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Point of View – by Diane Yentel, NLIHC President and CEO

Time to Vote - and Get Out the Vote!

Election Day is almost here. We at NLIHC thank all of you who have participated in [Our Homes, Our Votes](#) to register low income residents and other citizens and to raise the profile of affordable housing this election season. Now there are two last, extremely important, tasks to undertake: **Vote, and get out the vote!**

Before you go into the voting booth tomorrow, be sure to know where candidates stand on issues like economic justice and affordable housing. Organizations like Vote411 have [non-partisan tools](#) to make that research simple. At NLIHC, we've compiled a listing of [important state and local affordable housing ballot measures](#), because it is not just the candidates on this year's ballots that will have an impact on affordable housing.

In addition to voting yourself, do whatever you can to encourage and help others to exercise their right and civic duty to vote. Tools from [Vote411](#) and [VoteWithMe](#) make it easy to find your polling place and remind your friends and family to vote. Ridesharing services like [Lyft](#) and [Uber](#) are offering free and discounted rides to the polls.

Affordable homes are built with ballots every bit as much as with bricks and drywall. Low income renters historically vote at much lower rates than higher income individuals and homeowners – this is why our federal housing policy skews towards higher income homeowners. Only when low income renters and their allies are seen as a powerful voting bloc will policymakers prioritize their needs. Tomorrow is the day to make our voices heard. See you at the polls!

2019 Housing Policy Forum

NLIHC Announces 2019 Housing Leadership Awards

NLIHC has announced its 2019 Housing Leadership Awards honorees: **U.S. Representative Emanuel Cleaver** (D-MO); **Emma “Pinky” Clifford**, executive director of the Oglala Sioux Tribe Partnership for Housing and NLIHC board member; and **Dr. Mitchell Katz**, president and CEO of NYC Health + Hospitals. These exceptional leaders will be recognized at the **37th Annual Housing Leadership Awards Reception** on Thursday, March 28, 2019 at the Washington Court Hotel in Washington, DC. [Learn more and contribute in honor of these leaders today!](#)

The first award is named for Senator Brooke (R-MA), who championed low income housing as a U.S. senator and later as chair of the NLIHC board of directors. **Representative Cleaver** will receive the 2019 Edward W. Brooke Housing Leadership Award for his years of leadership in Congress, unwavering commitment to addressing the needs of the lowest income people in the U.S., and steadfast support for federal affordable housing and homelessness programs.

The Dolbeare Lifetime Service Award, named for NLIHC's founder Cushing Niles Dolbeare, who has been called the “godmother” of the affordable housing movement, will be bestowed to **Emma “Pinky” Clifford** for her many years of leadership and dedication on behalf of Native Americans and her tireless work to secure decent, safe, and affordable homes for the lowest income people living on the Pine Ridge reservation.

The Sheila Crowley Housing Justice Award is named after former NLIHC President and CEO Sheila Crowley, who led NLIHC for more than 17 years. **Dr. Mitchell Katz** will receive the Crowley Award for elevating public and policy-maker awareness about the connections between health, housing, and homelessness and for implementing bold solutions to meet the need for affordable housing for the lowest income people.

Join NLIHC in recognizing these outstanding individuals by making a donation to NLIHC in their honor!
There are three ways to make a contribution:

- [Donate Online as an Individual](#)
- [Donate Online as an Organization](#)
- [Download the Pledge Form and Submit Via Email](#)

Your contribution will help NLIHC achieve socially just public policy to ensure the lowest income people in America have decent, affordable homes.

The 2019 Leadership Awards Reception will be held on the second evening of NLIHC's 2019 Housing Policy Forum: *Seizing the Moment for Bold Solutions* taking place March 27-29, 2019. Register for the Forum and/or Leadership Awards Reception at: <https://bit.ly/2SzJcjW>

NLIHC 2019 Housing Policy Forum to Focus on ‘*Seizing the Moment for Bold Solutions*’

Awareness about the affordable housing crisis in America is growing significantly, and federal policymakers on both sides of the aisle are responding; some have put forward bold legislative proposals to address the housing needs of low income people. NLIHC's [2019 Housing Policy Forum](#) taking place in Washington, DC, March 27-29, 2019 will focus on how advocates can “seize the moment for bold solutions” to homelessness and housing poverty in America. Learn more about the Forum and register today at: <http://www.nlihcforum.org/>



Sen. Kamala Harris
(D-CA) (Invited)



Sen Todd Young
(R-IN) (Confirmed)



Sen. Elizabeth Warren
(D-MA) (Invited)



Dr. Matthew Desmond
Author of *Evicted* (Confirmed)

The Forum will provide a wide array of opportunities to engage with affordable housing advocates, thought-leaders, policy experts, researchers, housing providers, low income residents, and leaders from Capitol Hill:

- The state of affordable housing in 2019, recent successes and challenges, and emerging opportunities
- Achieving greater racial equity in housing
- The growing *Opportunity Starts at Home* multi-sector affordable housing movement
- The U.S. eviction epidemic and its solutions
- New opportunities for achieving significant new investments in the national Housing Trust Fund
- Best practices in non-partisan voter engagement and ways to get candidates for public office to make affordable housing a priority in their campaigns
- Working with and making housing an issue with the media
- The future of public housing
- Achieving development without displacement
- The keys to state, local, and resident-led organizing
- Ensuring equitable housing recovery in the wake of recent and future disasters
- Tribal and rural affordable housing needs and solutions
- The latest trends in affordable housing research
- Low income resident leadership

- And more

A limited number of shared-lodging hotel scholarships will be awarded on a first-come-first-served basis to low income residents who are NLIHC members and who pay their own Forum registration fee. Scholarships will be awarded to ensure a broad geographic distribution. A special session for low income residents will be held on the morning of March 17. Apply for a scholarship online at: <http://www.nlihcforum.org/venue> or download a fillable PDF at: <https://bit.ly/2pZvn1i>

Learn more about the Forum and register today at: <http://www.nlihcforum.org/>

Native American Housing

Senator Rounds Comments on HUD’s New ‘Need and Capacity’ Tribal Housing Grant

Senator Mike Rounds (R-SD) submitted a [letter](#) to HUD Secretary Ben Carson on October 29 regarding a new \$100 million competitive housing grant for Native Americans, which was included in the FY18 omnibus spending package. The letter urges HUD to utilize a national competition and target tribes with inadequate resources to meet their housing needs. NLIHC joined with more than 40 Native American tribes, tribal leaders and housing authorities on a similar [letter](#) sent to HUD on October 1 (see *Memo* [10/9](#)).

Native Americans living in tribal areas and remote Alaskan villages have some of the greatest housing needs in the U.S., with exceptionally high poverty rates, low incomes, overcrowding, lack of plumbing and heat, and unique development issues. Despite the pressing need for safe, decent, affordable homes, however, funding for the Indian Housing Block Grant (IHBG) program – the main source of housing assistance for Native American communities – has been underfunded for decades. This new competitive funding will allow tribal housing entities to build and rehabilitate desperately needed affordable homes for American Indians and Alaska Natives.

In the letter, Senator Rounds urges HUD to consider implementing a single nationwide competition to determine how the new “Need and Capacity” grants should be distributed. “Appropriators sought to have HUD find a different means of determining which tribes should be allocated additional funds,” Senator Rounds states in his letter. He suggests HUD consider tribes’ resources – determined in part by median income and poverty rate – when determining relative housing need. The letter sent by NLIHC and tribal partners makes similar suggestions, expanding the definition of need to include overcrowding and urging HUD to allocate sufficient resources to overcome development barriers.

Read the letter from Senator Rounds at: <http://bit.ly/2CTj6mz>

Read NLIHC’s letter at: <http://bit.ly/2zRrvos>

HUD

HUD Updates Guidance for Addressing Low Multifamily Housing Physical Inspection Scores

HUD issued [Notice H-2018-08](#) providing updated guidance to HUD Multifamily staff regarding actions to take when a private property assisted with various HUD programs has a Uniform Physical Condition Standards (UPCS) score of less than 60 and/or when a property owner fails to certify within 3 days that Exigent Health and Safety (EHS) deficiencies have been corrected.

Public housing and private properties assisted with Section 8 rental assistance and other programs administered by HUD's Office of Multifamily Housing Programs are subject to inspections through HUD's [Real Estate Assessment Center \(REAC\)](#). REAC collects and scores data on a property's physical condition as well as its financial condition. REAC no longer considers resident satisfaction.

Notice H-2018-08 provides guidance to staff of HUD's Office of Multifamily Asset Management and Portfolio Oversight (OAMPO) for implementing Section 223 of the 2017 Appropriations Act and Section 222 of the 2018 Appropriations Act. The Notice is effective immediately and applies to projects for which a physical inspection score was released on or after May 5, 2017, the date Section 223 was enacted. Notice H-2018-08 replaces Notice H-2015-02.

In addition to properties with a Section 8 Housing Assistance Payment (HAP) contract, the Notice applies to: Rent Supplement (Rent Supp), Rental Assistance Program (RAP), Section 202 or 811 Project Rental Assistance Contracts (PRACs), Section 201/162 Project Assistance Contracts (PACs), Section 811 Project Rental Assistance (PRAs), and Senior Preservation Rental Assistance Contracts (SPRACs).

Notice H-2018-08 lists actions that must be taken when a property has a Uniform Physical Condition Standards (UPCS) score of less than 60 and/or when a property owner fails to certify within 3 days that Exigent Health and Safety (EHS) deficiencies have been corrected. Actions listed in the Notice include:

1. Issue within 15 days of the release of the physical inspection report a notice of violation of regulatory agreement (NOV) and/or a notice of default of subsidy contract (NOD). The NOV/NOD must notify the owner of the violations/defaults and provide a reasonable time to correct the deficiency, a "cure period." Owners must provide a copy of the NOV/NOD to residents by leaving a notice under each door, posting the notice in the mail room and on each floor, or by other means. HUD must provide a copy of a NOV/NOD to the chief executive officer of the local government.
2. Issue a demand for corrective action (DCA) if a property scores above 60 but OAMPO staff believe unsatisfactory conditions exist. The DCA may require the owner to perform a unit survey and conduct necessary repairs.
3. Conduct a REAC re-inspection to ensure that an owner has corrected the deficiencies. The time frame for conducting the re-inspection depends on whether the REAC score was 30 or less.

Exigent Health and Safety (EHS) deficiencies are not explicitly defined, but an August 9, 2012 *Federal Register* notice pertaining to public housing contains a revised Dictionary of Deficiency Definitions that describes UPCS health and safety (H&S) deficiencies and explains that EHS deficiencies are a subset of H&S deficiencies. The dictionary indicates whether an item to be inspected has an H&S deficiency and whether it is life-threatening (LT) or non-life-threatening (NLT). For example, a water heater with a misaligned ventilation system is LT, while a water heater with a missing pressure relief valve is NLT. Life-threatening Exigent Health and Safety deficiencies require immediate attention.

Section 222 requires HUD to submit quarterly reports to Congress. The reports must include all projects that receive a REAC score of less than 60 or that receive an Unsatisfactory Management and Occupancy Review (MOR) within the prior 36 months. (MORs are detailed in Chapter 6 of HUD Handbook 4350.1 REV-1 CHG-2.) The report must include actions taken to address each property's physical condition to protect residents.

NLIHC has an extended description of Notice H-2018-08 at: <https://bit.ly/2zjBUbb>

Notice H-2018-08 is at: <https://bit.ly/2SsswuJ>

More information about Project-Based Housing is on [page 4-23](#) of NLIHC's *2018 Advocates' Guide*.

More information about Section 811 is on [page 4-32](#) of NLIHC's *2018 Advocates' Guide*.

More information about Section 202 is on [page 4-29](#) of NLIHC's *2018 Advocates' Guide*.

HUD Announces Intent to Revise REAC Scoring System

A [HUD Multifamily Communications email](#) on October 29 announced that HUD has been conducting an internal review of the Real Estate Assessment Center's (REAC's) 20-year-old physical inspection system. The two-page, undated document indicates that HUD intends to change the REAC system to better reflect the physical condition of privately owned, HUD-subsidized housing.

The document states that many private owners of HUD-subsidized housing have become accustomed to the inspection regime and, in some cases, do just enough to pass minimal REAC requirements instead of fully complying with their contractual obligation to provide decent, safe, and sanitary housing. HUD's goal is to design a new, simplified inspection system more focused on physical conditions within housing units and to place a greater emphasis on lead-based paint hazards and mold.

The document indicates that of the 1.2 million HUD-subsidized units, 96% receive passing REAC scores. In addition, the number of newly failed inspections declined from 649 in all of 2017 to 563 as of October 1.

Unrelated to Multifamily housing, the opening paragraph of the document states that there are 900,000 public housing units, significantly fewer than the 1.1 million HUD usually claims. The 900,000 figure is probably more accurate given years of congressional underfunding to the public housing capital fund, resulting in accelerated deterioration and increased applications to demolish public housing. Public housing has also been lost through the HOPE VI program and the shift from public housing to Section 8 rental assistance through the Rental Assistance Demonstration.

To-date, the document is not on the Multifamily or REAC webpages but can be read at: <https://bit.ly/2Oj5vqK>

More about HUD's Project-Based Housing is on [page 4-23](#) of NLIHC's *2018 Advocates' Guide*.

GAO Finds HUD Programs Do Not Provide Adequate Staff Guidance for Making Referrals to Departmental Enforcement Center

The Government Accountability Office (GAO) released a report on October 30 that examined the processes for referring cases of potential noncompliance to HUD's Departmental Enforcement Center (DEC). The GAO looked at three HUD program offices: the Office of Multifamily Housing Programs, Public and Indian Housing (PIH), and Community Planning and Development (CPD). The GAO's main conclusion is that PIH and CPD do not provide their field staff with specific guidance on when to make referrals to DEC. In contrast, the GAO concluded that Multifamily does make referrals based on defined thresholds for noncompliance, such as properties that do not pass physical inspections (see "HUD Updates Guidance Addressing Low Physical Inspection Scores in Multifamily Housing" in this *Memo*).

The DEC's mission is to provide independent oversight of the administration of HUD programs. According to HUD, the DEC's primary goal is to bring owners to full compliance so that the quality of HUD-assisted housing is not compromised.

The GAO reports that PIH and CPD have broad guidelines but not specific thresholds for when field staff should refer an entity to the DEC. PIH and CPD field staff use their discretion in deciding which cases to refer to the DEC, but these decisions do not appear to always be based on well-supported risk assessments. Without

specific guidance to help field staff direct their decision making, the DEC, PIH, and CPD cannot ensure that referrals are made using a consistent and risk-based approach, limiting the DEC's effectiveness at providing independent oversight.

PIH guidance is in the form of periodic emails sent to field offices requesting potential candidates for referrals to the DEC. Those emails list factors that might warrant referrals, like potential violations of statutes, regulations, or agreements. PIH does not provide direction to field offices on how to use the results of their quarterly risk assessments to identify high-risk PHAs for referral to the DEC. PIH officials stated that they did not want to be too prescriptive.

A CPD official told the GAO that CPD does not provide direction to field offices on how to use the results of their risk-based assessment of grantees to identify potential DEC referrals. CPD officials said that they do not provide guidance because they think that their current approach, allowing field offices to make referrals to the DEC on a case-by-case basis, is better and more effective.

The GAO suggested that PIH and CPD provide additional guidance that could include information on how the field offices should incorporate the results from their risk assessments, more detailed criteria on when the field offices should make a referral, and examples of potential noncompliance that could be referred.

The GAO's "Department of Housing and Urban Development: Better Guidance and Performance Measures Would Help Strengthen Enforcement Efforts" (GAO-19-38) dated October 2018 is at: <https://bit.ly/2DgSwop>

Opportunity Starts at Home

Food Banks, Hunger, and Affordable Housing: The Oregon Example

Representatives from the Oregon Housing Alliance and Oregon Food Bank gathered in Portland on October 22 to discuss their model of multi-sector collaboration. NLIHC state partner and [*Opportunity Starts at Home*](#) campaign member Neighborhood Partnerships leads the Oregon Housing Alliance, which consists of more than 80 multi-sector organizations focused on expanding access to safe, decent, affordable homes. Among the Alliance's most active members is the Oregon Food Bank, one of the few food banks nationally that works specifically on affordable housing advocacy at both the state and federal levels.

"We are all well aware of the relationship between rent and food," said Jeff Kleen, public policy advocate with Oregon Food Bank. "As an organization, we very nearly talk about housing just as much as we talk about hunger. The people we serve keep telling us 'it's housing, it's rent, it's having a safe place to call home.'" Mr. Kleen urged housing advocates across the country to "reach out to your local food bank and push them to work on this issue."

"A different voice can really help legislators and decision-makers understand an issue in a new way," said Alison McIntosh, deputy director of policy and communications at Neighborhood Partnerships and convener of the Oregon Housing Alliance. "To have a different partner go with us has been a huge game-changer here in Oregon. In 2016, we had the Food Bank really step up with us alongside our other partners, and we asked for \$10 million from the legislature in additional money for emergency rent assistance and emergency shelter. We got it. In 2017, we increased it to \$20 million per year and in 2018, to \$25 million per year."

"As long as housing is a driving issue for our clients, we will work on it," said Anneliese Koehler, public policy advocate with Oregon Food Bank. "We are going to fight alongside housing advocates."

Neighborhood Partnerships and the Oregon Housing Alliance held its annual conference in Salem, OR, later in the week, bringing together experts in affordable housing and financial stability throughout the state to share ideas and lessons learned. In a practicum workshop about advocacy and strategic communications, the conference featured the *Opportunity Starts at Home* multi-sector affordable housing campaign. Campaign Director Mike Koprowski shared updates about the national effort and offered best practices about how to build multi-sector coalitions and how to deploy “unusual suspects” to sway decision-makers about housing.

The *Opportunity Starts at Home* campaign has provided capacity-building grants to partners in seven states (California, Idaho, Maine, New Jersey, Ohio, Oregon, and Utah) to help broaden their coalitions to other sectors. To learn more about the Oregon Housing Alliance’s powerful partnership with Oregon Food Bank, click [here](#). To see the campaign’s “Hunger & Housing” fact sheet, click [here](#).

Please follow the [Opportunity Starts at Home](#) campaign on all social media platforms: [Twitter](#), [Instagram](#), [Facebook](#), and [LinkedIn](#).

Disaster Housing Recovery

Residents in Florida Panhandle Struggle to Find Even Short-Term Housing Weeks after Hurricane Michael

Panama City and other communities in the Florida Panhandle impacted by Hurricane Michael continue to struggle with a lack of even short-term housing options. Following a NLIHC-led Disaster Housing Recovery Coalition (DHRC) call on October 25 with Panama City Mayor Greg Brudnicki, *The New York Times* published a [story](#) documenting the ongoing housing crisis in Panama City and the lack of an adequate response from FEMA. While a [news release](#) from Florida Governor Rick Scott states that FEMA has approved Direct Housing Assistance for five counties, the [plan](#) linked in the update provides no specifics regarding the amount of assistance available or the timeline for implementation. The DHRC and our partners will continue to pressure FEMA to provide adequate housing for the thousands of displaced people in the Florida Panhandle.

Florida Senators Bill Nelson (D) and Marco Rubio (R) and Representatives Neal Dunn (R), Al Lawson (D), and Matt Gaetz (R) sent a [letter](#) to FEMA Administrator Brock Long on October 26 urging him to immediately approve the state’s request for direct housing assistance. The DHRC also sent a [letter](#) to FEMA the same day, urging the agency to implement the Disaster Housing Assistance Program (DHAP) and immediately provide shelter options like trailers or manufactured housing units (see *Memo* [10/29](#)).

DHRC partners on the ground have shared reports of landlords cutting off power, water, and even mail service. Local news outlets have run stories detailing the [attempted evictions](#) of low income tenants and the [lack of substantial housing assistance](#) to address the extreme shortage of housing options. Survivors can use FEMA assistance through the Transitional Sheltering Assistance (TSA) program at [only one motel in all of Bay County](#) where Panama City is located. Many of the other hotels were destroyed, are housing emergency workers and first responders, or are not participating in the TSA program.

Those displaced have virtually no local options for shelter, and the lack of housing and destruction of many local businesses is causing many survivors to move out of the area. The county is currently working on [finding additional spaces](#) to serve as shelters so that schools can be reopened. FEMA has announced it will begin providing trailers, although FEMA spokeswoman Nikki Gaskins [stated](#), “It’s not FEMA’s decision in the long-run. We’re working to make those decisions with the state and local governments.” NLIHC has been working with our legal aid partners in Florida and with HUD to ensure residents know their rights and are given adequate time and resources to relocate.

Housing Recovery Updates Related to the 2018 Disasters – November 5, 2018

The following is a review of housing recovery developments related to Hurricanes Florence and Michael since last week's *Memo to Members and Partners* (for the article in last week's *Memo*, see [10/29](#)). NLIHC also posts this information at our [On the Home Front](#) blog.

Hurricane Michael

Florida

FEMA

The U.S. Army Corps of Engineers will [stop collecting](#) “Right of Entry” forms for Operation Blue Roof on November 11 at 6:00 PM local time. Installations of Blue Roofs (blue tarps) will continue until they are complete.

HUD

HUD Secretary Ben Carson, Small Business Administrator Linda McMahon, and Representative Neal Dunn (R-FL) spoke with local leaders in Panama City on October 31 about recovery efforts. A [tweet](#) from Secretary Carson states that HUD “will speed federal disaster assistance to FL & provide support to homeowners & low-income renters who were forced from their homes.”

Local Perspectives & Resources

To help get schools in the Panhandle back open, Bay District Schools will [provide](#) teachers and other school staff with on-site child care.

The Florida Association of Centers for Independent Living (FACIL) sent a [letter](#) to Governor Rick Scott on October 30 asking him to address the unmet needs and civil rights violations of people with disabilities impacted by Hurricane Michael. Many individuals left behind medicine or mobility aids that allow them to live independently. FACIL asks Governor Scott for additional resources to ensure the 40,000–150,000 households with at least one family member with a disability are not unlawfully institutionalized. Groups in the Panhandle have already seen people with disabilities moved from living independently to nursing homes, a violation of their civil rights.

The Bay County commissioner [told local media](#) that approximately 50,000 people in the county have applied for assistance with FEMA, but only 100 have been approved for some type of direct housing assistance.

Georgia

An additional 34 counties in Georgia are now [eligible](#) for Public Assistance grants.

Hurricane Florence

North Carolina

FEMA

Survivors in Chatham, Durham, and Guilford counties are now [eligible](#) for Individual Assistance (IA) through FEMA. Displaced residents in Bladen, Lenoir, and Pamlico counties are now eligible for temporary housing in either travel trailers or manufactured homes.

FEMA [issued](#) a final notice to the public stating that it will place temporary housing units on commercial and/or private land located in or affecting a floodplain or wetland. The initial notice was published on September 27 for comment. FEMA will immediately begin to place the housing units in the 13 counties approved for direct temporary housing assistance.

The [deadline](#) to apply for FEMA assistance has been extended to December 13.

USDA

Residents in Chatham, Durham, and Guilford counties are [now eligible](#) for USDA's Disaster Supplemental Nutrition Assistance Program (D-SNAP). Residents in 27 other counties were already eligible for these benefits.

State Response

The North Carolina Office of State Budget and Management [estimates](#) that Hurricane Florence caused nearly \$17 billion in damage, an increase from a previous estimate of \$13 billion. The agency will continue to update the estimate as new information becomes available.

Local Perspectives & Resources

Hurricane Florence caused a housing shortage at [several military bases](#) in the Carolinas, leaving more than 100 veterans and their families with 30 days to leave their homes to make space for displaced active duty service members. The Atlantic Marine Corp Communities property management company reports that nearly 70% of its inventory sustained at least some damage and 150 homes were completely destroyed.

The Salvation Army in North Carolina [received](#) a \$150,000 grant from the N.C. Disaster Relief Fund to help displaced families find housing. The organization is focusing on helping those who lost their jobs due to the hurricane.

The mayors of Wilmington, Surf City, and New Bern and officials from Pender County [traveled to Washington, DC](#) this week to continue to push for additional hurricane relief. They met with officials from FEMA, SBA, HUD, and the Departments of Transportation and Education.

Housing Recovery Updates Related to the 2017 Disasters – November 5, 2018

The following is a review of additional housing recovery developments related to Hurricanes Harvey, Irma, and Maria, and the California wildfires since last week's *Memo to Members and Partners* (for the article in last week's *Memo*, see [10/29](#)). NLIHC also posts this information at our [On the Home Front](#) blog.

Federal Response

- According to an October 30 FEMA [press release](#), the agency recently reimbursed the City of Houston \$3.3 million for sheltering 897 households following Hurricane Harvey. The City contracted with the Houston Housing Authority and Residences on Emancipation to provide the shelter program costing \$3.7 million. Ninety percent of the cost is to be reimbursed through FEMA's Public Assistance grant program with a 10% match from the grantee.

- The Legal Services Corporation (LSC) has awarded \$14,145,055 in 11 disaster relief grants to legal aid organizations in California, Florida, Puerto Rico, Texas, and the Virgin Islands. The grants were funded through the \$89.3 billion emergency supplemental appropriations law that was passed to address the needs of survivors of the 2017 hurricanes and wildfires. According to an LSC [press release](#), the grants support “projects that mobilize pro bono attorneys, enhance online resources for survivors, and improve communication and cooperation among legal aid clients, pro bono attorneys, and partner organizations.” See this [website](#) to find your local provider.

State Action

- Texas Land Commissioner George P. Bush sent a letter on October 24 to Congress announcing a request made to HUD for “greater flexibility in the rules governing \$4.383 billion in its Community Development Block Grant–Disaster Recovery (CDBG-DR) allocation for mitigation.” According to the Texas GLO [press release](#), the letter asks for increased flexibilities to allow local officials to “determine the most effective use of mitigation funds.”
- The U.S. Virgin Islands government published a [report](#), *Transforming through Recovery: United States Virgin Islands First-Year Progress Report*, detailing Hurricane Irma and Hurricane Maria recovery efforts in energy, housing, healthcare, education, transportation, and other areas.
- The Golden State Financing Authority and Rural County Representatives of California (RCRC) have made available grants of \$500 to \$2,500 to California households impacted by the 2017 wildfires. Eligibility information and application instructions are available on the Napa County [website](#). Eligible expenses include those for rent, utility bills, and home reconstruction and repairs. The applications must be postmarked by November 14.

Local Perspectives

- An [article](#) in *Emergency Preparedness* featured the partnership between the City of Houston and two private firms, Dewberry and Civis Analytics, to “run predictive models of the storm to determine how it impacted communities, and which communities it impacted the most.” The data generated through this partnership led the City of Houston to request an additional \$2 billion to cover unmet housing needs.
- *Government Executive* published an [article](#) on a new HUD “disaster standalone partial claims” program. Created in the wake of the 2017 disasters, the program aims to provide disaster survivors with access to “an interest-free second mortgage loan to cover up to one year of missed mortgage payments.” According to the article, however, low income homeowners face significant barriers when trying to access the program. “HUD’s recently updated program retains unnecessary roadblocks, potentially leaving many vulnerable homeowners out in the cold,” the article stated.
- According to a [blog post](#) in *Earther*, domestic violence advocates in Florida expect a surge in hotline calls and requests for domestic-violence services and shelter following Hurricane Michael in Florida. The number of domestic victims who sought help from a [Houston-area crisis center](#) more than doubled in the months following Hurricane Harvey. [ESCAPE](#), an organization in Puerto Rico offering prevention and intervention services for victims of domestic violence and/or child abuse, saw a 62% increase in requests for survivor-related services. The [blog post](#) also links to sources citing surges in domestic violence following Hurricanes Andrew, Katrina, and Sandy.

National Housing Trust Fund

NLIHC Conducts Capitol Hill Briefing on How States Are Using the HTF to Build Homes for the Poorest People in America

NLIHC held a Capitol Hill briefing titled “Bold Housing Solutions” on October 29. The briefing informed more than sixty staff of members of Congress about the national Housing Trust Fund (HTF); the work underway to build HTF homes for the lowest income people in America; and opportunities to increase funding to the HTF through housing finance reform, infrastructure spending, and comprehensive affordable housing legislation.

NLIHC Senior Advisor Ed Gramlich provided a brief summary of NLIHC’s new report [Getting Started: First Homes Being Built with 2016 National Housing Trust Fund Awards](#). Among the report’s findings is that many states are prioritizing HTF funding for homes for extremely low income seniors, people with disabilities, veterans, the homeless and those at risk of homelessness.

Mary Tingerthal, commissioner of the Minnesota Housing Finance Agency, described among other projects supported with HTF funding the Solace Apartments in St. Peter, MN, which celebrated a ribbon cutting on October 25. The Solace Apartments will provide 30 supportive housing units, 16 HTF-assisted and 8 HOME-assisted. Solace is using a Housing First model, serving women exiting incarceration with a focus on family reintegration.

Jennifer Hollar, director of policy and special projects at the Vermont Housing & Conservation Board, described among other projects the Great River Terrace in Brattleboro, VT. Funding from the HTF was a critical source of gap financing to renovate a former roadside motel to create 22 new micro-apartments affordable to households with incomes at or below 30% of the area median income. The project will also provide homeless people with on-site services.

Shauna Sorrells, chief operating officer at the Housing Opportunities Commission of Montgomery County, MD, and NLIHC board member, discussed two projects recently developed in the high-rent county that, had HTF been available, could have included units affordable to extremely low income households in areas of opportunity.

NLIHC Senior Policy Director Sarah Mickelson informed the audience that Senator Elizabeth Warren’s (D-MA) “American Housing and Economic Mobility Act of 2018” would invest \$445 billion in the HTF over ten years. She noted that other opportunities to increase funding to the HTF are through housing finance reform and any new infrastructure investment bills.

View a recording of the briefing at: <https://bit.ly/2DhnjBJ>

PowerPoint slides from the briefing are available at: <https://bit.ly/2Rpwgvy>

Getting Started: First Homes Being Built with 2016 National Housing Trust Fund Awards is available at: <https://bit.ly/2pPj9YT>

More information about the HTF is at: <https://nlihc.org/issues/nhtf> and on [page 3-1](#) of NLIHC’s 2018 *Advocates’ Guide*.

Research

Freddie Mac Analysis Finds Housing Tax Credits in Indian Areas Insufficient to Meet the Need

Freddie Mac released a report, *Spotlight on Underserved Markets: LIHTC in Indian Areas*, highlighting the specific housing needs of American Indian and Alaska Natives (AIANs) and the role of the Low Income Housing Tax Credit (LIHTC) in Indian Areas. High poverty rates and poor housing conditions indicate an immense need for investment in affordable housing in Native American communities. Currently, LIHTC subsidies support a high percentage of tribal rental homes, but demand for LIHTC far exceeds the available funding and serving those with the lowest incomes is particularly challenging.

Indian Areas can be defined in a variety of ways. The Freddie Mac report uses federally designated AIAN areas and areas combined with Indian Areas recognized under the Federal Housing Finance Agency's "Duty to Serve" affordable housing program. Focusing only on federally recognized tribes that fit their specifications, the authors estimate the population living on reservations in Indian Areas is between 788,000 and 2.2 million.

In 2016, the median AIAN income was about 31% less than the national average. More than one in four Native Americans lives below the poverty line. Additionally, the Native American unemployment rate is 12%, more than double the national average. According to the National American Indian Housing Council, housing conditions on Indian reservations are so inadequate they are comparable to third-world countries, often lacking basic utilities and access to rudimentary sanitation.

On reservations, 32.7% of households rent their homes, with 22.9% of these households renting in multifamily buildings, compared with 36.4% and 42.6%, respectively, for the country as a whole. Indian Areas contain an estimated 2,151 properties with an active LIHTC subsidy, supporting 84,400 subsidized units. In areas where at least half the population is AIAN, LIHTC supports 46.8% of all renter households.

LIHTC properties in Indian Areas are normally unable to support hard debt (debt for which monthly or annual payments are required) and must rely entirely on equity, soft subordinate debt (e.g. loans with below-market interest rates or flexible repayment terms) and housing grants. Household incomes in these areas are generally too low for property owners to charge enough rent to support debt.

LIHTC properties in Indian Areas are also small, with the majority containing fewer than 50 units. Larger properties would lead to lower per-unit costs, but the low incomes and sparse populations in these areas make large properties extremely difficult to build and operate. While AIAN households making well below 60% of area median incomes (AMIs) struggle to find safe, affordable housing, those making closer to 60% AMI or just above this level struggle as well, since the lack of affordable housing is present across all incomes in Indian Areas. For all of these reasons, developers in Indian Areas depend heavily on the equity provided by LIHTCs to offer rental housing of any kind.

Many tribes have found success in developing and sustaining quality affordable housing through LIHTC, due to their strong leadership, management stability, and LIHTC expertise. The report finds that LIHTC is important for providing safe and affordable rental housing to tribal members who would otherwise have difficulty finding sufficient housing but that LIHTC funding is insufficient to meet the need and that developing and operating rental housing in Indian Areas for those with the lowest incomes is especially difficult.

Spotlight on Underserved Markets: LIHTC in Indian Areas can be found at: <https://bit.ly/2qaMNbj>

Freddie Mac Study Finds Use of Housing Tax Credits Difficult in Rural Middle Appalachia

Freddie Mac released a report, [*Spotlight on Underserved Markets: LIHTC in Rural Middle Appalachia*](#), highlighting the unique characteristics and challenges of providing affordable housing in this high-poverty region. Low population density, a preference for homeownership, and low investor interest make developing unsubsidized rental housing, including Low Income Housing Tax Credit (LIHTC) homes, especially difficult in rural Middle Appalachia.

Middle Appalachia refers to the region on both sides of the Appalachian Mountains stretching across parts of Kentucky, North Carolina, Ohio, Tennessee, Virginia, and West Virginia. The region is home to nearly 5.4 million people, with just 62.3 people per square mile compared to the national average of 90.2 people. Income levels in rural Middle Appalachia are nearly 40% lower than the national average and 20% below the average rural income. Additionally, almost a quarter of the population lives in a persistent poverty county (PPC) in which the poverty rate has exceeded 20% for the past 30 years. The homeownership rate in the region is higher than the national average (73.3% compared to 63.6%), and most renters live in one-unit properties and mobile homes.

Rural Middle Appalachia has approximately 656 properties with an active LIHTC subsidy, supporting 25,235 subsidized homes. Compared to all rural areas across the country, LIHTC units in the region support relatively fewer renter households. Over a quarter of multifamily renter households in Rural Middle Appalachia, however, live in LIHTC-supported homes, 10 percentage points higher than the national average. This higher reliance on LIHTC is because unsubsidized housing is otherwise very difficult to develop and maintain in the region due to high construction costs and low renter incomes.

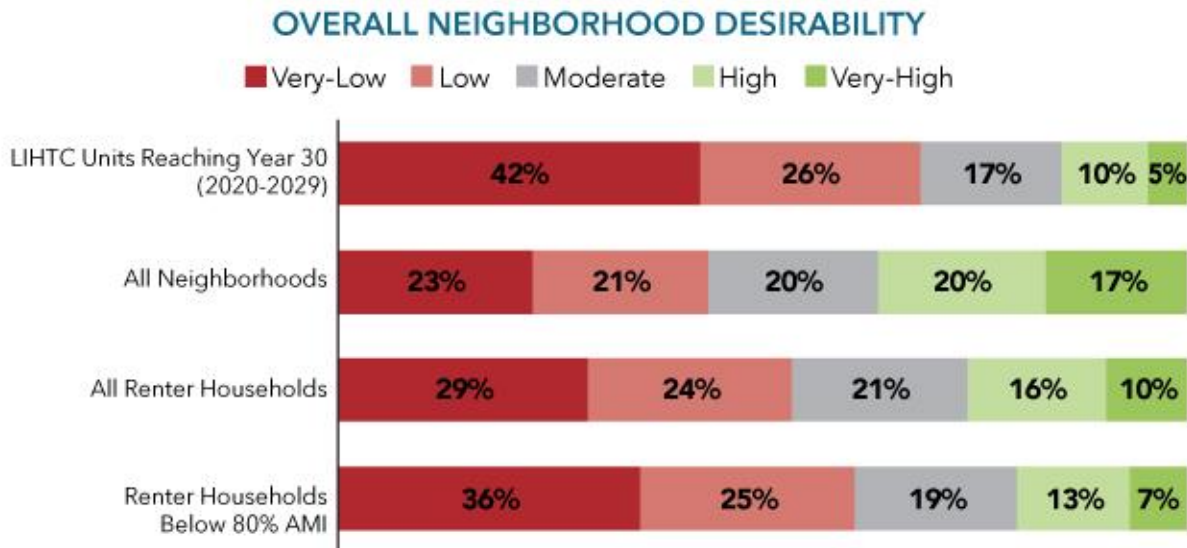
Since median incomes in rural Middle Appalachia are significantly lower than other parts of the country, the maximum amount property owners can charge for rent is also significantly lower. Tax credit equity is important because development debt is difficult to support with such low incomes and rents; such equity is essentially cost-free, making LIHTC a valuable resource because it can limit the need for debt financing.

Although LIHTC properties support a small percentage of all households in rural Middle Appalachia compared with the nation, they support a relatively high percentage of Middle Appalachian multifamily renters and therefore play an important role in providing affordable rental housing for households who would otherwise be severely housing cost-burdened. But without other federal subsidies, developing affordable housing for families with the lowest incomes using LIHTC and/or other sources of funding is particularly challenging.

Spotlight on Underserved Markets: LIHTC in Rural Middle Appalachia can be found at: <https://bit.ly/2EMNaTr>

Fact of the Week

LIHTC Homes Reaching Year 30 Affordability Restriction End-Dates Are Disproportionately Located in Less Desirable Neighborhoods



Source: NLIHC and PAHRC, 2018
© 2018 National Low Income Housing Coalition and PAHRC



LIHTC = Low Income Housing Tax Credit

Source: NLIHC and PAHRC, 2018.

From the Field

New Jersey Legislature Advances Housing and Community Development Network of New Jersey's Policy Priorities

New Jersey Senate and Assembly committees recently passed several of NLIHC state partner Housing and Community Development Network of New Jersey's (HCDNNJ's) policy priorities. The committees advanced bills that fall into four categories: targeting blight, preventing homelessness, mitigating foreclosure, and improving housing conditions. HCDNNJ's advocacy efforts were instrumental in getting the bills passed out of their committees.

HCDNNJ advocated for several years for a bill that permits land banking, and this year representatives from the organization testified to the New Jersey Senate Economic Growth Committee in support of land banking as a creative solution for abandoned properties. The Senate and Assembly bill (S.1214/A.3797) introduced by Senator Ruiz and Assemblywoman Perez would allow municipalities to create land banks. Land banks are an important tool used in many other states to reclaim abandoned properties to restore economic vitality and investments in disinvested neighborhoods. The Assembly Commerce and Economic Development Committee passed the bill on September 13 and the Senate Economic Growth Committee on October 18.

During HCDNNJ's annual Hill Day, its members advocated to expand emergency assistance benefits to prevent homelessness. Discussions with staff and legislators led to the introduction of a bill (S.1965/A.1887) that would make changes to some of New Jersey's Emergency Assistance Program's regulations. Sponsored by Senator Sweeney and Assemblyman Mukherji, the legislation would expand limitations on lifetime aid by amending existing regulations. Assistance from the previous seven years would not be counted towards the lifetime cap. The Senate passed the bill unanimously on June 7 and the Assembly Human Services Committee passed it on October 18. The bill was referred to the Assembly Appropriations Committee.

Foreclosure is another major housing issue HCDNNJ prioritizes because New Jersey continues to have one of the highest foreclosure rates in the nation. Legislation (A.664/S.1244) sponsored by Assemblywoman Jasey and Senator Rice would dedicate foreclosure filing fees and fines to administer the New Jersey Judiciary's Foreclosure Mediation Program. This program provides certain homeowners in foreclosure a right to mediation – a process to help homeowners avoid foreclosure by coming up with an alternate solution that benefits both borrowers and lenders. The Assembly Housing and Community Development Committee passed the bill on October 22.

The final bill HCDNNJ has been advocating for (A.1433/S. 2882) would address mold in homes. There are currently no regulations or standards in New Jersey to regulate mold. Sponsored by Assemblyman Benson and Senator Madden, the bill would require the Department of Community Affairs to establish procedures for the inspection and abatement of mold in homes and schools, as well as create certification programs for mold inspectors and other mold-abatement positions. The Assembly Housing and Community Development Committee passed the bill on October 22.

"We are working hard to build a thriving New Jersey and advancing these policies will help us reach that goal," said Arnold Cohen, senior policy coordinator at HCDNNJ. "We applaud the committees for moving these bills and thank the sponsors for their leadership and tenacity."

For more information, contact HCDNNJ Policy Director Arnold Cohen at: 609-393-3752 or acohen@hcdnnj.org

Event

NHLP to Hold 'Public Charge' Webinar on November 8

The National Housing Law Project (NHLP) will hold a [webinar](#) on November 8 at 3:30 p.m. ET, "What Housing and Homelessness Advocates Should Know about the Public Charge Rule" related to recent changes proposed by the U.S. Department of Homeland Security (DHS) (see *Memo*, 10/15).

Noncitizens seeking admission to the U.S., noncitizens applying for lawful permanent resident status (green card), or those seeking an extension of, or changes to, their non-immigrant status are subject to a review to determine whether they are or might become a "public charge" – someone primarily dependent on the government for subsistence.

Currently, three programs are covered under the public charge policy, TANF, Supplemental Security Income, and emergency-Medicaid. The proposed rule would add to the definition of public charge the Section 8 Housing Choice Voucher, Section 8 Project-Based Rental Assistance, and Public Housing programs, as well as the Supplemental Nutrition Assistance Program (SNAP, or food stamps), Non-emergency Medicaid, the Medicare Part D Low Income Subsidy, and institutionalization for long-term care at government expense. DHS is also considering adding the Children's Health Insurance Program (CHIP) to the list.

Previously leaked drafts of this policy change have already led many families to drop out of critical food and nutrition programs for their children, and the proposed changes would impact hundreds of thousands of hardworking immigrant households that depend on these programs for their survival.

NHLP and the National Law Center on Homelessness and Poverty have developed a short [FAQ](#) outlining the basics of the proposed changes, effective messaging [talking points](#), and a [technical fact sheet](#) that provides a more in-depth assessment of the proposed rule.

The Protecting Immigrant Families Campaign has additional non-housing information at: <https://protectingimmigrantfamilies.org>

Register for NHLP's November 8, 3:30 pm ET webinar at: <https://adobe.ly/2yXfY5J>

NLIHC in the News

NLIHC in the News for the Week of October 28

The following are some of the news stories that NLIHC contributed to during the week of October 28.

- “A Florida City, Hit Hard by Hurricane Michael, Seeks More Housing Aid,” *The New York Times*, October 29 at: <https://nyti.ms/2JD1WuZ>
 - “‘No room for them’: For Mississippians in deep poverty, voting is easier said than done,” *Mississippi Today*, October 29 at: <https://bit.ly/2SBTSyx>
 - “Mediaplanet and HGTV Stars, The Scott Brothers, Team Up To Raise Awareness for Community Development,” *Chron.com*, November 1 at: <https://bit.ly/2RpKY5I>
 - “Nearly Half a Million U.S. Homes Are About to Become Unaffordable,” *In These Times*, October 31 at: <https://bit.ly/2P5yweI>
 - “For many in Miami, survival means working multiple jobs to cover basic expenses,” *Miami Herald*, October 30 at: <https://hrlld.us/2yDxFHW>
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NLIHC News

NLIHC Accepting Nominations to Board of Directors

NLIHC is accepting nominations to fill upcoming vacancies on its board of directors. To be considered for board membership, one must be a current dues-paying NLIHC member or be employed by a current dues-paying NLIHC member organization. NLIHC's board consists of six low income persons (defined as individuals with incomes less than 50% of area median income), six representatives of allied national organizations, six representatives of NLIHC state partners, and up to seven unrestricted or at-large NLIHC members. **NLIHC is currently seeking nominations for one low income and one state partner board member positions to assume their duties in March, 2019.**

At least 90% of NLIHC board members must be people with low incomes or who are or have been engaged directly in working on meeting the housing needs of low income people. In selecting board members, NLIHC strives to achieve a broad diversity in terms of race, ethnicity, gender, and geography, including representation from both urban and rural communities. We seek to have as many different states represented as possible.

Board members are elected for 3-year terms and can be nominated to serve up to three terms. The board meets in person twice a year in Washington, DC, once in conjunction with our annual forum in the spring and once in the fall. The board also meets by conference call in the summer. Generally, new board members are elected at the annual board meeting held in the spring.

NLIHC subsidizes travel and lodging expenses of low income board members to attend board meetings. All others are expected to cover their own travel and lodging expenses, unless doing so would prevent an otherwise qualified person from serving on the board. In addition to paying NLIHC membership dues, all board members are asked to make financial contributions to NLIHC at the level they are able. We strive for 100% board giving.

The best way to be considered for board membership is to get involved in the activities of NLIHC, particularly by serving on the Policy Advisory Committee and attending NLIHC's annual Policy Forum in the spring. The NLIHC Nominating Committee will review the level of a potential board member's involvement in his or her own community or state housing advocacy activities and accountability to a constituent base.

To be considered for an NLIHC board position, send a brief biographical description or resume and a statement of interest to NLIHC President and CEO Diane Yentel at dyentel@nlihc.org by COB December 31.

NLIHC Seeks Interns for Winter/Spring 2019 Semester

NLIHC is accepting applications for internship positions for the winter/spring 2019 semester. Interns are highly valued and fully integrated into our staff work. We seek students passionate about social justice issues with excellent writing and interpersonal skills.

The available positions are:

- **Field Intern.** Assists the NLIHC Field team in creating email campaigns focused on important federal policies, writing blogs, managing our database of membership records, mobilizing the field for the legislative efforts, and reaching out to new and existing members.
- **Research Intern.** Assists in ongoing quantitative and qualitative research projects, writes weekly articles on current research for NLIHC's weekly *Memo to Members and Partners* e-newsletter, attends briefings, and responds to research inquiries. Quantitative skills and experience with SPSS a plus.
- **Communications/Media/Graphic Design Intern.** Prepares and distributes press materials, assists with media research and outreach for publication releases, works on social media projects, maintains a media database, and tracks press hits. Also assists with sending out e-communications; designing collateral print material such as brochures, flyers, and factsheets; and updating content on the NLIHC website. Graphic design and Adobe Creative Cloud (Illustrator, InDesign, and/or Photoshop) experience needed. **Please provide 3 design samples and/or link to online portfolio in addition to a writing sample.**

Interns are expected to work 25 hours a week beginning in January and finishing up in May. A modest stipend is provided. A cover letter, resume, and writing sample are required for consideration. In your cover letter, please specify the position(s) for which you are applying and that you are interested in the winter/spring 2019 semester.

Interested students should send their materials to: Paul Kealey, Chief Operating Officer, National Low Income Housing Coalition, 1000 Vermont Avenue, NW, Washington, DC 20005 via email to: pkealey@nlihc.org

Amazon Will Donate to NLIHC at No Cost to You When You Shop on Amazon Smile

When you shop on [Amazon Smile](#), Amazon will make a contribution to NLIHC on your behalf at no cost to you, supporting NLIHC's work to end homelessness and housing poverty in America. Just begin typing "National Low Income Housing Coalition" as your preferred charity and select it when it appears. With every Amazon Smile purchase, Amazon will donate a portion of the purchase price to NLIHC! Click [here](http://amzn.to/2ew9GOn) (<http://amzn.to/2ew9GOn>) to support NLIHC's work while shopping. Thank you for your support!

Where to Find Us – November 5

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

- Metropolitan Washington Council of Governments' Homeless Services Committee, Washington, DC, on November 7
 - [Utah Housing Matters Conference](#), Ogden, UT, on November 7
 - [Facing Race: A National Conference](#), Detroit, MI, November 8-9
 - [Maine Affordable Housing Coalition Conference](#), Portland, ME, on November 14
 - [Housing Empowers 2018 Annual Conference](#), Columbia, MO, on November 17
 - "Housing and Schools" Presentation, 2018 NALPSE Conference, National Education Association, New Orleans, LA, on November 17
 - [NHC Solutions for Affordable Housing Convening](#), Washington, DC, on November 27
 - Maryland Legal Aid All-Staff Conference, Maryland, MD, on November 27
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NLIHC Staff

Sonya Acosta, Policy Analyst, x231
Andrew Aurand, Vice President for Research, x245
Anissa Balderas, Field Intern, x252
Victoria Bourret, Housing Advocacy Organizer, x244
Josephine Clarke, Executive Assistant, x226
Dan Emmanuel, Senior Research Analyst, x316
Ellen Errico, Creative Services Manager, x246
Justin Godard, Housing Advocacy Organizer, x233
Ed Gramlich, Senior Advisor, x314
Paul Kealey, Chief Operating Officer, x232
Mike Koprowski, Director, Multisector Housing Campaign, x317
Joseph Lindstrom, Manager, Field Organizing, x222
Lisa Marlow, Communications Specialist, x239
Sarah Mickelson, Senior Director of Public Policy, x228
Khara Norris, Director of Administration, x242
Dina Pinsky, Research Intern, x249
Catherine Reeves, Development Coordinator, x234
Lauren Ricci, Policy Intern, x241
Debra Susie, Disaster Housing Recovery Coordinator, x227

Elayne Weiss, Senior Policy Analyst, x243
Chantelle Wilkinson, Housing Campaign Coordinator, x230
Renee Willis, Vice President for Field and Communications, x247
Gloria Yang, Communications & Graphic Design Intern, x250
Diane Yentel, President and CEO, x225