one in four adults have struggled to pay their bills since the onset of COVID-19, with rates differing widely across racial, ethnic, and socioeconomic lines. Forty-three percent of Black adults and 37% of Hispanic adults reported trouble paying bills since COVID-19 began. Further, 28% of Black and 26% of Hispanic adults had trouble paying rent or mortgage—rates more than double that of white adults at 11%.

Forty-six percent of lower-income adults reported having trouble paying bills, and 32% reported having problems paying their rent or mortgage. Lower-income adults also reported high rates of using money from savings and retirement accounts (44%), borrowing money from family/friends (35%), and receiving food from a food bank (35%).

Unemployment continues to affect many adults, 15% of whom reported that they personally became unemployed because of COVID-19. Of these, half remain unemployed. Forty-three percent of lower-income Americans have been able to return to work, compared to 58% of those in the middle and high-income groups. Many people who remained employed still took a financial hit amid COVID-19; 21% of adults who did not lose their job experienced a cut in pay.

Lastly, 36% of adults who are typically able to save money report saving less since the pandemic began. This is significantly higher for lower-income adults (51%), Black adults (46%), Hispanic adults (48%), and younger adults age 18-29 (47%).

The report can be found at: https://pewrsr.ch/3461Fv2

Significant Number of Renters Still Behind on Rent in September

The Center on Budget and Policy Priorities (CBPP) released an analysis of the Census Bureau's *Household Pulse Survey* for September 2 to September 14, which finds millions of households continuing to struggle to pay their rent and afford food. One in four renters with children was behind on rent in September, and nearly 11% of all adults reported that their household sometimes or often did not have enough to eat in the previous seven days.

The Census Bureau made changes to the *Household Pulse Survey* in late August, complicating comparisons with earlier survey results. The new version includes changes in the wording of some questions, and the survey has become twice as long, so fewer respondents are answering questions about housing hardship. Despite these caveats, CBPP notes the survey shows many people are struggling.

Seventeen percent of adult renters (13 million people) lived in a household not caught up on rent. Renters of color were more likely to be behind: 12% of white renters, compared to 22% of Latino renters, and 25% of Black renters. Households with children were twice as likely as households without children to be behind on rent.

Nearly 11% of all adults reported that their household sometimes or often did not have enough to eat in the past seven days. By comparison, a pre-pandemic survey in 2019 found just 3.7% of adults reported not having enough to eat. Black and Latino adults were more than twice as likely to report not having enough. The CBPP provides a state-level analysis of where food hardship rates are highest.

The report also includes analysis of job losses between February and August, using the Census Bureau's monthly *Current Population Survey*. Job losses were concentrated among workers in low-paid industries and among those who do not have a four-year college degree. Thirty-five million people were unemployed or lived with an unemployed family member in August. The official definition of unemployment excludes furloughed workers and those who are not currently seeking work. When those groups are included, the authors find that as many as 61 million people, nearly 1 in 5 people in the country, live in families with a sidelined worker—those who are unemployed, absent from their jobs without pay, or those who want to work but are not currently looking, because of ill health, family responsibilities, childcare, or other reasons.

CBPP's analysis can be found at: https://bit.ly/3mXwWsL

Affordable Rental Housing Providers' Expenses Increasing, Rent Revenues Declining during Pandemic

The National Leased Housing Association (NLHA) and ndp analytics released the results of a survey of low- and moderate-income housing providers conducted in August, which asked them about additional expenses related to COVID-19, changes in rent revenue, and how the pandemic has affected their plans. Nearly three-quarters of respondents (74%) increased their operating expenses due to COVID-19, and 89% report a decline in rental income.

The survey was administered online to providers of low- and moderate-income rental housing. Among the 164 respondents, nearly half (46%) managed 1,000 rental units or less, while 26% managed over 5,000 units. Eighty-eight percent of those surveyed managed subsidized rental homes, which could include public housing/Section 8 project-based housing, Section 8 vouchers, and USDA rural rental assistance projects. Unsubsidized low- and moderate-income rental homes included tax-credit projects without rental subsidies and market-rate housing. Most respondents (63%) had a blended portfolio of subsidized and unsubsidized homes.

In order to adopt new health and safety measures, 74% of respondents have increased their operating expenses. Housing providers report spending additional money on air filtration, extra cleaning, personal protective equipment (PPE), and other health-related expenses for residents and staff. The average increase in operating expenses is 14.8%.

At the same time, 89% of respondents reported a decline in rent revenue due to COVID-19. The average decline in revenue is nearly 12%. Nearly 73% of housing providers said non-payment was a main cause of the decline, and 49% identified incomplete or partial payments as a reason. In order to accommodate households struggling during the downturn, 77% of respondents reported implementing flexible payment plans.

The authors note that the combined increase in operating expenses and decrease in revenue constrains how much can be reserved for capital expenditures and owner income. This financial strain could affect future housing projects: over 44% of respondents have postponed or cancelled plans to invest. The authors note housing providers may not be able to maintain their supply of rental housing with reduced rent revenue.

The full report can be found at: https://bit.ly/33jnIiu

Join NLIHC's National Call on Coronavirus, Disasters, Housing, and Homelessness Today at 2:30 pm ET

Join today's (October 5) national call on coronavirus, disasters, housing, and homelessness from 2:30-4 pm ET. Representatives from the National Council of State Housing Agencies and Stout will discuss their new report on the threat of evictions and the amount of back rent owed. Eric Dunn of the National Housing Law Project and Linda Morris and Sandra Park of the American Civil Liberties Union will discuss current litigation efforts related to the CDC eviction moratorium. We will receive field updates from Anchorage Coalition to End Homelessness, Empower Missouri, and California Rural Legal Assistance, NLIHC's Sarah Saadian will provide updates on the COVID-19 relief and disaster supplemental bills, and more.

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

See the full agenda here.

Recording Available of NLIHC's September 21 National Call on "Coronavirus, Disasters, Housing, and Homelessness"

During the most recent national call on coronavirus, disasters, housing, and homelessness, experts discussed the latest data on evictions, the impact of COVID-19 on income inequality, and the executive order banning racial equity training.

Peter Hepburn of Eviction Lab and Rutgers University shared that between the end of the CARES Act eviction moratorium and the implementation of the CDC eviction moratorium, there was a spike in eviction filings in the cities tracked by Eviction Lab. They recorded 1,992 new filings the week of August 9th, and then an increase to 2,304 filings the week of August 16th. The next two weeks—following the end of the 30-day eviction notice period before evictions could be filed, as required by the CARES Act—saw significantly larger numbers of new filings: 2,930 the week of August 23rd and 3,131 the week of August 30th. Research indicates the CDC moratorium is more effective in some cities and states than in others, and since the CDC order many households have been receiving eviction filings, but they are less likely to result in judgments or writs of eviction.

Michael Stepner of the University of Toronto discussed the Opportunity Insights Economic Tracker, which explores the economic impacts of COVID-19 and demonstrates the disproportionate impact COVID-19 is having on employment for low-income people. Brittani Manzo, director of public policy at National Innovation Service, discussed the impact that President Trump's executive order on combating race and sex stereotyping has on the housing and homelessness sectors. The executive order, which bans the use of federal funds for trainings on racial equity or LBGTQ rights, is impacting the response to the current eviction crisis and racial inequities in housing.

Peter Hainley of CASA of Oregon discussed the local impact of the wildfires on low-income housing and the recent study on the COVID-19 farmworkers study. Matthew Goze, CEO of American Indian Community Development Corporation in Minneapolis, discussed how the organization is using CARES Act funding to purchase and renovate several buildings to increase shelter and permanent supportive housing capacity. NLIHC's Sarah Saadian discussed the state-of-play of the continuing resolution, a COVID-19 relief bill, and a disaster relief bill.

NLIHC hosts national calls on coronavirus, disasters, housing, and homelessness every week. On today's call, we will discuss the status of lawsuits related to the CDC eviction moratorium, get updates from the field, and more.

Register for today's call (Monday, October 5 at 2:30 pm ET) at: https://tinyurl.com/ru73qan

Watch a recording of the September 28 call at: tinyurl.com/yyw8eptr

Access presentation slides at: tinyurl.com/y69dnsts

Coronavirus and Disaster Housing Recovery – Congress

Bill Requiring Federally Funded Housing Projects to Take Flood Risk into Account Introduced in the House

Representatives David Price (D-NC), chair of the Transportation Housing and Urban Development Appropriations Subcommittee, and Lee Zeldin (R-NY) have introduced the "Flood Resiliency and Taxpayer Savings Act of 2020" to require agencies to plan for future flood risk as they evaluate the expenditure of federal funds on construction projects, including affordable housing projects. The bill also would also require appropriate mitigation strategies where a building constructed with federal funding is identified as at risk of flooding.

By requiring future flood risk to be considered during the construction of federally funded housing, the bill would ensure limited federal funds for affordable housing construction are not spent on buildings unprepared for catastrophic flooding. While local and state-funded projects are currently required to incorporate flood risk, housing projects funded by the federal government do not. Incorporating this standard means that costly repairs can be avoided.

While media coverage of disasters such as hurricanes and wildfires is widespread, flooding is the most common and expensive natural disaster in the U.S. Recent flood seasons in the Midwest and along the Mississippi River have devastated communities and homes, and coastal communities rocked by recent hurricanes have also experienced flooding that threatens to delay recovery efforts. As with many disasters, low-income households often live in areas at higher risk of flooding and receive the least amount of assistance afterward. As climate change continues, the risk to these communities will only increase.

"Far too many federally funded affordable homes are located in floodplains and other areas susceptible to damage from disasters" NLIHC President and CEO Diane Yentel stated in a press release accompanying the introduction of the bill. "This puts America's lowest-income and most marginalized seniors, people with disabilities, families with children, and others at greater risk of displacement and, in worst cases, homelessness when disasters strike. Congress should work quickly to protect lives and prevent displacement by enacting the Flood Resiliency and Taxpayer Savings Act of 2020 Act to ensure that federal investments in affordable housing and infrastructure can withstand future disasters."

Read the text of the "Flood Resiliency and Taxpayer Savings Act of 2020" at: https://bit.ly/36t8gm2

Read Chairman Price and Representative Zeldin's press release at: https://bit.ly/3l7FhrX

Legislation Passes Out of Committee to Increase FEMA Reimbursement Levels for State Action on COVID-19 and 2020 Disasters

A bill increasing the amount of reimbursement that states receive from FEMA for disaster and COVID-19 emergency measures was passed by the House Transportation and Infrastructure Committee on September 1 by a bi-partisan voice vote. The bill, the "FEMA Assistance Relief Act of 2020" sponsored by Committee Chairman Peter DeFazio, would increase the federal cost share percentage for FEMA's Public Assistance (PA) Program that reimburses states for eligible measures taken during disasters such as emergency shelter, food, debris removal, and more. The program has been utilized for 2020 disasters such as the west coast wildfires as well as Hurricanes Laura and Sally, and other storms during the ongoing 2020 Atlantic hurricane season. The bill would increase the cost share percentage to 90% for actions taken during major disasters in 2020 and 100% for actions taken in relation to the COVID-19 pandemic.

FEMA PA has been used across the country to assist states dealing with the COVID-19 pandemic. In addition to reimbursing states for PPE and temporary medical facilities, the program has also been used to reimburse states and eligible non-profits for costs associated with providing hotel rooms (i.e., "non-congregate shelter") to individuals who have contracted COVID-19, have been exposed to COVID-19, or are at high risk from the disease and do not otherwise have a place to quarantine. Though open to anyone meeting this definition, the program has greatly aided individuals experiencing homelessness, individuals living with disabilities, and others that reside in congregate settings. While some states, such as Connecticut, have been able to place a large number of individuals experiencing homelessness into hotels to ensure their safety through the worst of the pandemic, others have been slow to stand up such programs, in part because of financial constraints. The bill removes these constraints by providing 100 percent reimbursement of funds used for this purpose. As a result, states will be encouraged to ensure that individuals experiencing homelessness and other people living in congregate settings remain safe during the pandemic.

Read more about the FEMA PA Program and non-congregate sheltering at: https://bit.ly/33p83OX

Read the text of the FEMA Assistance Relief Act of 2020 at: https://bit.ly/33qmSRf

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Coronavirus and Disaster Housing Recovery – Other

Additional Coronavirus Updates - October 5, 2020

National Updates

Advocacy

NLIHC's Disaster Housing Recovery Coalition (DHRC) will continue to push 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 National Alliance to End Homelessness (NAEH) released a third report as part of its series on homeless system responses during COVID-19.

Reporting

NPR discusses the inextricable connection between housing stability and health. The article links to the *Opportunity Starts at Home* campaign's sign on letter urging congressional leaders to include critical housing resources and protections in the next COVID-19 relief package to support housing stability, promote good health, and reduce risk factors that lead to higher health care utilization.

Politico examines how the coronavirus pandemic is impacting every aspect of well-being in the U.S., including housing stability. The article discusses the looming housing crisis and links to NLIHC's rental assistance database.

According to a report released by the National Council of State Housing Agencies (NCSHA), U.S. renters will owe up to $34 billion in back rent by January 2021. This rent shortfall estimate does not include any interest or feeds landlords may charge. State housing finance agencies in 33 states have implemented emergency rental assistance programs in the last six months, but they will be unable to meet the overwhelming need for aid without additional federal support.

The *Associated Press* reports at least 26 lawsuits against eviction moratoriums across the U.S. have been filed by property owners this year, including several federal challenges to the CDC eviction moratorium.

NPR Weekend Edition reports that despite the CDC eviction moratorium, landlords have filed tens of thousands of eviction notices.

According to a *CNN* analysis of Eviction Lab data, neighborhoods with elevated rates of medical conditions that put people at high risk of complications from COVID-19 have seen disproportionately high rates of eviction filings over the last six months.

Vice reports corporate landlords are still filing eviction cases, despite the CDC eviction moratorium. According to the Private Equity Stakeholder Project, corporate landlords filed 5,214 eviction cases in the month following the national moratorium.

The *New York Times Magazine* shares the stories of elderly Americans facing homelessness amid the pandemic. An analysis estimates that in the next 10 years, the number of seniors experiencing homelessness in the U.S. will nearly triple – and that was before the COVID-19 pandemic.

WYNC's The Takeaway discusses the rise in homelessness amid the coronavirus pandemic. Anna Orso, a reporter with the *Philadelphia Inquirer*, speaks about the confluence of the racial justice movement and the movement for affordable housing taking place in Philadelphia.

A *Shelterforce* article discusses the challenges navigating the eviction process and the long-lasting impacts of eviction. The author outlines actions that can be taken at the federal, state, and local levels to mitigate the looming eviction crisis, highlighting the urgent need for $100 billion in emergency rental assistance.

State and Local News

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

Arizona

By projecting statewide estimates onto Pima County, two researchers estimate the number of households in the county at risk of eviction in the coming months ranges from 10,406 to 26,606. The researchers estimate the number of people experiencing homelessness has risen by nearly 800 people – an increase of about 58%.

Community organizations in Phoenix are concerned about a potential rise in homelessness after the CDC moratorium expires on December 31. "That date is going to be the tsunami – the cliff – I don't know what else to call it," said Victor Contreras of Chicanos Por La Causa. "That is what keeps me up at night. It's not just about losing your house or being evicted from your apartment, it's about the impact that has on families, on kids, on education, on the gaps in education, access to internet and computers."

California

The *San Francisco Chronicle* reports that the city's Project Roomkey will start winding down immediately, with all 2,340 hotel guests moved to other places by June 2021. Supervisor Matt Haney reports the program is being phased out under the assumption that FEMA will stop reimbursing it. Over the next several months, hotel residents will be connected to shelter beds, sanctioned encampments, housing vouchers, permanent supportive housing, or a city-funded bus ticket.

Governor Gavin Newsom announced $137 million in the third round of Project Homekey awards to 15 applications for 19 projects totaling 938 units. Governor Newsom also announced he has asked the Joint Legislative Budget Committee to approve his request for an additional $200 million in Coronavirus Relief Funding (CRF) for Project Homekey.

Cap Radio discusses homelessness in California during COVID-19, including an update on Project Homekey and how state lawmakers are working to address the growing risk of homelessness amid the ongoing pandemic.

Mercury News reports Governor Gavin Newsom has asked the state's Joint Legislative Budget Committee for an additional $200 million for Project Homekey. If approved, the request would increase the program's buying power a third, enabling it to fund 20 more projects on the waitlist.

There are reports that some of the recent fires at or near several encampments in Venice have been started deliberately. Los Angeles City Councilmember Mike Bonin filed a motion to offer an award for information leading to the identification, apprehension, and conviction of the person(s) responsible for these acts of arson.

Los Angeles' largest landlord group, the Apartment Association of Greater Los Angeles (AAGLA), announced on September 21 it had filed a preliminary injunction against the city of Los Angeles to stop the eviction moratorium and rent freeze. The AAGLA joins a landlord group that recently sued California, Los Angeles County, and several Southern California cities over several tenant eviction protections enacted during the COVID-19 pandemic.

Outreach workers in Costa Mesa have started to see an increase in the number of displaced and financially insecure families in and around the city. City officials are developing a rental relief program that could come before the council in October.

Colorado

CPR examines how the CDC moratorium has slowed but not stopped evictions in Colorado. Elena Wilken, executive director of Housing Colorado, calls attention to inconsistencies in how counties are interpreting both state and federal eviction orders.

Florida

The Coalition for the Homeless of Central Florida is bracing for an uptick in homelessness once Governor Ron DeSantis' eviction moratorium expires on October 1. "We've got more than 40% of the folks who are walking through our doors right this moment that have never been homeless before," said Allison Krall, president and CEO for the Coalition.

The *Gainesville Times* explains how the CDC eviction moratorium can help tenants impacted by the COVID-19 pandemic. One judge with the Hall County Magistrate Court had only seen one CDC declaration as of last week. Some landlords speaking with the Magistrate Court judges have not received any CDC declarations from their tenants.

Georgia

The *Associated Press* reports a Georgia property owner is among those suing the U.S. Department of Health and Human Services and the Centers for Disease Control and Prevention over the federal eviction moratorium.

Hawaii

An op-ed in the *Honolulu Star Advertiser* argues that renters need more assistance to remain stably housed. The $100 million State Rent Relief and Housing Assistance Program has received tens of thousands of applications for financial assistance.

Kentucky

The Kentucky Equal Justice Center updated its eviction prevention app. The app allows renters to review, sign, and email a CDC Declaration to their landlords to get protection from eviction under the national moratorium.

WKYU explains what the Kentucky Equal Justice Center's eviction prevention app does and why it's an important tool.

Maryland

The *Baltimore Sun* reports that a temporary moratorium in Maryland on water, gas, and electric service cut-offs remains until November 15, but notices can be sent starting October 1. Residents will have 45 days to address unpaid bills once they receive a termination notice, and they will not have their service disconnected if they work out a payment plan or apply for energy assistance.

Massachusetts

Housing advocates in Massachusetts are ramping up pressure on the state legislature to pass a bill that would ban evictions and freeze rents for one year after the end of the COVID-19 emergency. Governor Charlie Baker appears ready to allow the state's eviction moratorium to expire in two weeks. Advocates estimate the expiration of the moratorium could result in anywhere from 20,000 to 80,000 evictions.

An op-ed in the *Boston Globe* argues that Massachusetts must extend the state's eviction moratorium to protect voting rights. The state's moratorium is set to end on October 17, just weeks before Election Day.

Minnesota

The *MinnPost* reports Minnesota's COVID-19 housing assistance program, funded with $100 million of CARES Act money, has received more than 4,500 completed applications since it launched one month ago. The amount requested in those applications is more than $25 million. There have been more than 19,000 applications started across the state.

Hennepin County and St. Stephen's Human Services, a nonprofit organization that has operated an emergency shelter in Minneapolis since 1981, have been using several hotels to house people experiencing homelessness during the pandemic. The long-term lease agreements between the county and hotels are funded through the CARES Act.

Missouri

The ACLU and ACLU of Missouri filed a federal lawsuit on September 30 challenging the Jackson County Circuit Court's administrative order that says it implements the CDC nationwide eviction moratorium but instead permits eviction cases to move forward in violation of it. The lawsuit was filed on behalf of KC Tenants.

A commentary in the *St. Louis Post-Dispatch* argues the U.S. will experience a wave of evictions if Congress fails to provide at least $100 billion in emergency rental assistance. Chris Krehmeyer, the president of Beyond Housing, a nonprofit organization, fears the looming eviction crisis will overwhelm organizations' availability of funds. "I don't think philanthropy can cover the size and scale of what could be coming," said Krehmeyer.

Nebraska

Despite the state and federal eviction moratoriums, 466 evictions have occurred in Omaha during the pandemic. According to the *Understanding Evictions in Omaha* study, evictions are not evenly distributed across Omaha, with communities of color disproportionately impacted due to the city's history of racial inequity.

Nevada

While the Nevada Supreme Court considers the parameters of the state's eviction mediation program, housing advocates and representatives of the Nevada State Apartment Association disagree on the two primary proposals being considered by the court.

New Jersey

NJ.com reports applications for New Jersey's Small Landlord Emergency Grant Program (SLEG) reopened for its second round of applications on September 28. The reopening of SLEG follows a $2.35 million grant to provide legal aid to at-risk tenants.

New York

The Legal Aid Society released a statement on September 26 ahead of a vigil in support of New Yorkers residing at the Lucerne Hotel. "As we have said since day one, Mayor Bill de Blasio's capitulation to a small group of vocal NIMBYists with a racist agenda is unconscionable and inexcusable," the statement reads. "The troubling message the City sends these New Yorkers by making this regrettable decision is clear: you cannot live here, and the voices of the people who complained are worth more to us than your well-being."

The Legal Aid Society condemned an executive order signed by Governor Andrew Cuomo extending protections to a subset of residential tenants who were facing evictions before the pandemic shut down courts. The executive order does not extend the blanket eviction. Rather, it expands eligibility for protection under the state's Tenant Safe Harbor Act.

The Legal Aid Society urged Governor Cuomo to extend the residential eviction moratorium, which expired on October 1, to cover all tenants, regardless of circumstance, and extend well beyond the end of the pandemic.

North Carolina

North Carolina landlords filed evictions against more than 18,000 tenants in the two-month gap between the state moratorium, which expired June 23, and the CDC moratoriums.

Ohio

CNN reporter Kyung Lah shares the stories of tenants in Columbus, Ohio who are facing eviction despite the national eviction moratorium. Melissa Benson of the Legal Aid Society of Columbus states that most renters do not know about the moratorium or the steps they need to be protected.

The *Columbus Dispatch* reports Mount Carmel Health System's outreach teams have expanded outreach to people experiencing homelessness amid the pandemic.

Oklahoma

The *Oklahoman* reports that rental assistance and input from Legal Aid have been effective in keeping renters housed during the pandemic. As of September 15, Community CARES Partners had served nearly 400 individuals and provided more than $1 million in housing assistance. Hundreds of evictions still occur each week, thousands are reaching out for assistance, and services for people experiencing homelessness are in high demand.

Oregon

According to the Oregon COVID-19 Farmworker Study, a collaboration between 11 organizations and research institutions, Oregon's agricultural laborers have faced heightened risks during the pandemic. Some continue to report insufficient access to personal protective equipment, a lack of social distancing at work sites, and inconsistent access to COVID-19 testing. The data were collected through surveys and interviews with more than 200 farmworkers across the state.

Governor Kate Brown extended Oregon's eviction moratorium through December 31, 2020, in response to COVID-19 and wildfire emergencies.

Pennsylvania

Pennsylvania Real-Time News reports that the Greater Harrisburg Area Tenants United distributed information to tenants facing eviction at the Magisterial District Court 12-1-01 in Susquehanna Township on September 30. The advocates are working to ensure tenants understand their rights under the CDC eviction moratorium and take the necessary steps to receive protection.

Rhode Island

South Coast Today discusses renters' frustrations with accessing Rhode Island's rental assistance programs. Governor Gina Raimondo acknowledges that the programs, Housing Help RI and the Safe Harbor Housing Program, face procedural hurdles that have slowed the distribution of the funds.

Texas

Governor Greg Abbott on September 25 announced the allocation of over $171 million in CARES Act funding for rental assistance and the newly created Texas Eviction Diversion Program.

Utah

The *Associated Press* reports an outbreak at a Utah homeless shelter has resulted in 72 confirmed cases of the coronavirus. The sharp increase coincides with a rise in cases in Utah as a whole. There are currently 93 confirmed cases in Salt Lake City-area homeless shelters.

Virginia

Governor Ralph Northam expanded Virginia's rental and mortgage relief program to allow landlords to apply for assistance on behalf of tenants.

Wisconsin

The *Cap Times* proposes that growing homeless encampments in Madison signal a worsening housing and homelessness crisis ahead. Advocates are concerned about the upcoming winter, citing concerns that the expiration of the federal eviction moratorium will place even greater strain on the shelter system.

Guidance

Department of Housing and Urban Development

COVID-19 Homeless System Response: Rapid Rehousing Ramp-Up

COVID-19 Homeless System Response: Remote Supervision Tips for Homeless Service Providers

FEMA

COVID-19 Housing Resource Roadmap – September 22

Additional Disaster Housing Recovery Updates – October 5, 2020

The NLIHC-led Disaster Housing Recovery Coalition is convening and supporting disaster-impacted communities to ensure that federal disaster recovery efforts reach all impacted households, including the lowest-income and most marginalized people who are often the hardest-hit by disasters and have the fewest resources to recover.

General Reporting and Resources

The *Guardian* discusses the recent record-breaking wildfires and hurricanes in the U.S., noting that while millions of Americans are being impacted by climate change, the consequences are disproportionately harming people of color and individuals with the fewest resources to recover from natural disasters.

An op-ed in *Street Sense Media* examines how the climate emergency exacerbates homelessness. "The United States, and the entire world, needs to face facts: we are simultaneously living through a climate crisis and a housing crisis, the two of which are inextricably linked," the author, Kathryn McKelvey, writes.

An op-ed in the *Daily Emerald* calls attention to the differences in how we respond to individuals displaced by natural disasters and how we treat individuals experiencing homelessness and housing instability. "It would be horrendous to justify the burning of a house regardless of circumstance. It should be equally horrendous to justify leaving a family on a street simply because of economic shortcomings. In our nation, though, it's not," writes Parsa Aghel.

Wildfires in the West

Common Dreams examines how unhoused individuals in Oregon and Washington are experiencing the worst of the smoke as climate change intensifies wildfires each year. In 2018, more than 36,000 people were experiencing homelessness in Oregon and Washington combined, with almost 20,000 of those individuals living unsheltered. Those numbers are expected to grow due to the pandemic's economic fallout, limited federal assistance, and the destruction caused by the wildfires.

California (DR-4558-CA)

Federal Response

Santa Clara County has been approved for federal assistance to individuals and households, as well as for repairs or rebuilding of community infrastructure, as part of the major wildfire disaster declaration approved August 22.

USDA announced that low-income California residents dealing with the ongoing wildfires could be eligible for the USDA's Supplemental Nutrition Assistance Program (D-SNAP).

Reporting

The *San Francisco Chronicle* reports air quality in the Bay Area began to deteriorate Monday (9/28) morning as smoke from several wildfires – including the new Glass Fire in St. Helena – entered the region.

Homeless advocacy organizations have had to push the city and county of Sacramento to keep cooling centers open to provide indoor spaces for unsheltered individuals to get respite from the hazardous air quality. "The city and county need to do a better job of not only letting homeless people know that cooling centers, warming centers, clean air centers are open but then providing transportation so they're utilized," said Bob Erlenbusch, executive director of the Sacramento Regional Coalition to End Homelessness.

Oregon (DR-4562-OR)

Federal Response

Disaster Unemployment Assistance benefits are available to workers in the eight Oregon counties that have been federally designated for disaster assistance.

Reporting

The Oregonian reports the Almeda fire's destruction of mobile home parks is exacerbating the region's existing shortage of affordable housing. Jackson County authorities estimate that 2,357 residential structures were destroyed in the Almeda fire, and three-quarters – an estimated 1,748 units – were manufactured homes in mobile home parks.

Hurricane Laura

Louisiana

Reporting

One month after Hurricane Laura, many Southwest Louisiana residents are awaiting federal assistance while living in tents. "With this [storm], it's like a total loss of everything, and you're reduced to living in a tent," said Sherry Bourque, a survivor of Hurricane Laura. "Waiting on FEMA help because we didn't have house insurance. So, it's just a hurry up and wait."

KLFY reports thousands of Louisiana residents who are outside FEMA's declared disaster areas remain homeless in the wake of Hurricane Laura. Residents of Iberia Parish whose homes were destroyed by the hurricane, for example, are not eligible for FEMA Individual Assistance.

The *Acadiana Advocate* reports the Acadiana Regional Council on Homelessness is struggling with the area's affordable housing shortage as it works to house people experiencing homelessness amid the pandemic and in the wake of Hurricane Laura. The shortage of shelter space, already impacted by COVID-19, is further exacerbated by survivors displaced by Hurricane Laura.

Hurricane Sally

Alabama (EM-3545-AL)

Federal Response

Alabama renters in Baldwin, Escambia, and Mobile counties impacted by Hurricane Sally who face eviction or have been evicted from their hurricane-damaged apartment complex may be eligible for disaster assistance from FEMA. They may be eligible even if they were previously determined ineligible for FEMA assistance.

USDA announced that low-income residents in Alabama recovering from Hurricane Sally could be eligible for USDA's Supplemental Nutrition Assistance Program (D-SNAP).

Florida (EM-3546-FL)

Reporting

Hurricane Sally survivors in Escambia County unable to return to their homes are struggling to find safe housing options, leaving some of them homeless. The county shelters are closed, and FEMA has not offered any immediate temporary housing options.

WKRG reports that at least five apartment complexes in Baldwin County are forcing tenants out of their homes due to wind and water damage from Hurricane Sally, leaving many families with nowhere to go.

Budget and Appropriations

Congress Passes Continuing Resolution to Keep Government Funded Through Election

Congress passed and the president signed a continuing resolution (CR) on September 30 to extend current funding for federal agencies and programs through December 11. The bill (HR 8337) passed out of the House last week (see *Memo*, 9/28) and passed the Senate by a vote of 84-10 on September 30, just hours before the October 1 deadline.

President Trump missed the technical deadline for signing the bill, but no federal agencies shut down because the president's signature was considered "imminent." Congress now has until December 11 to pass spending bills for fiscal year 2021, pass another CR, or face a government shutdown.

Read the bill at: https://tinyurl.com/yywknuxu

Department of Homeland Security

U.S. Citizenship and Immigration Services to Reimpose DHS Public Charge Rule

The U.S. Court of Appeals for the Second Circuit issued a decision on September 11 allowing the Department of Homeland Security (DHS) to resume implementing its "Public Charge" rule nationwide (see *Memo*, 08/19). This decision reverses a previous injunction.

The DHS final Public Charge rule, published in 2019, would affect immigrants applying for lawful permanent residence, attempting to extend their stay in the U.S., or making other adjustments to their status. The rule would consider them a "public charge" if they receive or might receive government assistance—including public housing, Housing Choice Vouchers, and Section 8 Project-Based Rental Assistance. Such immigrants considered to be a public charge could be denied a green card or visa. The U.S Citizenship and Immigration Services (USCIS) will now apply the public charge final rule to all admissions and lawful permanent residence applications and petitions postmarked on or after February 24, 2020. Applications to register permanent residence or adjust status may now be required to include a Declaration of Self-Sufficiency. Starting October 13, USCIS will reject applications without the Declaration of Self-Sufficiency and related documents. Applications filed and accepted after the July 29 injunction will not be re-adjudicated.

It is important to note that the Public Charge rule will not apply to testing, screening, or treatment of communicable diseases including COVID-19:

> "USCIS will not consider testing, treatment, nor preventative care (including vaccines, if a vaccine becomes available) related to COVID-19 as part of a public charge inadmissibility determination, nor as related to the public benefit condition applicable to certain nonimmigrants seeking an extension of stay or change of status, even if such treatment is provided or paid for by one or more public benefits."

The decision to reverse the injunction will be harmful for families who are unaware that seeking COVID-19-related treatment will not count towards a public charge analysis and would put many in the public at risk as a result. This is another burden on a marginalized community that has already been left out of many COVID-19-related aid and policies (see *Memo*, 05/04).

The *Protecting Immigrant Families* (PIF) campaign has a variety of resources in various languages to ensure impacted communities and service providers understand their rights and the potential implications of the rule.

The injunction against the Department of State (DOS) Public Charge rule remains in effect nationwide.

NLIHC will continue to inform readers with updates to the DHS Public Charge rule and the DOS injunction.

For more information, read the fact sheet "What Advocates Need to Know" from our partners at the PIF Campaign at: https://bit.ly/2EPR1jv

PIF's "Changes to Public Charge: Analysis and Frequently Asked Questions, Updated March 2020" is available at: https://bit.ly/3447Vm8

The Protecting Immigrant Families campaign website is at: https://protectingimmigrantfamilies.org

Read the updates from USCIS at: https://bit.ly/3ioIJN8

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

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HUD

HUD Publishes Final Section 3 Rule

HUD published a final rule implementing the Section 3 obligations of public housing agencies (PHAs) and other recipients of HUD housing and community development funding. The final rule was published on September 29 and becomes effective on November 30. While the final rule maintains most of the problematic components of the proposed rule, it does include three positive changes.

The purpose of Section 3 of the Housing and Urban Development Act of 1968 is to ensure that when HUD funds are used to assist housing and community development projects "to the greatest extent feasible," preference for some of the jobs and other economic opportunities created go to low-income people, "particularly those who are recipients of government assistance for housing." Another Section 3 obligation is to support businesses owned or controlled by low-income people or businesses that hire them. PHAs and jurisdictions using Community Development Block Grant (CDBG), HOME Investment Partnerships program, and other HUD funds must comply with Section 3 and ensure that contractors and subcontractors comply.

Under the current administration, HUD issued a proposed rule on April 4, 2019 that NLIHC and other advocates found to be deeply flawed. Three recommendations in NLIHC's comment letter, however, are adopted in the final rule. During the previous administration, HUD proposed significant changes to the then interim rule from 1994. Many of those changes reflected input from advocates, including NLIHC, after numerous conference calls with HUD staff. That proposed rule never cleared the Office of Information and Regulatory Affairs (OIRA) at the Office of Management and Budget (OMB). The current administration replaced the previous proposed rule with the one now made final.

Three Positive Changes in the Final Rule

Requiring PHAs and Jurisdictions to Track and Report "Labor Hours" instead of "New Hires"

The 1994 interim rule required PHAs and jurisdictions to have goals of 30% of "new hires" be so-called Section 3 residents. However, as advocates had long observed, some contractors would hire Section 3 residents for a short time so that they would "count" toward the 30% goal but lay them off in short order. Or, a Section 3 resident would only be given 20 hours or less of work per week. Some contractors would shift some of their existing workforce to a Section 3 project so that the contractor could claim that they did not need to hire anyone new for the Section 3 project.

As HUD rightly notes in the preamble to the final rule, a focus on labor hours worked instead of new hires will measure total actual employment by Section 3 workers and the proportion of that total employment performed by Section 3 workers. Using labor hours worked also emphasizes continued employment. As an example, HUD observes that with a new hires standard, hiring five new workers for one or two months would be counted as more valuable than hiring one person for a full year. A full-time job sustained over a long period provides a Section 3 worker with the potential to gain skills that can lead to greater self-sufficiency.

The proposed rule would have required jurisdictions to switch to labor hours worked but asked whether PHAs should use labor hours worked or continue to use the new hires standard. NLIHC urged PHAs also be required to switch to labor hours worked. HUD agreed; the final rule requires PHAs to also make the switch to labor hours worked.

Small PHAs, those with fewer than 250 public housing units, will not be required to report the number of labor hours. Instead they have the option to report qualitative efforts, such as holding job fairs, referring residents to services supporting work readiness, and outreach efforts to generate job applicants. Out of 2,950 PHAs, 2,250 are small PHAs.

Removing the “Qualified Census Tract” Option from Definition of “Section 3 Worker”

The proposed rule would have replaced the interim rule’s term “Section 3 Resident” with a new term, “Section 3 Worker,” who is someone meeting one of the following:

1. The worker’s income is less than the income limit set by HUD for the program triggering Section 3 (for example 80% of AMI for CDBG and HOME); or
2. The worker lives in a “qualified census tract”; or
3. The worker is employed by a Section 3 business (see below).

NLIHC and other advocates urged HUD to remove option #2 because someone living in a qualified census tract (QCT) will not necessarily be a low-income person. Depending on how the qualified census tract is drawn, a large number of residents could be higher income. HUD agreed; the final rule eliminates the QCT option. However, problems remain with the definition of Section 3 Worker, one of which is discussed below.

Changing the Definition of “Section 3 Business”

The proposed rule would have significantly changed the definition of “Section 3 business” to be a business meeting one of the following:

1. At least 51% of the business is owned by low-income people; or
2. Low-income people work more than 75% of the labor hours worked at the business; or
3. At least 25% of the business is owned by public housing residents or Section 8 residents (either tenant-based or project-based).

Setting a 25% threshold for public housing or Section 8 ownership of a business risks rewarding businesses that are merely front entities, a problem sometimes experienced with minority-owned and women-owned business programs. For example, the other 75% owners could be regular businesspeople who do not have the best interests of residents at heart. The final rule improves the third option by requiring a business to be one that is at least 51% owned and controlled by current public housing residents or Section 8 residents (either tenant-based or project-based).

Harmful Provisions in the Final Rule

Most of the provisions in the proposed rule remain in the final rule, which also introduces additional harmful features. This *Memo* article only highlights five harmful provisions. NLIHC will prepare a thorough summary and analysis, elaborating on the points highlighted here and describing the other problematic provisions of the final rule.

- The final rule would eliminate any Section 3-specific complaint process. Instead, complaints may be reported to the relevant program office or to the local HUD field office. The relevant program offices are those that provide the funds that trigger the Section 3 obligation, such as the Office of Public and Indian Housing (PIH), the Office of Community Planning and Development (CPD), and the Office of Recapitalization (for RAD demolition, rehabilitation, or new construction). However, the preamble to the rule is confusing, stating that the Office of Field Policy and Management (FPM) will filter complaints to the appropriate program office, instead of every HUD program office having its own complaint process.

- Monitoring and enforcement of Section 3 is removed from HUD's Office of Fair Housing and Equal Opportunity (FHEO) and transferred to the relevant program office. This is a problem because Section 3 monitoring and enforcement should be carried out by HUD staff who are independent of the HUD program offices because program staff are too close to the PHAs, jurisdictions, and the development projects funded by their programs.

- The proposed rule's third option for determining whether someone might be a "Section 3 Worker" was someone employed by a "Section 3 business." The final rule keeps this option, which is a problem because someone hired by a Section 3 business will not necessarily be a public housing, Section 8, or other low-income person.

- The proposed rule would establish Section 3 "benchmarks" to replace the current rule's "goals." The preamble indicated that benchmarks would be used to monitor a PHA's and a jurisdiction's accomplishments toward directing job opportunities to Section 3 Workers and a new subcategory of Section 3 Worker called "Targeted Section 3 Workers" (next topic).

  The proposed benchmarks would be the same for PHAs and jurisdictions:

  1. Section 3 Workers make up 25% of the total number of labor hours worked by all workers.
  2. Targeted Section 3 Workers make up 5% of the total number of labor hours worked by all workers.

  In other words, 30% of all labor hours worked are by Section 3 Workers (25%) and Targeted Section 3 Workers (5%).

  NLIHC and other advocates wrote that the benchmark of 5% for Targeted Section 3 Workers was far too low; at least 15% was recommended. However, the final rule keeps the benchmark at 5%.

- The proposed rule would create the category "Targeted Section 3 Worker," intended to give PHAs and jurisdictions an incentive to focus on hiring workers given priority in the statute and providing contracts to Section 3 businesses primarily owned or controlled by or that hire a substantial number of workers given priority in the statute. There were two options for considering whether someone could be considered a Targeted Section 3 Worker. The first option was someone employed by a Section 3 business. The final rule keeps this option, which is a problem because as noted above, someone hired by a Section 3 business will not necessarily be a public housing, Section 8, or other type of low-income person. In addition, repeating a "worker employed by a Section 3 business" dilutes the targeting concept HUD proposes for benchmarking.

The *Federal Register* version of the final Section 3 rule is at: https://bit.ly/33e0Vos

An easier to read version of the final rule is at: https://bit.ly/30mPLf7

More information about the now-defunct Section 3 regulations is on page 7-75 of NLIHC's *2020 Advocates' Guide* and on NLIHC's public housing webpage.

Opportunity Starts at Home

New Podcast Episode Explores Campaign's Racial Equity Work

The *Opportunity Starts at Home* multisector affordable homes campaign released its 26th podcast episode, "Centering Racial Equity in an Affordable Homes Campaign." The episode discusses the work of the campaign's Racial Equity Working Group and features Peggy Bailey, vice president of housing policy at the Center on Budget and Policy Priorities. The working group, which is a subset of the campaign's broader Steering Committee, identifies and implements strategies that advance racial equity. Ms. Bailey discusses the history of racism in housing policy, the first steps when organizations embark upon racial equity work, her major reflections and takeaways, the intersectional impact of correcting racial inequities in housing policy, and the value of applying an anti-racist framework to housing justice.

"There is a true commitment to race equity work and doing better in the housing space," said Ms. Bailey. "Policies and practices have caused racial disparities, so intentionality and courage are needed to reverse and correct them."

Listen to the episode 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.

Our Homes, Our Votes: 2020

"Election Day! Getting Out the Vote" - Webinar, October 15

NLIHC's next *Our Homes, Our Votes 2020* webinar, "Election Day! Getting Out the Vote," is scheduled for October 15 at 3 pm ET. The webinar will explore 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. Attendees will learn about effective "knock-and-drag" efforts throughout Election Day for identifying who has not yet voted and sending volunteers to their doors.

Register for this webinar and the remainder of NLIHC's "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 nonpartisan voter and candidate 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 (1-12) on our website.

Register here for the "Third Thursdays at Three" series!

Upcoming topics in the "Third Thursdays at Three" series include:

Session 14

Election Day! Getting Out the Vote

Thursday, October 15, 2020 at 3 pm ET

Session 15

After the Vote—Holding Candidates to their Promises

Thursday, November 19, 2020 at 3 pm ET Study Shows People of Color Concentrated in High-Need Areas

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

Study Shows People of Color Concentrated in High-Need Areas

A report from the Brookings Institution, "How we define 'need' for place-based policy reveals where policy and race intersect," examines eight well-known indices used to define "high-need areas" in economic development and housing policy. Across all measures, people of color are concentrated in these high-need areas. Under the broadest definition, half of poor white people live in high-need areas, compared to more than 80% of poor Black people and 76% of poor Latino people.

The authors reviewed eight indices of place-based need from existing policies and academic analyses. Four are based primarily or exclusively on economic criteria, including poverty: New Market Tax Credit's Low-Income Communities (LICs), Opportunity Zones (OZs), USDA's classification of persistent poverty counties or tracts (PPTs), and the Economic Innovation Group's Distressed Communities Index (DCI). The other four include a broader range of criteria: the CDC's Social Vulnerability Index (SVI), Diversity Data Kids' Child Opportunity Index (COI), the Robert Graham Center's Social Deprivation Index (SDI), and the University of Wisconsin's Area Deprivation Index (ADI).

The different approaches yield variations in the number and location of communities identified as high-need. Indices that use a relative standard of need (e.g., comparing a place's poverty rate with the state poverty rate) tend to cover more people and places than indices that use an absolute standard of need (e.g., poverty rate above a specific threshold). Even where designations identify roughly the same number of people and places as in need, the places identified vary. The variables included in an index affect which areas are identified as high-need. For example, the weight that the SDI puts on a household's lack of a car means more urban areas are identified as high-end than in other indices.

Despite other variations, all the indices show that poor people of color are concentrated in high-need areas. Not only are people of color more likely to be below the poverty line, they are also more likely to be living in areas of widespread economic disadvantage. Even under the broadest definition of communities in need (LICs), just 50% of poor white people live in high-need areas. In contrast, over 80% of poor Black people, 76% of poor Latino people, and 74% of poor Native American people live in LICs. The other seven measures likewise show that poor people of color are more isolated and concentrated in high-need areas than poor white people. Regardless of income, all racial groups except white and Asian people are overrepresented in high-need areas. The authors attribute this racial pattern to the lingering effects of racist policies that segregated the U.S. and suppressed the economic mobility of people of color.

When compared with neighborhoods not identified as in-need, high-need areas face a range of structural challenges. Residents of high-need areas are twice as likely to work in low-wage service occupations. In high-need areas, a much higher share of households lacks internet access and health insurance, and more live in severely crowded homes. The homeownership rate in these tracts is almost half that of tracts not in high need, and housing cost-burden rates are 12 to 18 percentage points higher (depending on the index of need adopted).

The full report can be found at: https://brook.gs/30imAde

Permanent Supportive Housing Associated with Less Emergency Psychiatric Care, Fewer Days in Shelters

An article in *Health Services Research* examines whether permanent supportive housing (PSH) for chronically homeless individuals reduces the use of acute health care services, compared to the usual assistance offered to people experiencing homelessness. The authors find that permanent supportive housing is associated with a 38% reduction in the use of psychiatric emergency departments and nearly two-thirds fewer days in shelters. Residents in permanent supportive housing had twice as many outpatient mental health visits as those receiving usual care. The study did not find a significant reduction in hospitalizations or other visits to medical emergency departments.

The authors conducted a randomized controlled trial among 423 chronically homeless high users of multiple county-funded systems (e.g., emergency departments, inpatient services, jail) in Santa Clara, California. They assessed service use by examining administrative claims data between 2015 and 2019. The project is ongoing. The study's participants were randomly assigned into two groups: a group receiving the usual care provided to homeless individuals in the community and a group immediately assigned to PSH. The 224 participants assigned to usual care were eligible for the services typically provided to individuals experiencing homelessness in Santa Clara County, which could include shelter, temporary or permanent housing, and other forms of PSH, when those services are available. The 199 participants assigned to the intervention were enrolled in Project Welcome Home, a PSH project that utilizes both scattered-site and congregate housing. Participants in Project Welcome Home received weekly case management for six to nine months, a rental subsidy, an array of housing options delivered through a Housing First approach, and other supportive services including mental health services, medication support, educational and vocational support, and connection to primary care.

During the follow-up period, 86% of those assigned to the PSH intervention received housing, compared to 36% of those receiving usual care. On average, participants in the PSH intervention moved twice after entering the program, and 72% of those who moved had no housing gap between placements. Individuals in the PSH intervention spent an average of 6.6 days in shelter per year, compared to 16.8 days for individuals in the usual care group.

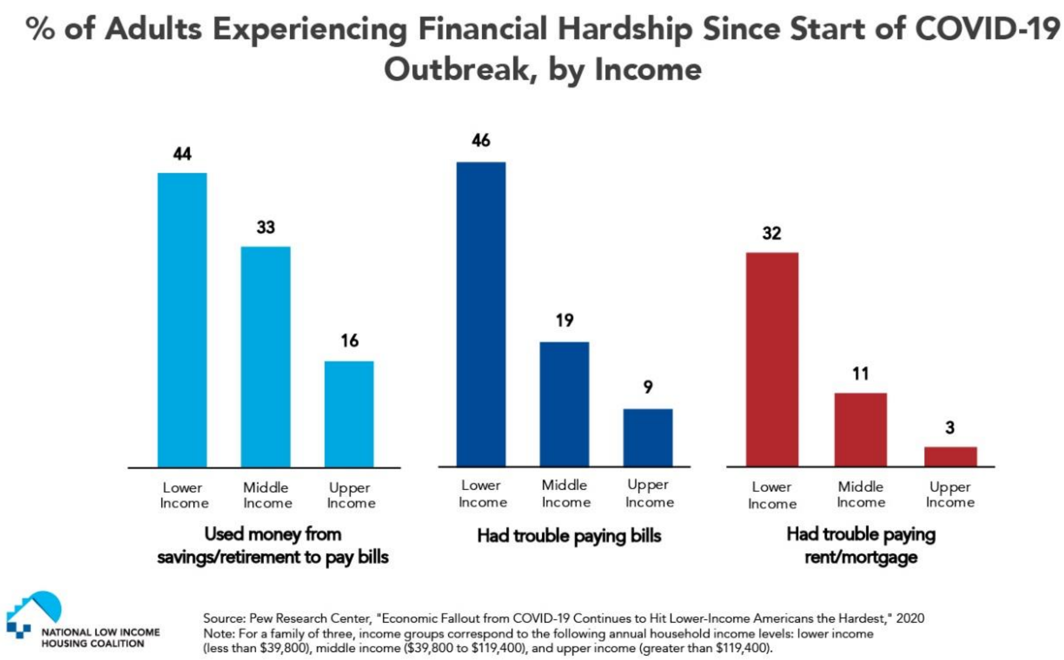
Assignment to the PSH intervention was associated with a 38% reduction in psychiatric emergency department visits. PSH residents, however, had nearly twice as many outpatient mental health visits as individuals receiving usual care. There were no statistically significant differences between PSH and usual care in total use of emergency departments, in hospitalizations, or in jail stays.

The authors infer that experiencing homelessness is one factor that leads to emergency department visits among psychiatric patients, and that such visits may be reduced by providing housing associated with low-barrier mental health services. People who are high users of such services likely have unmet health needs that become apparent once housed. By providing housing with appropriate services, the vast majority of high-risk individuals can remain stably housed. Because over two-thirds of PSH participants required rehousing after their first placement, the authors caution that any successful program will require flexibility.

The full article can be found at: https://bit.ly/2HDa7u5

Fact of the Week

One-Third of Lower-Income Households Have Had Trouble Making Housing Payments during the Pandemic



Source: Pew Research Center, “Economic Fallout from COVID-19 Continues to Hit Lower-Income Americans the Hardest,” 2020.

From the Field

Federal District Court Declines to Stay Massachusetts Eviction Moratorium

An eviction moratorium enacted by Massachusetts Governor Charlie Baker (MA) in April put a pause on all "non-essential" evictions, including evictions for nonpayment of rent, for no fault or no cause, or for cause that does not involve or include allegations of criminal activity or allegations of lease violations that harm the public, as well as those resulting from a foreclosure. The state-wide moratorium took effect on April 20 and was originally set to expire on August 18. Due to the continued economic impact of COVID-19 and persistent advocacy efforts by housing organizations and tenants, Governor Baker extended the moratorium until October 17. On September 25, in the case of *Baptiste v. The Commonwealth of Massachusetts*, U.S. District Court of Boston Judge Mark L. Wolf denied the request of two landlords to stay the eviction moratorium, judging the landlords were unlikely to prevail on most of the merits of the case.

Housing advocates, including NLIHC state partner Citizens' Housing and Planning Association (CHAPA), credit the eviction moratorium with protecting over 20,000 people from eviction or foreclosure. Advocates fear this number will balloon through the fall and winter as families continue to face economic hardship, COVID-19 cases increase, the state eviction ban expires, while advocates continue to ramp up efforts to assist families with arrears and future rent payments.

"It was great that Judge Wolf upheld the moratorium for now," said Carol Marine, senior program manager at CHAPA. "It is critically important for two reasons. It allows individuals and families to maintain stable housing and lowers the risk of transmission of COVID protecting public health and household economic stability. Other devastating effects from eviction include physical and mental health trauma, disruption to children's education and instability from being unable to find other safe and affordable housing. In addition, the moratorium has provided much needed time for a broad coalition of housing advocates and policymakers to create and fund tenancy and property stabilization funds that will protect the housing ecosystem through the pandemic. The pandemic has also highlighted the need for a renewed commitment to production and preservation of affordable homes.

CHAPA and other housing advocates continue to work with the administration to secure $40 million in state funding for tenant stabilization programs including the expansion of the Rental Assistance for Families in Transition (RAFT) that serves households with incomes up to 50% AMI and the creation of the Emergency Rental and Mortgage Assistance Program (ERMA) which serves households with incomes between 50% and 80% of AMI Additionally, through the local Emergency Rental Assistance (ERA) program, 89 communities have secured over $33 million in stabilization funds.

Advocates and members of the state legislature are currently working on solutions to keep families in their homes if the Governor Baker lets the moratorium lapse. House Bill 4878 (H. 4878) and Senate Bill (S. 2831) would bar evictions for missed payments due to the pandemic, prevent no-fault evictions and rent increases for 12 months after the governor lifts the state of emergency. Both bills are in committee as the governor, judiciary, and bills' sponsors try to reach an agreement. Housing advocates and lawmakers are concerned that the bill will not be finalized before the Massachusetts eviction moratorium lapses on October 17.

If the moratorium does lapse, many tenants would still be protected until December 31 under the CDC eviction moratorium. However, the CDC moratorium is not as broad as Massachusetts' moratorium and requires tenants to file a signed declaration that they fall under the CDC's eligibility requirements.

Learn more about CHAPA and the court case filed against the state here.

For more information regarding the CDC's eviction moratorium visit NLIHC's national moratorium page.

Event

Find Out What Advocates Are Doing to Get Out the Vote among Low-Income Renters and Those Experiencing Homelessness

Join resident leaders and NLIHC staff for the next *Tenant Talk Live!* Webinar. Preble Street's Anna Brewer and Housing Justice League's Alison Johnson will discuss their efforts to mobilize our neighbors experiencing homelessness and low-income renters to the polls. Today's *Tenant Talk Live!* bimonthly call/webinar with resident leaders from across the country will take place at 6 pm ET (5 pm CT, 4 pm MT, 3 pm PT). Register at: https://bit.ly/3dNekGP

The most recent episode of *Tenant Talk Live!* included a presentation by NHLP's Director of Litigation Eric Dunn, who discussed the CDC eviction moratorium in detail. Watch the recording at: https://bit.ly/2RnW5Ou

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 communities.

NLIHC is committed to connecting and engaging with resident leaders in new, 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, email: karbuckle@nlihc.org.

Additionally, NLIHC is seeking input from low-income residents! Take this survey to improve our engagement and advocacy: income residents! Take this survey to improve our engagement and advocacy: https://bit.ly/2Gh6kCl

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

NLIHC News

NLIHC Seeks Manager/Director of Media Relations and Communications

NLIHC seeks a manager/director of media relations and communications to develop, implement, and manage media and public relations strategies to advance NLIHC's mission of achieving socially just public policy to ensure the lowest-income people have decent, accessible, and affordable homes. Reporting to the NLIHC vice president for field and communications, the manager/director will supervise the NLIHC communications specialist and interns.

RESPONSIBILITIES:

Media Relations

- Develop/maintain strong relationships with reporters, writers, and opinion leaders in print, broadcast, online, and social media. Maintain up-to-date database of all media contacts.
- Pitch stories and secure regular media interviews and editorial board meetings for president/CEO and other Coalition staff and members as appropriate.
- Assist in development of messaging by relevant staff; implement messaging strategy.

- Prepare and distribute press releases and media alerts; coordinate press events for NLIHC and state partners.
- Work to place op-eds, letters-to-the-editor, blogs, and other opinion pieces for president/CEO and other Coalition staff and members as appropriate.
- Draft articles for Coalition staff and members as appropriate for placement in partner publications.

Content Development/Brand Management

- Develop and implement a comprehensive strategy for use of social media, including, but not limited to, Facebook, Twitter, and blogs; assist staff in implementing strategy.
- Monitor print, broadcast, online, and social media for coverage of NLIHC, NLIHC campaigns, and NLIHC policy priorities; reach out to amplify or correct as needed.
- Stay abreast of new developments in social media and recommend advances and changes to NLIHC platforms.
- Maintain records of all media work; produce metrics of all social media contacts; prepare monthly reports.
- Assist in content development, writing, and editing of *Advocates' Guide, Annual Report*, and other publications.
- Assist state partners in development of media strategies.
- Develop and implement webinars, workshops, and written materials to aid NLIHC members in use of social media and press strategies.
- Collaborate with teams across the organization to amplify programs, projects, and campaigns.

Supervision/Coaching

- Supervise communications specialist.
- Help to recruit and supervise communication/graphic design interns.

Organizational Support/Special Projects

- Complete other projects as assigned by vice president of communications, COO and CEO.
- Assist in development and implementation of annual Policy Forum and Leadership Awards Celebration/Reception.
- Attend all meetings of NLIHC board of directors and present as needed.
- Participate in staff meetings, retreats, training, and NLIHC events.
- Other duties as assigned.

REQUIREMENTS

- Minimum of bachelor's degree. Master's degree preferred. Degree in communications, marketing, public relations, media or related area a plus.
- Minimum of three-five years of experience in media and social media communications, public affairs and/or marketing.
- Demonstrated track record of success in developing an effective communications strategy.
- Ability to work in diverse high-paced environment.
- Strong writing and editing skills.
- Strong oral and interpersonal communications skills.
- Strong organizational skills and attention to detail.
- Proficiency in Microsoft Office Suite and Muck Rack.
- Proficiency in social media platforms.

- Commitment to social justice.
- Knowledge of the fundamentals of housing poverty, homelessness, affordable housing policy, affordable housing development, or social service delivery preferred.

An equal opportunity, affirmative action employer, NLIHC offers a competitive salary and a generous benefits package. This is a full-time position located in Washington, DC, but NLIHC will be flexible about location for the first 6-12 months (depending on the pandemic).

Interested candidates should submit a resume, cover letter with salary requirement, and two writing samples to Renee Willis, vice president for field and communications, and Bairy Diakite, operations manager, at: rwillis@nlihc.org and bdiakite@nlihc.org.

NLIHC in the News

NLIHC in the News for the Week of September 27

The following are some of the news stories that NLIHC contributed to during the week of September 27:

- "'On the precipice': How the cratering economy became a second public health crisis," *Politico*, September 30 at: https://tinyurl.com/y6tmkemn
- "Philadelphia activists on verge of historic win for public housing," *The Intercept*, September 29 at: https://tinyurl.com/y2nqaer2
- "It's the end of the month and renters await another DeSantis eviction decision, but does it matter anymore?," *Sun Sentinel*, September 29 at: https://tinyurl.com/y4kpry9z
- "70,000 more Colorado households will be severely rent burdened in coming months, state estimates," *Patch*, September 28 at: https://tinyurl.com/yyyuyvog
- "Seminole County renter struggles to make ends meet," *Spectrum News 13*, September 28 at: https://tinyurl.com/y44kljr9

NLIHC Staff

Kyle Arbuckle, Housing Advocacy Organizer, x227
Xavier Arriaga, Policy Analyst, x231
Andrew Aurand, Vice President for Research, x245
Victoria Bourret, Housing Advocacy Organizer, x244
Alayna Calabro, Policy Analyst–COVID-19 Response, x252
Josephine Clarke, Executive Assistant, x226
Bairy Diakite, Operations Manager, x254
Emma Foley, Research Intern, x249
Dan Emmanuel, Senior Research Analyst, x316
Ed Gramlich, Senior Advisor, x314
Kim Johnson, Housing Policy Analyst, x243
Paul Kealey, Chief Operating Officer, x232
Mike Koprowski, Director, Multisector Housing Campaign, x317
Joseph Lindstrom, Director, Field Organizing, x222
Mayerline Louis-Juste, Communications Specialist, x201
Lisa Marlow, Manager, Media Relations and Communications, x239

Richard Mbouombouo, Graphic Design/Communications Intern
Sarah Saadian, Vice President, Public Policy, x228
Khara Norris, Director of Administration, x242
Noah Patton, Housing Policy Analyst, x227
Ikra Rafi, Creative Services Specialist, x246
Catherine Reeves, Development Coordinator, x234
Brooke Schipporeit, Housing Advocacy Organizer, x233
Dan Threet, Research Analyst, x202
Chantelle Wilkinson, Housing Campaign Coordinator, x230
Renee Willis, Vice President for Field and Communications, x247
Rebecca Yae, Senior Research Analyst–COVID-19 Response
Diane Yentel, President and CEO, x225
Shuting Zhou, Graphic Design/Communication Intern, x240