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The NLIHC staff is thankful for all our members and partners whose support is vital to our work to ensure the lowest income people in America have decent, affordable homes.

Memo to Members & Partners will take a short break for the Thanksgiving holiday. There will be no *Memo* on Monday, November 26. *Memo* will return on December 3.



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

No to Proposed Changes to ‘Public Charge’

Over the last two years, the Trump administration has demonized immigrants, separated families from their children, and undermined immigration policy. Now, the administration has proposed one of its most insidious rules to-date involving changes to something known as “[public charge](#).” In October, the Department of Homeland Security (DHS) released a Notice of Proposed Rulemaking on public charge that would have profound and negative consequences on immigrant families’ ability to access critical and life-saving benefits, including housing assistance.

Public charge is a term used in federal immigration law to refer to a person who may depend on the government as their main source of support. When a non-citizen applies for a visa to enter the U.S. or for lawful permanent residence, the government official looks at the person's life circumstances to see if the person may need services now or in the future. If the official determines that the individual is likely to become a public charge, the person's application may be denied.

The administration has proposed to change this long-standing policy by adding to the definition of public charge a number of additional programs on which DHS would judge applicants, including usage of the Section 8 Housing Choice Voucher, Section 8 Project-Based Rental Assistance, and Public Housing programs, as well as Supplemental Nutrition Assistance Program (SNAP, or food stamps), Medicaid, and parts of Medicare. The proposed test would also take into consideration the applicants age, health status, and English proficiency. In other words, for the first time, an applicant for a visa or green card would be judged by if they need—or might need in the future—[support for safe and stable housing, food assistance and health care](#).

This proposed rule puts immigrants in an impossible bind: having to choose between accessing the supports they need to live a safe and healthy lives or protecting their immigration status. Already, fear of being judged for use of benefits is creating a chilling effect: our housing partners throughout the country tell us of families dropping benefits even before this rule is finalized. Colleagues at health centers and WIC clinics tell the same stories: families are shying away from using needed benefits out of fear of this administration's policies.

As families turn away from health care and food or housing assistance, they are forced to pay out of pocket, reducing their already limited household budgets. As use of rental assistance decreases, the likelihood that low income families fall into homelessness increases, with all of its personal and societal costs. Blaming immigrant families for the increasing gap between wages and housing costs and stripping them of their ability to access safe and affordable homes will only increase our country's racial and economic disparities and put housing and well-being further out of reach for many families. The proposed rule, if implemented, would create significant longer-term costs to the federal government; people in unstable homes have poorer health, lowered educational attainment and lessened lifetime earnings.

DHS is accepting comments on the proposed public charge rule through December 10, 2018. This is an important opportunity for the housing community to weigh in to support immigrants and urge the administration to stop this shortsighted and cruel attack. The Protecting Immigrant Families Campaign has developed an [easy-to-use portal](#) to submit comments, and our partners at the National Housing Law Project have [many resources available to support you](#). If you work with immigrants, [resources are available in many languages](#) offering guidance on how to talk about the rule.

This week, as we gather with loved ones from near and far, let's recommit to ensuring that *all* people – immigrants, Native Americans, the lowest income seniors, people with disabilities, families and others – have safe and affordable homes in which to celebrate and be thankful.

With thanks for your commitment and work to end homelessness and housing poverty,

Diane

Take Action

Join Tweetstorm Against Proposed 'Public Charge' Rule

Housing advocates around the country are speaking out about the proposed "public charge" regulation's chilling effect on immigrants' access to affordable housing and other basic supports. Adding housing programs to the

rule could put millions of eligible immigrants at risk of homelessness and housing poverty. Even if housing programs are not included in the final public charge rule, housing advocates should still oppose the rule because it could make eligible immigrant families fearful about accessing other important food and healthcare assistance.

Advocates from multiple sectors are coordinating efforts to raise public awareness about the threat. Leading up to the December 10 public-comment deadline (see *Memo*, [10/15](#)) organizations like the [National Immigration Law Center](#) (NILC), NLIHC, and many others are calling on advocates to submit public comments against the proposed rule changes. During the week of November 19-23, NILC will host a series of activities called “Poverty, Hunger & Housing” to emphasize how housing will be impacted by the rule. We encourage you to participate in a tweetstorm on Tuesday, November 20, at 2:00 p.m. ET/11:00 a.m. PT. Join in the discussion using #ProtectFamilies and share your thoughts on why this proposed rule is cruel and dangerous.

Sample tweets:

- The proposed #PublicCharge rule is cruel and dangerous. Call on the administration to #ProtectFamilies. Submit comments telling the administration you strongly oppose removing basic rights for hardworking families bit.ly/submitcomment
- The proposed #PublicCharge rule places millions of families at risk of homelessness. #ProtectFamilies. Submit comments telling the administration you stand against denying families critical assistance to keep roofs over their heads bit.ly/submitcomment
- Housing stability is crucial for getting families on a pathway to a better life. The #PublicCharge rule threatens this path for low income immigrants. #ProtectFamilies, submit comments to support housing asst. for people w/ the greatest needs bit.ly/submitcomment

For more information about the public charge rule and resources to share on social media, visit the Protecting Immigrant Families website at: <https://bit.ly/2RSSCG7>

U.S. Department of Homeland Security

NHLP ‘Public Charge’ Webinar Recording, Slides, and Sample Comment Letter are Available

The National Housing Law Project (NHLP) held a webinar, “Trump Administration's Proposed ‘Public Charge’ Rule: What Housing and Homelessness Advocates Should Know,” on November 8. The U.S. Department of Homeland Security (DHS) proposes to add to the “public charge” definition the Section 8 Housing Choice Voucher, Section 8 Project-Based Rental Assistance, and Public Housing programs, as well as other non-housing programs. The webinar recording and materials are available at: <https://bit.ly/2zNUhFB>

DHS has proposed changes to the criteria used to determine whether someone is a “public charge” – i.e., someone likely to become primarily dependent on the government for subsistence. Under the proposed rule, public charge status would weigh heavily in determining whether 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 be, a public charge.

Currently, three programs are covered under the public charge policy: Temporary Assistance for Needy Families, Supplemental Security Income, and emergency-Medicaid. In addition to the housing programs mentioned above, the proposed rule would add to the definition of public charge 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.

NHLP and the National Law Center on Homelessness and Poverty (NLCHP) have drafted a template comment letter for housing advocates and housing providers. To access the template, please email Arianna Cook-Thajudeen at: acooktha@nhlp.org

Other public charge and housing resources, including fact sheets and talking points, are available [here](#).

The deadline to submit comments on the proposed public charge rule is **December 10**. NLIHC urges housing advocates to use the template to submit comments tailored to your community.

Congress

Bipartisan ‘Fair Housing Improvement Act’ Would Prohibit Discrimination Based on Source of Income and Veteran Status

Senators Orrin Hatch (R-UT) and Tim Kaine (D-VA) introduced the “[Fair Housing Improvement Act of 2018](#)” on November 13. The bill aims to protect low income families and veterans from housing discrimination based on a person’s source of income and veteran status.

Ten states, the District of Columbia, and approximately 50 counties and cities have non-discrimination protections for housing voucher holders, but according to a [recent report](#) from the Center on Budget and Policy Priorities (CBPP), only one out of three Housing Choice Voucher (HCV) holders is protected by source-of-income (SOI) non-discrimination protections (see *Memo*, [10/22](#)). SOI non-discrimination laws prohibit landlords from discriminating against potential renters who receive income from sources such as alimony, disability benefits, and HCVs. Researchers have found that where they exist these laws reduce SOI discrimination. A [pilot study](#) by researchers from the Urban Institute found high HCV denial rates by landlords, particularly in markets without SOI non-discrimination laws (see *Memo*, [8/27](#)).

“Many of you know I’m a former civil rights attorney,” Senator Kaine said in a [statement](#) to the Senate. “My practice focused on fair housing and I witnessed the pain experienced by families who were discriminated against as they searched for a home. Today, veterans who are good tenants with supportive housing vouchers can be turned down for an apartment or lease renewal because of how they pay their rent. Housing decisions should be based on your merits, not harmful stereotypes about those who receive housing assistance. If you pass a screening and background check, you shouldn’t be denied a place to live because of your service record or how your rent will be paid. Unfortunately, this happens in America every day and it is wrong.”

“Helping veterans lead lives of dignity and independence has long been among my top priorities,” said Senator Hatch to the [Augusta Free Press](#). “This bill is part and parcel to that legacy. It will put an end to the immoral housing discrimination against veterans and others who rely on veterans’ benefits, Social Security Disability, or other non-wage legal income. This bill will address the fact that Source of Income is not a protected class under the Federal Fair Housing Act, thereby helping to remove an unnecessary barrier facing Utah families and veterans on the path to self-reliance.”

“I applaud Senator Hatch and Senator Kaine for introducing this important legislation to help combat housing discrimination, segregation, and inequality,” said NLIHC President and CEO Diane Yentel. “Where you live has an enormous impact on the opportunities you and your children have in life – everything from educational attainment, to lifetime earnings, better health, and life expectancy. For too long, discrimination has prevented low income people from living in neighborhoods of their choice – including communities with jobs that pay

decent wages, good schools, healthcare, and transportation – simply because they rely on federal housing benefits to make ends meet. This legislation is an important step towards righting this wrong.”

The bill ([S.3612](#)) was referred to the Senate Committee on Banking, Housing and Urban Affairs.

Read the “Fair Housing Improvement Act of 2018” at: <http://bit.ly/2PXcevd>

Read the statement by Senators Orrin Hatch and Tim Kaine on the bill at: <http://bit.ly/2DEEH3h>

Prohibiting Discrimination Against Renters Using Housing Vouchers Improves Results can be found at: <https://bit.ly/2yzl8V2>

A Pilot Study of Landlord Acceptance of Housing Choice Vouchers can be found at: <http://bit.ly/2PpYKJ4>

2019 NLIHC Housing Policy Forum

NLIHC 2019 Housing Policy Forum to Explore State of Play in Congress Post-Election

NLIHC’s [2019 Housing Policy Forum: *Seizing the Moment for Bold Solutions*](#) taking place in Washington, DC, March 27-29, 2019, will feature a bipartisan panel of senior Congressional staff who will address the new state of play on Capitol Hill after the mid-term elections, particularly as it relates to the threats and opportunities related to affordable housing and homelessness funding, housing finance reform, and more. Register to attend the forum today at: <http://www.nlihcforum.org/>

The 2019 Policy Forum will provide a wide array of additional opportunities to engage with affordable housing advocates, thought-leaders, policy experts, researchers, housing providers, low income residents, and elected leaders on seizing this unique moment in America to advance policy solutions to homelessness and housing poverty. As awareness about the affordable housing crisis in America grows, federal policymakers on both sides of the aisle are responding with bold proposals. Homelessness and affordable housing advocates must mobilize to lead the way.

Invited and confirmed Forum speakers include Senators Kamala Harris (D-CA), Todd Young (R-IN), and Elizabeth Warren (D-MA) and Matthew Desmond, author of the Pulitzer-Prize winning book *Evicted: Poverty and Profit in the American City*.



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)

Forum topics include:

- 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 19. 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/>

NLIHC to Honor Native American Housing Leader ‘Pinky’ Clifford with 2019 Lifetime Service Award

NLIHC will honor **Emma “Pinky” Clifford**, executive director of the Oglala Sioux Tribe Partnership for Housing and NLIHC board member, with the Cushing Dolbeare Lifetime Service Award at the [37th Annual NLIHC Housing Leadership Awards Reception](#) on Thursday, March 28, 2019, at the Washington Court Hotel in Washington, DC. Ms. Clifford will receive the award 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 Pine Ridge Reservation. The award is named for NLIHC’s founder Cushing Niles Dolbeare, one of the true pioneers of the affordable housing movement. Make a [contribution](#) in Ms. Clifford’s honor today!

The two other 2019 Leadership Awards honorees are **U.S. Representative Emanuel Cleaver (D-MO)** and **Dr. Mitchell Katz**, president and CEO of NYC Health + Hospitals.

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 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.

Dr. Katz will receive the Sheila Crowley Housing Justice 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. The award is named after former NLIHC President and CEO Sheila Crowley, who led NLIHC for more than 17 years.

Join NLIHC in recognizing these outstanding individuals by donating to NLIHC in their honor:

- [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 Accepting Applications and Nominations for 2019 Housing Organizing Awards

NLIHC is accepting applications and nominations for the 2019 Annual Organizing Awards. The NLIHC Organizing Awards recognize outstanding achievement during 2018 in statewide, regional, citywide, neighborhood, and/or resident organizing that furthers NLIHC's mission of achieving socially just public policy to ensure people with the lowest incomes in the U.S. have affordable and decent homes. Special consideration will be given to nominations that incorporate tenant- or resident-centered organizing. The awards will be presented at the NLIHC 2019 Housing Policy Forum, March 27-29, 2019, at the Washington Court Hotel in Washington, D.C. Application/nominations can be made [here](#).

Nominations for the awards are due by 5:00 pm E.T. on Friday, January 11, 2019.

An Organizing Awards Committee composed of NLIHC board members and previous award winners will determine this year's honorees. One award will recognize statewide or regional achievements, and one award will recognize citywide or neighborhood achievements. NLIHC will provide two representatives of each honored organization a complimentary Forum registration, 2-3 nights of hotel accommodation, and transportation to Washington, D.C. to accept their award.

To be eligible, nominated organizations must be current NLIHC members. Organizations may self-nominate. NLIHC board members and Awards Committee members may not nominate an organization with which they are employed or affiliated.

More information on submitting nominations can be found at: <https://bit.ly/2PrcUc7>

Questions? Please reach out to Justin Godard at: jgodard@nlihc.org

Opportunity Starts at Home

Families Receiving Housing Subsidies with SNAP and WIC Are 72% More Likely to be Housing Secure

A [study](#) published in the *Journal of Applied Research on Children* found that the combination of housing subsidies with nutrition benefits improves housing security. Housing subsidies are critically important for ensuring low income families are "housing secure" (as defined by experiencing overcrowding or frequent moves in the previous year). This study shows that low income families receiving housing subsidies in combination with Supplemental Nutrition Assistance Program (SNAP) and Women, Infants and Children (WIC) benefits were 72% more likely to be housing secure than those receiving housing subsidies alone.

WIC is a federal supplemental nutrition program for pregnant, postpartum and breastfeeding women, infants, and children up to age 5. WIC covers basic nutritional needs of infants and young children but is not adequate to cover all of a family's nutritional needs, so families may also qualify to receive additional help from SNAP. Unlike WIC, SNAP is a federal nutrition program open to all low income families and individuals regardless of gender or age. In recent years, several states have begun to enroll eligible families in multiple programs like Medicaid, SNAP, WIC, housing assistance, and free or reduced-price lunch at the same time. This integration helps streamline bureaucracy for vulnerable low income households.

“The results of this study reinforce that housing subsidies are a potent benefit for increasing housing security among low income families with young children,” write the study's authors. “However, the combination of housing subsidies with nutrition benefits was most strongly associated with higher adjusted odds of housing security.”

The authors also found that the loss of housing subsidies, not surprisingly, was associated with increased housing insecurity even after adjusting for the receipt of SNAP benefits. What was surprising was the finding that the loss of SNAP benefits was also associated with increased housing insecurity, even after adjusting for the receipt of housing subsidies.

The study's findings demonstrate that hunger policy is housing policy and that policymakers should work to pair housing assistance with nutrition benefits to improve housing security. To read more research on the connections between hunger and housing, please check out the *Opportunity Starts at Home* multi-sector affordable housing campaign's online “[Sector Page](#).”

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

Budget and Appropriations

Webinar on Budget Outlook for Affordable Housing and Community Development Programs, December 3

NLIHC and other leaders of the Campaign for Housing and Community Development Funding (CHCDF) invite you to join advocates from across the country to learn about the status and outlook for FY19 and FY20 funding for affordable housing and community development programs. The webinar will be held on December 3 at 3:00 p.m. ET. Register today at: <https://bit.ly/2FsiOpE>

Panelists will discuss how advocates can effectively communicate with policymakers and the public about the need for increased federal investments in proven affordable housing and community development programs.

Elayne Weiss, NLIHC senior policy analyst, will moderate the event. Speakers include:

- Doug Rice, Center on Budget and Policy Priorities
- Linda Couch, LeadingAge
- Joey Lindstrom, NLIHC

With more households struggling to make ends meet, we cannot afford funding cuts to the very programs that sustain our communities and help families thrive.

[Register today!](#)

HUD

HUD Letter to PHAs Signals Intent to Dramatically Reduce Public Housing Stock

HUD's Office of Public and Indian Housing (PIH) sent a letter to public housing agency (PHA) executive directors dated November 13, 2018, signaling the agency's intent to dramatically reduce its public housing stock, euphemistically calling it "repositioning public housing." Because Congress has failed to provide adequate funding for the public housing capital fund for many years, there is an approximate \$50 billion backlog in capital improvement needs. HUD cites that backlog as the need to provide PHAs with "additional flexibilities" so that PHAs can "reposition" public housing. HUD's immediate goal is to "reposition" 105,000 public housing units by September, 2019.

What is "repositioning?" The term essentially means reducing the number of homes in the public housing stock. HUD lists four means of repositioning public housing: the Rental Assistance Demonstration (RAD), the demolition of public housing, the facilitation of voluntary conversion of public housing to vouchers, and the retention of assets after a Declaration of Trust (DOT) release.

Rental Assistance Demonstration (RAD). One form of repositioning involves the use of the current Rental Assistance Demonstration (RAD) which is in the process of converting up to 455,000 public housing units to one of the Section 8 programs, either Project-Based Vouchers (PBVs) or Project-Based Rental Assistance (PBRA). HUD has in the past sought to eliminate the cap on the number of public housing units that can be converted to PBV or PBRA. More information about RAD is on [page 4-15](#) of NLIHC's *2018 Advocates' Guide*.

Voluntary Conversion. Another repositioning "flexibility" in the PIH letter is voluntary converting public housing to vouchers. Section 22 of the United States Housing Act allows PHAs to voluntarily remove public housing units from a PHA's inventory and provide residents with tenant-based or project-based vouchers instead. This is often referred to as "vouchering out" of public housing. Because the regulations focus on occupied public housing units, it is possible there will not always be a one-for-one replacement of existing public housing units with vouchers. The vouchers provided are "tenant protection vouchers," and the number of available tenant protection vouchers depends on HUD asking Congress to appropriate sufficient funding to meet all tenant protection voucher needs in a given year, including needs related to loss of public housing units due to demolition as well as the loss of private, HUD-assisted housing leaving the Section 8 program.

Under current regulations, a PHA seeking to voluntarily convert public housing to vouchers must submit a "conversion assessment" to HUD as part of its regular, annual PHA Plan process. A conversion assessment must have five elements:

1. An analysis of the cost of continuing to operate the development as public housing, compared to the cost of providing vouchers.
2. An analysis of the market value of the development before and after rehabilitation.
3. An analysis of the ability of residents to use a voucher, given housing market conditions.
4. An impact analysis on the surrounding community, including the effect of conversion on the availability of affordable housing as well as on the concentration of poverty in the neighborhood.
5. A description of a PHA's planned use of the property.

The conversion assessment must satisfy three conditions:

1. Conversion will not be more expensive than continuing to operate the development as public housing.

2. Conversion will principally benefit the development's residents, the PHA itself, and the community. Related to potential benefit to residents, the PHA must consider the availability of landlords willing to accept vouchers, as well as access to schools, employment, and transportation.
3. Conversion will not adversely affect the availability of affordable housing in the neighborhood.

Section 18 Demolition. HUD's letter refers to "new flexibilities" for Section 18 demolition and disposition. In November, 2010, NLIHC's Board of Directors raised concerns to the HUD secretary about legal services attorneys' observations that PHAs had been abusing the Section 18 demolition regulations and that HUD was lax in monitoring PHA demolition practices. HUD agreed to meet with legal services attorneys in early 2011, and after several meetings, phone calls, and exchanges of letters, HUD issued Notice PIH 2012-7 which addressed many of the issues raised. Then on October 16, 2014, HUD published proposed demolition regulations correcting many of the problems identified. HUD informally indicated that, as a result of the proposed regulations, demolition of public housing had slowed down. Unfortunately, the proposed improvements to the demolition rule were never finalized. Under the current HUD secretary, both the proposed rule and Notice PIH 2012-7 were withdrawn (see *Memo*, [1/8](#)). The old, inadequate demolition regulations are still in place and a new Notice PIH 2018-04 eliminated all of the resident protections of the previous Notice (see *Memo*, [4/2](#)).

Retention of Assets after a Declaration of Trust (DOT) release. A Declaration of Trust (DOT) is a legal instrument that grants HUD a formal interest in public housing property. It provides public notice that the property must be operated in accordance with all federal public housing requirements, including the requirement not to convey or otherwise encumber the property unless expressly authorized by federal law and/or HUD. PHAs must ensure a current DOT is recorded against all property - including land - that has been acquired, developed, maintained, or assisted with funds authorized by the U.S. Housing Act of 1937, including the Public Housing Operating Fund and Capital Fund. If a PHA wants to dispose of (sell) public housing property, it must get Section 18 approval from HUD's Special Applications Center (SAC) and then ask HUD field office counsel to release the DOT on the property.

The HUD November 13, 2018 letter is at: <https://bit.ly/2OMTr0Y>

More information about the public housing program is on [page 4-9](#) of NLIHC's *2018 Advocates' Guide*.

HUD Invites Small Area FMR PHAs to Apply for Additional Administrative Fees

HUD's Office of Public and Indian Housing (PIH) sent [letters](#) to public housing agencies (PHAs) inviting them to request up to \$25,000 in additional administrative fees to reimburse them for the costs associated with implementing Small Area Fair Market Rents (SAFMRs).

As of April 1, 2018, PHAs in 24 metropolitan areas are required to use SAFMRs. Other PHAs may voluntarily use SAFMRs. Small Area FMRs reflect rents for U.S. Postal ZIP codes, while traditional fair market rents (FMRs) reflect a single rent standard for an entire metropolitan region. The intent of SAFMRs is to provide voucher payment standards that are better aligned with neighborhood-scale rental markets, resulting in relatively higher subsidies in neighborhoods that have higher rents but greater opportunities, and relatively lower subsidies in neighborhoods that have lower rents and higher concentrations of voucher households. The primary goal of SAFMRs is to help households use vouchers in areas of higher opportunity and lower poverty, thus reducing voucher concentrations high-poverty areas.

The letter provides examples of activities that may be considered for administrative fee cost reimbursement:

- Conducting additional outreach to households and landlords regarding how SAFMRs affect the payment standard
- Developing additional briefing materials for new housing markets
- Hiring additional staff
- Training staff
- Making changes to a rent-reasonableness determination methodology
- Modifying software to accommodate SAFMRs

PHAs have until December 31 to apply for the additional administrative fees.

The November 13, 2018 letter is at: <https://bit.ly/2DoJe8Z>

More information about Housing Choice Vouchers is on [page 4-39](#) of NLIHC’s *2018 Advocates’ Guide*.

HUD Provides Best Practices Regarding Use of Guest Suites in HUD-Assisted Multifamily Housing

HUD issued [Notice 2018-10](#) providing best practices regarding situations in which guest suites are permissible in Multifamily rental projects with mortgages insured or held by HUD under the National Housing Act. Section 513 of that act prohibits renting for “transient or hotel purposes.” Leases and occupancy agreements for fewer than 30 days are prohibited.

The guidance applies to Section 221(d)(3), Section 236, Rent Supplement (Rent Supp), and Rental Assistance Program (RAP) projects, along with Project-based Section 8 properties that have Federal Housing Administration (FHA) mortgage insurance.

Notice 2018-10 states that in certain circumstances one or more units may be set aside as an amenity for residents. However, such guest suites are typically available for reservation by residents as an overnight accommodation for residents’ relatives or guests.

The Notice provides “best practices” that include:

- Rent is not charged
- Guest suites are not available to the public and are limited to residents’ family and friends
- Residents are limited to two reservations per year with up to seven days per resident

Notice 2018-10 is at: <https://bit.ly/2zduA1z>

More about HUD’s Multifamily programs is on [page 4-23](#) of NLIHC’s *2018 Advocates’ Guide*.

HUD Issues Guidance on HOTMA Minimum Heating Standards in Public Housing

HUD’s Office of Public and Indian Housing (PIH) issued Notice PIH 2018-19 providing guidance on the minimum heating requirements in public housing required by the “Housing Opportunity Through Modernization Act of 2016” (HOTMA). Public housing agencies (PHAs) operating in states or localities that do not have minimum heating standards must use the standards described in the Notice.

If the PHA controls the heat in public housing developments, the minimum temperature in each unit must be at least 68 degrees Fahrenheit. If the resident controls the heat, the equipment must have the capability of providing heat to at least 68 degrees Fahrenheit.

At no point should indoor temperatures in public housing units drop below 55 degrees. Heating equipment is designed to accommodate the lowest expected outdoor temperature, referred to as the “design-day temperature.” If the design-day temperature is 17 degrees Fahrenheit outside, the heating equipment should be able to maintain an indoor temperature of 68 degrees. PHAs may allow the indoor temperature to be lower than 68 degrees when the outside temperature drops below the design-day temperature, or when the outside temperature is within five degrees of the design-day temperature for more than two consecutive days.

Notice PIH 2018-19 is at: <https://bit.ly/2RZZ7aj>

More about the public housing program is on [page 4-8](#) of NLIHC’s *2018 Advocates’ Guide*.

Disaster Housing Recovery

California Wildfires Cause Massive Destruction, Displacement

In California, the Camp and Woolsey Fires continue to burn, with almost one thousand people missing, 77 fatalities, and over 10,000 homes [destroyed](#). Thousands of displaced people are staying with friends or family or [camping out in parking lots](#) in nearby cities. President Donald Trump approved a major disaster declaration for the wildfires ([DR-4407](#)) on November 13. This declaration covers Butte, Los Angeles, and Ventura counties and makes [additional federal resources](#) available to those impacted by the fires.

Department of the Interior Secretary Ryan Zinke, FEMA Administrator Brock Long, and California Governor Jerry Brown [met](#) with local and state officials in Butte County on November 14 to discuss ongoing efforts to combat the Camp Fire, which has already burned 150,000 acres. President Donald Trump visited California to survey the damage on Saturday, November 17.

The presidential major disaster declaration [allows](#) HUD to offer immediate foreclosure relief as well as additional mortgage and home rehabilitation insurance for Federal Housing Administration (FHA)-insured homes. The automatic foreclosure moratorium is in effect for 90-days.

Additional Disaster Housing Recovery Updates – November 19, 2018

The following is a review of additional housing recovery developments related to the 2017 and 2018 disasters since last week’s *Memo to Members and Partners* (for the articles in last week’s *Memo*, see [11/12](#)). NLIHC also posts this information at our [On the Home Front](#) blog.

General

NLIHC and members of the NLIHC-led Disaster Housing Recovery Coalition held a webinar briefing for Congressional staff, members of the media, and advocates to share updates on the 2017 and 2018 disasters. More than 140 people participated. Speakers from California, Texas, Florida, North Carolina, Puerto Rico, and several national organizations discussed current conditions in the affected areas, the shortcomings of the federal government's disaster response, and the impacts on the immediate and long-term housing recovery needs of the lowest income survivors and their communities. A recording of the webinar can be found at:

<https://bit.ly/2Q0a6TH>

2018 Disasters

Hurricane Michael

FLORIDA

Federal

A FEMA [news release](#) reminds renters in impacted areas that they are still eligible for disaster assistance even if they have been evicted or are facing eviction. The notice states that “renters who already registered for federal assistance and were later evicted due to damage should take the eviction notice to a disaster recovery center.”

FEMA published a [fact sheet](#) with information on the various forms of temporary housing assistance available to survivors of Hurricane Michael in Florida. It also states that the state of Florida and FEMA have approved several specific forms of Direct Temporary Housing: RVs for those with a housing need of six months or less; manufactured housing units (MHUs) for a longer-term solution; and multi-family lease and repair, whereby FEMA works with owners to make improvements to existing multi-family housing and provide short-term lodging for survivors.

FEMA [reports](#) it has completed nearly 62,000 home inspections, and more than 21,000 homeowners and renters have received some form of housing assistance. More than 900 families are staying in hotels and motels through the Transitional Sheltering Assistance (TSA) program. DHRC partners on the ground in Florida continue to report a serious lack of temporary housing options for survivors displaced from their homes.

FEMA [reminds](#) survivors of Hurricane Michael with access and functional needs that Disaster Recovery Centers (DRCs) are “equipped with accessible ramps, parking and restrooms . . . [and] provide one-on-one consultation and resources such as captioned phones and iPads linked to video-remote sign language interpreters. If a disaster survivor cannot travel to the DRC, FEMA will arrange a home visit.”

Deadlines:

- Disaster Unemployment Assistance: November 16
- Blue Roof Program assistance: November 16
- Disaster Assistance and SBA loans: December 10
- Requesting Public Assistance: December 14

State and Local

A Recover Bay County [update](#) reports that state and FEMA officials told county officials that approximately “2,500 trailers are being staged at the airport in Marianna, FL, and the first deliveries are to begin by November 18 to approved sites.” FEMA continues to look for staging sites for trailers, and the county is working with the agency to clear sites of debris. Families living in these units may be responsible for utility costs, although individual contracts vary. Although 53,935 families in Bay County have applied for disaster assistance, FEMA

states that only 912 of them need housing support. As of the time this *Memo* was published, Florida Governor Rick Scott has not published disaster updates with additional information since [November 7](#).

A month after Hurricane Michael hit, residents of the Florida Panhandle still experience frequent power outages, spotty cell and internet service, and unsafe living conditions. Local residents have stepped up to [provide](#) needed resources like storage, school supplies, and food.

The Jackson County chapter of the NAACP is [working](#) with residents of two housing developments near Marianna, FL – Orchard Pointe and Pebble Hill Estates. Management sent a letter to residents ordering them to leave the properties for repairs following Hurricane Michael. The letter did not include any promise that tenants would be able to return. NAACP lawyers noted that the landlords did not follow proper eviction laws, and the attorneys are attempting to ensure residents receive proper assistance.

GEORGIA

FEMA is [hiring](#) Georgia residents to work on the hurricane recovery effort. Contracts are for a term of 120 days with the possibility of extension.

A [special legislative session](#) has convened to discuss recovery efforts in Georgia following Hurricane Michael. The legislature will discuss providing emergency funding for state agencies and local governments and other recovery and rebuilding efforts. The special session started on November 13.

Residents of [southwest Georgia](#) are still living in hotels and waiting for assistance to repair their homes.

ALABAMA

President Trump approved a major disaster declaration for Alabama related to Hurricane Michael ([DR-4406](#)). The declaration covers four counties, but only for public assistance. Senator Doug Jones (D-AL) sent a [letter](#) to President Trump on November 8 urging the administration to also approve Individual Assistance grants.

Hurricane Florence

NORTH CAROLINA

Federal

FEMA [advises](#) impacted renters with a continued need for FEMA rental assistance that they can complete a “Declaration of Continuing Need for Rental Assistance” to receive additional financial support. All eligible survivors should have received this document, but they can contact the disaster assistance helpline (800-621-3362) with questions or requests for an additional copy.

FEMA published an [FAQ on Direct Housing](#) for households impacted by Hurricane Florence in North Carolina. The document provides information about the timeline and process for receiving a temporary housing unit. An additional [fact sheet](#) encourages displaced residents to use any FEMA funds to pay for temporary shelter, like a hotel or motel room. Survivors should save receipts to ensure they can be reimbursed.

State and Local

The North Carolina Department of Public Safety (NCDPS) [reports](#) that 391 households are checked into hotels through FEMA’s TSA program and 21 people remain in two shelters. NCDPS also reports that 132,681 people have applied for disaster assistance, and FEMA has completed 96,666 home inspections.

Undocumented farmworkers in North Carolina [continue to struggle](#) and live in fear following Hurricane Florence. Many people remain afraid to ask for help, so measuring the number of undocumented residents who lack housing or food is difficult. Community leaders are working to ensure these families have stable housing as they learn of households living with toxic levels of mold or leaking roofs.

A [dedicated HUD employee](#) is ensuring that people staying in a shelter in New Bern have new homes before the shelter closes.

SOUTH CAROLINA

FEMA has [extended the deadline](#) to register for disaster assistance to December 5.

2017 Disasters

State Action

NLIHC – on behalf of the DHRC – recently submitted [comments](#) to the State of Florida regarding the amendment to the State Action Plan for Hurricane Irma. The Community Justice Project is collecting all submitted comments [here](#).

Local Perspectives and Resources

A *City & State New York* [article](#) details the outcomes of the [Empire State Relief and Recovery Effort](#), led by New York Governor Andrew Cuomo to support evacuees from Puerto Rico displaced by Hurricane Maria. These relief efforts included \$1 million to provide survivors affordable housing and another \$10 million for job training and placement.

The Huffington Post published an [article](#) about the challenges faced by low income renters following a disaster. The article explains how disasters repeatedly create or exacerbate housing shortages with many low income renters falling through the cracks.

A local New York news outlet, *Pix11*, featured a [story](#) about 65-year-old Rosa Rodriguez, a survivor of Hurricane Maria who was displaced to New York City and is now homeless.

A study titled [The Unequal Vulnerability of Communities of Color to Wildfire](#) was published in the journal *PLoS One* on November 2. Using a social-ecological perspective of fire-prone landscapes, the researchers found that “census tracts that were majority Black, Hispanic or Native American [experienced an approximately] 50% greater vulnerability to wildfire compared to other census tracts.” The study was cited in a *New York Times* [article](#).

Research

Study Highlights Housing Needs as U.S. Population Ages

The Joint Center for Housing Studies of Harvard University released [Housing America’s Older Adults: 2018](#), which highlights the need to provide safe, affordable, and accessible housing to the nation’s aging population. More than half of the nation’s householders are at least 50 years of age, and more than one-quarter are at least 65 years of age.

Between 2011 and 2016, the number of households headed by adults between the ages of 65 and 74 increased by 26% to more than 17 million. With the aging of these “baby boomers,” the number of householders at least 80 years old will double by 2037.

Nearly one-third of households at least 65 years of age are housing cost-burdened, spending more than 30% of their incomes on housing costs. More than 16% are severely housing cost-burdened, spending more than half of their incomes on housing. Older renters are much more likely than older homeowners to be cost-burdened (54% vs. 26%) or severely cost-burdened (30% vs. 12%). A significant challenge is rising rents. Between 2006 and 2016, Social Security payments increased by 6%, while the median rent for households aged 65 years or older increased at twice that rate.

Significant wealth disparities by race and housing tenure exist among older adults. The median net worth of households aged 65 and over is \$384,100 for white homeowners, \$145,300 for minority homeowners, \$11,070 for white renters, and \$2,000 for minority renters. One troubling trend identified in the report is the growing share of older adults who have a mortgage, which rose from about 20% in 1989 to 41% in 2016.

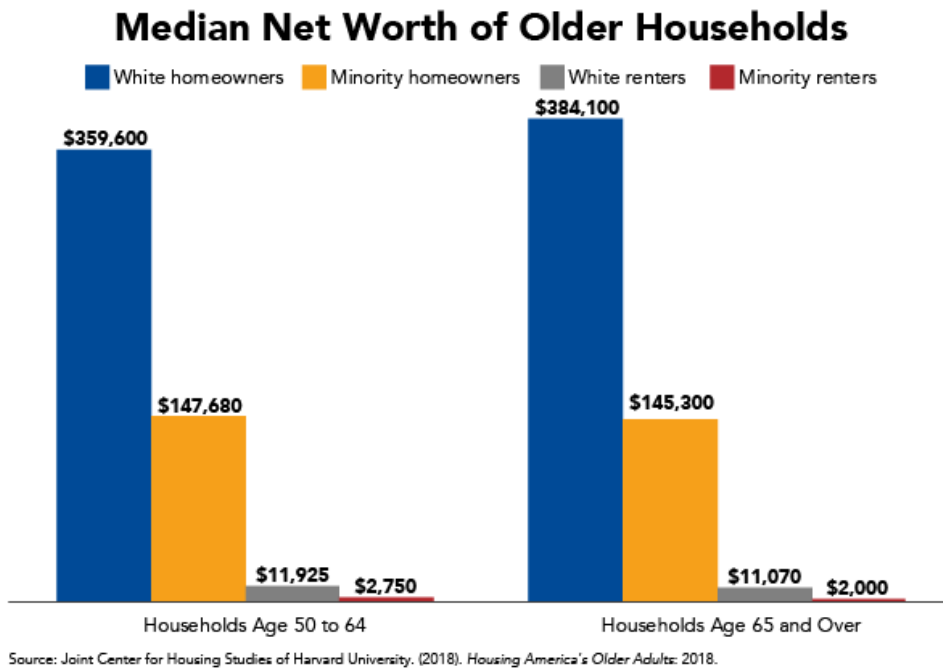
Accessible housing for people with disabilities is increasingly important as the population ages, as mobility and other functional impairments increase with age. Eleven percent of adults between 50 and 64 years of age and 43% of adults aged 80 and over have ambulatory problems like walking or climbing stairs. In 2011, only 3.5% of homes included accessibility features like single-floor living, no-step entries, and extra-wide hallways and doorways for wheelchairs. Renters and homeowners with little wealth may need government assistance to make their homes more accessible. Federally assisted housing is more likely than private-market housing to be accessible, but more subsidies are needed to meet the growing demand for affordable and accessible housing.

The report notes that state and local governments and the non-profit and private sectors have roles in developing more affordable and accessible housing for older adults. Jurisdictions can use federal funds like Community Development Block Grants to assist low income adults with home modifications, while some municipalities and states offer tax credits and low-interest loans.

Housing America’s Older Adults 2018 is available at: <https://bit.ly/2RSjeHm>

Fact of the Week

Older Homeowners Have Significantly More Wealth than Older Renters



Source: Joint Center for Housing Studies of Harvard University. (2018). *Housing America's Older Adults: 2018*.

From the Field

Maine Advocates Celebrate Passage of \$4 Million Lead Paint Hazard Abatement Program

The [Maine Affordable Housing Coalition](#) (MAHC), an NLIHC state partner, and other Maine housing advocates [celebrated the rollout](#) of a new \$4 million state lead abatement program. The Lead Paint Hazard Abatement Program (LPHAP) will provide funding to property owners for lead paint removal. State Representative Jared Golden (D-Lewiston) spearheaded the legislation creating the program, which will benefit households living in more than 200 homes across the state and prevent future childhood lead poisoning.

Lead poisoning can cause learning disabilities, behavioral problems, hearing damage, and language delays. In more serious cases, children can have seizures and attention disorders. LPHAP will provide a cost-effective solution for combatting lead poisoning in areas with high exposure levels. In June 2015, the Maine legislature approved a lead-safety measure proposed by MAHC and championed by a bipartisan coalition of state legislators that improved regulations for blood lead testing. Under the new lead-testing standards, the Maine Center for Disease Control and Prevention has already identified more than 680 children in Maine as lead-poisoned who would not have been so identified prior to the 2015 law.

Maine has the sixth oldest housing stock in the U.S. Nearly a third of Maine homes were built before 1950 when paint still held large concentrations of lead. Given the risk lead paint poses to children, advocates have been pushing for lead abatement legislation for several years. The creation of LPHAP was included in the summer 2018 spending package vetoed by Governor Paul LePage. The veto was overridden by the Maine

House of Representatives (by a vote of 139-4) and the Maine Senate (by a vote of 32-1). Advocacy by MAHC and the bill sponsors was critical to the bill's passage.

LPHAP will provide grants to eligible homeowners and owners of eligible rental units. It will largely mirror HUD's lead hazard grants but contains some key provisions meant to improve on the federal program and encourage landlords to act more proactively to protect their tenants before they get poisoned. The program is designed to complement existing lead-based paint abatement programs in Maine.

"This new lead abatement initiative is going to make hundreds of Maine homes safe for kids at a time when we're clearly still struggling to prevent lead poisoning statewide," said Greg Payne, director of the Maine Affordable Housing Coalition and NLIHC board chair. "We're grateful to Representative Golden and the bipartisan coalition of legislators who stepped up and provided the leadership to make it happen. Both our kids and our state's finances will be healthier for it."

Maine election officials [announced on November 8](#) that the bill's sponsor Representative Golden was the winner of the U.S. House of Representative race for Maine's 2nd District. He is the first person to unseat an incumbent in that district in over 100 years.

For more information, contact the Maine Affordable Housing Coalition Director Greg Payne at: 207-245-3341 or gpayne@mainehousingcoalition.org

NLIHC in the News

NLIHC in the News for the Week of November 11

The following are some of the news stories that NLIHC contributed to during the week of November 11.

- "Amazon HQ2 could push 800 people into homelessness, economist says," *MarketWatch*, November 16 at: <https://on.mktw.net/2OPpz4f>
 - "More affordable housing, right to legal counsel could ease Tucson's eviction problem," *Tucson.com*, November 15 at: <https://bit.ly/2FAOeue>
 - "North Arlington instituting rent control for seniors," *NorthJersey.com*, November 15 at: <https://njersy.co/2PuOb7H>
 - "New bill would ban landlords from discriminating against people who receive rental help," *ThinkProgress*, November 14 at: <https://bit.ly/2zWVXMP>
 - "Why Can't Allyson Get Ahead?," *Rolling Stone*, November 13 at: <https://bit.ly/2PtflvG>
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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 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 5:00 p.m. ET December 31, 2018.

NLIHC Seeks Research, Field, and Graphic Design/Communications 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:

- **Research Intern.** Assists in ongoing quantitative and qualitative research projects, writes weekly articles on current research for NLIHC's weekly *Memo to Members & Partners* newsletter, attends briefings, and responds to research inquiries. Quantitative skills and experience with SPSS a plus.
- **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.
- **Graphic Design/Communications/Media 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 an 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

Where to Find Us – November 19

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

- [NHC Solutions for Affordable Housing Convening](#), Washington, DC, on November 27
 - Maryland Legal Aid All-Staff Conference, Maryland, MD, on November 27
 - New York Housing Conference Annual Awards, New York, NY, on December 4
 - U.S. Catholic Charities Panel, Colorado Springs, CO, on December 5
 - [Solutions for Individual Homeless Adults: A National Conference](#), National Alliance to End Homelessness, San Diego, CA, February 21–22, 2019
 - [HousingWorks Austin Annual Summit](#), Austin, TX, on March 1, 2019
 - Arkansas Fair Housing Commission 2019 Annual Fair Housing/Fair Lending Conference, Little Rock, AR, on April 19, 2019
 - [Building Michigan Communities Conference](#), Lansing, MI, April 29-May 1, 2019
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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