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Budget and Appropriations

Congress Returns to Capitol Hill Today to Finalize FY23 Budget and Address Other Priorities before Next Congress Begins – Take Action!

After spending weeks in their home districts and states campaigning for the midterm elections, members of Congress will return to Capitol Hill today (November 14). Though the exact composition of the new Congress is still being determined, members of the current Congress will need to finalize a fiscal year (FY) 2023 budget and wrap up other priorities before the new Congress begins on January 3, 2023.

Appropriations

U.S. Senate Appropriations Chair Patrick Leahy (D-VT) and Ranking Member Richard Shelby (R-AL) will retire at the end of this Congress, giving both leaders ample reason to finalize an FY23 budget before they leave office. Senators Patty Murray (D-WA) and Susan Collins (R-ME) are expected to become the new leaders of the Senate Appropriations Committee. In the U.S. House of Representatives, Chair of the Appropriations Subcommittee on Transportation, Housing, and Urban Development (THUD) David Price (D-NC) will retire at the end of this Congress and is expected to be succeeded by Representative Mike Quigley (D-IL). The results of the midterm election will help determine who serve as chair and ranking member in the new Congress.

While talks between Appropriations Committee staff continued throughout Congress's most recent recess, this week will be a pivotal time for Appropriations leaders hoping to reach a final agreement on topline spending numbers for defense and non-defense programs (known as "302(a)" spending levels). Once topline funding numbers for defense and non-defense discretionary programs are decided, leaders will allocate a topline spending number to each appropriations subcommittee (known as "302(b)" spending levels).

The 302(b) level determines how much funding will be available to subcommittees to divvy up between various programs under their jurisdictions. Congress has until December 16 to enact a final FY23 budget, pass another continuing resolution (CR) to extend the appropriations deadline and keep the federal government funded, or risk a partial government shutdown.

Tax Extenders

In addition to finalizing an FY23 budget, Congress may enact a tax extenders package by the end of the year. NLIHC is urging policymakers to use the tax legislation to expand and reform the Low-Income Housing Tax Credit (LIHTC) to better serve extremely low-income (ELI) households. Congress regularly extends expiring tax provisions that are only authorized for a set number of years.

With a number of tax provisions up for extension at the end of this year, a tax extenders package represents the best opportunity currently available to expand and [make needed legislative changes](#) to the LIHTC program. NLIHC has released a [fact sheet](#) and [call-to-action tool](#) (see [Memo](#), 10/31) focused on LIHTC reforms and is urging advocates to ask their members of Congress to include these reforms in an end-of-year tax extenders package.

Take Action

NLIHC and our partners in the Campaign for Housing and Community Development Funding ([CHCDF](#)) are leading our [annual 302\(b\) letter](#), calling on Congress to provide the highest possible 302(b) level for HUD's and USDA's affordable housing, homelessness, and community development programs in the FY23 budget. So far, more than 1,800 national, state, local, and tribal organizations have joined the letter, and CHCDF is orchestrating a final push for signatures before re-sending the letter to Congress this week. If your organization has not joined the letter yet, please sign on by November 16 and then [share the letter with your networks](#).

Advocates should also contact their members of Congress and urge them to support the highest possible level of funding for HUD's and USDA's affordable housing and homelessness programs in FY23, including significant funding for NLIHC's top priorities:

- Full funding for the Tenant-Based Rental Assistance (TBRA) program to renew all existing contracts and expand housing vouchers to an additional 140,000 households.
- \$5 billion for the Public Housing Capital Fund to preserve public housing, and \$5.04 billion for the Public Housing Operating Fund.
- \$3.6 billion for HUD's Homeless Assistance Grants program to address the needs of people experiencing homelessness.
- \$100 million for legal assistance to prevent evictions.
- \$300 million for the competitive tribal housing program, targeted to tribes with the greatest needs.

Lastly, advocates should [contact their members of Congress](#) and urge them to use the end-of-year tax extenders legislation to expand and reform the Low-Income Housing Tax Credit (LIHTC) to better serve extremely low-income (ELI) households. (For ways to join this effort, see "Tax Extenders," above.)

LIHTC is the primary funding source for financing the construction and preservation of affordable housing. While an important resource, LIHTC on its own is generally insufficient to support the construction and preservation of homes affordable to households with the lowest incomes. NLIHC is urging Congress to include the following LIHTC reforms in any tax extenders package:

- **Expand the ELI basis boost to 50%** for housing developments when at least 20% of units are set aside for households with extremely low incomes or people experiencing homelessness. This provision is included in the bipartisan "Affordable Housing Credit Improvement Act."
- **Set aside 8% of tax credits** to help offset the cost to build ELI developments where at least 20% of units are reserved for households with extremely low incomes or those experiencing homelessness.
- **Designate tribal and rural communities as "Difficult to Develop Areas (DDAs)"** to make them automatically eligible for a 30% basis boost and make it more financially feasible for developers to build affordable homes in these communities. These provisions are also included in the bipartisan "Affordable Housing Credit Improvement Act."

Learn more about the range of needed changes to LIHTC at: <https://bit.ly/3fto1R1>

Read the new fact sheet focused on reforms needed for ELI households at: <https://bit.ly/3gDnV9o>

Contact your members of Congress about LIHTC reforms at: <https://p2a.co/4qstqc5>

Use NLIHC's [Fall and Winter 2022 Advocacy Toolkit](#) to help create your message to Congress, and visit our [Take Action page](#) for more ways to get involved!

Housing Policy Forum

NLIHC Invites Nominations for 2023 Organizing Awards

As communities face the impact of rising rents, housing advocates are organizing at the state and local levels to keep renters stably housed and enact long-term solutions. NLIHC's annual Organizing Awards will honor two organizations or campaigns that mobilized around low-income housing issues and achieved a significant victory

during 2022. **NLIHC invites our partners to [submit nominations](#) for the 2023 Organizing Awards today!** Nominations for the awards are due by 5 pm ET on Friday, December 16, 2022.

The NLIHC Organizing Awards recognize outstanding statewide, regional, citywide, and/or neighborhood organizing that resulted in a victory within the past year. The achievements of organizing award honorees must further NLIHC's mission of achieving racially and socially equitable public policy that ensures people with the lowest incomes have quality homes that are accessible and affordable in communities of their choice. Special consideration will be given to nominations that incorporate tenant- or resident-centered organizing, elevate the leadership of people with lived experiences of housing instability, and prioritize racial equity.

An Organizing Awards Committee composed of NLIHC board members and previous award winners will determine this year's honorees. The awards will be presented at the NLIHC 2023 Housing Policy Forum that will be held March 20-23, 2023. NLIHC will provide two representatives of each honored group complimentary Forum registrations and one hotel room for the next Policy Forum. Honorees will speak on a panel at the Policy Forum and share their best practices for organizing state and local campaigns.

Previous organizing award winners have been celebrated for establishing groundbreaking renter protections, expanding funding for affordable housing development, blocking significant cuts to housing programs, and building robust civic engagement initiatives. To explore the achievements recognized in recent years, please review our [list of past winners](#).

Eligibility criteria are as follows:

- Nominated organizations must be current NLIHC members. Organizations can [become NLIHC members](#) easily online. To check your membership status, reach out to [your state's housing advocacy organizer](#).
- Organizations may self-nominate.
- NLIHC board members and Award Committee members may not nominate an organization with which they are employed or affiliated.

Please reach out to Courtney Cooperman, housing advocacy organizer, at ccooperman@nlihc.org with questions.

Disaster Housing Recovery Updates

Hurricane Nicole Strikes Florida as Recovery Efforts Continue Following Hurricane Ian

Hurricane Nicole made landfall along the coast of eastern Florida on November 10, impacting coastal areas with significant storm surge and coastal erosion. As of the time of writing, Nicole has weakened into a tropical storm and is making its way across inland Florida, creating significant risk of flooding in areas already impacted by Hurricane Ian, which struck just last month. After passing through Florida, the storm is expected to travel up the eastern seaboard, impacting Georgia, the Carolinas, and the mid-Atlantic region. Multiple counties in Florida have instituted [evacuation orders](#) for coastal areas, and the state government has warned of significant power disruptions. Scores of emergency shelters have opened along the path of the storm in order to accommodate evacuees without temporary housing prospects.

The development of a hurricane so late in the Atlantic hurricane season, which typically ends November 30, is exceedingly rare (Nicole is the first such late-season storm in [37 years](#)). Meanwhile, the timing of the storm could not be worse: while Nicole's impacts are expected to be relatively light compared to those of last month's storm, areas along Nicole's forecasted track were decimated by Hurricane Ian, and many are still in [direct](#)

[response mode](#), with residents and local governments continuing to clear debris deposited by record storm surge and having only just restored power in many of the hardest-hit areas.

The NLIHC-led Disaster Housing Recovery Coalition (DHRC) – a group of more than 850 local, state, and national organizations working to ensure that all disaster survivors receive the assistance they need to fully recover – will continue to track the impact of Hurricane Nicole and support members and partners working in impacted areas.

Learn more about the Disaster Housing Recovery Coalition at: <https://bit.ly/2NOHusW>

Disaster Housing Recovery Updates – November 14, 2022

Hurricane Ian Updates

Families in areas of southwest Florida impacted by Hurricane Ian are anxiously [awaiting](#) decisions about FEMA housing assistance.

In a [statement](#), FEMA announced that various federal programs had provided roughly \$2 billion in disaster assistance to southwest Florida.

Conservators from the Smithsonian Cultural Rescue Initiative are assisting Hurricane Ian survivors in [preserving](#) family heirlooms and historic artifacts in Disaster Recovery Centers.

Black communities impacted by Hurricane Ian are [organizing](#) in the wake of the storm. Organizations in neighborhoods like Dunbar and Harlem Heights have joined Florida Rising, a coalition with more than 50 members that recently released a letter demanding a “just recovery” following Hurricane Ian.

Local frog populations are [exploding](#) in some areas of Florida following torrential rains brought by Hurricane Ian.

High winds and storm surges decimated older homes in southwest Florida, but recently constructed manufactured housing fared [much better](#).

The State of Florida, the federal government, and non-profit partners are [offering](#) a variety of services in the most heavily impacted areas of southwest Florida. These services include WiFi hotspot vans, food, and transportation.

Hurricane Ian ripped away seawalls in southwest Florida, leaving some areas of the coast [unprotected](#) from future storms.

Hurricane Fiona Updates

Following Hurricane Fiona, some architects in Puerto Rico are pushing for [innovations](#) as the island seeks to rebuild critical infrastructure.

There is widespread [worry](#) that recovery efforts following Hurricane Fiona are repeating mistakes made after Hurricane Maria that left the island more impoverished and vulnerable to disaster.

For the first time, the U.S. Environmental Protection Agency (EPA) has [targeted](#) investments to Puerto Rico – and impoverished Puerto Rican communities, specifically – in an effort to address the environmental problems that plague communities disproportionately affected by pollution and two major hurricanes.

After years of destructive weather, [new visions](#) of local agriculture are taking root in Puerto Rico.

FEMA released a [rumor control document](#) to provide additional information to Puerto Rico residents applying for assistance.

Congressional and National Updates

USA Today published a [piece](#) on climate-driven displacement that includes interviews with experts on the subject.

The Just Solutions Collective and Harvard’s Environmental and Energy Law Program will be [holding](#) a webinar discussing FEMA’s recently published Equity Action Plan on November 17 at 2:00 pm ET.

Organizing Resilience released a new [report](#), “But Next Time: Storm Survivors Demand Overhaul of Disaster Recovery System.”

State and Local Updates

Kentucky

HUD will [provide](#) Kentucky with \$48.9 million through the Community Development Block Grant-Disaster Recovery (CDBG-DR) program to help the state recover from disasters that occurred last year.

FEMA disaster recovery centers and multi-agency resource centers are still [open](#) for those affected by recent flooding, though the deadline to apply for FEMA aid passed on October 28.

Louisiana

Louisiana will receive [\\$831 million](#) from HUD for Hurricane Ida disaster relief.

Montana

The Montana Department of Commerce has issued a [request for temporary housing](#) in flood-impacted counties for families whose homes still need habitability repairs. As of October 19, more than 300 families had self-reported that their homes still needed repairs to make them fit to live in following flooding in south and central Montana in June.

New Mexico

New Mexicans [impacted](#) by wildfires and subsequent flooding had until November 7 to apply for FEMA assistance, which will be used to help residents find temporary housing, rebuild their homes, and replace destroyed property.

North Carolina

HUD’s Office of the Inspector General issued an [audit report](#) in October claiming that North Carolina’s disaster recovery program was not able to provide a “reasonable assurance” that it had properly spent \$2.5 million in Hurricane Matthew federal disaster relief funds.

Our Homes, Our Votes

Join Today's (Monday, 11/14) *Our Homes, Our Votes* Webinar on Holding Candidates to Their Campaign Promises

The *Our Homes, Our Votes: 2022* webinar series features experts with frontline election experience to walk through every step of voter and candidate engagement activities and support housing organizations' nonpartisan election efforts. The final webinar in the series, "Holding Candidates to Their Campaign Promises," will be held today, November 14, at 2:30 pm ET. Register for the webinar [here](#).

Elected officials are most attentive to the concerns of their constituents who vote. Now that Election Day has passed, housing organizations should evaluate the success of their voter engagement efforts and demonstrate that low-income renters are a significant, active voting bloc in their communities – a constituency to whom elected officials must be responsive. Panelists will discuss opportunities to harness the momentum of nonpartisan voter engagement campaigns and hold elected officials accountable to their campaign promises, establish relationships with new staff, and ensure that candidates who championed affordable housing on the campaign trail maintain that commitment when their terms begin. The panel will feature Neisha McGee, manager of advocacy, engagement and mobilization at Independent Sector; Molly Jacobson, senior policy analyst at the Virginia Housing Alliance; and Cristin Langworthy, community engagement and government relations coordinator at the Housing Network of Rhode Island.

Visit ourhomes-ourvotes.org/webinars to access recordings and resources from the *Our Homes, Our Votes: 2022* webinar series.

HoUsed Campaign for Universal, Stable, Affordable Homes

Recording of November 7 National HoUsed Campaign Call Now Available

On NLIHC's most recent (November 7) national call for the "HoUsed: Universal, Stable, Affordable Homes" campaign, we received updates from Capitol Hill, heard about new research on the persistence of housing insecurity among women and LGBT people of color, learned about how landlords use the threat of eviction, and more.

Sarah Javaid, research fellow at the National Women's Law Center (NWLC), provided an overview of NWLC's [recent brief](#) examining how the housing and food crises continue to create economic insecurity among women and LGBT people of color. The brief noted that single Black, non-Hispanic women, Latinas, disabled women of color, and LGBT people of color were especially likely to be renters, and significantly more likely to have experienced rent increases in the prior year. These increases were on average more than \$250 per month, or \$3,000 per year. The brief also found that one out of four Black women, and three out of 10 Black women with a disability, reported being behind on rent, putting them at increased risk of eviction.

Eva Rosen, associate professor at Georgetown University, and Philip Garboden, assistant professor at the University of Hawai'i, shared findings from a [recent study](#) on how landlords use the threat of eviction to extract money from tenants and keep tenants in arrears. The researchers found that roughly half of evictions are part of a serial chain of eviction filings, and that large landlords are much more likely to file against the same tenant multiple times than are smaller housing providers. Filing against a tenant "assists [the landlord] in rent collection by leveraging the state to materially and symbolically support the landlord's debt collection," while

continuing to house tenants with small rental debts “aggravates the power imbalance within the landlord-tenant relationship,” giving landlords “the legal pretext to remove a tenant for any reason and [preventing] tenants from exercising their legal rights regarding code enforcement.” The results of the study point to the continued need for legislative and administrative action that will help balance the power between landlords and tenants.

NLIHC Housing Advocacy Organizer Courtney Cooperman joined the call to share Election Day resources, including [materials](#) from the U.S. Interagency Council on Homelessness (USICH) on ensuring people experiencing homelessness are able to exercise their right to vote. Sophie Siebach-Glover, NLIHC’s research specialist, shared the latest data from the U.S. Department of the Treasury on emergency rental assistance (ERA) spending and reallocation. Abram Diaz, policy director at the Non-Profit Housing Association of Northern California, and Brenda Clement, director of Housing Works Rhode Island, provided field updates. NLIHC Senior Vice President of Policy and Field Organizing Sarah Saadian closed out the call with an update on fiscal year (FY) 2023 budget negotiations and the tax extenders package.

National HoUsed campaign calls now occur every other week. Our next call will be held on November 21 from 2:30 to 4:00 pm ET. Register for the call at: tinyurl.com/ru73qan

View slides from the November 7 call at: tinyurl.com/3zxauuh8

Watch a recording of the November 7 call at: tinyurl.com/3t5rrsu8

Events

Join Us on December 6 for the Relaunch of NLIHC’s Policy Advisory Committee

NLIHC members are invited to [join us](#) on December 6 from 4 to 5 pm ET for the relaunch of our Policy Advisory Committee (PAC), a virtual listening session where NLIHC members can weigh in on issues related to NLIHC’s policy priorities.

The PAC offers a space for NLIHC members to provide input about the formation, direction, and implementation of NLIHC’s policy priorities. The voices and perspectives offered during PAC meetings will be taken into consideration as we formulate and work towards achieving our policy priorities in the upcoming Congressional session.

The inaugural PAC meeting on December 6 will focus on federal tenant protections that could be enacted through administrative action or a Tenants’ Bill of Rights to keep tenants safely and affordably housed and ensure long-term housing stability for renters with the lowest incomes. After the December 6 meeting, PAC meetings will focus on a series of different topics and be held quarterly on the following dates:

- Wednesday, March 1, 2023, 4-5 pm ET
- Wednesday, June 7, 2023, 4-5 pm ET
- Wednesday, September 6, 2023, 4-5 pm ET
- Wednesday, December 6, 2023, 4-5 pm ET

*Please note that **PAC meetings are only open to NLIHC members.** If you are not already a member, you can [join online](#).*

Register for the Policy Advisory Committee meetings at: tinyurl.com/mvb9t2hu

Emergency Rental Assistance

Treasury Releases ERA1 and ERA2 Quarterly Demographic Data

The U.S. Department of the Treasury (Treasury) has released [quarterly demographic data](#) for the Emergency Rental Assistance (ERA) programs created by the “Consolidated Appropriations Act of 2021” and the “American Rescue Plan Act.” The new data have been updated through the end of June 2022 and include quarterly demographic data about ERA recipients at both national and state levels. The data include several new data fields, including average months of assistance for prospective rent and utilities, average amount of assistance to households, number of households that submitted applications, and application acceptance rates.

Other data fields include number of applications submitted, average amount of assistance received, and spending on housing stability services and administration. The fields are broken down by quarter, funding stream, and grantee. Data about the amount of funding disbursed for housing stability services and administrative expenses by grantee are also available. These spending data points have historically been released monthly as a national aggregate.

The demographic data reveal that, similar to trends in 2021, approximately 40% of households served identified as Black or African American. Approximately two in 10 households identified as Hispanic or Latino and 2% of households served identified as Asian. Nearly two-thirds of all households served (64%) had extremely low incomes.

The ERA1 and ERA2 quarterly data can be found at: <https://bit.ly/3Tn6ojp>

Opportunity Starts at Home

New Research Explores Housing Insecurity in Families with Young Children and Immigrant Mothers

New research published in the *Journal of Immigrant and Minority Health* explores pandemic-related hardships among families with young children by race, ethnicity, and nativity. The study reveals the disproportionate harm of the pandemic on immigrant and Latino families, finding that increases in household food insecurity and rental arrears were greater in families with Latina or immigrant mothers than in other families. The study finds, moreover, that housing instability is associated with negative health and developmental outcomes for young children. The authors argue that policymakers should do more to prioritize housing solutions for families of young children with immigrant mothers. Access the study [here](#).

Research

Study Finds Supportive Housing Helps Reduce Arrests of People without Homes by Police for Minor Offenses

A new study from Urban Institute, “[Policing Doesn’t End Homelessness. Supportive Housing Does.](#)” analyzes the impacts of the Denver Supportive Housing Social Impact Bond Initiative (Denver SIB), which provides supportive housing to people without homes who have been repeatedly arrested. The report also details the

amount of time spent by police making arrests for minor offenses related to homelessness among members of the Denver SIB target population not receiving supportive housing. The study finds that people without homes are significantly more likely to be arrested for minor offenses than members of the general population and that police spend large amounts of time and resources arresting unhoused people for these minor offenses. Moreover, the study finds that people receiving supportive housing services experienced significant decreases in arrests for minor offenses.

The Denver SIB target population included individuals who had been arrested at least eight times in three years and who did not have a permanent address during at least three of those arrests. Using 2018 arrest data from the Denver Police Department, the researchers identified a group of minor offenses associated with homelessness – including criminal trespassing, loitering, and littering – and compared arrests for minor offenses among the general population to the Denver SIB target population. The report also includes the results of a study in which some members of the SIB target population were randomly assigned to receive supportive housing.

The researchers found that people in the Denver SIB target population were significantly more likely to be arrested for minor offenses than people in Denver’s general population. For example, among all offenses by members of the Denver SIB target population, 21% were for criminal trespassing, compared to only 3% of offenses for the general population. Similarly, 61% of all offenses among the target population were associated with homelessness, such as trespassing, public-order crimes, and liquor possession, compared to a rate of 14% among the general population. Members of the Denver SIB target population, however, were not overrepresented among more serious offenses, such as assault, theft, burglary, and robbery. The research also finds the Denver Police Department spent roughly 2,789 hours arresting people in the Denver SIB target population for minor offenses in 2018.

Among residents who received supportive housing through the Denver SIB program, minor offense arrests dropped significantly. Two years after the program began, 52% fewer arrests were made among individuals who were randomly assigned to receive supportive housing compared to members of the target population receiving standard housing services. Given these results, the study concludes that providing supportive housing to all members of the Denver SIB target population would result in police spending 1,450 fewer hours annually arresting people experiencing homelessness for minor offenses.

In addition to demonstrating that police spend significant time and resources arresting unhoused people for minor offenses and that supportive housing programs like Denver SIB help reduce arrests, the researchers argue that punitive measures are not successful in reducing homelessness and that policymakers should instead enact permanent housing solutions that address the root causes of homelessness.

Read the article at: <http://bit.ly/3WKUp2f>

Systematic Review of Housing Voucher Studies Finds that Vouchers Lead to Improved Household Security and Health

A new paper published in the *Journal of Public Health Management and Practice*, “[Tenant-Based Housing Voucher Programs: A Community Guide Systematic Review](#),” assesses the impact of housing voucher programs on households’ housing stability, neighborhood opportunity, and health. The review covers seven studies, all comparing outcomes for households receiving housing vouchers and those not receiving vouchers. The review finds that households that received vouchers were more likely to experience better housing quality, less housing insecurity, and improved health care access compared to households not receiving vouchers. Additionally, children who lived in households with vouchers before age 13 experienced improved employment and economic outcomes.

The review identified studies that evaluated voucher programs in the U.S., included a comparison group of households not receiving vouchers, and were published by a reputable source. Researchers identified seven eligible studies and compared findings across papers to garner a better understanding of the impacts of tenant-based housing vouchers. In some cases, the reviewers drew a distinction between the impacts of the Housing Choice Voucher (HCV) program and a program in which households received a housing voucher and housing counseling and were required to move to a low-poverty area (known as Moving to Opportunity (MTO)).

The paper finds that voucher holders experienced improved housing security outcomes compared to households that did not receive vouchers. The proportion of voucher holders who rated their housing as good or excellent was a median of 7.9 percentage points greater than non-voucher-holding households. Voucher holders were also less likely to be housing insecure or homeless, with a median difference of 22.4 percentage points among voucher holders and non-voucher holders. Neighborhood poverty was also lower among voucher holders, with the average voucher holder living in a neighborhood where the poverty rate was 5.2 percentage points lower than the rate in neighborhoods where non-voucher holders typically lived.

Households with vouchers also had greater access to healthcare and reported better mental and physical health than low-income households without vouchers. The percent of uninsured voucher holders was a median of 4.2 percentage points less than those without vouchers. Adult voucher holders were also more likely to rate their health as good or excellent and were less likely to have poor mental health, including depression and panic attacks, than adults without vouchers

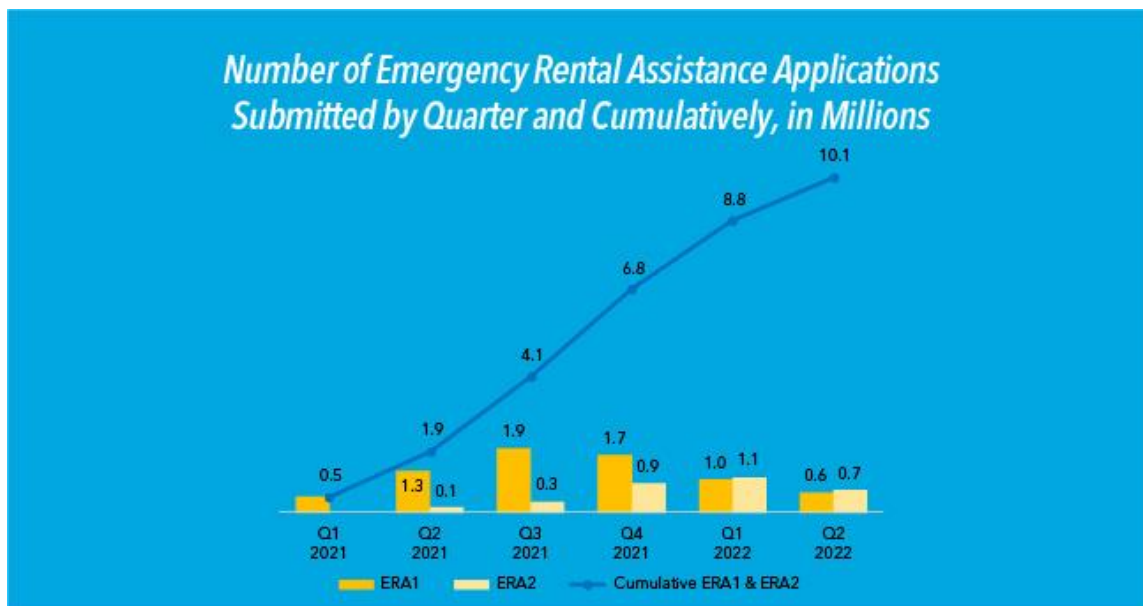
Children who were under the age of 13 when their families received a voucher were more likely to be employed and have higher incomes in adulthood. Children in households that received a voucher through MTO were 3.9 percentage points more likely to be employed as adults, while children in households participating in the HCV program were 2.1 percentage points more likely to be employed as adults. Children in the MTO and HCV programs also had higher incomes as adults – by 30.8% and 10.3%, respectively – compared to those from low-income households not receiving a voucher.

The authors emphasize that households with housing vouchers experience improved housing stability and health outcomes overall compared to unassisted low-income households. Because only one-quarter of eligible low-income households currently receive vouchers, expanded funding for the HCV program could help more eligible households access affordable, quality housing.

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

Fact of the Week

More Than 10 Million Emergency Rental Applications Submitted in First Year and a Half of ERA Program



Source: U.S. Department of the Treasury, "ERA1 & ERA2 Quarterly Demographic Data for Q1 2021 through Q2 2022," November 2022, <https://bit.ly/3fMhvF7> [xlsx download]



Source: U.S. Department of the Treasury, "ERA1 & ERA2 Quarterly Demographic Data for Q1 2021 through Q2 2022," November 2022, <https://bit.ly/3fMhvF7> [xlsx download]

From the Field

Tenants Take to the Courts to Protect Their Rights

Low-income renters face many barriers when it comes to finding affordable and accessible housing, especially as some states have begun to return to the pre-pandemic status quo by closing emergency rental assistance (ERA) programs and rolling back tenant protections. Meanwhile, landlords, real estate firms, and even pricing software sometimes create further barriers for the lowest-income people through discrimination and unfair rental practices. But tenants are pushing back. Three recent court cases – in Mississippi, the District of Columbia, and Texas – serve to illustrate the power of tenants in ensuring they are treated fairly and have access to affordable housing.

In Jackson, Mississippi, [an apartment rental company, SSM Properties, agreed to pay damages to four tenants following the discovery of a pattern of racial discrimination](#). As a result of tests conducted by the Louisiana Fair Housing Action Center, the U.S. District Court for the Southern District of Mississippi found that SSM Properties had violated the "Fair Housing Act." Four Black test participants were hired by the Center to act as prospective tenants interested in living in SSM Properties. Upon visiting the property, the test participants experienced racist comments and were lied to about the apartments available to them by a property manager. At the same time, two white testers who visited the property were told by the same property manager that the units denied to the Black testers were in fact available. The property manager has since been fired, and the owners of SSM Properties were required to pay \$123,000 in damages and have entered a three-year consent decree to ensure their apartments meet the standards of the Fair Housing Act. While the damages will not fully mitigate the harm done by the property manager, the case will hopefully ensure that future prospective tenants of SSM Properties receive fair treatment.

“Unfortunately, the lack of value placed on Black lives regularly shows up in our housing market,” said Cashauna Hill, executive director of the Louisiana Fair Housing Action Center. “This investigation and our past reports have found that disrespectful and discriminatory practices are par for the course for Black people seeking a place to call home. The four African American testers in this case were subjected to dehumanizing treatment that was entirely unacceptable. Because of the testers’ bravery and willingness to serve their communities as investigators, we hope that tenants in the greater Jackson area will now have greater access to more equitable housing opportunities.”

Likewise, in Washington, D.C., a [historic housing discrimination settlement](#) was reached in October. The D.C. attorney general filed a suit in 2020 against the real estate firms DARO Management Services, DARO Realty, and Infinity Real Estate, claiming the firms discriminated against applicants who were Section 8 voucher holders or received other means of rental assistance. The three firms had been documented as refusing to accept applicants with housing subsidies (including Section 8 and rapid rehousing vouchers), had posted advertisements with discriminatory language, and had imposed extra fees on applicants with subsidies in 15 different buildings. [In a city where 30,000 residents rely on assistance](#) to afford housing and 95% of Section 8 voucher holders are Black, the three firms had not only broken the law but had perpetuated racist patterns long-plaguing Black people and other people of color. The court found that the companies had violated the District’s “Human Rights Act,” which includes source-of-income protections. As a result, executives from the firms are now permanently barred from managing properties in D.C. and the property management business will be disbanded.

Lastly, a real estate and property management software company, RealPage, headquartered in Richardson, Texas, came under fire after a [ProPublica article](#) examined the company’s YieldStar software, which uses algorithms to generate rental prices that maximize yields for investors. In so doing, the software adversely affects low-income tenants, who already face challenges finding affordable housing. “RealPage’s pricing software suggests new rents daily to landlords for units available in their properties,” explains Uel Trejo Rivera, community equity analyst with Texas Housers. “Unfortunately, this has proven to be detrimental for tenants. In a 2020 study done by the U.S. Government Accountability Office, researchers estimated that for every \$100 increase in median rent there was an associated 9% increase in the estimated houseless rate. The U.S. Bureau of Labor Statistics reported that average hourly earnings decreased by 3% over the year when adjusted for inflation. So, in a time when the value of people’s buying power has decreased, combined with the lack of affordable housing nationwide, households are struggling to make ends meet already without having to deal with perpetual rent increases. RealPage prioritizes profit over people by championing rent increases at the expense of increased vacancy rates throughout their properties.” Using information from ProPublica’s article, [renters in San Diego, California, have filed a lawsuit against RealPage and nine of its largest property management clients](#).

The three court cases show the importance of organizing in ensuring all people have access to safe and affordable housing. As essential but temporary protections and resources from the pandemic are being rolled back, the housing poverty crisis is being exacerbated. Renters are faced with increased evictions, skyrocketing rents, and more barriers to achieving affordable housing. The cases in Mississippi, Washington, D.C., and Texas show that there are still ways for tenants to fight back.

NLIHC Careers

NLIHC Seeks ERASE Project Coordinator

NLIHC seeks a project coordinator for its ERASE (End Rental Arrears to Stop Evictions) project. The ERASE project coordinator will work with the senior director and ERASE team to support the activities of a group of NLIHC staff and consultants dedicated to the ERASE project. This is a one-year position.

End Rental Arrears to Stop Evictions (ERASE) is NLIHC's national effort designed to ensure that the historic \$46.6 billion in emergency rental assistance enacted by Congress reaches the lowest-income and most marginalized renters it is intended to help. The project seeks to eliminate rental indebtedness caused by the pandemic and set the stage for permanent solutions to promote housing stability, advance equity, and prevent evictions for the long term by tracking and analyzing emergency rental assistance utilization; documenting and sharing best practices and toolkits; influencing and shaping program design at federal, state, and local levels; developing key partnerships for outreach and education; and assessing remaining needs to inform advocacy for long-term investments and tenant protections to end housing instability and homelessness in the United States.

A key part of the ERASE project is developing and nurturing a cohort of state partners working to sustain progress, create permanent state and local emergency rental assistance programs, and enact tenant protections.

Job Description:

Ensuring effective grant management and support to ERASE grantees to achieve program goals:

- Working closely with the senior director to administer and support grants to state partners and ensure effective partner grants management: ensuring grantees are carrying out the terms of their grants and are effectively and appropriately using the grants provided to achieve intended outcomes.
- Reviewing grantee project plans and reports to determine ongoing effectiveness and course correct as needed.
- Providing technical assistance and support to assist grantees in engaging in robust advocacy at the state and local levels to achieve project goals.
- Ensuring that state and local grantees have the materials, tools, best practices, and other supports needed to support ERASE goals.
- Virtually convening grantees and planning webinars to facilitate peer learning, problem solving, and strategy-sharing.
- Tracking and sharing the impact of ERASE through data collection, storytelling, and other methods.

Supporting Local, State, and National Efforts to Scale and Sustain Emergency Rental Assistance

- Tracking and highlighting developing trends related to sustaining emergency rental assistance and the advancement of tenant protections.
- Assisting with the development and dissemination of toolkits, policy papers, and case studies to support jurisdictions in sustaining emergency rental assistance and advancing tenant protections.
- Identifying, documenting, and sharing best practices, lessons learned, challenges, and successes related to emergency rental assistance with a specific focus on equity.
- Assisting in the development of a blueprint for scaling and sustaining emergency rental assistance including recommendations for funding, program design, and policy reform.

Supporting Efforts to Advance State, Local, and National Tenant Protections

- Supporting the enactment of state and local tenant protections and the development of national model tenant protections.
- Conducting research and monitoring state and local enactment of tenant protections and maintaining NLIHC's Tenant Protection Database.

Other Activities

- Coordinating with the senior director and policy team to identify areas for national advocacy and to ensure effective integration of state and local efforts into national efforts.
- Supporting the senior director in preparing reports for NLIHC donors on activities, outputs, and outcomes of ERASE, including summaries of activities undertaken by state and local grantees, the project steering committee, and other relevant progress.
- Other duties as assigned.

Qualifications:

To receive serious consideration for this position, an applicant should have the following attributes and background:

- 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 racial equity, affordable housing, and the alleviation of poverty.
- Experience successfully building working, collaborative partnerships among organizations.
- Demonstrated excellence in project management and organizational skills.
- Excellent communications skills, both orally and in writing.
- Experience providing technical assistance, coordinating research, policy analysis, and systems change.
- An ability to work in a diverse, fast-paced environment.

Compensation and Benefits: An equal opportunity, affirmative action employer, NLIHC offers a competitive salary and benefits package. This is a full-time position which can be remote or located in Washington, DC.

Status: Full-time (exempt)

Reports to: ERASE Senior Project Director

Job Application Process: Candidates for this position should send a cover letter, resume, and two writing samples to Sarah Gallagher, ERASE senior project director, at sgallagher@nlihc.org. The cover letter should describe the candidate's interest in, and relevant experiences for, the position. The letter should also include salary requirements and the names and contact information for at least three people serving as candidate references, two of whom should be current or former supervisors. (NLIHC will not contact references before consulting with the candidate.)

NLIHC in the News

NLIHC in the News for the Week of November 6

The following are some of the news stories to which NLIHC contributed during the week of November 6:

- "A Recession Is Coming. What To Do If You Can't Pay Your Bills" *Forbes Advisor*, November 8 at: <http://bit.ly/3hv5e8n>

- “Driving Change in Housing Policies with Advocacy and Organizing” *Stanford Social Innovation Review*, November 10 at: <https://bit.ly/3tlbiTG>
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NLIHC News

Where to Find Us – November 14

NLIHC staff will be speaking at the following events in the coming months:

- Partnership for Strong Communities [2022 Connecticut Affordable Housing Conference](#) – Keynote Speaker, Virtual, November 14 (Diane Yentel)
 - [Empower Missouri, Affordable Housing Coalition Meeting](#) – Virtual, November 14 (Gabby Ross)
 - Maine Affordable Housing Coalition’s Housing Policy conference – Keynote Speaker, Portland, ME, November 17 (Diane Yentel)
 - [Fargo-Moorhead Coalition to End Homelessness, Annual Town Hall](#) – Virtual, November 17 (Courtney Cooperman)
 - [Facing Race: A National Conference](#) – Phoenix, AZ, November 19 (Renee Willis)
 - [New York Housing Conference 49th Annual Awards Program](#) – New York, NY, December 1 (Sarah Saadian)
 - [Housing Alliance of Pennsylvania “Homes Within Reach” Conference](#) – Hershey, PA, December 7-9 (Sarah Saadian)
 - Evangelical Lutheran Church in America “Homeless Persons’ Memorial Day” Event – Washington, DC, December 21 (Sarah Saadian)
 - Los Angeles Business Council Housing and Transportation Committee Meeting – Virtual, January 18-19 (Sarah Saadian)
 - [Prosperity Indiana Summit and Statehouse Day](#) – Indianapolis, IN, February 1 and 2 (Diane Yentel)
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NLIHC Staff

Andrew Aurand, Vice President for Research, x245
Sidney Betancourt, Housing Advocacy Organizer, x200
Victoria Bourret, ERASE Project Coordinator x244
Jen Butler, Senior Director, Media Relations and Communications, x239
Alayna Calabro, Policy Analyst–COVID-19 Response, x252
Matthew Clarke, Writer/Editor, x207
Courtney Cooperman, Housing Advocacy Organizer, x263
Bairy Diakite, Director of Operations, x254
Lindsay Duvall, Senior Organizer for Housing Advocacy, x206
Dan Emmanuel, Senior Research Analyst, x316
Emma Foley, Research Analyst, x249
David Foster, Field Intern
Ed Gramlich, Senior Advisor, x314
Sarah Gallagher, Senior Project Director, ERASE, x220
Jordan Goldstein, Communications/Graphic Design Intern
Kendra Johnson, Chief Operating Officer, x232
Kim Johnson, Senior Policy Analyst, x243

Mike Koprowski, Director, Multisector Housing Campaign, x317
Kayla Laywell, Housing Policy Analyst, x231
Mayerline Louis-Juste, Senior Communications Specialist, x201
Steve Moore Sanchez, Development Coordinator, x209
Khara Norris, Senior Director of Administration, x242
Neetu Nair, Research Analyst, x291
Noah Patton, Housing Policy Analyst, x227
Ikra Rafi, Creative Services Manager, x246
Benja Reilly, Development Specialist, x234
Kharl Reynado, Policy Intern
Gabrielle Ross, Housing Advocacy Organizer, x208
Sarah Saadian, SVP for Public Policy and Field Organizing, x228
Brooke Schipporeit, Manager of Field Organizing x233
Sophie Siebach-Glover, Research Specialist, x205
Lauren Steimle, Web/Graphic Design Specialist, x246
Leslie Villegas, ERASE Intern
Chantelle Wilkinson, Housing Campaign Manager, x230
Renee Willis, SVP for Racial Equity, Diversity, and Inclusion, x247
Rebecca Yae, Senior Research Analyst–COVID-19 Response, x256
Diane Yentel, President and CEO, x225
Zak Zethner, Research Intern