



Volume 28, Issue 39
October 23, 2023

Renter Protections

- NLIHC to Testify at Congressional Hearing on Competition and Consumer Rights in the Housing Market
- CFPB and FTC Order Credit Reporting Agency to Pay \$23 Million for Illegal Rental and Credit Reporting Practices

Budget and Appropriations

- Senate Prepares to Vote on THUD Spending Bill While House Struggles to Elect Speaker – Take Action!

HoUsed Campaign for Universal, Stable, Affordable Homes

- Join Today's (10/23) National HoUsed Campaign Call for Universal, Stable, Affordable Homes!

Our Homes, Our Votes

- Register for Next *Our Homes, Our Votes* Webinar: Organizing to Win Affordable Homes at the Ballot Box
- Celebrate Vote Early Day on 10/26

Resources

- NLIHC Releases Updated Rental Housing Programs Database and Accompanying Report

Emergency Rental Assistance

- Grantees Have Expended More Than \$39 Billion in Emergency Rental Assistance Funds

Native American Housing

- NLIHC, NAIHC, and UNAHA Release NAHASDA Fact Sheet

Opportunity Starts at Home

- OSAH Joins AIA in Panel Discussion about Architecture and Housing Justice

Research

- Fair Housing Provisions in Qualified Allocation Plans Are Improving

Housing Policy Forum

- Give Us Input about NLIHC's Housing Policy Forum 2024

From the Field

- California Legislative Session Concludes with Victories for NLIHC State Partners
- Tenant Talk Live on Hiatus in October; Participate in Feedback Survey!

Fact of the Week

- States Have Strengthened Qualified Allocation Plans to Promote Fair Housing

NLIHC in the News

- NLIHC in the News for the Week of October 15

NLIHC Careers

- NLIHC Seeks Housing Campaign Coordinator

NLIHC News

- Where to Find Us – October 23

Renter Protections

NLIHC to Testify at Congressional Hearing on Competition and Consumer Rights in the Housing Market

NLIHC President and CEO Diane Yentel will testify at a U.S. Senate Committee on the Judiciary Subcommittee on Committee Policy, Antitrust, and Consumer Rights hearing, “[Examining Competition and Consumer Rights in Housing Markets](#),” on Tuesday, October 24, at 2:30 pm ET. The hearing will address how reduced competition in the housing market leaves renters with few options when deciding whom to rent from, impacting their choices about where to live and their access to affordable housing. The hearing will also focus on identifying factors contributing to anti-competitiveness in the housing market. Watch the hearing and read witness testimonies [here](#).

CFPB and FTC Order Credit Reporting Agency to Pay \$23 Million for Illegal Rental and Credit Reporting Practices

The Consumer Financial Protection Bureau (CFPB) and Federal Trade Commission (FTC) announced on October 12 that they are ordering a rental screening subsidiary of the consumer credit reporting agency TransUnion to pay \$23 million for illegal rental and credit reporting practices.

The tenant screening and background reporting industry is rife with unscrupulous practices that can result in misleading, inaccurate, incomplete, and incorrect information being included in an individual’s screening report. For example, a [recent report](#) by the National Consumer Law Center (NCLC) found that consumer reporting agencies sometimes fail to report accurate eviction or criminal records; mix up the records of two people with the same or similar names; and report sealed or expunged records that should be inadmissible. Screening agencies also typically provide a score or recommendation as to whether a landlord should rent to a particular applicant but do not usually detail what information was used to determine the recommendation. As a result, tenants who are denied housing have little to no ability to refute inaccurate or incomplete information included in their report.

CFPB and FTC found that TransUnion’s tenant screening subsidiary violated the “Fair Credit Reporting Act” (FCRA) by failing to take adequate steps to ensure that rental background reports contain accurate information. The company also withheld details from renters about where the company gets its information, making it difficult, if not impossible, for renters to refute and correct inaccurate information. CFPB and FTC are ordering TransUnion to pay \$15 million and to make “significant improvements” in its reporting mechanisms.

In addition, CFPB is ordering TransUnion to pay another \$8 million for lying to tens of thousands of consumers about placing or removing “security freezes” on their reports. Security freezes help prevent potential identity theft by blocking third parties from accessing consumers’ credit reports. Consumers who had requested a security freeze were told by TransUnion their request had been completed, while the requests were actually filed into a yearslong backlog.

“Americans across the country were put at risk of wrongful housing denials because TransUnion failed to follow the law,” said CFPB Director Rohit Chopra in a [press statement](#). “We are ordering TransUnion to cease its yearslong illegal activity, clean up its broken business practices, redress its victims, and pay penalties.”

“Consumers struggling to find housing shouldn’t be shut out by tenant screening reports that are riddled with errors and based on data from secret sources,” said Samuel Levine, director of the FTC’s Bureau of Consumer Protection. “Protecting consumers looking for housing is critical to a fair economy, and we are proud to partner with the CFPB in obtaining this record-breaking order.”

NLIHC submitted a [comment](#) to CFPB and FTC detailing how tenant background screening practices frequently shut people out of housing, in particular members of historically underserved and marginalized communities. The Partnership for Just Housing, co-led by NLIHC and the Shriver Center on Poverty Law, also submitted a [comment](#) to CFPB and FTC highlighting the specific impact of tenant screening practices on housing access for formerly incarcerated and convicted people.

Budget and Appropriations

Senate Prepares to Vote on THUD Spending Bill While House Struggles to Elect Speaker – Take Action!

The U.S. Senate is slated to vote on its [draft fiscal year \(FY\) 2024 spending bill](#) for Transportation, Housing, and Urban Development (THUD) and several amendments as soon as this week. Despite austere spending caps agreed to by President Biden and congressional leaders earlier this year, the Senate THUD bill would provide significant new investments in affordable housing, increasing HUD funding by \$8.26 billion – or 13% over FY23 levels.

However, this investment would not be sufficient to cover the full cost of renewing all existing Housing Choice Vouchers (HCVs). A forthcoming analysis from the Center on Budget and Policy Priorities (CBPP) shows that funding for voucher renewals proposed in the Senate bill would result in an estimated 6,000 vouchers being lost to turnover, reducing the number of assisted households and leaving even more of the nation’s lowest-income households without the assistance they need to keep a roof over their heads.

Several amendments to the Senate’s FY24 THUD bill have also been proposed, including some that would slash funding for HUD programs, impose needless barriers to receiving assistance, or restrict HUD funds from being used for equity initiatives. Others, including an [amendment](#) from Senator Jack Reed (D-RI), would provide an additional \$290 million in funding for HUD’s Homeless Assistance Grants (HAG) program, as well as \$3.5 billion for new Emergency Housing Vouchers, HCV renewals, and administrative costs. HUD needs an estimated \$13 billion over FY23 spending levels just to maintain current services, due largely to the sharp increase in the cost of rent over the last year, coupled with lower receipts from the Federal Housing Administration (FHA), which are used to offset HUD spending.

Lawmakers are once again racing against the clock to reach an agreement on a final FY24 spending bill, after passing a last-minute continuing resolution (CR) on September 30 extending current federal funding levels until November 17 (see *Memo*, [10/2](#)). However, after an historic vote that removed former U.S. House of Representatives Speaker Kevin McCarthy (R-CA) from his leadership position, House Republicans have been unable to agree on a new candidate for Speaker, and legislative work in the chamber has ground to a halt. The House will not be able to take up any legislation – including FY24 spending bills – until a new speaker is elected, or until members vote to grant Interim House Speaker Patrick McHenry (R-NC) the power to bring legislation to the House floor.

Take Action!

While the Senate bill represents the “high watermark” for HUD funding in the coming fiscal year, advocates must keep working to ensure any final FY24 spending package provides the highest level of funding possible and includes sufficient funding to renew all existing housing vouchers.

Congress has only until November 17 – when the current continuing resolution (CR) to keep the federal government funded expires – to reach an agreement on FY24 spending bills, pass another CR, or risk a partial government shutdown.

Keep making your voice heard and tell Congress that it cannot balance the federal budget at the expense of people with the lowest incomes! Advocates can take action TODAY in the following ways:

- [Contact your senators and representatives](#) to urge them to expand – not cut – investments in affordable, accessible homes through the FY24 spending bill, including [NLIHC’s top priorities](#):
 - Full funding to renew all existing contracts for the Tenant-Based Rental Assistance (TBRA) and Project-Based Rental Assistance (PBRA) programs.
 - Full funding for public housing operations and repairs.
 - The Senate’s proposed funding for Homeless Assistance Grants.
 - Protecting \$20 million in funding for legal assistance to prevent evictions in the Senate bill.
 - The House’s proposed funding for Native housing.
 - [Contact your senators and representatives](#) and tell them to vote *for* any amendments to increase funding to HUD’s affordable housing or homelessness programs, and *against* any harmful amendments to the FY24 spending bill that would slash funding to HUD, impose needless barriers to access, or restrict the use of funds for equity initiatives.
 - Join over 2,100 organizations by signing on to a [national letter](#) from the Campaign for Housing and Community Development Funding ([CHCDF](#)), calling on Congress to oppose budget cuts and instead to support the highest level of funding possible for affordable housing, homelessness, and community development resources in FY24.
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HoUsed Campaign for Universal, Stable, Affordable Homes

Join Today's (10/23) National HoUsed Campaign Call for Universal, Stable, Affordable Homes!

[Join](#) today's (October 23) national HoUsed campaign call from 2:30 to 4 pm ET. We will share the latest updates on fiscal year (FY) 2024 appropriations and potential action in the U.S. Senate on an FY24 HUD spending bill. Sonya Acosta of the Center on Budget and Policy Priorities will present an analysis of housing voucher renewal costs. NLIHC's Sarah Abdelhadi will give an overview of updates that were recently made to the Rental Housing Programs Database and discuss an accompanying report. We will also receive news from the field, and more!

Agenda:

- **Welcome and Updates**
 - Sarah Saadian, NLIHC
- **Analysis of Housing Voucher Renewal Costs**
 - Sonya Acosta, CBPP
- **Rental Housing Programs Database Updates and Report**
 - Sarah Abdelhadi, NLIHC
- **Field Updates**
 - Jessica Bellamy, Louisville Tenants Union (KY)
 - Dr. Erin Feichtinger, Omaha Women's Fund (NE)
- **Next Steps**
 - Sarah Saadian, NLIHC

[Register Here](#)

Our Homes, Our Votes

Register for Next *Our Homes, Our Votes* Webinar: Organizing to Win Affordable Homes at the Ballot Box

Join NLIHC's nonpartisan *Our Homes, Our Votes* campaign for the second installment of [a two-part webinar series](#) on ballot measures as a pathway towards housing justice. The second webinar, "Housing Is Built with Ballots: Organizing to Win Affordable Homes at the Ballot Box," will take place on Thursday, October 26, at 2:30 pm ET. [Click here](#) to register.

Behind the scenes of every winning ballot measure is an organized campaign to craft a policy proposal, build a coalition, mobilize supporters, and get out the vote. The upcoming webinar will discuss best practices in ballot measure advocacy and preview some of the campaigns that are already underway for the 2024 election cycle. In celebration of Vote Early Day, which takes place on October 26, NLIHC will also share nonpartisan resources for getting out the vote in this year's state and local elections.

The webinar will feature:

- Angelina Cornejo, campaign strategy coordinator, East Bay Housing Organizations
- Emily Martiniuk, resident leader, Residents United Network-Los Angeles
- Madeleine Hammerlund, housing campaign organizer, Our Future Starts at Home (Minnesota)
- Zach Martinez, legal counsel and policy advisor, Gary Community Ventures

The webinar will complement the first installment of the mini-series, “Housing Is Built with Ballots: A Year of Ballot Measure Victories in Review.” The recording of the first webinar can be found [here](#) and the presentation slides can be found [here](#).

For more information about *Our Homes, Our Votes*, visit: <https://www.ourhomes-ourvotes.org/>

Celebrate Vote Early Day on 10/26!

[Vote Early Day](#) is a nonpartisan Civic Holiday dedicated to helping voters learn about their options to cast their ballots ahead of Election Day. NLIHC’s nonpartisan *Our Homes, Our Votes* campaign is proud to join thousands of Vote Early Day partners nationwide to empower Americans to vote early and make their voices heard. Vote Early Day will take place this Thursday, October 26.

Long lines at the polls, voter disinformation, and confusing election laws all have a disenfranchising impact that disproportionately affects low-income voters. Early voting gives voters the opportunity to overcome these obstacles and ensure that they can cast their ballots. Millions of Americans have options to vote ahead of Election Day by mail or in person. Learn more about Vote Early Day and find your state-specific early voting rules at <https://voteearlyday.org>

In celebration of Vote Early Day, NLIHC will host the second installment of our two-part webinar mini-series on ballot measures as a pathway towards housing justice. The webinar, “Housing Is Built with Ballots: Organizing to Win Affordable Homes at the Ballot Box,” will take place on October 26 at 2:30 pm ET. Register for the webinar [here](#)!

To learn more about the *Our Homes, Our Votes* campaign and find resources to plan your nonpartisan voter engagement activities, visit <https://www.ourhomes-ourvotes.org/>

Questions? Reach out to ourhomes@nlihc.org

Resources

NLIHC Releases Updated Rental Housing Programs Database and Accompanying Report

NLIHC released on October 19 an update to the [Rental Housing Programs Database](#) (RHPD), a publicly available collection of information on state and locally funded programs that create, preserve, or increase access to affordable rental housing. Created to better understand the ways state and local governments use their own financial resources to close the gap between available federal funding for rental housing and the unmet needs of renters in their communities, the RHPD helps housing advocates, state and local agencies, policymakers, and other interested parties learn about initiatives around the country that can serve as models for programs in their own communities. An accompanying report, [State and Local Investments in Rental Housing: A Summary of Findings from the 2023 Rental Housing Programs Database](#), summarizes the characteristics of rental housing programs included in the 2023 RHPD.

The RHPD focuses on state and locally funded rental housing programs that provide tenant-based rental assistance, project-based rental assistance, capital resources, a combination of rental assistance and capital resources, or tenant tax relief. Detailed information on the scope, objectives, eligibility requirements, priority populations, and other program characteristics was collected through surveys completed by program administrators and detailed internet research by NLIHC staff.

The report offers a comprehensive overview of rental housing programs included in the updated RHPD. As of August 2023, 353 active rental housing programs had been identified – including 281 state-funded programs and 72 locally funded programs – across 48 states, the District of Columbia, and 41 of the largest U.S. cities. Over half of these programs (55.2%) provide capital resources to developers or other entities for the construction, acquisition, rehabilitation, or preservation of affordable rental housing properties; roughly a fourth (26.9%) provide tenant-based rental assistance to cover the difference between total housing costs up to a specified payment standard and what a tenant can afford to pay.

The report also finds that many rental housing programs target lower-income renters. For example, nearly a quarter (23.1%) of rental assistance programs require applicants to be very low-income renters (household income at or below 50% of area median income), while 14.8% of rental assistance programs are specifically for extremely low-income renters (household income at or below 30% of area median income). Forty percent of tenant tax relief programs, which provide renters a refund to offset property tax costs passed on through rent, require applicants to have an annual income at or below \$35,000. Capital resources programs that fund the construction, purchase, or rehabilitation of affordable rental housing tend to be inclusive of higher-income renters, but often require funded properties to set aside a specific percentage of units for very or extremely low-income renters.

The report also reveals that rental housing programs in the RHPD rely on general revenue than on any other type of funding (39.4%). At least a fourth (23.5%) of all programs are supported by dedicated revenue streams. However, only a tenth of tenant-based rental assistance programs receive funds from dedicated funding streams, in contrast to roughly a third each of project-based rental assistance programs and capital resources programs. Nearly one in five programs utilize special one-time funding, including federal SLFRF funds and non-federal sources.

Explore the Rental Housing Programs Database, read the report, and learn more about our findings [here](#).

Emergency Rental Assistance

Grantees Have Expended More Than \$39 Billion in Emergency Rental Assistance Funds

The U.S. Department of the Treasury (Treasury) has released the Quarter 2 2023 Compliance Report for the tranche of emergency rental assistance funds passed by the “American Rescue Plan Act” (ERA2). Treasury reports that since March 2021, nearly \$16.6 billion in ERA2 funds have been expended on financial assistance and other housing services by state, local, and territorial grantees. This represents over 77% of the \$21.55 billion available under ERA2. The new data bring the overall amount of ERA1 and ERA2 expended to more than \$39 billion, or 85% of the \$46.5 billion in funds made available by Treasury for emergency rental assistance. State, local, and territorial grantees have made over 11.6 million payments to households since February 2021.

ERA2 spending data through March 2023 reveal that nearly two-thirds of state grantees, and the District of Columbia, have expended 75% or more of their allocation. Only one state grantee – Iowa – has reported expending less than 10% of available funds. Overall, state grantees reported spending over 80% of available funds. Local grantees reported expending nearly \$4.2 billion of ERA2 funds – over 75% of their allocation. NLIHC analysis identified approximately 15 grantees that reported ERA2 spending in prior quarters but not in Quarter 2 2023. This has resulted in nearly \$172 million not being captured in this report, and therefore the total funds expended are likely underreported. Treasury notes that all data are presented as reported by each ERA2 grantee and are preliminary.

[Treasury guidance](#) allows grantees that have spent 75% of their total ERA2 funds for financial assistance to use the remaining, unobligated funds for “affordable rental housing and eviction prevention purposes.” Eighteen state and eight local grantees are using ERA2 funds for the construction, rehabilitation, or preservation of rental housing projects, or for the operation of these projects. Expenditure and obligation data are available for nine of these 26 grantees. Three states – Maryland, Michigan, and West Virginia – have obligated nearly \$33.9 million for affordable rental housing projects. The local grantees have obligated \$7.6 million thus far to affordable rental housing projects. Six grantees are using ERA2 funds, beyond those set aside for housing stability services, for eviction prevention programs. Nearly \$11 million has been obligated for these services thus far.

The Quarter 2 2023 Compliance Report also includes demographic data about households served with ERA2 funds since March 2021. Overall, one third (36%) of households served were Black or African American, nearly four in 10 (37%) were white, and nearly a quarter (24%) were Hispanic or Latino. Nearly two-thirds of households served (61%) had extremely low incomes.

The Q2 2023 Compliance Report can be accessed at: <https://tinyurl.com/275fkf7m>.

Native American Housing

NLIHC, NAIHC, and UNAHA Release NAHASDA Fact Sheet

NLIHC, the National American Indian Housing Council (NAIHC), and the United Native American Housing Association (UNAHA) – NLIHC’s first Tribal partner – have published a [fact sheet](#) on the “Native American Housing Assistance and Self-Determination Act” (NAHASDA) Reauthorization, which has been included in the “National Defense Authorization Act” (NDAA; [S.Amdt.1078 to S.Amdt.935](#)) passed by the U.S. Senate. NAHASDA grants represent the largest – and, in some rural and remote areas, only – source of affordable housing funding for Native communities. However, NAHASDA has not been reauthorized in a decade. As a result, its programs are in desperate need of updates. The fact sheet urges Congress to reauthorize and fully fund Tribal housing programs to address the dire affordable housing needs in Native communities.

Originally passed in 1996, NAHASDA is the primary federal statute governing the development, operation, and maintenance of housing in Tribal communities. Called “the backbone of Indian housing,” NAHASDA grants can be used for affordable housing activities that primarily benefit low-income Indian families living on Indian reservations and Alaska Native communities or in other Indian areas. Since its creation, Tribes and Alaska Native governments have used Indian Housing Block Grant (IHBG) funding to build or acquire almost [41,500 affordable homes](#) and restore an additional [105,000 affordable homes](#) on Tribal lands and Alaska Native communities.

Congress has failed to reauthorize NAHASDA since 2013, and the program is in dire need of updates and increased funding. The Association of Alaska Housing Authorities [found](#) that HUD funding for Native American housing has decreased by 29% when accounting for inflation, remaining at less than 2% of the overall HUD budget. NLIHC and many other organizations are urging Congress to reauthorize NAHASDA, and advocates are encouraged by the inclusion of the Reauthorization bill in the annual defense bill (see *Memo*, [8/14](#)).

Additionally, the National American Indian Housing Council is calling on Tribal members and advocates to [take action](#) by urging their members of Congress to sign a letter in support of NAHASDA Reauthorization. The [letter](#), co-authored by Representatives Tom Cole (R-OK) and Sharice Davids, (D-KS), the co-chairs of the Congressional Native American Caucus, asks leaders in the U.S. House of Representatives Committee on Financial Services and the House Committee on Armed Services to “support the inclusion of the NAHASDA amendment in the FY24 NDAA package.”

Read the NAHASDA Fact Sheet at: <https://nlihc.org/sites/default/files/2023-10/NAHASDA-reauthorization.pdf>

Tribal leaders can contact their members of Congress in support of NAIHC’s call to action at: <https://p2a.co/X9saac3>

Opportunity Starts at Home

OSAH Joins AIA in Panel Discussion about Architecture and Housing Justice

Staff from the Opportunity Starts at Home (OSAH) campaign joined members of the American Institute of Architects (AIA) for a panel discussion about the connections between housing justice and architecture. Panelists called on architects to go beyond their traditional roles by leveraging their expertise to make a significant impact on housing solutions. During the discussion, representatives from the AIA's Right-to-Housing Working Group and OSAH shared strategies for promoting the right to housing through expanded design processes and for collaborating with advocates to push legislators to advance equitable and healthy affordable housing policies. Watch a recording of the discussion [here](#).

Research

Fair Housing Provisions in Qualified Allocation Plans Are Improving

A recent report by the Poverty & Race Research Action Council (PRRAC), "[Building Opportunity III](#)," tracks the implementation of civil rights provisions in state Qualified Allocation Plans (QAPs), finding that improvements have been made nationwide to combat the concentration of Low-Income Housing Tax Credit (LIHTC) developments in high poverty and segregated neighborhoods. The report compares data from a 2015 survey, "Building Opportunity II," with the state of current QAPs across four categories: local contribution and approval requirements and incentives, encouragement towards high opportunity areas, tenant selection and affirmative marketing, and contribution to concerted community revitalization plans (CCRPs).

Allocation plans that require or incentivize local governments to support LIHTC developments effectively grant municipalities full veto power over new LIHTC developments, which often discourages developers from even proposing projects that will be subject to community opposition. Following a ruling from the IRS and best practice recommendations from the National Council of State Housing Agencies, many states began to eliminate requirements or incentives for local approval or contributions to LIHTC developments. In 2015, 24 states awarded points in their QAPs for local approval or contributions, a number that fell to 12 by 2023. Similarly, while 12 states required local approval or contributions in 2015, only eight continued this practice in 2023.

Some QAPs encourage LIHTC development in "high opportunity" areas with access to high performing schools, jobs, food, healthcare, and other amenities. PRRAC researchers found only six states with incentives to place developments in high opportunity areas in 2015, but this number rose to 29 by 2022, with many states also including detailed metrics defining the qualifications of these areas to further aid the improvement of LIHTC developments. Seventeen states outlined specific metrics for education in their indices, and 10 provided specific incentives for developments in opportunity areas that served families with children. Nineteen states provide opportunity maps to clearly delineate opportunity areas.

Regarding tenant selection, 31 QAPs mention the need for affirmative marketing strategies that target historically marginalized households. However, while discrimination against housing choice voucher holders has been barred since 1993 in the LIHTC program, most QAPs only reference this prohibition as a requirement but do not go into further detail. At least 12 states require LIHTC owners to annually certify that they have not discriminated against voucher holders based on their source of income. Only a few QAPs state that owners who discriminate against voucher holders will be disqualified from future tax credit allocations.

The LIHTC program incentivizes developers to build in low-income areas known as Qualified Census Tracts (QCTs) by providing up to 30% more tax credits than could be received by identical projects outside of QCTs. A 2016 IRS ruling reiterated that LIHTC developments in QCTs must contribute to a concerted community revitalization plan (CCRP). The ruling did not provide an exact definition of CCRPs but requires, at a minimum, that LIHTC developments be part of a larger community-wide project. PRRAC found that only 15 states had QAPs with explicit definitions of CCRPs in 2015, but 42 QAPs had been updated to include them by 2022. While these CCRP definitions vary in quality and substance from one QAP to another, PRRAC researchers note this progress as a significant step forward.

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

Housing Policy Forum

Give Us Input about NLIHC's Housing Policy Forum 2024!

NLIHC's Housing Policy Forum 2024: An Unwavering Path Forward to Housing Justice will commemorate the 50-year anniversary of NLIHC by celebrating our organization's history, achievements, and partners, while renewing our commitment to solving the nation's housing and homelessness crisis. The 2024 Forum will give attendees a range of opportunities to engage with and learn from thought leaders, policy experts, researchers, tenant advocates, affordable housing practitioners, and members of Congress about how to end the housing crisis impacting low-income renters in America. We would like to hear from you about what to feature in the 2024 Housing Policy Forum! Please complete [this survey](#) by 5 pm on October 24 to let us know what you would like to experience at next year's Forum.

From the Field

California Legislative Session Concludes with Victories for NLIHC State Partners

California Governor Gavin Newsom (D-CA) signed a comprehensive package of [56 housing bills](#) into law on October 11. The package included many bills sponsored and championed by NLIHC's five California state partners: California Housing Partnership, California Coalition for Rural Housing, Housing California, Non-Profit Housing Association of Northern California, and Southern California Association of Nonprofit Housing. The enactment of the new package

follows the passage of other priority legislation in California in mid-September (see [Memo, 9/25](#)).

The new housing package includes [the “Affordable Housing on Faith and Higher Education Lands Act” \(SB 4\)](#), which was cosponsored by Non-Profit Housing Association of Northern California (NPH) and Southern California Association of Nonprofit Housing (SCANPH). SB 4 will provide a streamlined process for religious organizations and nonprofit colleges to develop affordable housing on their property regardless of local zoning restrictions. NPH and SCANPH led the push for SB 4 following its initial introduction in 2020 and again in the 2022 legislative session. Through persistent advocacy from a broad coalition, including multisector advocates from faith-based communities and higher education, SB 4 made it across the finish line this year.

“SB 4 creates a powerful new tool that harnesses the mission of our religious institutions and colleges to address the homebuilding needs of our state,” said Abram Diaz, policy director for NPH. “This law unlocks over 171,000 acres of land strictly for affordable housing production, creating a game-changing opportunity to house more veterans, seniors, people with disabilities, and other community members who need support. This is California policymaking at its best, by designing solutions that empower our community leaders to direct their resources to solve our most pressing problems.”

“Throughout Southern California, so often we’ve seen churches and other religious institutions with underutilized land that they want to use to build affordable housing to serve needy people in their communities. But they get bogged down by zoning limitations and all the lengthy costs and delays, so they give up,” said Frank Martinez, policy director for SCANPH. “We are really excited because SB 4 opens up so many of these natural partnerships for affordable housing and makes it easy for these developments to move forward.”

Under SB 4, eligible housing projects will be exempt from subjective local zoning restrictions and the California Environmental Quality Act (CEQA), a law that is often weaponized to block housing development. Projects will instead be approved by right. This provision will allow religious institutions and nonprofit colleges to develop multifamily housing on land currently zoned for single-family homes. SB 4 contains strong affordability requirements: homes must remain affordable to low-income households at or below 80% of area median income (AMI) for 55 years for rental housing and 45 years for homeownership opportunities. The law also includes labor standards to protect construction workers. For more detailed information on SB 4, see NPH’s [online factsheet](#).

A [recent analysis](#) from the Turner Center for Housing Innovation found that faith-based organizations and nonprofit colleges own more than 171,749 acres of potentially developable land – nearly five times the size of the city of Oakland – that will be eligible for SB 4 incentives and large enough to serve as a site for affordable housing development. However, the report notes that the enactment of SB 4 is only a first step. Many faith-based organizations and nonprofit colleges will need further subsidies and technical assistance to unlock the full potential of housing development on their lands.

Other priority bills signed by Governor Newsom on October 11 include:

- [SB 423](#): This bill extends the provisions of SB 35, a law that allows for streamlined affordable housing development in cities that fall behind on their housing production targets under the Regional Housing Needs Assessment (RHNA). SB 35 is currently scheduled to sunset in 2026, and SB 423 will extend it until 2036. For more information, see [NPH's summary of the legislative session](#).
- [SB 267](#): The bill prevents landlords from requiring that rental applicants with housing subsidies offer their credit history to prove their ability to pay. Landlords must offer subsidized applicants the option to provide lawful, verifiable alternative evidence of reasonable ability to pay the portion of rent for which they are responsible.
- [SB 482](#): This bill requires Housing and Community Development to offer capitalized operating subsidy reserves (COSRs), or money set aside to cover deficits in operating revenues, for special needs units funded through the state's flagship Multifamily Housing Program. COSRs are primarily used for permanent supportive housing for extremely low-income (ELI) renters. The bill will make it more viable for housing funded through the Multifamily Housing Program to provide resources that meet the needs of people exiting homelessness. For more information, see [California Housing Partnership's summary of state policy priorities](#).
- [AB 346](#): This bill improves the efficiency of the state low-income housing tax credit (LIHTC) by allowing the Tax Credit Allocation Committee to leverage state credits with either 9% or 4% federal LIHTC in years when tax-exempt bonds are oversubscribed. For more information, see the [legislative factsheet](#).
- [AB 1319](#): This bill makes key modifications to the Bay Area Housing Finance Authority to maximize its impact in the region. For more information, see [NPH's summary of the legislative session](#).
- [AB 1386](#): This bill increases the flexibility of California's veteran homelessness initiatives to ensure that veteran-specific supportive housing quickly and expeditiously rehouses veterans experiencing homelessness. By removing administrative barriers, the bill will enable veterans to access supportive housing, decrease vacancy rates, and maximize the impact of existing programs. For more information, see [Housing California's letter of support](#).
- [AB 1449](#): This bill establishes a CEQA exemption for 100% affordable housing projects that meet rigorous labor standards and comply with specific environmental requirements. For more information, see the [sponsor factsheet](#).
- [AB 1633](#): This bill clarifies that the Housing Accountability Act prevents local jurisdictions from withholding or denying an environmental clearance to an urban infill housing development without sufficient evidence to justify further environmental study. For more information, see the [legislative factsheet](#).

As California housing advocates celebrate the monumental housing victories of the 2023 legislative session, they are also gearing up for the 2024 legislative session and preparing to address unfinished business. Despite its passage in the legislature with unanimous bipartisan support, Governor Newsom vetoed [SB 18](#), the "Tribal Housing Reconstitution and Resiliency Act." The bill would have created a first-ever, dedicated Tribal housing program to provide equitable access to financing for Tribes to produce and preserve decent, affordable, sustainable homes and to provide housing in a manner compatible with Tribal sovereignty and cultural heritage. The governor also vetoed a related bill, [AB 371](#), that would have addressed barriers that

routinely prevent Tribes from accessing Tribal set-asides in existing programs. Fortunately, Governor Newsom expressed his intention to establish a dedicated Tribal housing grant program in the next budget cycle and adjust program rules to better meet Tribes' unique housing needs. For more information on SB 18, see the [statement](#) from California Coalition for Rural Housing (CCRH).

Housing advocates expressed disappointment with the veto, while committing to hold Governor Newsom to his word and ensure that the state prioritizes Tribal housing in the next legislative session. "SB 18 recognized that California's native peoples have suffered generations of State-sponsored genocide, persecution, discrimination, land theft, marginalization, and displacement that have directly resulted in the chronic under-development of Tribal communities. Tribes experience poverty, overcrowded homes, houses with incomplete plumbing or kitchens, and rent burdens at twice the rate of the rest of the state," said Rob Wiener, executive director of CCRH. "While the 2023 legislative calendar did not end with a new Tribal housing program set to become law on January 1 of next year, CCRH looks forward to continuing the fight for decent, affordable, and safe housing for California's Tribal communities. Beyond that, we are thankful to all of our Tribal and housing partners who helped create the language, testify in committee, submit support letters throughout the process, and advocate for a better system, one designed by those who would be using it."

Legislators will also consider [AB 1657](#), which would place a \$10 billion affordable housing bond on the ballot in a statewide election in the 2024 legislative session. AB 1657 passed the Assembly in 2023 and was converted into a two-year measure that will be reconsidered next year. Advocates will push for the legislature and Governor Newsom to place the \$10 billion bond on the ballot in the November 2024 elections. For more information on AB 1657, see the [legislative summary](#).

For more information about NLIHC's five California state partners, visit: <https://nlihc.org/housing-needs-by-state/california>

For NPH's summary of the legislative session, visit: <https://nonprofithousing.org/2023-legislative-session-a-turning-point-for-housing-solutions/>

For Housing California's 2023 policy agenda, visit: <https://www.housingca.org/policy/legislative-agenda-2023/>

For California Housing Partnership's 2023 policy agenda, visit: <https://chpc.net/policy/state-policy/>

For SCANPH's bill tracker, visit: <http://www.scanph.org/bill-tracker>

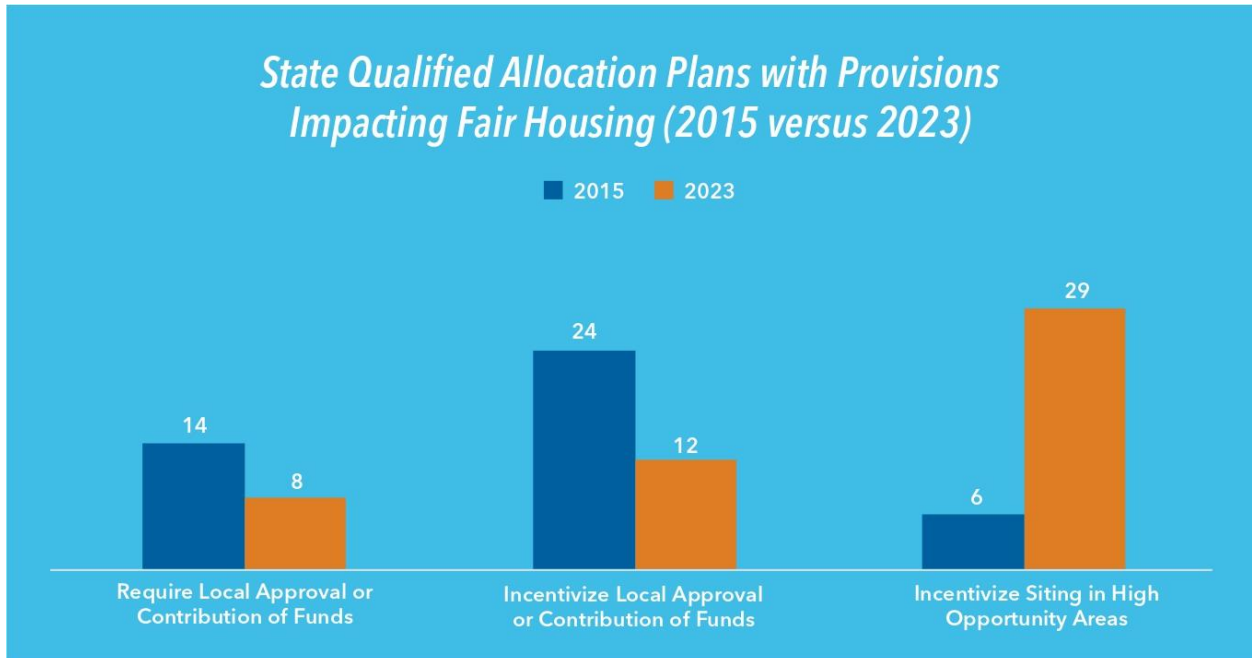
For California Coalition for Rural Housing's legislative priorities, visit: <https://www.calruralhousing.org/legislative-priorities>

Tenant Talk Live on Hiatus in October; Participate in Feedback Survey!

“Tenant Talk Live” – a webinar series geared toward tenants and resident leaders – will be on hiatus during the month of October. In the meantime, we invite past attendees to participate in [a survey](#) to help us plan meetings for 2024. The next Tenant Talk Live meeting will be held on Monday, November 6, at 6 pm ET.

Fact of the Week

States Have Strengthened Qualified Allocation Plans to Promote Fair Housing



Source: Taylor, J., Lindsay, R., Tegeler, P. (2023). Building opportunity III: Affirmatively furthering fair housing in the Low Income Housing Tax Credit program. Retrieved from <https://bit.ly/3QkwzJs>.



Source: Taylor, J., Lindsay, R., Tegeler, P. (2023). Building opportunity III: Affirmatively furthering fair housing in the Low-Income Housing Tax Credit program. Retrieved from <https://bit.ly/3QkwzJs>.

NLIHC in the News

NLIHC in the News for the Week of October 15

The following are some of the news stories to which NLIHC contributed during the week of October 15:

- “Who’s most affected by rental evictions? Kids, for starters” *Aol*, October 19 at: <https://tinyurl.com/5n8bcetk>
 - “Homeless at Birth: A Look at the Healthy Parents Healthy Babies Report” *Invisible People*, October 17 at: <https://tinyurl.com/bddcej6>
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NLIHC Careers

NLIHC Seeks Housing Campaign Coordinator

NLIHC seeks a housing campaign coordinator to join our Opportunity Starts at Home (OSAH) campaign. The housing campaign coordinator will work closely with the OSAH campaign director to build and maintain a cooperative, productive coalition structure, including by coordinating closely with the OSAH campaign’s core partners, the campaign Steering Committee, and a larger network of cooperating organizations.

Background:

Opportunity Starts at Home is a dynamic, long-term, multi-sector campaign that has built a movement of multi-sector partners to ensure that the nation’s historically marginalized households and those with the lowest incomes live in safe, accessible, affordable homes in neighborhoods that are free from discrimination and where everyone has equitable opportunities to thrive. NLIHC, the National Alliance to End Homelessness, the Center on Budget and Policy Priorities, and Children’s HealthWatch launched the Opportunity Starts at Home campaign in 2018 to solve the nation’s housing crisis. The goals of the campaign are to advance federal policy solutions that:

- Expand rental assistance for every income-eligible household.
- Expand the stock of housing affordable to households with the lowest incomes.
- Stabilize households by providing emergency assistance to avert housing instability and homelessness.

The campaign is advised by a Steering Committee of leading multi-sector organizations and mobilizes a broader coalition of multi-sector partners through the campaign’s Roundtable. The campaign also supports state partners that parallel the work of the national campaign by building state-level multisector coalitions and leveraging those partnerships to advance federal housing policies.

Job Description:

The OSAH housing campaign coordinator will:

- Support the Campaign Director in building and maintaining a cooperative, productive coalition structure, including close coordination with the Campaign’s core partners, the Campaign Steering Committee, and a larger network of cooperating organizations on the campaign’s big table of partner organizations, the campaign’s Roundtable.

- Support the Campaign director in carrying out all aspects of the Campaign plan, including helping to develop and implement effective communications, outreach and advocacy plans.
- Support the Campaign director in advancing the campaign's policy agenda in Congress by working closely with coalition partners and NLIHC's broader policy team.
- Working closely with the NLIHC field team, provide and administer grants to state partners and ensure effective partner grants management: ensure grantees are carrying out the terms of their grants and are effectively and appropriately using the grants provided to achieve intended outcomes.
- Ensure that state-based coalitions in grant-receiving states have the materials, tools, and other supports needed to function as effectively as possible.
- Organize webinars and other training and technical assistance for key coalition members engaged in the campaign in all states.
- In partnership with NLIHC's field team, stay in close contact with key organizational leaders in grant-receiving and other states to ensure that the Campaign and state efforts are best synchronized.
- Review plans and reports about state coalition efforts in grant-receiving states to determine ongoing effectiveness.
- Develop and implement a plan to ensure that state and local leaders are effectively engaged with and apprised of Campaign-related developments.
- Contribute to ongoing fundraising efforts to ensure sustainable funding for the campaign through existing and new funding opportunities.
- Contribute to periodic reports to the Campaign's partners, Steering Committee members, donors, and relevant others about the Campaign's progress; and other duties as assigned.

Qualifications:

- A bachelor's degree (master's degree preferred). Relevant life experience may be substituted for years of education.
- A minimum of two to three years previous experience working in, coordinating, or leading multi-faceted projects, national initiatives, or campaigns. Exceptional candidates with fewer years of such experience may be considered.
- A demonstrated, clear commitment to the alleviation of poverty (affordable housing experience a plus).
- Experience successfully building partnerships among organizations.
- Demonstrated excellence in organizational skills.
- Excellent communications skills, both orally and in writing.
- An ability to work in a diverse, fast-paced environment.
- Experience in grant management and in reporting to donors a plus.

Compensation and Benefits:

An equal opportunity, affirmative action employer, NLIHC offers a competitive salary and benefits package. This is a full-time position located in Washington, D.C.

Job Application Process:

Candidates for this position should **send a cover letter, resume, and two writing samples** to: Lakesha Dawson, Director of Operations, NLIHC, 1000 Vermont Avenue, N.W., Suite 500, Washington, D.C. 20005 at ldawson@nlihc.org. The cover letter should describe the candidate's interest in, and relevant experiences for, the position, and should include salary requirements and the names and contact information for at least three people serving as candidate references. (NLIHC will not contact references before consulting with the candidate.)

NLIHC News

Where to Find Us – October 23

- Housing Is a Human Right Orange County General Meeting: Housing First – Virtual, October 30 (Courtney Cooperman)
 - [Southern California Association of Non-Profit Housing](#) – Los Angeles, CA, November 1 (Sarah Saadian)
 - Congressional Progressive Caucus Hill Briefing on Homelessness – Virtual, November 2 (Diane Yentel)
 - Children Defense Fund, Child Well-Being in America, A National Policy Forum – Washington, D.C., November 2 (Diane Yentel)
 - Sinergia NY Housing Advocacy Program – Virtual, November 8 (Lindsay Duvall)
 - [Pennsylvania Housing Finance Agency](#) Conference – Hershey, PA, December 7 (Sarah Saadian)
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NLIHC Staff

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Mackenzie Pish, Research Analyst
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Sarah Saadian, Senior Vice President for Public Policy and Field Organizing, x228
Brooke Schipporeit, Manager of Field Organizing x233
Sophie Siebach-Glover, Research Analyst, x205
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Chantelle Wilkinson, OSAH Campaign Director, x230
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Diane Yentel, President and CEO, x225