

Volume 25, Issue 45
November 9, 2020

In This Issue:

2020 Election

- Biden and Harris to Become 46th President and Vice President of the United States; Senate Races Remain Undecided

Coronavirus, Disasters, Housing, and Homelessness

- Survey Highlights Landlord COVID-19 Financial Concerns, Finds Landlords Failing to Participate in Rental Assistance Programs
- FHFA Director Mark Calabria Responds to NLIHC Request that Agency Notify Tenants of Eviction Moratorium

Coronavirus, Disasters, Housing, and Homelessness - Other

- Join NLIHC's National Call on Coronavirus, Disasters, Housing, and Homelessness Today at 2:30 pm ET
- Recording Available of NLIHC's November 2 National Call on Coronavirus, Disasters, Housing, and Homelessness
- Additional Coronavirus Updates - November 9, 2020
- Additional Disaster Housing Recovery Updates - November 9, 2020

Department of Homeland Security

- DHS Public Charge Rule in Effect Nationwide after Appellate Court Halts Efforts to Stop Case

Opportunity Starts at Home

- "Racial Inequities in Housing" Fact Sheet Available Now

Our Homes, Our Votes: 2020

- Join Us for NLIHC's Final *Our Homes, Our Votes 2020* "Third-Thursdays-At-Three" Webinar

Research

- New Dataset Shows Voucher Protection Laws Are Increasing and Strengthening
- Most Older Adults Do Not Live in Communities with High Livability Scores

Fact of the Week

- Philadelphia Landlords Experiencing Significantly Higher Financial Constraints During COVID-19, Especially Tenant Non-Payments

From the Field

- Advocates Push Salt Lake City to Consider Affordable Housing Challenges in Rezoning Ordinance

NLIHC News

- Vote for NLIHC in CREDO Mobile's Donation Program
- NLIHC Seeks Winter/Spring Interns for Research and Graphic Design/Communications

NLIHC in the News

- NLIHC in the News for the Week of November 2

2020 Election

Biden and Harris to Become 46th President and Vice President of the United States; Senate Races Remain Undecided

After days of vote tallying across numerous states, former Vice President Joe Biden and his running mate, California Senator Kamala Harris, were declared the winners of the 2020 presidential election on November 7. The Trump campaign has filed suits to contest the election results, although it appears doubtful the president has a basis upon which to bring legal challenges.

In addition to the presidential race, several Senate races that could impact which party controls the chamber remain undecided. Senate races in North Carolina and Alaska have yet to be called. While incumbent Senators Thom Tillis (R-NC) and Dan Sullivan (R-AK) are projected to keep their seats, Georgia Senators Kelly Loeffler (R) and David Perdue (R) are facing runoff elections against Democratic challengers Raphael Warnock and John Ossoff, respectively. The Georgia runoff elections are scheduled for January 5, 2021.

Republican wins in North Carolina and Alaska would bring the total number of Republican senators in the 117th Congress to 50, leaving control of the Senate to be determined by the outcome of Georgia's runoff elections. If either Senators Loeffler or Perdue hold their seats, the Senate will have a Republican majority; both Republican senators losing their seats would create an even split in the Senate, giving Vice President-elect Harris the tiebreaking Senate vote.

Prospects for a coronavirus relief package being enacted before the end of the year remain unclear. The Senate returns to session on November 9, with the House returning the following week. Both House Speaker Nancy Pelosi (D-CA) and Senate Majority Leader Mitch McConnell (R-KY) have signaled their desire to pass another relief package and finalize all 12 appropriations bills for fiscal year (FY) 2021 before the end of the year. Congress passed a continuing resolution (CR) in September to keep the federal government funded until appropriations bills are passed (see *Memo*, [10/5](#)); the current CR is set to expire on December 11. Congress will need to pass – and the president will need to sign – FY21 appropriations bills or another CR by December 11 or face a government shutdown.

Coronavirus, Disasters, Housing, and Homelessness

Survey Highlights Landlord COVID-19 Financial Concerns, Finds Landlords Failing to Participate in Rental Assistance Programs

The Housing Initiative at Penn (HIP) released a research brief, "[COVID-19 and Rent Relief: Understanding the Landlord Side](#)," based on a survey of over 600 property owners in Philadelphia whose tenants applied for state or local COVID-19 rental assistance. The results indicate an increase in financial concerns among landlords since the onset of COVID-19. At the same time, 37% of tenant applicants to Philadelphia's rental assistance programs have been unable to receive assistance because their landlords were unresponsive or refused to participate in the program.

Forty-three percent of surveyed landlords had one to five rental units in their portfolio. The share of landlords who reported difficulty paying for upkeep of their properties increased from 23% prior to COVID-19 to 28% since COVID-19. The share of landlords who identified tenant non-payment of rent as a problem increased from slightly more than 25% before COVID-19 to slightly more than 50% since.

Despite financial challenges, many landlords are apprehensive or unwilling to participate in Philadelphia's COVID-19 rental assistance programs. Some landlords report that concessions required by the rental assistance programs were unreasonable. Sixty-one percent felt it was unreasonable or somewhat unreasonable to be required to forgive a tenant's back rent. Owners were more amenable to concessions such as waiving late fees and entering a repayment agreement with tenants. Nearly 78% of owners said it was reasonable or somewhat reasonable to waive late fees and nearly 73% said it was reasonable or somewhat reasonable to enter into a repayment agreement.

Philadelphia's rental assistance program funded by the Pennsylvania Housing Finance Agency offered a maximum of \$750 per month in assistance and did not allow landlords to charge tenants the remainder of the rent. Fewer than 15% of surveyed landlords said they would be willing to accept \$750 as the full rent amount. In mid-October, the program was revised so that landlords could require renters to enter a payment plan for the remaining amount.

The findings suggest that some landlords would be willing to participate in a rental assistance program, but certain landlord concessions may discourage them. A small portion of landlords are unwilling to participate under any circumstances. Programs should include safety net measures for renters whose landlords refuse to participate.

The research brief is at: <https://bit.ly/3kSvy9j>

FHFA Director Mark Calabria Responds to NLIHC Request that Agency Notify Tenants of Eviction Moratorium

Federal Housing Finance Agency (FHFA) Director Mark Calabria sent a [letter](#) on October 23 to NLIHC and the National Housing Law Project (NHLP) responding to the organizations' request that FHFA provide tenants written notice of their rights under the federal eviction moratorium. NLIHC and NHLP sent a [letter](#) on September 15 to Treasury Secretary Steven Mnuchin, HUD Secretary Ben Carson, Department of Agriculture Secretary Sonny Perdue, and FHFA Director Mark Calabria urging the agencies to require federally supported rental property owners and housing authorities to provide tenants written notice of their rights under the [CDC eviction moratorium](#) and the steps they must take to be protected (see *Memo*, [9/21](#)).

In his letter, Director Calabria writes that FHFA is considering NLIHC's and NHLP's request that owners of federally supported rental properties be required to notify tenants of the CDC order. He notes that since Fannie Mae and Freddie Mac (the Enterprises) are not part of the tenant/landlord relationship, they have a limited ability to impose notification requirements on landlords outside of the context of forbearance.

Director Calabria states that FHFA has worked closely with the Enterprises to provide online resources relevant to multifamily tenants and owners. FHFA on October 29 released a [fact sheet](#) on federal protections for tenants during the COVID-19 national emergency. The fact sheet summarizes federal tenant protections under the CARES Act and the CDC order, outlines additional protections for tenants in Enterprise-backed multifamily properties, and directs tenants to [Fannie Mae's](#) and [Freddie Mac's](#) multifamily [property lookup tools](#). NLIHC [urged](#) FHFA in April to make publicly available information on multifamily properties protected under the CARES Act eviction moratorium (see *Memo*, [5/11](#)).

Additionally, Director Calabria outlines the steps FHFA and the Enterprises have taken to support tenants by offering relief to multifamily property owners through forbearance and establishing additional tenant protections. FHFA [announced](#) on June 29 that the Enterprises will allow mortgage services to extend forbearance agreements for multifamily property owners. As a condition of forbearance, the property owner must suspend evictions for nonpayment of rent for the duration of the forbearance period (see *Memo*, [7/6](#)). To

increase awareness of available tenant protections, FHFA [announced](#) on August 6 that multifamily property owners with Enterprise-backed mortgages who enter into a new or modified forbearance agreement must inform tenants in writing about tenant protections during the owner's forbearance and repayment periods (see *Memo*, [8/10](#)).

Director Calabria says the Enterprises are taking steps to address allegations of noncompliance with applicable law, including the CDC order. If evidence of a violation is found, the Enterprises will notify the property's servicer to ensure that the borrower is aware of eviction protections provided in the CDC order. Any borrowers that fail to comply with federal law may be subject to remedies under the loan documents. Director Calabria states that FHFA is considering whether additional steps can be taken.

Read Director Calabria's letter at: <https://bit.ly/3664vB8>

Read NLIHC's letter to FHFA at: <https://bit.ly/32aGnvW>

View FHFA's fact sheet on tenant protections at: <https://bit.ly/38cKsUb>

Coronavirus, Disasters, Housing and Homelessness – Other

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

Join today's (November 9) national call on coronavirus, disasters, housing, and homelessness at 2:30-4 pm ET. Senator Sherrod Brown (D-OH) will share his perspectives on the state of play in Washington post-election. We will also discuss the prospects for a coronavirus relief package passing prior to the end of the year in the wake of the election, learn about the Public Charge rule's impacts on immigrants and the status of current litigation against the rule, hear about a Rhode Island project to track eviction filings and to notify renters of the eviction moratorium, receive other updates from the field, and more.

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

See the full agenda [here](#).

Recording Available of NLIHC's November 2 National Call on Coronavirus, Disasters, Housing, and Homelessness

During NLIHC's most recent national call on [coronavirus, disasters, housing, and homelessness](#), we discussed tenant rights in rental properties backed by a Fannie Mae or Freddie Mac mortgage, the impact of the pandemic on seniors and people with disabilities, and a federal district court judge's decision to deny a preliminary injunction on the eviction moratorium issued by the Centers for Disease Control and Prevention (CDC). We received field updates and discussed the state of coronavirus and disaster relief negotiations.

Siobhan Kelly of the Federal Housing Finance Agency (FHFA) provided information on [tenant protections](#) for residents of rental properties with [Fannie Mae](#) or [Freddie Mac](#)-backed mortgages. [LeadingAge](#)'s Linda Couch discussed the impact of coronavirus on seniors in affordable housing. An October 2020 [survey](#) from LeadingAge showed affordable senior housing providers are [concerned about residents experiencing social isolation](#) and not being able to access necessary services. Scott Landes from Syracuse University and Lisa Sloane of the [Technical Assistance Collaborative](#) discussed the impact of coronavirus on people with

intellectual, developmental, and [physical disabilities](#) living in [residential homes](#), nursing homes, and other long-term care facilities.

Kate Walz of the [National Housing Law Project](#) (NHLP) shared insights on a federal judge's denial of a preliminary injunction on the CDC eviction moratorium in the [Brown v. Azar](#) case. She also gave updates on the other three lawsuits challenging the CDC eviction moratorium and NHLP's [amicus briefs](#) against those suits. Jennie Rodgers, vice president and Denver market leader at [Enterprise](#), discussed Governor Jared Polis's [executive order](#) reinstating the state's eviction moratorium. She also shared [findings](#) from Colorado's [Special Eviction Prevention Task Force](#).

We received field updates from Jesse Rabinowitz from [Miriam's Kitchen](#) in Washington, DC and Sakinah Hoyte, the [Homelessness Czar for Newark, New Jersey](#). NLIHC's Sarah Saadian shared updates on the federal coronavirus relief bill.

NLIHC hosts national calls on Coronavirus, Disasters, Housing, and Homelessness every week. On today's call, we will be joined by Senator Sherrod Brown of Ohio. Register for today's call (Monday, November 9 at 2:30 pm ET) at: <https://tinyurl.com/ru73qan>

Watch a recording of the November 2 call at: tinyurl.com/yzyajtq

Access presentation slides at: tinyurl.com/y2n994vq

Additional Coronavirus Updates - November 9, 2020

National Updates

Reporting

In a [Marketplace](#) article about the COVID-19 housing crisis, NLIHC President and CEO Diane Yentel discusses the shortcomings of the CDC eviction moratorium and the critical need for federal action to prevent tens of millions of renters from losing their homes when the moratorium expires on December 31.

[CNN](#) interviewed NLIHC's Diane Yentel about the COVID-19 eviction crisis and the long-term impacts of evictions, housing insecurity, and homelessness. "There's real harm done to individual people, to families, to kids, to communities, and really to our whole country when we allow homelessness and housing poverty to persist," Diane said.

[Money](#) shares a state-by-state guide to eviction and foreclosure policies, highlighting concerns from NLIHC's Diane Yentel about how renters will pay back rent when the federal eviction moratorium expires on December 31. "We will see a tremendous number of evictions in the dead of winter during a COVID-19 spike," said Diane Yentel.

The [Washington Post](#) reports that the U.S. economy faces significant new strains in the next several months amid a spike in coronavirus cases and the expiration of federal benefits – a period when Washington could be consumed by political gridlock. The article notes millions of renters could face eviction when the federal moratorium expires at the end of the year, citing [research](#) from NLIHC and partners.

[Buzzfeed News](#) examines how the pandemic is exacerbating the barriers to voting faced by people experiencing housing insecurity. "This threat of homelessness and eviction has grown more rapidly in the coronavirus pandemic and recession than we have seen in previous recessions, and most of our solutions to this point have simply delayed the pain but not cured the wound," said NLIHC Director of Field Organizing Joey Lindstrom.

[Salon](#) reports that without additional federal coronavirus relief, 12 million Americans will owe more than \$5,000 in missed rent by December. The Federal Reserve Bank of Philadelphia estimates that outstanding rent debt could reach \$7.2 billion by the end of the year.

The [Associated Press](#) reports the federal government defended its national eviction moratorium before a federal judge on October 30, arguing the CDC order has helped prevent the spread of COVID-19 and did not overstep the authority provided by Congress. The arguments are part of a federal lawsuit, [Tiger Lilly LLC v. HUD](#), filed by seven landlords in Memphis seeking to overturn the CDC eviction moratorium.

[Axios](#) reports on the looming triple threat of cold weather, new spikes in coronavirus cases, and the expiration of eviction moratoriums. The article discusses efforts to protect people experiencing homelessness during the pandemic and the growth of outdoor homeless encampments.

[Verywell Health](#) examines how COVID-19 evictions are creating a ripple effect of health issues, such as higher risks for contracting and experiencing severe cases of COVID-19, depression, anxiety, and psychological distress.

The [Washington Post](#) reports that Westminster Management, an apartment company co-owned by White House senior advisor Jared Kushner and other investors, has filed hundreds of eviction filings against tenants with past due rent during the pandemic. The company has sent letters to tenants threatening legal fees and filing eviction notices in court – the first legal step toward evicting tenants.

The [Associated Press](#) reports on a [federal judge's denial](#) of a preliminary injunction of the CDC eviction moratorium. “The Court finds that the public’s interest in controlling the spread of COVID-19 is not outweighed by Plaintiffs’ interests in preventing the constitutional violation and economic harm alleged here,” Judge J.P. Boulee writes in his order.

[MarketWatch](#) discusses how the nation’s eviction crisis could prevent some Americans from voting. People who have been displaced from their homes may need to re-register to vote, but there is a significant chance they are not aware of this.

[Poynter](#) provides a brief overview of the shortcomings of the CDC eviction moratorium and lawsuits seeking to overturn the CDC order.

[UN-Habitat](#) outlines why housing must be at the heart of COVID-19 response and recovery efforts across the world.

State and Local News

A list of state and local emergency rental assistance programs is available [here](#) from NLIHC.

Arkansas

The Arkansas Community Action Agencies Association will be offering [emergency rental assistance](#) for people impacted by COVID-19 through a new program called “[Arkansas Fresh Start](#).”

California

Governor Gavin Newsom on October 29 announced the [final round of Project Homekey funding](#) – \$129.6 million to nine applicants for 17 projects totaling 982 units. To date, more than \$835.6 million have been awarded to 48 jurisdictions for 93 projects totaling 6,055 units.

The [Californian](#) shares the story of an 87-year-old woman evicted from her apartment in north Salinas, calling attention to the immediate and long-term impacts of eviction. Individuals who are evicted during the pandemic face a greater risk for contracting coronavirus.

[VoteMobile](#) has visited farmers markets, a homeless services center, and communities devastated by the recent wildfires to help survivors, seniors, and people experiencing homelessness in California cast their votes.

After receiving pushback from city residents, Marin County Supervisor Judy Arnold is [recommending the county stop negotiations](#) to buy and convert a Novato hotel to housing for people experiencing homelessness using Project Homekey funds. Novato residents protested the location, the expedited project timeline, and the loss of city revenue, and some residents even created an [online petition](#) to recall Supervisor Arnold. The [city of Novato](#) is considering filing a lawsuit to halt Marin County's plan to convert a hotel into housing for people experiencing homelessness. If Novato decides to sue, it will join other cities who have challenged Project Homekey in court, including the city of Milpitas and developers in Sacramento.

[Stanislaus County homeless service providers](#) will receive nearly \$22.8 million in CARES Act funds to prevent and respond to outbreaks among people experiencing homelessness. Stanislaus continuum members and community members met over Zoom to discuss the new funding, with some raising the need for more services for Latinos and the LGBTQ community.

Colorado

The [Colorado Sun](#) examines how eviction moratoriums and rental assistance have been effective policy solutions to keep Coloradoans stably housed during the pandemic and economic fallout. Colorado's Division of Housing in the Department of Local Affairs (DOLA) has used federal CARES Act funds to support tenants and landlords. "Housing insecurity has become one of the most concerning byproducts of the COVID-19 pandemic," said DOLA Executive Director Rick Garcia.

Connecticut

The [Day](#) reports housing advocates are bracing for an increase in homelessness, including among veterans, when the federal and statewide eviction moratoriums expire at the end of the year.

Florida

The [Palm Beach Post](#) reports that residents are increasingly struggling to pay rent and meet basic needs amid the ongoing pandemic. With most federal and state emergency assistance provisions and protections expired, nonprofits in Palm Beach County are trying to meet the growing needs of residents facing homelessness and hunger.

The [Tampa Bay Times](#) discusses the federal judge's decision to deny landlords' request to halt implementation of the CDC eviction moratorium, noting that the judge's ruling is particularly important in states like Florida that do not have a statewide eviction moratorium.

The [Charlotte CARES Act Eviction Diversion Program](#) was launched on November 2. The [program](#) is designed to serve Charlotte County residents who were approved for CARES Act financial assistance but are still facing significant hardship, specifically eviction. Landlords must agree not to seek eviction for nonpayment once they receive a receipt for past due rent and must waive any fines and fees that exceed the maximum award of \$5,000.

Indiana

[Fort Wayne](#) is likely to experience waves of evictions amid the ongoing pandemic and economic fallout. In 2016, Fort Wayne had the 13th highest eviction rate in the country, and the pandemic will likely exacerbate the city's housing crisis.

Maine

The [Bangor Daily News](#) reports that calls for legal assistance from Maine renters facing eviction have increased statewide by more than 20% in the past three months since the federal protections under the CARES Act

expired. The state on November 2 reopened the [COVID-19 Rent Relief Program](#), which has assisted 14,000 Mainers since April. Housing advocates, including the Maine Affordable Housing Coalition, an NLIHC state partner, fear that without federal rental assistance, the looming eviction crisis is being delayed, not prevented.

Maryland

About [285 Annapolis public housing residents](#) could soon face eviction after a moratorium, imposed by the Housing Authority of the City of Annapolis (HACA), expired on November 2. There is no definitive date for when failure to pay rent judgments may be filed in Maryland court, but HACA's executive director reports it could happen "soon."

Michigan

[Mlive.com](#) reports that after seven months without a COVID-19 case, the Delonis Center shelter in downtown Ann Arbor is bracing for the upcoming winter as the pandemic rages on. The shelter is also preparing for an influx of residents who will need shelter after being forced from an Ann Arbor hotel.

[Mlive.com](#) reports dozens of people experiencing homelessness temporarily residing at the Red Roof Inn will be removed from the hotel and transferred to new shelter spaces. Activists with Washtenaw Camp Outreach staged a protest outside the hotel on October 28, questioning the county's homelessness response during the pandemic.

[Michigan homeless shelters](#) are preparing for their first full winter during the pandemic. Washtenaw County will open its warming centers early this year to ensure unhoused residents can maintain physical distancing. Additionally, the county will use its recreation center for overnight shelter overflow as needed.

Minnesota

The [Star Tribune](#) reports the threatened eviction of approximately 50 people experiencing homelessness from a Bloomington hotel did not occur, but it is unclear how long the guests will be able to continue sheltering at the Extended Stay hotel. Hennepin County announced at the beginning of October plans to purchase the hotel for \$13.3 million and convert it to 100 units of protective housing for people experiencing homelessness at risk for COVID-19. Last week, officials reneged on the plan, citing timing constraints due to the Coronavirus Relief Fund's December 1 deadline.

Missouri

[Missouri housing and homeless advocates](#) are concerned about a tsunami of evictions when the federal eviction moratorium and several circuit court orders expire. Calls from families on the verge of eviction have increased 300% at Catholic Charities of Southern Missouri.

Missouri legislators approved [\\$9.6 million](#) in Emergency Solutions Grant – Coronavirus (ESG-CV) in May and will return for a special session in November to appropriate more. The Missouri Housing Development Commission (MHDC) has not delivered the funds yet, stating it has been unable to do so because it did not receive guidance from HUD on its use until September 1. "Are the feds slowing down any decision made at the state level, or is this MHDC dragging their feet on getting the money out the door?" said [state Representative Kip Kendrick](#).

Nevada

The [Las Vegas Review-Journal](#) shares the stories of Nevadans facing eviction and the steps renters must take to be protected under the CDC eviction moratorium.

New Mexico

The [Santa Fe New Mexican](#) reports the pandemic is exacerbating Santa Fe’s existing affordable housing crisis. While eviction moratoriums have helped many people stay in their homes, some renters have fallen through the cracks of eviction protections. Advocates say the city and state must pursue policy reforms to address Santa Fe’s housing crisis.

New York

The Legal Aid Society released a [statement](#) calling on Governor Andrew Cuomo to extend an executive order pausing default judgments, which expires Wednesday, November 4. As many as 14,800 households in New York City are at risk of losing their homes, simply because they followed the court’s instructions to refrain from answering their petitions.

North Carolina

The [Asheville Citizen-Times](#) reports the city will seek an additional \$890,000 in federal CARES Act funds to prevent evictions and homelessness. There were 42 evictions in Asheville and the rest of Buncombe County in September, the highest since the pandemic’s start. While Governor Roy Cooper extended the statewide eviction moratorium, Asheville hopes to use CARES Act funds to keep renters housed when the moratorium ends.

Ohio

The [Akron Beacon Journal](#) reports on federal lawsuits seeking to overturn the CDC eviction moratorium, which has protected more than 50 tenants in Summit County from eviction. A group of Ohio landlords, including Cedarwood Village Apartments – the most aggressive eviction filer in Akron this year – filed a lawsuit against the moratorium on October 23. According to Luke Wake, an attorney with the Pacific Legal Foundation, the group is “very seriously” considering filing another lawsuit on behalf of a smaller landlord in an unnamed southern state.

Oregon

The [Salem Statesman Journal](#) reports Salem officials and advocates are considering additional housing options for the more than 1,500 people experiencing homelessness in the city as COVID-19 cases spike and winter looms.

The [Corvallis Gazette-Times](#) discusses local homeless service providers’ efforts to meet the needs of people experiencing homelessness amid the ongoing pandemic and looming winter.

Pennsylvania

[Spotlight PA](#) reports loopholes in the CDC eviction moratorium and vague guidance have resulted in evictions and homelessness despite the federal ban. A Spotlight PA investigation found an inconsistent system of justice across the state, meaning decisions interpreting the vague federal moratorium vary from town to town.

Tennessee

[Advocates protested](#) outside the federal building in downtown Memphis on October 30 after a three-hour court hearing concerning a [federal lawsuit filed by Memphis landlords](#) seeking to overturn the CDC eviction moratorium. The demonstrators protested the lawsuit, saying that evictions are a crime during the pandemic.

[NBC News Nashville](#) breaks down the CDC’s national eviction moratorium, noting the steps tenants must take to be protected under the order. The Legal Aid Society of Middle Tennessee reports there have been over 560 evictions filed in Nashville for October alone.

Texas

[Austin Monthly](#) discusses Austin’s looming eviction crisis as the COVID-19 pandemic rages on and residents increasingly struggle to afford food and rent.

Guidance

Department of Housing and Urban Development

[COVID-19 Homeless System Response: Comparable Database Vendor Checklist](#)

[COVID-19 Homeless System Response: 5 Tips to Approaching Rehousing with Racial Equity](#)

[Materials Posted: Addressing Unsheltered Homelessness Webinar](#)

[Materials Posted: IDIS Setup and Draws for ESG-CV Webinar](#)

Federal Housing Finance Agency

[Information for Tenants in Rental Properties with a Fannie Mae or Freddie Mac Mortgage](#) – October 29

Additional Disaster Housing Recovery Updates - November 9, 2020

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

Resources

American Flood Coalition: [Turning the Tide: Opportunities to Build Social Equity Through Federal Flood Disaster Policy](#)

Hurricanes Laura & Delta

FEMA announced on October 30 that [additional disaster assistance](#) is available to Louisiana for damages as a result of Hurricane Laura. This assistance allows for additional funding at 100% federal cost-share for debris removal and emergency protective measures, including direct federal assistance, for 30 continuous days. Previously, federal funding was available at a 75% cost-share.

The [Advocate](#) reports that of the nearly 1400 Lake Charles evacuees who were temporarily residing in New Orleans’ hotels and ordered to return home, 571 survivors requested a reassessment, challenging the government’s initial classification that their homes had “minor” or “moderate” damage. Of those, 287 assessments were upgraded to “major” and 56 were upgraded to “destroyed,” giving those residents the option of returning to a state-provided hotel.

Hurricane Sally

Alabama

Homeowners and renters of Baldwin, Escambia, and Mobile counties with uninsured damage or losses from Hurricane Sally have only two weeks left to [register for disaster assistance](#). The FEMA registration deadline is November 19.

Iowa Derecho

United Way of Eastern Iowa announced a new [\\$500,00 program](#) to assist those impacted by the derecho make home repairs. Displaced renters will be referred to the rental assistance program, or, if facing homelessness, entered into the centralized intake system. Homeowners will be referred to nonprofit organizations based on their repair needs.

Tropical Storm Isaiás

If you received temporary rental assistance from FEMA after Tropical Storm Isaiás, you can take [two steps](#) to continue receiving those benefits.

Wildfires in the West

Oregon

Oregon residents impacted by wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties still have time to [apply for FEMA disaster assistance](#). The deadline to apply is November 16.

In response to the devastation caused by Oregon wildfires, FEMA has extended the period for soliciting property owners to participate in [Multi-Family Lease and Repair](#) (MLR). With MLR, multiple firm-fixed-priced contracts may be awarded to provide housing assistance to affected families.

While the Almeda Fire burned more than [1,000 mobile homes in 18 parks](#) in Jackson County, some mobile homes were saved. Owners and residents of manufactured homes that survived the fire face difficult decisions about whether it is safe to move back and if they can afford to remain or rebuild.

Department of Homeland Security

DHS Public Charge Rule in Effect Nationwide after Appellate Court Halts Effort to Stop Case

The U.S. Court of Appeals for the Seventh District stayed a decision made by the U.S. District Court for the Northern District of Illinois Eastern Division that would have effectively voided the DHS Public Charge Rule nationwide. Immigrant families remain at risk of being considered a “public charge” and being denied visas or green cards if they need support for safe and affordable housing, food assistance, or health care (see *Memo*, [08/19/2019](#)). The appellees must respond to the stay request no later than November 17, 2020.

Cook County of Illinois and the Illinois Coalition for Immigrant and Refugee Rights (ICIRR) had filed a lawsuit in September 2019 claiming that the DHS’s final public charge rule violated both the Administrative Procedure Act and the equal protection component of the Fifth Amendment’s Due Process Clause. The district court issued a [preliminary injunction](#) that blocked the rule from taking effect in Illinois on October 14, 2019, the day before the rule was set to be implemented. The case made it to the Supreme Court, where the judges lifted the preliminary injunction and similar orders, and the rule was in effect nationwide on February 24, 2020 (see *Memo*, [03/02](#)).

The plaintiffs (Cook County and ICIRR) filed a motion for a summary judgment on August 31. Since the U.S. District Court panel had already resolved the plaintiffs’ APA’s claim with the preliminary injunction ruling last year, the court allowed for the summary judgment. While DHS had argued that the court should only vacate the final rule in Illinois, the district court agreed with the plaintiffs that the rule must be vacated nationwide. The court stated, “By the APA’s plain terms, then, an agency rule found unlawful in whole is not ‘set aside’ just for certain plaintiffs or geographic areas; rather, the rule ‘shall’ be ‘set aside,’ period.” As a result, on November 2

the U.S. district court granted the plaintiff's summary judgment vacating the Final rule. However, this victory for advocates lasted only a day as the United States Court of Appeals ordered that the district court's judgment has administratively stayed.

The plaintiffs/appellees have until November 17, 2020, to file a response to the stay of the vacatur order. Until then, the public charge rule remains in effect nationwide.

The public charge rule has already had a noticeable effect on low-income immigrant families' enrollment in safety-net programs. According to [research](#) published in *Health Affairs*, there has been a decline of 260,000 children enrolled in Medicaid, Supplemental Nutrition Assistance Program (SNAP), and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). "These results suggest that the Trump administration's public charge announcement could have led to many thousands of eligible, low-income children failing to receive safety-net support during a severe health and economic crisis," state the study's authors.

NLIHC will continue to inform readers on the status of this litigation and the efforts across the nation to oppose the Public Charge Rule.

It is important to note that the Public Charge Rule [will not apply to testing, screening, or treatment of communicable diseases including COVID-19](#).

Cook County of Illinois is represented by lawyers from the Cook County State's Attorney's Office Civil Actions Bureau and Goldberg Kohn.

ICIRR is represented by the Shriver Center on Poverty Law, Legal Council for Health Justice, National Housing Law Project, and Sidley Austin LLP.

The preliminary injunction on the DOS Public Charge rule remains in effect nationwide.

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

Read the Summary Judgement from the U.S. District Court for the Northern District of Illinois Eastern Division at: <https://bit.ly/3mVE1ZP>

Read the Stay of the Vacatur Order from the U.S. Court of Appeals for the Seventh Circuit at: <https://bit.ly/3l3KaTq>

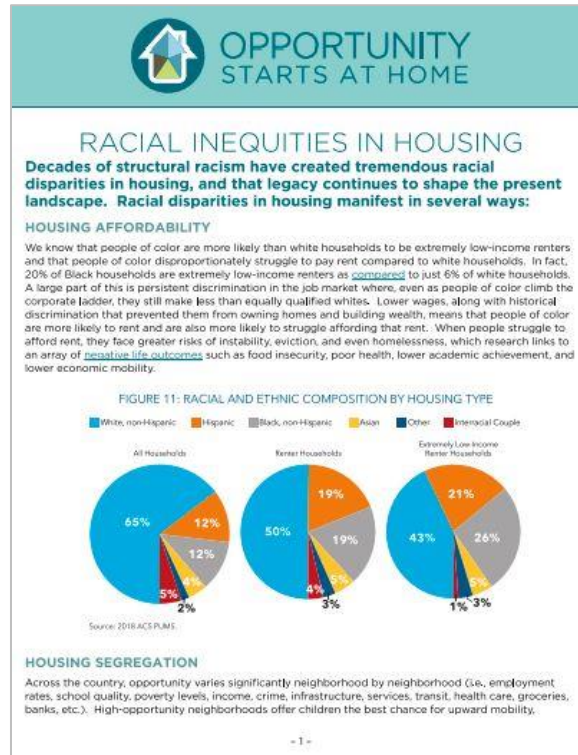
Visit the Protecting Immigrant Families Campaign website for more information and resources on the Public Charge Rule at: <https://bit.ly/3kENXH3>

Opportunity Starts at Home

“Racial Inequities in Housing” Fact Sheet Available Now

The *Opportunity Starts at Home* multi-sector affordable homes campaign published a new fact sheet, “Racial Inequities in Housing,” on its website. The downloadable [fact sheet](#) explains how racial disparities manifest in housing and which historical policies caused these disparities; how racial disparities in housing impact other sectors; how some modern-day policies and practices continue to exacerbate the problem; and how the campaign's federal policy agenda could help advance racial equity and ensure that people most in need receive

the most help. The fact sheet was built in conjunction with the campaign’s multi-sector Racial Equity Working Group.



To access the new fact sheet, [click here](#).

Follow the *Opportunity Starts at Home* campaign on social media: [Twitter](#), [Instagram](#), [Facebook](#), and [LinkedIn](#). Be sure to [sign up](#) for our e-newsletter to get the latest updates about the campaign, including new multi-sector partners, [calls to action](#), events, and [research](#).

Our Homes, Our Votes: 2020

Join Us for NLIHC’s Final *Our Homes, Our Votes 2020* “Third-Thursdays-At-Three” Webinar

NLIHC will host an “After the Vote—Holding Candidates to their Promises” [webinar](#) on Thursday November 19, at 3:00 pm ET as part of the “Third Thursdays at Three” *Our Homes, Our Votes: 2020* webinar series. The November webinar will explore the importance of holding candidates to their promises after the election has been held.

Participants will learn how to track and discuss the success of voter turnout efforts to demonstrate to newly elected officials that low-income renters are an important and active constituency. Guest presenters include Rachael Myers, executive director of the Washington Low Income Housing Alliance, and Alan Greenlee, executive director of Southern California Association of Non-Profit Housing (SCANPH). Presenters will discuss the best ways to constructively remind elected officials of their campaign promises while establishing relationships with new staff members.

Register for the webinar series at: <https://bit.ly/31PftdB>.

View recordings of previous sessions (1-14) on our website at: <https://www.ourhomes-ourvotes.org/webinars>

NLIHC provides an array of nonpartisan resources, tools, and training on increasing voter registration and turnout among low-income renters and on engaging candidates, including these webinars covering the many facets of voter and candidate engagement.

Research

New Dataset Shows Voucher Protection Laws Are Increasing and Strengthening

The Urban Institute, in partnership with the Poverty & Race Research Action Council (PRRAC), released a new legal dataset and accompanying report, “[State and Local Voucher Protection Laws](#).” These resources detail laws enacted to prohibit landlord discrimination against Housing Choice Voucher (HCV) holders. The report finds that about half of all voucher holders in the U.S. are covered by these laws, and both the number and strength of laws have increased over time.

The researchers used PRRAC’s continually updated [list](#) of statutes banning source-of-income discrimination as the foundation for their research. They included statutes that included protections for HCV holders, either explicit or implicit, in the analysis. The resulting dataset contains 12 state and 87 local laws passed between 1971 and 2019 prohibiting discrimination against HCV holders. All but one of these laws are still active.

Researchers coded key features of each law across four dimensions: the extent to how explicitly the law protects HCV holders (explicitness); who can bring a discrimination complaint and the relief available (enforcement); available loopholes in the law for landlords to reject voucher holders (exemption); and tax abatement or other incentives for participating landlords (incentive). Once coded, the researchers created a scale to determine the strength of each law, with 0 being the weakest and 4 being the strongest.

Housing Choice Voucher protections have steadily increased over the past several decades, particularly among localities. Between 2001 and 2019, new HCV laws led to increased protections for over 750,000 renter households with vouchers. The strength of these laws has also increased over time. On a scale of 0 to 4, laws in the dataset scored an average strength rating of 1.94. Laws passed prior to 2000 scored an average of 1.71, while laws passed after 2000 scored an average of 2.04.

This report can be found at: <https://urbn.is/32ccknS>

The dataset can be downloaded from: <https://bit.ly/385FrNo>

Most Older Adults Do Not Live in Communities with High Livability Scores

The AARP Public Policy Institute and the Joint Center for Housing Studies released “[Which Older Adults Have Access to America’s Most Livable Neighborhoods? An Analysis of AARP’s Livability Index](#).” The AARP’s Livability Index measures neighborhoods in terms of an array of elements that contribute to community and economic well-being, including housing affordability, neighborhood safety, transit access, environmental quality, and economic opportunities. The report finds that more people over age 50 live in low-livability neighborhoods than in neighborhoods with the highest livability scores. Older adults with incomes less than \$30,000 are underrepresented in the neighborhoods scoring the highest on environmental quality, health, civic engagement, and economic opportunity.

AARP defines a “livable neighborhood” as one that is safe and secure, with affordable and appropriate housing and transportation options, and which offers supportive community features and services. The Livability Index

provides a composite score for neighborhoods based on 40 metrics across seven categories—housing, neighborhood safety/quality, transportation, environment, health, engagement, and opportunity. Each category is scored separately, and communities can receive additional points for the presence of 20 policies that improve livability—such as inclusionary zoning, affordable housing trust funds, crime-prevention programs, and transit-oriented development.

The neighborhoods with the highest livability scores tend to have higher rents and housing values. They also have more diversity of housing types, older housing, and a more equal distribution of owners and renters than the national average. Older adults are slightly overrepresented in neighborhoods with the lowest scores. Neighborhoods where at least half the population is age 55 or older are more likely to have low scores on neighborhood safety, quality, and access to economic opportunities.

Renters are more likely than owners to live in high-livability neighborhoods. While renters make up 31% of the overall population, they make up only 23% of the population in the neighborhoods with the lowest livability scores and 44% in the highest. Renters account for 18% of all older adults ages 50 to 64 in the lowest livability neighborhoods but 35% of older adults in the highest livability neighborhoods. Older adults residing in the most livable neighborhoods are more likely to be housing cost-burdened, spending more than 30% of their income on housing.

Because livability is multidimensional, the characteristics of high-livability neighborhoods vary. Older renters live in neighborhoods with higher scores for housing and transit options and access to community destinations, compared to homeowners. The high-livability neighborhoods in which homeowners live have slightly higher scores for environmental quality, health, civic engagement, and economic opportunity.

Even within the highest livability neighborhoods, there are differences in the characteristics of neighborhoods occupied by renters of color. On average, high-livability neighborhoods occupied by Black and Hispanic renters have higher housing and transportation scores and lower health and economic opportunity scores, compared to the high-livability neighborhoods occupied by older white renters.

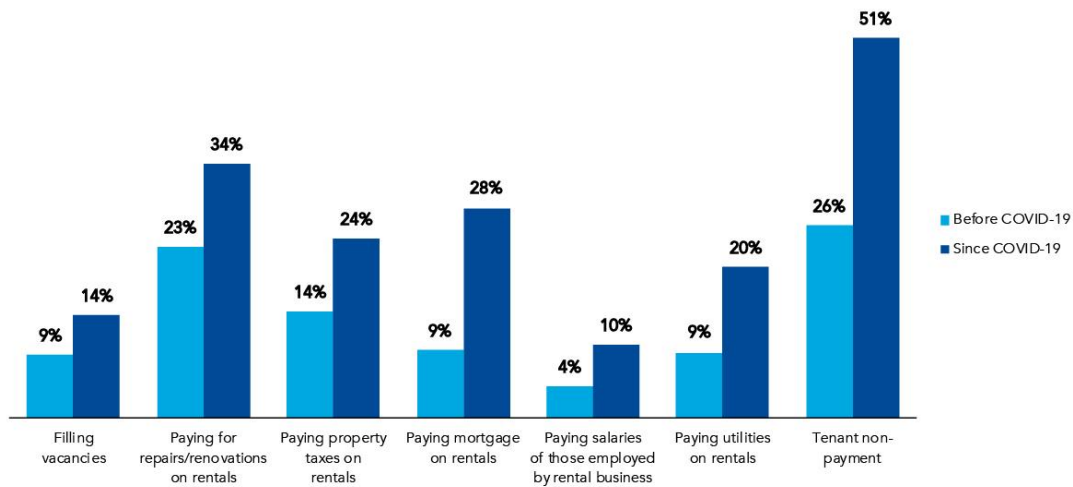
The authors make policy recommendations across all seven categories included in the Livability Index. They recommend local policymakers give older adults more opportunity to age in place by increasing the housing types in a neighborhood, promote accessibility through universal design, and adopt zoning and development policies that encourage greater affordability.

The report can be found at: <https://bit.ly/324IeTb>

Fact of the Week

Philadelphia Landlords Experiencing Significantly Higher Financial Constraints During COVID-19, Especially Tenant Non-Payments

Philadelphia Landlords Experiencing Financial Constraints Before and During COVID-19



Source: The Housing Initiative at Penn, "COVID-19 and Rent Relief: Understanding the Landlord Side," 2020

Source: The Housing Initiative at Penn, "COVID-19 and Rent Relief: Understanding the Landlord Side," 2020.

From the Field

Advocates Push Salt Lake City to Consider Affordable Housing Challenges in Rezoning Ordinance

The Salt Lake City Council is considering a rezoning ordinance that would increase housing density in certain neighborhoods. Housing advocates have raised the alarm that this revision will spur the replacement of existing housing with new, more expensive units. Responding to this pressure, the City Council has delayed its vote by a month to the end of November to consider the revision's potential impact on affordable housing.

Barriers to providing housing in multifamily zones include minimum lot area requirements, minimum lot width, allowing only one principle structure per lot, and expenses related to tearing down old units. The zoning ordinance (RMF-30) is intended to decrease lot requirements and allow for multiple housing types per lot. Proponents of the zoning change claim this will make it economically feasible to develop middle-income housing and will increase the diversity of housing types for all income levels.

Utah Renters Together and other affordable housing advocates are skeptical that RMF-30 would alleviate housing pressure in Salt Lake City. They argue that without protections in place, increased density will attract high-income tenants and risk the loss of naturally occurring affordable housing. Advocates recommend including a proposed affordable housing overlay in conjunction with the rezoning ordinance. They also state that the ordinance should not take effect until the City has considered a requirement of either a one-for-one rebuild of any affordable housing units demolished or a per unit fine payable to the local housing trust fund. The proposed overlay is being drafted by Salt Lake City's Planning Commission, and advocates argue it should include an inclusionary zoning mandate or an in-lieu payment.

“The RMF-30 proposal suggests that increased housing supply will lead to a simple ‘supply and demand’ relationship,” said June Hiatt, an organizer with Utah Renters Together, “but we have seen for years simply building more housing does not increase the supply of affordable housing, unless the city requires it to. Salt Lake City has an affordable housing crisis. This proposal as it is drafted will lead to gentrification and displacement of current residents, and it will exasperate housing affordability problems in our city.”

The Salt Lake City Council was receptive to concerns raised by affordable housing advocates and pushed its vote from the end of October to the end of November so that the council can further discuss the affordable housing implications.

For more information about the rezoning ordinance or Utah Renters Together, contact June Hiatt at: utrenterstogether@gmail.com.

NLIHC NEWS

Vote for NLIHC in CREDO Mobile’s Donation Program

NLIHC could earn a share of a \$150,000 grant from cell phone company CREDO Mobile, but the amount depends on your vote! CREDO Mobile’s grant will help NLIHC achieve socially just public policy to ensure the lowest-income people – seniors, people with disabilities, families with children, people experiencing homelessness, and disproportionately people of color – have decent, accessible, affordable homes. Join us by voting & spreading the word. Vote for NLIHC at: <https://bit.ly/CREDO-NLIHC>

Guided by its customers, CREDO Mobile has given over \$90 million to nonprofit organizations since 1985. Every month, CREDO Mobile calls on its members and the public to help the company choose how to distribute \$150,000 in donations to nonprofit groups working on important issues. During the month of November, NLIHC will “compete” with two other organizations for votes: Doctors without Borders and the YEARS Project. At the end of the voting period on November 30, the \$150K will be distributed to the three organizations by the percentage of votes received. Visit <https://bit.ly/CREDO-NLIHC> and cast a vote for NLIHC today, and spread the word using sample Tweets below:

- This month, a vote for @NLIHC is an opportunity to give back to our fight for housing justice. The good news is it’s fast, simple, easy, and free. Vote for NLIHC here through @CREDOMobile: <https://bit.ly/CREDO-NLIHC>
- Every month @CREDOMobile distributes \$150,000 to 3 causes based on votes received. This month @NLIHC will have a chance to earn a robust share. Cast your vote now. <https://bit.ly/CREDO-NLIHC>
- Will you vote for @NLIHC to be the top recipient of funding from the @CREDOMobile grant competition? Your vote will support our efforts to ensure housing affordability for the lowest-income people in the U.S. Vote at: <https://bit.ly/CREDO-NLIHC>
- Help @NLIHC achieve socially just public policy to ensure the lowest-income people have decent, accessible affordable homes by voting this month to distribute a portion of \$150,000 to NLIHC from @CREDOMobile. <https://bit.ly/CREDO-NLIHC>
- It’s never been easier to support the movement for #AffordableHousing: click the link below and vote for @NLIHC to win a portion of a \$150,000 grant from @CREDOMobile <https://bit.ly/CREDO-NLIHC>

NLIHC Seeks Winter/Spring Interns for Research and Graphic Design/Communications

NLIHC is accepting applications for our winter/spring research and graphic design/communications internship positions. 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, to work as research and graphic design/communications interns from January to May.

The available positions are:

Research Intern. Assists in ongoing quantitative and qualitative research projects, writes weekly articles on current research for the *Memo to Members and Partners* e-newsletter, attends briefings, and responds to research inquiries. Quantitative skills and experience with SPSS a plus.

Graphic Design/Communications Intern. Assists with designing collateral material such as brochures, flyers, infographics, and social media imagery, and updating content on the NLIHC website. They also prepare and distribute press materials, assist with media research and outreach for publication releases, work on social media projects, maintain a media database, and track press hits. Some experience with graphic design and Adobe Creative Cloud (Illustrator, InDesign, and/or Photoshop) is needed.

Spring/winter interns are expected to work 25 hours a week. NLIHC provides modest stipends.

A cover letter, resume, and writing sample are required for consideration. In your cover letter, please specify the position(s)/semester for which you are applying. Applicants for the graphic design/communications internship should also submit examples of your graphic design work.

Interested students should send their materials to: Bairy Diakite, operations manager, National Low Income Housing Coalition, 1000 Vermont Avenue, NW, Washington, DC 20005 via email to: bdikite@nlihc.org

NLIHC in the News

NLIHC in the News for the Week of November 1

The following are some of the news stories that NLIHC contributed to during the week of November 1:

- “Voting is always a nightmare for people without secure housing. Thanks to the pandemic, it just got harder,” *BuzzFeed News*, November 1 at: <https://tinyurl.com/y2wxseqz>
- “Freddie Mac’s landlord and tenant protections raise questions,” *The Real Deal*, November 1 at: <https://tinyurl.com/y5k8z9df>
- “CDC green lights evictions despite continued pandemic,” *Capital Outlook*, November 1 at: <https://tinyurl.com/y679fvwk>

NLIHC Staff

Kyle Arbuckle, Housing Advocacy Organizer, x227
Olivia Arena, Housing Advocacy Organizer, x209
Xavier Arriaga, Policy Analyst, x231
Andrew Aurand, Vice President for Research, x245
Victoria Bourret, Housing Advocacy Organizer, x244

Jen Butler, Manager, Media Relations and Communications
Alayna Calabro, Policy Analyst–COVID-19 Response, x252
Josephine Clarke, Executive Assistant, x226
Bairy Diakite, Operations Manager, x254
Emma Foley, Research Intern, x249
Dan Emmanuel, Senior Research Analyst, x316
Ed Gramlich, Senior Advisor, x314
Kim Johnson, Housing Policy Analyst, x243
Paul Kealey, Chief Operating Officer, x232
Mike Koprowski, Director, Multisector Housing Campaign, x317
Joseph Lindstrom, Director, Field Organizing, x222
Mayerline Louis-Juste, Communications Specialist, x201
Richard Mbouombouo, Graphic Design/Communications Intern
Sarah Saadian, Vice President, Public Policy, x228
Khara Norris, Director of Administration, x242
Noah Patton, Housing Policy Analyst, x227
Ikra Rafi, Creative Services Specialist, x246
Catherine Reeves, Development Coordinator, x234
Brooke Schipporeit, Housing Advocacy Organizer, x233
Dan Threet, Research Analyst, x202
Britt Wall, Media Relations and Communications Manager, x239
Chantelle Wilkinson, Housing Campaign Coordinator, x230
Renee Willis, Vice President for Field and Communications, x247
Rebecca Yae, Senior Research Analyst–COVID-19 Response
Diane Yentel, President and CEO, x225
Shuting Zhou, Graphic Design/Communication Intern, x240